



AFL-CIO-CLC • LOCAL 11

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## REGULAR EXECUTIVE BOARD MEETING

Wednesday, March 5, 2003

### **ATTENDING:**

Edward. F. McEwan  
William F. Freeh  
Eugene E. Garnes  
Mark G. Hollis

Local President  
Local Vice-President  
Local Secretary  
Local Treasurer

### **EXECUTIVE BOARD:**

#1. J. Keyes	#10. A. Donatien(excused)
#2. L. Greenberg	#11. J. Cook
#3. E. Hinrichsen	#12. R. Calamera
#4. S. Gonzalez (working)	#13. V. Novak
#5. T. Gorry	#14. S. Robblee
#6. T. Cappel	#16. P. Sullivan
#7.	#18. R. Focarile
#9. J. Endara	

The meeting was called to order at 9:47 am with LP McEwan presiding.

LP McEwan led the salute to the Flag.

A moment of silence was observed for NBC Retiree Henry Jasinski who passed away recently.

I APPROVAL OF THE MINUTES OF THE FEBRUARY 2003 REGULAR EXECUTIVE BOARD MEETING -

Motion #1

"Move to accept the February 2003 Executive Board Minutes as corrected." (EBM 03-3-1)

(Focarile 2nd Hinrichsen)

FOR: Freeh, Garnes, Hollis, Keyes, Greenberg, Hinrichsen, Novak, Gorry, Cappel, Cook, Calamera, Sullivan, Focarile, Endara

AGAINST: None

ABSTAIN: Robblee

MOTION PASSED

CORRESPONDENCE

The correspondence file was available for inspection.

NEW MEMBERS

John M. Oliveira	NBC - DH
Shaheen Mazaffari	NBC- DH
John J. Ginex	NBC - DH
Jason N. Munoz	NBC - DH
Samantha M. Wilson	NBC - DH
Vivian M. Salama	NBC - Staff
Pietro Rotundo	TVS - Staff
Eugene J. Huelsman	NBC - DH

It was decided to hold off until later before approving the new members.

IV COMMITTEE REPORTS

- a) Benefits – No report
- b) By-Laws – S. Robblee reported that he will try to have a meeting with the committee on March 24, 2003 to work on the By-Laws.

- c) **Elections** - LVP Freeh gave an interim report. The official election report will be given at the April 2003 Executive Board meeting. The following petitions were received within the prescribed time limits:

Unit #1	James Keyes
Unit #3	Ernie Hinrichsen
Unit #5	Tim Gorry
	Karl Kaessler
	William Vaccaro
Unit #9	Jose Endara
Unit #11	J. Cook
Unit #13	Bob Croce
	Vinnie Novak

The count will be conducted on Tuesday, April 1, 2003, 10:00 am at the AAA offices. A disclaimer containing a text of the motion passed by the Board regarding the biographies was sent out with the ballots.

- r) **Training** - J. Salvaggio reported. We have a new partnership with Vibrint. He will be meeting with them next week. We are on par with what we were paying to Movieola. There is not much grant money out there for us due to the salaries that our members make. Daily-hires who only work sporadically can find some assistance from the Actors Equity.
- d) **Financial** - LT Hollis reported. We held a meeting at NBC regarding the continuing dues issue. Dr. Joan Parker was present and has indicated that she will be awarding the Union punitive damages for the continuing violations. LT Hollis has started catching up on the bookkeeping and hopes to have the financial report ready by next month. He feels that the quick books training that he and E. Roth took was very effective for the both of them. We are now in a budget crunch because we have not received our rebate check from the Sector and also due to February being a short month, but should receive it by the 15th of March. The voucher folder was available for inspection. It was noted that some vouchers were not signed off on and check numbers were not noted on the vouchers and it was explained that the bills have not been paid yet. The spreadsheets for Local Dues and Initiation Fees collected were distributed to the Board.

e) Grievance Report - Grievance Chairman L. Worster reported.

