

EXECUTIVE BOARD MINUTES

Date: March 21, 2017 9 am

ROLL: Michael Powers, President
Tammy Sawchuk, Executive Vice President
Mike Dildine, Recording Secretary (Excused)
Dave Viddivo, Treasurer
Paul Lashway, VP Central
Mike Mazzella, VP Mid-Hudson
Joe Miano, VP Western
Clarence Fisher, VP Southern
Chris Hansen, VP Northern
John Harmon, VP LE
Bill Sellers, Sergeant's Liaison

Attorney: Bill Sheehan – LMWF

Guests: Keith Jacques - LMWF

Minutes: February 2017 minutes unanimously approved

Directive Changes: 4090, 4401, 0087, 2604, 9250, 0001, 9999, 2260, 3055, 0047, 4015, 9301, 9402, 6922, 3053, 2799, 4305, 4006, 4101, 9030 and 4761

Next meeting: April 18, 2017 9 am East Syracuse, VP's Harmon and Lashway excused for April Executive Board and Executive Assembly

Correspondence: Numerous Emails concerning Directive 4936 changes. See new business

President's Report–

- It appears information is not getting to the members through the EA concerning the issues we have fought against the department on and had success. Much false information is being disseminated on social media
- Met with J. Reuben over SHTA Peace Officer issues
- Feb 27th CBA ballot count
- Met with Governor's office over contract concerns, member morale
- Met with Assembly Speaker Heastie over death gamble legislation
- A meeting is scheduled for March 22nd with Sen Flanagan over death gamble legislation
- 3/8 NYSCOPBA reacted to governor's statement on raise the age
- 3/9 Attended Auburn Picket, a great showing of support from members
- 3/10 met with Lobbyist to discuss strategy
- 3/13 Met with IDC leader Sen Klein, discussed our priority legislation.
- 3/16 Attended calling hours for Collins CO Smith
- 3/20 PAC Committee met

- 3/21 Legislative reception will be held tonight
- Sullivan and Fishkill getting pepper spray under pilot program
- Many issues with body cam trial.

Executive Vice-President-

- 2/15 SHU Taskforce meeting; discussion on new corrections committee chair
Assemblyman Weprin
Follow-up letter to D/C Bellnier
Time-cuts and time allow committee
- 2/21 JE Committee met: Case # 256 Charges dismissed
- 3/4 Clinton Correctional Facility Charity event
- 3/6 Funeral Service for Greene County Sheriff
- 3/7 Meeting with Governors staff Mulrow and Rubin
- 3/8 Auburn Pickett
- 3/11 Domestic Violence Charity Event
- Discussed, "letter to members"
May 1st rally at the capital – motion made
Numerous phone calls, text messages and emails from members
MPS Member Engagement Media Program
Nyscopba Facebook Page
ISO appeal extension
4936 IP filing
Letter to Annucci regarding directives

Treasurer's Report-

- Gen Op 12.11
- Current Bond Investments unrestricted 9.1m
- Current Bond Investments restricted (LDF) 978K
- Income to Exp. Ratio 15.9 (16.7)
- Finalizing the LDF and RDF – SPD's including Policy wording updates as needed per ERISA guidelines (will be ready to be discussed and approved at April EA)
- Conducted Treasurers Training with 39 sectors participating
- Missing Documents since training ended has been reduced from 123K to 69K
- 30 sectors have activated their respective Quill accounts
- Made changes to the sector reimbursement manual to include "one year limits" on the ability to submit applications for Catastrophic and Baby awards. Added one time payout to scholarship applications, added step child to bereavement.
- Received offer from Equinox (Human Service Organization), we countered with an offer and they have recently submitted a counter to our offer. Their new offer will be accepted once we sign the parking lot lease for across the street. Anticipated lease start date will be May 1, 2017
- Attended Kristin's Fund Gala - fundraiser to prevent and educate regarding domestic violence

- Met with staff from the Gov. office to discuss the contract vote and what we believe needs to happen going forward
- Attended the Auburn Informational Picket
- Attended the Ballot count for contract
- 5500's for LDF have been filed for all years including a late fee of 4K
- Have been told by IRS they are still a month or so out on finalizing their audit of our Employees' pension plan
- RDF Payouts – 95,950 Balance 220k
- LDF Payouts – 14,440 Balance 915K w/Inv. acct 1.893K

Regional Vice-President's Reports

Law Enforcement Report:

