

## NABET-CWA LOCAL 16 EXECUTIVE BOARD

DATE OF MEETING: Friday, March 1, 2002

ATTENDANCE: President: Anthony B. Capitano  
Vice President: James C. Joyce  
Secretary-Treasurer: Richard L. Gelber

Executive Board Representatives:

Unit #1: Joseph Brady  
Unit #2: Robert Paventi  
Unit #3: Gregory Ciccone  
Unit #4: Dennis Allen  
Unit #5: James J. Nolan  
Unit #6: Orlando Burgos  
Unit #7: Paul Vasquez

The meeting was called to order at 10:08 a.m.

### **1. Grievance & Arbitration Report**

Five NABET-represented studio/field engineers have been issued suspensions of varying lengths for engaging in outside employment. Local 16 will fight these penalties vigorously.

David Gordon's discharge arbitration is coming up this month.

Grievance meetings are imminent in Videotape, Studio/Field, and WABC-TV.

A few members have had problems with seniority dates; adjusted seniority dates, as defined in the contract, are supposed to be used for all purposes, such as pension calculations. (Except for items specified otherwise by the contract, such as length of vacation.)

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**1. Grievance & Arbitration Report – Cont'd**

Two of the ABC staff employees laid off last September have been recalled (both audio operators). The National "AIO" grievance concerning the layoffs is still proceeding.

ABC's reporting of Daily Hire travel days continues to be a problem.

The La Costa golf tournament was serviced by Rich Gelber and Local 57 President Gena Stinnett (on different days). Safety, for once, was not a major problem. However, an issue has arisen regarding suitability of pay scales for shotgun mike operators. A disciplinary issue regarding a Daily Hire who belongs to Local 51 will be pursued by that local.

ABC had acknowledged that the recently announced change in car service use and reimbursement policy will not conflict with specific provisions in the "B" (Traffic and Communications), "D" (Desk Assistants), and "R" (Publicists) contracts.

A meeting was held regarding the Union's concerns over the NewsOne "Pathfire" system, and at least one additional meeting will be held.

**2. Minutes of Previous Meeting**

The minutes of the previous meeting, held on February 5, 2002, were approved as corrected.

Moved: Paventi  
Abstain: Allen

Seconded: Vasquez

Passed Unanimously

**3. New Members**

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

P. Bartholomew  
W. McGuigan

R. Stone  
C. Mendes

Moved: Joyce

Seconded: Burgos

Passed Unanimously

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**4. Disney Stockholders Meeting**

Paul Vasquez attended the Disney stockholders meeting in Hartford, Connecticut on February 19<sup>th</sup> to represent Local 16, and submitted a written report to the Executive Board. As usual, little information that was not previously published was conveyed to those attending, who numbered a bit over 2000.

**5. Fine, Olin & Anderman (Vincent Rosillo appearance)**

Vincent Rosillo, partner in Fine, Olin & Anderman, which represents Local 16 members in most Workers Compensation cases, appeared at President Capitano's invitation to update the Board on recent changes in the New York State Workers Compensation system. As always, the trends in W.C. enforcement have everything to do with politics.

A system is being put in place to enable Workers Compensation case files to be accessible by claimants and their attorneys over the Internet.

A negative change is that some cases are now adjusted by examiners without hearings. However, a change in a worker's condition can result in reopening a case up to 18 years after an accident.

The maximum weekly wage benefit under Workers Compensation in New York is \$400 per week, among the lowest of the states.

At this point, over 90% of W.C. claims filed by workers are controverted by the employer. The W.C. form L-3 must be filed within 2 years of the original accident.

Under the Workers Compensation law, you cannot sue your employer except for an intentional tort. In New York State only, you can sue a third party if "grave injury" (defined in the law) results.

Unions and other progressives continue to lobby the legislature to increase Workers Compensation benefits.

Local 16 members can reach Fine, Olin, and Anderman at 212-267-1705, or through the Local 16 office. Always report on-the-job injuries promptly to the Company! Please also make the Local 16 office aware of your injury so we can open a file for any future follow-up.

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**6. By-Law Amendment: Article IV**

The Local 16 By-Law change originally passed at the January meeting to delete groups which no longer exist is abandoned and the changes are incorporated into a new amendment (see next item).

**7. WABC-TV Desk Assistants**

Paul Vasquez suggested moving the WABC Desk Assistants from Unit 4 to Unit 7, since they are receiving representation from him at present anyway. After discussion, there were no objections. The other changes passed at the January meeting will also be incorporated into the amendment.

Motion: To amend Local 16 By-Law 4.2(a) as follows:

Delete Grinberg and Projection from Unit #1

Delete Lodi and Couriers from Unit #3

In Unit #4 insert the words “TV and Radio Network” before “Desk Assistants”

Unit #7 will read in full “WABC-TV (All)”

Moved: Vasquez

Seconded: Joyce

Passed Unanimously

The proposed amended By-Law is attached.

*Pursuant to By-Law 1.5, a final vote on the proposed amendment will be held not earlier than forty five (45) days nor later than seventy five (75) days after the date of this meeting.*

**8. Pension Changes**

Pension Trustee Dennis Allen reports that at the recent Pension Trustees’ meeting, the “pop-up” provision was amended so as to be retroactive back to the spouse’s death, for a maximum of six months. The next Trustees’ meeting will be in May. A Pension Plan web site is under development.

**9. Organizing**

Jim Joyce reports that the RCN campaign is progressing well. We await the decision from the NLRB on the make-up of the unit. Several more meetings with the RCN employees have been held.

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**9. Organizing – Cont'd**

One of the members of the recently-organized WABC-TV Teleprompter unit has been fired. The Union is pursuing an Unfair Labor Practice charge while negotiations for the initial contract proceed. We are trying to get the fired member assistance from the CWA Members Relief Fund, under newly adopted rules.

**10. Training Report**

President Capitano reports that Local 11 BURST representative Joe Salvaggio reports that discussions are being held with Avid towards acquiring three units for training purposes.

The AFL-CIO Working for America conference is coming up in Philadelphia.

**11. Political Report**

Jim Joyce reported that CWA District One has endorsed Andrew Cuomo for Governor of New York.

Liz Krueger won the election for the vacant State Senate seat from the East Side of Manhattan by a 23% margin. Jim has been elected to the Executive Committee of Citizen Action of New York City.

**12. CWA District One Conference Report**

The CWA District One Leadership Conference, which had been postponed from last October, was attended by President Capitano and Vice-President Joyce, along with Phil Fontana to represent retirees in place of Local 16 RMC President Ciliberto, who was unavailable. Local 16 received the District One COPE award for the highest percentage increase in COPE payroll deductions. Don DiFranco's family attended at the invitation of District One Vice-President Larry Mancino, and Don's mother addressed the Conference. Over \$1500 was collected for the Don DiFranco Scholarship Fund. Among notable elected officials speaking at the Conference were New Jersey Senators Corzine and Toricelli. Forums were held on numerous issues of concern, including one on media workers that was chaired by Jim Joyce.

The 2002 Leadership Conference will be held on December 15 in Manhattan.

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**13. Secretary-Treasurers Report**

Secretary-Treasurer Gelber presented to the Board the receipt and disbursement reports for January, 2002, and answered Board members' questions. The Don DiFranco Scholarship Fund now stands at \$13,697.87. At the recent Sector Executive Council meeting, the Sector remote reimbursement policy was amended so that locals can now be reimbursed for LOA expenses on local remotes (defined as within 100 miles) if no other expenses are submitted. The Local 16 Finance Committee will meet in mid-April to review the first half of the fiscal year.

**14. 2002 NABET-CWA Sector Conference**

The NABET-CWA Sector Conference will take place in Las Vegas, Nevada, from June 13 through June 15, 2002, to be followed immediately by the CWA Annual Convention. Local 16 will be allowed a maximum of 4 delegates.

Motion: To send 4 delegates to the 2002 NABET-CWA Sector Conference and CWA Annual Convention. Petitions will be available immediately and due by 5 p.m. on March 22, 2002. The due date for the election ballots will be April 19, 2002. The top four candidates will be elected delegates, with the remaining four candidates (if that many) declared alternates in descending order of votes received.

Moved: Gelber

Seconded: Vasquez

Passed Unanimously

Meeting adjourned at 3:07 p.m.

Respectfully submitted,

Richard L. Gelber

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Proposed Amendment

3/1/02

**ARTICLE IV**  
**LOCAL EXECUTIVE BOARD**

**4.1 COMPOSITION**

The Local Executive Board shall be composed of the officers of the Local: the Local President, the Local Vice-President, the Local Secretary-Treasurer and the Members of the Local Executive Board elected by the various Executive Board Units as defined in Article 4.2 below:

**4.2 EXECUTIVE BOARD UNITS**

(a) The Local membership shall be divided into Executive Board Units, each Unit composed of functional groups of members and each Unit entitled to elect one Member to represent it on the Local Executive Board. The current Units are:

**Unit #1 - Video Tape, Video Tape Library, Video Tape Post Production.**

**Unit #2 - Technical Directors, Light Direction Engineers, TV Audio Engineers, Video Control Engineers, Electronic Graphics, Graphic Artists.**

**Unit #3 - Network TV Studio/Field, RF Maintenance.**

**Unit #4 - Network Radio, Local Radio, Traffic and Communications, Publicity, TV and Radio Network Desk Assistants, Talent/Telephone Coordinators.**

**Unit #5 - TV Master Control, Audio/Video Facilities Group (Lab), SMAG, Central Stores, Network Maintenance.**

**Unit #6 - Network ENG (Field), Network ENG Maintenance, Network ENG Editors In-House.**

**Unit #7 - WABC-TV (All).**

**(ARTICLE IV CONTINUED ON NEXT PAGE)**

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