**At NBC**

- Feb. 6 -** LP McEwan and I wrote grievances concerning OTE issues that resulted from the preceding weekend. The preceding weekend was the Saturday of the Shuttle Columbia tragedy.
- Feb. 7 -** I was informed that NBC Sports Producer Jim Bell used a Mini DV cam to shoot interviews which did air during the telecast of the San Jose vs. Phoenix AFL game. A Grievance has been subsequently written.
- Feb. 10 -** LP McEwan and I continued writing grievances concerning OTE issues arising from the aforementioned weekend. Later that day E-Board member T. Gorry served all of the above mentioned grievances.
- Feb. 13 -** Session #7 in the arbitration case of the (2) two discharges. This case ended and we are awaiting the decision from the Arbitrator.
- Feb. 14 -** LP McEwan, Attorney Marinovic, member McGuinness and I met with Labor Relations representatives regarding lighting issues in Studio 8H. On the Sundays after a Saturday Night Live telecast lights are re-hung with no NABET lighting director. The IA works off the lighting director's plot. The Company feels this is all that is required and obviously we feel that a NABET lighting director should be present. After some discussion the Company agreed to look into this situation and get back to us.
- Feb. 20 -** LP McEwan, Attorney Sturm and I met with Labor Relations regarding the possible termination of a WNBC employee. This employee was already on final warning. After discussion the Company will issue a Last Chance letter.
- Feb. 26 -** LP McEwan, LS Garnes, Attorney Peek, Grievance Committee members Gorry, Focarile and I met to prep for the monthly meeting with the Company. Later that afternoon the Company postponed the meeting.
- Feb. 27 -** LP McEwan, LVP Freeh, LT Hollis, Assistant to the Treasurer Roth, Attorney Sturm, Sector Chief Financial Administrator Dan Mahoney, and I met with the Company in front of Arbitrator Dr. Parker to

discuss the ongoing Sector Dues issue. Dr. Parker stated the problem must be corrected and that punitive damages would be awarded to the Union. She indicated that if this ongoing problem was not corrected that punitive damages would be increased until it got GE's attention. Later that afternoon the second discharge case had begun. This is ongoing and will be at least two more sessions.

**At NBAE**

No report.

**At TEAM**

**Feb. 6 -** I received a call from Shop Steward Brian Kiederling informing me that disciplinary action was going to be taken against one of their members. Brian gave me a brief history about this individual. I then called General Manager Rick Cohen and asked for more information. Mr. Cohen spoke to me about the individual's history and via fax sent a copy of a formal warning given to this individual dated August 13, 2002. Later that day I received another fax which was a copy of another letter given to this employee informing him of a three day suspension.

**Feb. 10 -** LP McEwan, Attorney Sturm, E-Board member Greenberg, Shop Stewards Kiederling, Wiener, Brennan, Touhey, Collins, Kaufold and I met with representatives of the Company for their quarterly grievance meeting. Topics of discussion included but were not limited to vacation blackouts, bio hazard training, second (2nd) meal penalties, W2's and information not sent to NABET.

**Feb.11-12 -** LP McEwan, Attorney Sturm, E-Board member Greenberg, Contract Negotiating Committee members, Schang, McShea, Lima, Kiederling, Van Patten and I met with representatives of the company. Still on the agenda were wages and employee health insurance contributions. When we ended the day the Company had to get back to us with numbers for the health plan. Still on the agenda the next day were wages, employee health insurance contributions and parameters for the health plan. That afternoon, after much negotiating, an agreement was reached that the Committee felt they could take back to their membership.

Shortly thereafter Shop Steward Kiederling was informed that aforementioned suspended employee was late for his first day back to work. We had him come to the Union office to talk with him. He

was again suspended, this time for (7) seven days and given a letter of final warning. We contacted their MAP person Gracia. He will work with this employee.

**Feb. 24 -** LP McEwan, Attorney Sturm, E-Board member Greenberg, Shop Steward Kiederling and I met to go over the proposed new contract changes. There was discussion regarding small changes in wording and a more serious one involving adjusted seniority dates versus pay scale increases. The Company was contacted for discussion about these issues. They had no problems with the smaller issues but with the larger issue they felt they needed to get back to us. We explained the need for timeliness and they said they understood. We did not hear back from them that day. It was decided that we could not take this contract to the membership for a vote.