- Officers at Creedmoor PC involved in 2 separate incidents of valor. Valor awards for both of them. Officer Robinson will receive to separate valor awards. Due to my absence from the upcoming EA, looking to do valor awards at June EA.
- OMH Assault Report Bill first report received and appears to be missing many reportable instances. It was also determined that OMH is not reporting staff injuries reported to them by staff. Only using data determined from patient/inmate issues.
- Collective Bargaining Committee and Negotiation meeting held to discuss future negotiations.
- Met with new State Director of Operations.
- Attended fundraiser for Domestic Violence with Dave and Tammy.
- Many SUNY's are reaching out to discuss options for alternative scheduling. Once I have been notified Al Christian is compiling the information and contacting our members to discuss alternative schedules.
- More SHTA Retirement issues have been identified. Bill Naylor called NYS Retirement. Legislation being drafted to help resolve issues. NYS Retirement has updated retirement election form to include Tier 5&6. NYS Retirement has accepted to fix some the issues as more reviews of the Forensic Facilities are conducted. Kirby is having the first review. Followed by CNYPC, then MidHudson PC and lastly Rochester PC.
- WTO seniority and retirement issues. Seniority computation and list placement being discussed with DC Martuscello. Received email from DC Martuscello. Need to discuss at meeting.
- PO Status update.
- Tier 5/6 on members, 30/62 confirmed addressing issues with NYS Retirement.
- Bulletproof vest for SSO's being implemented. OPWDD and OMH policy have been reviewed and implemented. Having issue with OPWDD not willing to allow vests to be worn with Class B uniforms.
- Upgrade information for titles needs updating for new applications
- OPWDD will attempt to run academy in late summer or early fall. OMH still trying to find replacement for Director of Academy before going forward.
- OMH Statewide to be scheduled shortly. Looking to have meeting in May or June.
- OPWDD Statewide will be held on 5/10/2017.

- Roswell Park meetings to discuss the arming of officers with Doug and Greg Myers, attorney. Doug and Greg are working on a MOU.
- Legal Opinion on audio and video installation at CNYPC need update.
- Many issues at the OMH Forensic Facilities. Especially, CNYPC and MidHudson. Staffing shortages at CNYPC have caused members to work 24hr shifts.
- CNYPC issues with Chief SHTA. Continues discriminatory practices and many workplace violence issues.
- Working on Statewide MOU for seniority lists for OMH and OPWDD.
- Legislation update: 24hr PO for SSOs in State Senate.
- SED issues with the Director of Labor Relations. Lied to PESH about our attendance at PESH Hearing. Need to have meeting with Commissioner.
- Justice Center issues beginning to come up again. Notice of Interrogation and Interview issues. Length of investigations and updates to ongoing investigations.

Southern Region Report:

2/14/17 – Attended Eboard at Albany
 2/15/17 – 2/17/17 – Attended Executive Assembly in Albany
 3/2/17 - Q & A at the ATA
 3/6/17 – Chief's Meeting in the Yonkers Office
 3/9/17 – Visited Sing Sing C.F.
 3/9/17 – Visited Peekskill Parole Office
 3/10/17 – Attended Retiree's Daughter's Funeral in Brooklyn
 3/13/17 – Contacted Conqueror apparel for Dress Uniforms
 3/16/17 – Visited Edgecombe C.F.
 3/17/17 – Step II's at Bedford Hills C.F.

There was an issue at the Peekskill parole office involving an ISO and a parole officer. Diversity management complaint filed.

An officer was issued an N.O.D. at Sing Sing for defending himself.

Western Region Report:

2/13/17-Office, Arb Prep, Travel to Albany
 2/14/17- E Board Mtg in Albany, Site Visit at Willard
 2/15/17-50A Hearing w/Larry Schafer, Committee Meetings, EA Meeting in Albany
 2/16/17-Executive Assembly Meeting in Albany, (4) U & A's in Utica
 2/17/17-Office, Arb Prep in Buffalo
 2/21/17-Office, Arb Prep in Buffalo, (3) Q&A's in Utica
 2/22/17-Office, EHS Exam w/member in Buffalo

2/23/17-Office, Step 2's Albion, Arbitration at Wende, (4) Q&A's in Utica, Orleans Union Mtg's

2/24/17-Office, Arbitration at Wende, (4) Q&A's in Utica

2/27/17-Office, (4) Q&A's in Utica, (3) Q&A's at Buffalo CF, EHS Exam(s) w/member in Syracuse

2/28/17-Office, (4) Q&A's in Utica, (3) Q&A's in Buffalo, Batavia Medical Center w/2 assaulted members

3/1/17-Office

3/2/17-Office

3/3/17-Office, Gowanda Step 2 Meetings

3/6/17-Office, Suicide Training, Arbitration in Auburn

3/7/17-Office, Western Region Mtg, Arbitration in Batavia

3/8/17-Arbitration in Auburn, Attended the Auburn Picket

3/9/17-Office, (2) Q & A's in Buffalo, Arbitration in Auburn

3/10/17-Office

3/13/17-Office, Arbitration at Wende CF

3/14/17-Office, Arbitration at Wende CF

3/15/17-Arbitration at Wende CF, Travel to Albany

3/16/17-Office, Q&A in Albany

3/17/17-Office, (2)Q&A's at Buffalo CF, Attended Calling Hours of Fallen Officer

3/18/17-Attended Funeral of Fallen Officer

Western Region Disciplines- Suspended-20, NOD's-57, Admin Leave-13, RDF Eligible-6

Central Region Report:

Feb 20th through 23rd in Central Region office

Feb 24th Q&A for a member out of Marcy alleged misconduct with inmates and their families. Officer resigned

