

NABET-CWA Local 16 Executive Board

DATE OF MEETING: February 10, 2009
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: Steve Rubbinaccio
Unit #4: Dennis Allen
Unit #5: Arthur Mazzacca
Unit #6: Orlando Burgos
Unit #7: Henry Plimack
Unit #8: Katherine Henry

The meeting was called to order at 7:15 a.m.

1. Elections Committee Report

The Elections Committee Bulletin issued by Acting Committee Chairman Frank Schiraldi was made part of the record of the meeting (copy attached). Frank was unavailable to report in person due to medical leave. The following Executive Board members were declared re-elected without opposition:

Secretary-Treasurer Rich Gelber
Executive Board Rep., Unit #1 Brendan Black
Executive Board Rep., Unit #3: Steve Rubbinaccio
Executive Board Rep., Unit #5: Art Mazzacca
Executive Board Rep., Unit #7: Henry Plimack
The above were sworn in by President Vasquez.

**Executive Board Meeting Minutes
February 10, 2009 – Page 2**

2. By-Law Amendment

The second vote was taken on Motion #08-35 (By-Law Amendment lowering stipends), which was first passed at the Executive Board meeting held on December 4, 2008:

To amend the Local 16 By-Laws so as to reduce the monthly stipend for the Executive Board Representatives for Units 1, 3, 5, and 7 from \$275 to \$250 (By-Law 4.8), and the stipend for the Secretary-Treasurer from \$300 to \$275 (By-Law 3.4f), effective with the terms that begin in 2009. Also, to reduce the monthly stipend for the Executive Board Representatives for Units 2, 4, 6, and 8 from \$275 to \$250 (By-Law 4.8), the stipend for the Vice-President from \$300 to \$275 (By-Law 3.3b), and the stipend for the President from \$400 to \$360 (By-Law 3.2c), effective with the terms that begin in 2011.

Moved: Mazzacca Seconded: Burgos
In Favor: Gelber, Nolan, Black, Bores, Henry, Rubbinaccio, Mazzacca, Burgos, Plimack
Opposed: Allen
Amendment Adopted
(Pursuant to Sector By-Law 8.8, the amendment will take effect upon approval of NABET-CWA Sector President Clark.)

3. Minutes

The minutes of the previous regular meeting of the Local 16 Executive Board, held on January 13, 2009, were approved as corrected.

Moved: Burgos Seconded: Rubbinaccio Passed Unanimously

4. Old Business

a. WABC-TV Teleprompter Operator Negotiations

Nothing new to report.

b. Scholarships

Upon the recommendation of the Secretary-Treasurer, and in light of the low returns currently being received on the Scholarship Fund investments, it was agreed by consensus to award four James P. Nolan Memorial Scholarships and one Donald DiFranco Scholarships in 2009, each in the amount of \$1000, and continuing the eligibility rules previously established.

c. Paystubs

President Vasquez reported that ABC staff employees not on direct deposit, and all Daily Hires employees, will continue to receive paystubs as before. Staff employees on direct deposit will get their stubs only on the Disney Intranet website. All NABET-CWA represented employees will continue to receive the printed Statement of Earnings that is required by the contract.

d. WGAE Awards

President Vasquez attended the WGAE Awards Dinner, for which we purchased a journal ad, and reported that it was a good event.

4. Old Business – Cont'd

e. Local 16 Death and Retirement Benefits

At the request of several Executive Board members at a previous meeting, President Vasquez obtained a legal opinion on the obligation of Local 16 to continue the existing Death Benefit and Retirement Gift. In the opinion of counsel, since no member pays any specific amount towards the maintenance of these benefits, they are gratuitous, i.e. the Local 16 Executive Board can amend or eliminate them at any time.

5. Committee Reports

A. Communications Committee

Changes previously discussed are underway.

B. Grievance Committee

The next hearing date on the Martin Bell termination arbitration is scheduled for February 12.

The Union lost the arbitration over Robert Cardelli's suspension.

A Technical Director was suspended over a channel switch missed outside the control room. Local 16 is attempting to reach a resolution.

A WABC-TV Grievance Meeting was held on January 27, 2009.

C. Mobilization Committee

A publicity campaign over the current Sideletter HH process may be initiated depending on the progress of related discussions with the Company.

D. Political Committee

The annual CWA District One Political Retreat will be held in New Jersey from February 27 through March 1. Designation of an attendee from Local 16 is pending.

A membership invoice for Local 16 from the Working Families Party was discussed, as was the general need for Local 16 members to belong to, and be active in, local political organizations.

E. Safety and Health Committee

The Local 16 Stress Awareness and Management program will be held in late March. CWA District One will hold a safety conference on March 13 and 14. CWA Safety Coordinator Dave LeGrande will chair an industry panel discussion.

Henry Plimack is pursuing an investigation of the recent Times Square Studios truck/taxi accident with B.O.&E.'s Mike Miller.

Art Mazzacca reported that further asbestos abatement will be performed in the 66th St. basement Clamper Room.

F. Vacation Committee

Art Mazzacca reported that a vacation agreement has been reached at WABC-TV. A network vacation meeting was held on Feb. 4: The main rules have been agreed to; individual area supplementary rules are pending.

Katherine Henry reported that there seems to be confusion in Network Graphics over who is conducting the vacation negotiations for the Company.

Motion to go into Executive Session

Moved: Mazzacca

Seconded: Henry

Passed Unanimously

Motion to come out of Executive Session

Moved: Gelber

Seconded: Mazzacca

Passed Unanimously

6. Pension Update

Pension Trustee Dennis Allen reported that the Plan assets declined 1.1% during 2008, ending the year at \$651 Million. The funding ratio currently is approximately 124%, which is better than estimated earlier, because of a change in the measuring index. The actual effect of recent actuarial gains and losses has yet to be factored in.

7. Secretary-Treasurer's Report

Secretary-Treasurer Gelber presented the receipts and disbursements for December, 2008 and the fiscal year-to-date totals. The Board discussed recent legal and arbitration fees.

8. OPEIU Negotiations

The "Multi-Employer Group" (Locals 11, 16, 31, 41, and 53) will meet at the Local 11 office on February 16 and 17 to discuss proposals.

9. Citadel (Radio) Bargaining

An internal planning conference call concerning Citadel bargaining is scheduled for February 17. The current agreement expires on June 11, 2009.

10. New Members

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

R. Sullivan M. Avans P. Connolly D. Allen

Moved: Nolan

Seconded: Allen

Passed Unanimously

11. Ideas

The Board discussed all ideas submitted. Splitting up and distributing the pension plan assets is not in the members' interest, and likely not legal. Bill Bores will look into overtime on network news broadcasts. A complaint was received about the location of Local 16 officers on the day the Sideletter HH buyouts were announced. Some officers (and Executive Board members) were at various workplaces, and some were in the office on the telephone answering members' questions.

**Executive Board Meeting Minutes
February 10, 2009 – Page 5**

12. Class Action Lawsuit

A question was raised over the possibility of a “class action” lawsuit against ABC. The Union will vigorously pursue all contractual claims against the Company and will seek legal advice regarding any other possible actions.

13. Executive Session

Motion to enter Executive Session

Moved: Burgos

Seconded: Mazzacca

Passed Unanimously

[During the Executive Session, D. Allen departed the meeting.]

Motion to come out of Executive Session

Moved: Mazzacca

Seconded: Burgos

Passed Unanimously

14. New Local Officer Training

K. Henry and O. Burgos attended this CWA-conducted training program at the George Meany Center in Maryland. Both felt it was very informative and appreciated the detailed explanations of the CWA’s internal structure. The Meany Center facilities are essentially brand-new.

15. Unfair Labor Practice Charge

Secretary-Treasurer Gelber reported on an Unfair Labor Practice charge filed against Local 16 by a Daily Hire, who is not yet a member. Local 16 and our attorneys believe the charge to be without merit, and it will be handled by counsel in the ordinary course of affairs.

16. Priorities of the Local

H. Plimack requested that the Board consider the goals and priorities of Local 16, and consider having an attorney on retainer (as opposed to hourly charges). President Vasquez will investigate.

The meeting was adjourned at 3:30 p.m.

The next meeting of the Executive Board is scheduled for Tuesday, March 17, 2009.

Respectfully submitted,

Richard L. Gelber

RLG:ph
opeiu153afl-cio