**Feb. 28 -** LP McEwan, LVP Freeh, Attorney Sturm, the Team Contract Negotiating Committee, and I held a membership meeting at The New Yorker Hotel. Much heated discussion ensued. About eighty (80) members attended throughout the day.

**At ROC**

No report.

**At CBS**

No report.

**At TWC/NYC**

No report.

#### **AT STATEN ISLAND COMMUNITY TV**

**Feb. 28 -** We received a disciplinary letter involving an SICT employee. We faxed a copy of the letter to Don Jernigan.

**AT MCC**

No report.

**Motion #2**

"Move to go out of order on the agenda to discuss item "e" under New Business" (EBM 03-3-2)

(Hollis 2nd Freeh)

**UNANIMOUSLY PASSED**

**VI NEW BUSINESS**

- e) **W. Freeda Appearance** – At this time W. Freeda appeared before the Board to discuss the possibility of forming a retiree's club. He is going to ascertain what kind of interest is out there and if enough people are interested, he will apply to the CWA for a Charter. There would be some costs involved with a startup, such as expenses for mailing, telephone, use of the OPEIU Staff, copy machine, use of the conference room, etc. He might like to attend a conference in upstate New York and estimates it might cost \$100.00 for traveling expenses. Discussion ensued. He will get back to us next month.
- f) **MAP**- LS Garnes reported. The Committee continues to assist our members and their families in need of referrals and assistance.
- g) **Retirement & Pension** – No report.
- h) **Quality of Life** – No report.
- i) **Safety** – LS Garnes reported. He attended a fire drill on the 8th floor on February 25th and it was full of problems with many alarms not going off and other related problems. The drill will be conducted again in the near future. He did a walk through of the 5th floor build out at NBC and noted some safety issues which were communicated to the company. T. Cappo spoke on the numerous safety alarm issues and the importance of putting pressure on the company to fix these problems in a timely fashion. There will be an evacuation Q & A on Thursday, March 6th for our members who work in Studio 3A.

**Seniority** – LVP Freeh reported. The TVS Seniority List draft is being updated. The Company will give their employees service credit for time worked with PTSC.

k) **Membership News**

**Illness**

Larry Sherman (NBC Genesis) is out ill.  
Dean Harte (NBC Net EJ) is recovering from surgery.  
Election Chairman Jon Jones is out of the hospital and recovering from his illness.  
Bernie Braun (Local EJ) is out ill.  
Bob Friedman (Net EJ) is out ill.  
Executive Board Member Vinnie Novak had minor surgery done and is back to work.

**Deaths**

Executive Board Member Peter Sullivan's mother-in-law, Edna May Shannon passed away.

**Other News**

Roger Carrano (NBC Skypath) is back to work.  
George Balok (NBC Local EJ) is back to work.

- l) **Vacations** – No report.
- m) **Membership Services** – Chairman Ray Calamera reported. The Committee will be meeting on March 27th to set a date for a social event and to select a venue for one.
- n) **Web Site** – Ray Calamera reported. He continues to update the web site. The web security issues were discussed and Ray Calamera will report on it at the next Executive Board meeting.
- o) **E-Board Reorganization** – Chairman E. Hinrichsen reported. The Committee is gathering information on the various E-Board units before they can make any recommendations.
- p) **Daily Hire Advisory Committee** – LT Hollis reported. He discussed with the Committee the results for the Daily-Hire Meeting held with NBC out on the west coast. Liz Fulton has resigned from the committee. The next meeting is scheduled for April 16th.
- q) **Diversity Committee** - J. Keyes reported. The Committee met on Monday, March 3rd and worked on completing a survey. Attorney Lowell

Peterson will work on some questions for the committee to review. The committee is also attempting to set up a meeting with NBC.