Feb 27th Home to Albany office to home

Feb 28th Central Region office

March 1st and 2nd Central Region office

March 3rd CO from Mid-state had OSI interview in regards to employee misconduct. The story goes that this female member was working the kitchen when a civilian cook came up behind her took a padlock off her belt when she entered a storage cage and closed the door behind her and latched the door with the lock but did not secure it knowing the CO had the only key. The Officer said let me out and the cook said you are going to have to say please. Numerous times the Female officer asked to be let out before she was let out. This all happened in front of inmates. Investigation is on going

March 4th attended the Central Region Heart Run Walk in Utica New York

March 5th Attended a meeting with Stewards of Mid-State in Oneida over numerous issues at the Jail

March 6th Met with the Superintendent and Dep of Security at MID-State CF Over issues

March 7th in Central Region office

March 8th Toured Cape Vincent CF with Jason Combs spoke with members about any concerns

March 9th Toured Gouverneur CF spoke with members about any concerns

March 10th In Central region office to MID-State for NOD's being served Labor Relation did not let us know they were sending down NOD and Lock outs for the Sergeant and Lieutenant for the 4H frisk

March 13th through 16th in Central Region office

March 17th Jason Combs attended Q&A for officer Khal from Mid-State that was alleged to have been assaulted last June . Still does not recall what happened that day. When the Q&A was over OSI reported to Mid-State to cut the lock of officer Khal's locker in the main Building

March 20th Toured Watertown CF spoke with members about any concerns

Mid-Hudson Region Report:

Mid-Hudson Report: assault on staff at Hudson on the day of the Gov's press release on Juvenile inmates. 1 Officer with a broken ankle, one with a laceration to his elbow requiring stitches, and another with back, shoulder and hand pain. All 3 were out of work. The DA showed up at the

facility the next day demanding to have a copy of the UI. He was denied, and denied entrance. The inmate was given 180 days SHU.

We had an issue out of Downstate during the snow storm last week. Officers were being told that they could not call out "weather related" and had to call in sick if they weren't coming in. Hours later, the facility started calling members and told them to bring in Doctor's notes or they will be AWOL for that day. CSS Cooper was able to get the facility to withdraw the direction and remove the AWOL's.

March 1st, I was informed that an Officer from Otisville committed suicide.

We conducted Step 2's at Downstate, Fishkill and Green Haven. Setting up more step 2's throughout the region. I have recently discovered that there are some labor reps that are many months behind in answering step 2's.

Multiple Q&A's at Albany Training Academy.

We have an Officer locked out with an NOD for insubordination and DOCCS is only asking for 60 days suspension. The case is going to Arbitration.

Northern Region Report:

Feb.20-Step2 Disciplines, Franklin

Feb.21 Albany Check signing

Feb. 22 Albany Office

Feb. 23 Arbitration prep

Feb 24 Q & A Albany

Feb. 27 NYC Ballot Count

March 1 Senator Richie Fund Raiser

March 2 Albany Q+A

March 3 Comradery Cup Hockey Tournament, Plattsburgh

March 4 Comradery Cup, Plattsburgh

March 6 Lawyers Office Arbitration Prep

March 7+8 Albany Office

March 11 Albany Comstock

Unfinished Business:

Temporary Staff- All approved

State Response to Directive Letter- Awaiting a response from Annucci.

Vevone Grievance- Sheehan working with the grievant to address this issue with the CDC

New Business:

Kathy McCormack 9am Retirement Online presentation – Presented the new retirement online content to the Executive Board

Ashby Retirement Issue- No action taken at this time

Collective Bargaining Panel Member – Will address at the April E Board meeting

Rally at the Capital- See motion

Postage/Mailings – Agreed to stop sending duplicate hard copies of NOD's to regional offices. Law firm will look at sending info via email when possible to regional offices.

OSI Notifications – Some notifications are lacking required contractual information.

Website Links – Need training for board members. If information is missing that was on previous version, let membership services know so the information can be added. Janus v AFSCME related emails will be added to the website.

Alternative Restraint Technique – Will check with DOCCS to find out if this is an approved technique and if so it should be memorialized in writing.

2019 Executive Assembly Dates - Tabled to the next meeting

New ISO Duties- The new duties that were reported have been in effect for a while and has been addressed

Membership Proposed Contract Letter - Will not be disseminated. Issues will be addressed at the EA

MPS Social Media /Ad plan – Will have MPS follow up with board as to how this will be done

Directive 4936 Implementation - IP is filed. Looking into legality of a PERB injunction to stop implementation of the directive changes pertaining to the plastic lunch bag. A list of questions is being compiled to be sent to Martuscello

Motions:

To approve the an additional \$5000 in Legal Defense Funds for J. O'Connor-

Motion made by: J. Miano

Motion approved unanimously

To approve the Legal Defense Fund application for D. Walters-

Motion made by: J. Miano

Application held awaiting further information

To approve the Rainy Day Fund application for D. Paige-

Motion made by: Executive Board

Motion approved unanimously

To approve the Rainy Day Fund application for R. