

NABET-CWA Local 16 Executive Board

DATE OF MEETING: June 11, 2008
ATTENDANCE: President: Paul C. Vasquez
Vice President: James J. Nolan
Secretary-Treasurer: Richard L. Gelber

Executive Board Representatives:

Unit #1: Brendan Black
Unit #2: William Bores
Unit #3: Gregory Ciccone
Unit #4: Dennis Allen
Unit #5: Arthur Mazzacca
Unit #6: Orlando Burgos
Unit #7: Henry Plimack
Unit #8: Katherine Henry

Grievance Chairman Jim Joyce was also in attendance, through Item #7, at the invitation of President Vasquez.

The meeting was called to order at 10:52 a.m.

1. Election Committee Report

Election Committee Chairman Black reported that Henry Plimack was elected Executive Board Representative for Unit #7.

2. Swearing-in of New Executive Board Member

Henry Plimack was sworn in as Executive Board Representative for Unit #7 by President Vasquez (applause).

3. Grievance and Arbitration Report

Grievance Chairman Joyce explained that he did not attend the May meeting of the Executive Board because he was testifying at a hearing in the NABET-CWA/CNN case at the request of the National Labor Relations Board.

Arbitration hearings in the Steven Kuebler outside employment case were held on April 5 and May 27 before Impartial Umpire Joan Parker. A third hearing in this case will likely take place on July 23.

An arbitration hearing regarding the proper amount of severance to be paid to a discharged member was held on May 29 before Impartial Umpire Martin Scheinman. Briefs and reply briefs are pending, but the arbitrator has promised to rule expeditiously.

A hearing will be held before Arbitrator Scheinman on June 30 over another recent termination. Local 16 has filed an Unfair Labor Practice Charge over the Company's refusal to turn over security camera tapes in connection with this case.

A meeting was held between Local 16 and ABC representatives on May 12 regarding allegations of non-NABET-represented personnel performing switching functions on certain news remotes. The Company provided most of the information requested; Local 16 is continuing its investigation and has requested further information from the Company.

There is information on the Disney web portal about changes in the Company Policies Manual. Since the announcement on the portal was vaguely worded, NABET-CWA will issue an Information Request asking what policies have changed.

There have been several recent instances of non-compliance with Local 16 requests to the Company under Article III ("No-work List"). Local 16 is pursuing these and will request damages.

There have been recent cases of members not being allowed to work by the Company doctor, and then being charged sick days, as well as sick time being charged by the hour. Local 16 believes these practices are not supported by the negotiating history.

Questions raised by the "Disney Dependent Verification Review":

1. In some responses, the Company made reference to a "student database", and Local 16 requested further information about this database. ABC replied that the database is maintained by its third-party vendor, Verify Solutions, and is not accessed by the Company.
2. Approximately 30 members nationwide have not verified dependent eligibility status to the satisfaction of the Company's vendor. About half are active and half are retirees. ABC has told NABET-CWA that those who have notified the Company of difficulties in compliance, but are still attempting to comply, will have until June 30 to fix the problem.

According to Labor Relations and Preston Davis, management consultants from IBM will be seen on the premises studying B.O.&E's operations for the next several months.

3. Grievance and Arbitration Report - Cont'd

A WABC-TV ENG editor recently received a "14.1(b)" notice from management, totally unexpectedly. Factual and discrimination issues with the notice will lead to a grievance.

A meeting was held this morning at WABC-TV regarding new time reporting procedures there.

Local 16 is waiting for "second quarter" grievance meeting dates from Labor Relations. A "Sideletter DC" meeting is to be held in October.

ABC News is acquiring an EVS ("Elvis") system. We do not believe this is "DK" equipment (both by definition and by long-standing precedent), and will file a grievance if the EVS is not operated by NABET-CWA-represented personnel. An existing grievance regarding a system at GMA is being held pending a meeting of the "DK" Committee.

4. Pension Update

Pension plan Trustee Dennis Allen reports that the Fund is at least 127% funded versus current liabilities. ABC has agreed to waive the "pop-down" calculation that was to take place at the end of 2008, thus saving the fund unnecessary fees. The fund balance is slightly down at approx. \$675 million, but the funding ratio has stayed relatively constant, consistent with the current investment philosophy of the plan.

5. Political Report

The CWA Executive Board endorsed Barack Obama for President on Tuesday, June 3.

Endorsements from CWA District One for New York City Council seats, and for City-wide offices are pending. District One will shortly conduct interviews for New York State Senate races.

The U.S. Senate passed a bipartisan resolution which would cancel the FCC's recent relaxation of cross-ownership rules. Action by the House is pending.

Legislation requiring paid FMLA leave has passed in Connecticut.

6. Training Report

BURST will do a presentation at the NABET-CWA Sector Conference in Las Vegas. BURST is recruiting a second trainer in order to better utilize the "mobile lab" equipment. BURST has also arranged for the purchase of a number of "Lynda.com" online training licenses; Local 16 has been allocated six, to begin on July 15.

7. National Conference on Media Reform

Paul Vasquez attended the National Conference on Media Reform in St. Paul, MN on behalf of Local 16, and Jim Joyce attended on behalf of NABET-CWA. They reported that the Conference program was very good, with much discussion regarding what to do when the Administration changes. Copies of handouts from the Conference were distributed. NABET-CWA and TNG-CWA (The Newspaper Guild) jointly sponsored a booth at the Conference, and the attendees demonstrated considerable interest in our issues.

8. "Opportunities to Eat"

E-Board Rep. #8 Henry believes that the "OTE" is being abused by the Company when it is applied to individuals rather than an entire crew. Local 16 will communicate its position on this to the Graphics Unit members.

9. Former Officers Joyce & Maxwell

Resolutions were read by Bill Bores and Rich Gelber thanking Jim Joyce (#08-15) and Gene Maxwell (#08-16) for their service.

Motion (#08-15): I move that we, the Executive Board of Local 16, acknowledge and thank Jim Joyce for his long and effective service to the members of Local 16. For the last 12 years, Jim has worked on a level above and beyond the requirements of the offices he has held. His dedication and hard work have benefited every member of Local 16 and every NABET member nationwide. Personally, he has inspired my service as a shop steward and now as an Executive Board Representative. I remain grateful and indebted to Jim. Thank you for your service to Local 16 and your continued service to the members of NABET-CWA at the National Sector level.

Moved: Bores

Seconded: Allen, Plimack

Passed Unanimously

Motion (#08-16): I move that the Executive Board of Local 16 acknowledge and thank Gene Maxwell for his two terms of service to the membership as President of Local 16. Gene took office at a time of great turmoil and immediately set about smoothing the waters and had considerable success in doing so. Gene dedicated himself to member service and added a comprehensive familiarity with ABC's benefit structure to his already extensive knowledge of the contract. Gene provided invaluable help for me in accomplishing the responsibilities of my position and I have to say I learned a lot from paying attention to Gene's approach to his. Oddly enough, Gene began his first term as President as an employee on leave from one company, and ended his second term as an employee on leave from a different one. Gene will always find a way to bounce off whatever obstacles are placed in his path, and I wish him well in the completion of his career in radio. I know he will always be available to lend assistance, whenever called upon, to whatever administration leads Local 16 at any given time.

Moved: Gelber

Seconded: Nolan

Passed Unanimously

10. Minutes

The minutes of the previous regular meeting of the Local 16 Executive Board, held on May 13, 2008, were approved as submitted.

Moved: Mazzacca Seconded: Nolan Passed Unanimously
Abstain: Allen, Plimack

11. Old Business

a. Sick Leave Policy

(covered during Grievance and Arbitration Report)

b. Disney Dependent Verification Review

(covered during Grievance and Arbitration Report)

c. Committees

President Vasquez will discuss Committee assignments with each Executive Board member before next Wednesday.

d. Newsletter

Brendan Black announced a publication deadline of July 18.

e. Daily Hire Meetings

The first two meetings took place as scheduled. Attendance was less than hoped for, but future meetings will be publicized better.

f. Basement Construction

Rich Gelber and Bill Bores reported on the recent B-Basement demolition project. The Company has gotten better, but still has difficulty observing safety precautions.

g. Disney Signature Benefits Waiver

A waiver requested by the Company to delay implementation of the eligibility of Signature benefits to a (small) number of Daily Hires was granted by NABET-CWA because of negative tax consequences that would fall upon the members. Those affected will be eligible for 2009.

12. New Members

The following members were accepted into membership contingent upon payment of initiation fee, dues, and verification of application:

E. Boss C. Halperin J. Mucha M. Pedone R. Osterhoudt M. Otake
R. Benevent K. Mims L. Macavinta R. Phillips A. Hunter

Moved: Burgos Seconded: Plimack Passed Unanimously

President Vasquez announced that luncheon meetings for new members will be held in the Local 16 office on a quarterly basis.

13. Organizing Report

Three organizing projects involving internal groups are getting serious.

14. Laptop Computer for Vice-President

Vice-President Nolan requested funding for purchase of a laptop computer he has priced out.

Motion (#08-17): To allocate up to \$600 for purchase of a laptop computer for use by Vice-President Nolan.

Moved: Burgos Seconded: Black Passed Unanimously

15. Belmont Stakes

Greg Ciccone and Art Mazzacca represented Local 16 at the Belmont Stakes on Wednesday, June 4. No safety or other problems were observed. Two members paid dues while at the remote.

16. Secretary-Treasurer's Report

The May, 2008 income and disbursement reports, and the fiscal year-to-date totals were distributed to the Board by Secretary-Treasurer Gelber.

Budget funding needs to be added to cover retirement gifts for people who took the recent buyout, among others.

Motion (#08-18): To add \$14,000 to the current fiscal year budget for retirement gifts, to be paid under Local 16's existing policies.

Moved: Nolan Seconded: Mazzacca Passed Unanimously

Motion (#08-19): To make former President Maxwell and former Vice-President Joyce whole for the costs of accrued 2008 vacation as taken.

Moved: Allen Seconded: Gelber Passed Unanimously

17. SMAG Truck

The Board discussed the truck assigned by the Company to SMAG, which has no air-conditioning. We believe this is a safety issue and the truck should be taken out of service. Local 16 will pursue the issue.

18. New York State AFL-CIO Convention

The New York State AFL-CIO Convention will be held at the New York Sheraton during August. The Executive Board will select delegates at next month's meeting.

19. Ideas

The Board discussed all ideas submitted and Paul Vasquez will respond to each directly.

The meeting was adjourned at 5:00 p.m.

Respectfully submitted,

Richard L. Gelber

RLG:ph
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