**Motion #3**

"Move to accept the Committee Reports" (EBM 03-3-3)

(Garnes 2nd Focarile)

**UNANIMOUSLY PASSED**

**Motion #4**

"Move to accept the new members contingent upon payment of all applicable dues and fees." (EBM 03-3-4)

(Garnes 2nd Endara)

**UNANIMOUSLY PASSED**

**V OLD BUSINESS**

- a) **NBC** – LP McEwan reported. The TODAY Show discharge case involving two of three employees discharged is now completed and we are awaiting the arbitrator's award. The meeting with Labor Relations to settle the tree lighting issue has been resolved. We continue to have a number of issues involving OTE's and a memo was issued to the membership describing the rules about OTE's. We have a problem with an IA Hyphenate on the TODAY Show not paying dues and this will be addressed. Discussion on the 5th" floor build out ensued. The Company is using NABET represented employees from MCC and not from NBC.
- b) **TWC/ROC/BMG** – LP McEwan is awaiting an agreement from TWC on employees doing computer entry from their homes. If we don't receive it soon, we will be forced to file a grievance on the issue.
- c) **NBAE** – LP McEwan reported we will be setting up a date to go out and meet with the shop. We will try to do this by early April.
- d) **TVS** – L. Greenberg reported. CNN/FN has cut back in their programming and it may have some impact on some of our members. Daily-hires who were being used as full-time freelance may find themselves working on a day-to-day basis. CNN has laid off several non-represented employees. We had an agreement with the company on the contract and then an issue came up regarding seniority and pay according to adjusted seniority rate. Mobilization is now underway.

- e) **SICT** – LS Games reported. We have received the contract proposals from the Sector and are now reviewing them for content. We hope to have some dates set to negotiate very shortly.

**Secretary's Report-** LS Games reported. We have received the contract proposals from the Sector regarding Staten Island Community Television and are now reviewing them for content. We hope to have some dates set to negotiate very shortly.

- g) **Organizing** – LS & Director of Organizing Games updated the Board on the current status of organizing within the Local.
- h) **CLC Meeting** - No report.
- i) **Shop Stewards Dinner** – LP McEwan reported. The dinner will be held tonight and starts at 6:00 pm. We have 48 scheduled to attend.
- J) **OTE Update** – LP McEwan reported. He distributed a copy of the letter sent out regarding the rules of OTE's to the Board members present.
- k) **Workers Information News Service (WINS)** – LS Games reported. He has received the information requested on WINS but needs some time to put together a presentation for the Board and plans on having it ready for the next Board meeting.
- l) **Rand Nicholson Death Benefit** – LVP Freeh reported. We will not be able to process the death benefit as we need to gather some more information. We hope to resolve this one way or another by next month.
- m) **Mark Walker** – LT Hollis reported. Brother Walker has requested to be a member of the Finance Committee, but we cannot ascertain in which shop he works, so we need more time to sort things out before we can consider his appointment.
- n) **Fifth Floor Build Out** ( Please see item "a" under Old Business)
- o) **Overseas Assignments** – V. Novak reported. Some Daily Hires being sent overseas are being paid the \$55.00 in lieu of benefits and others are not. LP McEwan spoke with NBC's Jim Kiick and has been assured that all DH's will be treated the same.
- p) **Local Eleven Scholarships** – LVP Freeh reported. We have 35 Local 11 Scholarships plus the Phillip Falcone Memorial Scholarship. (29) Twenty-nine have been renewed which leaves (6) six new ones to

issue at tonight's Shop Steward Dinner. We have received 20 new applications of which one was late and will need Board approval to be added to the lottery. Discussion ensued.

**Motion #5**

"Move to accept the late scholarship application of Jessica Dekhtyar." (EBM 03-3-5)

(Freeh 2nd Hinrichsen)

**UNANIMOUSLY PASSED**

Discussion then ensued on increasing the number of scholarships.

**Motion #6**

"Move to allocate the sum of \$19,500.00 to fund 39 new and renewed Local Eleven scholarships at \$500.00 per scholarship." (EBM 03-3-6)

(Calamera 2nd Freeh)

**FOR:** Freeh, Keyes, Greenberg, Hinrichsen, Gorry, Cappo, Cook, Calamera, Novak, Robblee, Sullivan, Focarile

**AGAINST:** Garnes, Hollis, Endara

**ABSTAIN:** None

**MOTION PASSES**

- q) **Use of Union Represented Locations for Events** – J. Cook reported. Discussion ensued regarding the use of Union represented establishments for our events that we occasionally conduct.

