

NABET-CWA Local 16 Executive Board

DATE OF MEETING: January 16, 2008  
ATTENDANCE: President: Eugene J. Maxwell  
Vice President: James C. Joyce  
Secretary-Treasurer: Richard L. Gelber

Executive Board Representatives:

Unit #1: Brendan Black  
Unit #2: William Bores  
Unit #2: Frank Schiraldi  
Unit #3: Gregory Ciccone  
Unit #4: Dennis Allen  
Unit #5: James J. Nolan  
Unit #6: Orlando Burgos (pers.)  
Unit #7: Paul Vasquez

The meeting was called to order at 4:35 p.m.

**1. Department of Labor Regulations: Update**

At the invitation of President Maxwell, Local 16 General Counsel David Mintz joined the meeting to update the Executive Board on new U.S. Dept. of Labor requirements regarding reporting of certain dealings with employers and vendors. The new regulations took effect on August 16, 2007, and apply for the first time to any fiscal year beginning after that date. Since these are personal reporting requirements, and most individuals' fiscal year is the calendar year, 2008 is the first reportable year, with a filing deadline of March 31, 2009. However, the nature of our relationships with employers and vendors make it unlikely that any officer or employee of Local 16 will have a reportable event. However, everyone has now been briefed on practices to avoid. Time spent at grievance meetings, paid by an employer (as required by the ABC Contract), in excess of 250 hours per year, would also be reportable (although not illegal). Since this is slightly more than 31 days in a year, it's very unlikely that anyone released for grievance meetings would get anywhere close to this number of hours in a single year.

**2. Minutes**

The minutes of the previous regular meeting of the Local 16 Executive Board, held on December 12, 2007, were approved as submitted.

Moved: Allen  
Abstain: Nolan

Seconded: Bores

Passed Unanimously

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**2. Minutes – Cont'd**

The minutes of the special meeting of the Local 16 Executive Board, held via conference call on December 18, 2007, were approved as submitted.

Moved: Nolan

Seconded: Schiraldi

Passed Unanimously

**3. Old Business**

a. Debates

Returning to the officer election debate concept previously suggested by Paul Vasquez, the following motion concerning debates was proposed:

Motion (#08-01): Resolved, that debates will be made available to candidates standing for election in 2008 as President and Vice-President of NABET-CWA Local 16. The Elections Committee will notify the candidates of the availability of the debates. Debates, if any, will be held after the deadline for the filing of petitions, and announced before the mailing of ballots. A debate will be scheduled for any office only if more than one candidate for that office agrees beforehand to participate. All additional provisions and details will be subject to the jurisdiction of the Elections Committee.

Moved: Vasquez

Seconded: Nolan

Passed Unanimously

Abstain: Joyce, Gelber

**4. Grievance and Arbitration Report**

Jim Joyce reported that the two Impartial Umpires for New York named in the new ABC contract have been notified of their appointments and of the ratification of the contract. The parties and the arbitrators are in the process of determining arbitration schedules for 2008.

One suspension case is currently pending before the AAA (American Arbitration Association), but may be re-scheduled for one of the named arbitrators if an early date can be arranged.

Dates are also pending for first quarter 2008 grievance meetings.

**5. Secretary-Treasurer's Report**

The December, 2007 income and disbursement reports, and the fiscal year-to-date totals (consisting of the first fiscal quarter), were distributed to the Board by Secretary-Treasurer Gelber. Gelber reported to the Board on two rent disputes with the new owners of our building. One, regarding some payments that had been withheld pending receipt of required documentation, has now been resolved, and will result in a one-time payment of approximately \$12,000 during February. The other, in the opinion of our real estate counsel, will not result in any additional liability on the part of Local 16, although it remains unresolved.

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**6. New Members**

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

D. Avazhanskiy      P. Heasley

Moved: Black

Seconded: Ciccone

Passed Unanimously

**7. Pension Update**

Dennis Allen reported that the Pension Plan balance at the end of 2008 stood (unofficially) at \$691 Million, which is at least 127% of current liabilities.

The parties have agreed to provide, as soon as possible during 2008, “13<sup>th</sup>” and “14<sup>th</sup>” checks to some existing retirees, depending on their date of retirement. Details will be announced shortly.

**8. ABC Contract**

The ratified contract was executed (signed) by the parties on January 11, 2008. We are waiting for confirmation from the Company on the first payroll date for the new rates, and the payment date for retroactive amounts (generally back to December 15, 2007, for wage-related items).

[G. Ciccone and D. Allen exited the meeting.]

**9. Political Report**

The CWA District One Annual Political Retreat will be held in New Jersey from February 22 thru 24. The CWA National Legislative Conference will be held in Washington, D.C. during the first week of April.

**10. Training Report**

Paul Vasquez reported that the BURST “Tapeless World” event was held over several sessions on December 13. Turnout was unfortunately low due to the weather, except for the final session.

Ten new laptop computers for editing training are now on the way to BURST from CWA-NETT.

**11. Organizing Report**

We are pursuing a new lead from an outside group.

**12. Funding Requests**

The Executive Board considered numerous funding requests and took no action.

A number of letters and cards expressing thanks for the LTD gifts were shown to the Board members. Some phone calls were received during the month in the office as well.

**13. Mobilization Committee**

Paul Vasquez advocated continuing the activities of the Mobilization Committee during the term of the new ABC contract. The issue of designating the Mobilization Committee as a standing committee will be placed on the agenda for the next Executive Board meeting as “old business.”

**14. 2008 NABET-CWA Sector Conference**

There will be a NABET-CWA Sector Conference held just before the CWA Annual Convention in June, 2008. Vice-President Joyce and Secretary-Treasurer Gelber, in their Sector capacities, are both on the Sector Executive Council By-Law Amendment Committee.

This Committee will meet in early March and report to the S.E.C., but Sector By-Law Amendment proposals from Locals, which is a separate process, must be submitted by March 20<sup>th</sup>.

Locals must submit the names of their delegates to the Sector office by May 12, and hence petitions will be available for the Local 16 delegate election on or about March 12. All Local 16 delegates must be elected; there are no “automatic” delegates to Sector Conferences. Delegates elected will also be delegates to the CWA Convention immediately following.

**15. Executive Session**

Motion to go into Executive Session

Moved: Nolan

Seconded: Gelber

Passed Unanimously

Motion to come out of Executive Session

Moved: Nolan

Seconded: Vasquez

Passed Unanimously

The meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Richard L. Gelber