**Motion #7**

"Move that Local Eleven recognizes the importance and benefits of union labor, and to that effect will make full faith efforts to secure union represented establishments for Local Eleven events and business whenever such union represented venues are available." (EBM 03-3-7)

(Garnes 2nd Freeh)

**FOR:** Freeh, Garnes, Keyes, Greenberg, Cappo, Cook, Novak, Robblee, Sullivan, Focarile

**AGAINST:** Hollis, Hinrichsen, Gorry, Calamera

ABSTAIN: Endara

### MOTION PASSES

- r) Online Training Violence At NBC - J. Endara reported. The Company posted the training program on the intranet, and those employees who did not take it online are being scheduled to take it. This training is contrary to the union's policy. Discussion ensued. The Union issued a bulletin regarding the training programs and what our member's rights are.

### VII NEW BUSINESS

- a) Olympics – LP McEwan reported. He was unable to reach an agreement with NBC over staffing the Olympics in Athens and Italy, so as it stands right now, we will be sending 22 represented members to Athens and none to Italy, unless the Company comes to an agreement with us.
- b) Cell Phone for LS Garnes – LS Garnes reported. He needs to have the Local purchase a cell phone contract for him to use for union related business. Discussion ensued.

#### Motion #8

"Move to purchase a cell phone contract for LS Garnes to use for union related business." (EBM 03-3-8)

(Garnes<sup>2nd</sup> Freeh)

FOR: Freeh, Garnes, Hollis, Keyes, Greenberg, Hinrichsen, Gorry, Endara, Cook, Calamera, Novak, Robblee, Sullivan, Focarile

AGAINST: None

ABSTAIN: Cappo

### MOTION PASSED

- c) Initiation Fees – LT Hollis reported. Discussion ensued on Initiation Fees and payments. Are we interested in changing how we collect them? Some locals use a 5 year cut-off date and if we wanted to restructure the system, it wouldn't take much time to do it. More research would be necessary before we consider this. No action taken at this time.

- d) **NBC Nextel Telephone** – P. Sullivan reported. NBC has outfitted one of the Group 8's with a Nextel phone and this person is required to wear it at home to take company-related calls. Discussion ensued. The contract would apply if the person receives a call from the company at home.
- e) **Henry Jasinski Death Benefit** - LVP Freeh reported. We will have to hold off paying the benefit until we can ascertain whether his listed beneficiary is still alive. We should know more by next month.
- f) **Mobilization** – LP McEwan reported. As we are having difficulties in securing a fair contract with TVS, we will be stepping up our mobilization efforts. LS Garnes will be assisting in the effort.
- g) **Local 23 Request** (Wilkes-Barre, PA) - LP McEwan reported. They are currently undergoing a very tough round of contract talks with their employer. Discussion ensued.

**Motion #9**

"Move to donate \$2,000.00 to NABET-CWA Local 23's defense fund in aid of their struggle with WBRE-TV/WYOU-TV."(EBM 03-3-9)

(Hinrichsen 2nd Sullivan)

**UNANIMOUSLY PASSED**

- h) **Brahms Lee Initiation Fee Request** – LT Hollis reported. Brother Brahms is requesting the 50% discount. Discussion ensued.

**Motion #10**

"Move to accept Brahm Lee's request for the 50% discount on his Initiation fee." (EBM 03-3-10)

(Greenberg 2<sup>nd</sup> Hollis)

**UNANIMOUSLY PASSED**

- i) **Eskender Alemayehu Initiation Fee Request** - LT Hollis read a letter from brother Alemayehu requesting the 50% discount fee. Discussion ensued. No action taken.
- j) **Pietro Rotundo Initiation Fee** – LT Hollis reported brother Rotundo would like to be afforded the 50% discounted initiation fee as he was never timely informed of it.

**Motion #11**

**"Move to afford Pietro Rotundo the Local's 50% Initiation Fee discount." (EBM 03-3-11)**

**(Greenberg 2nd Hollis)**

**UNANIMOUSLY PASSED**

There being no further business, a motion to adjourn was in order.

**Motion #12**

**"Move to adjourn."(EBM 03-3-12)**

**(Garnes 2nd Hinrichsen)**

**UNANIMOUSLY PASSED**

The meeting was adjourned at 4:50 pm.

Respectfully submitted,



**Gene Games,  
Secretary & Director of Organizing**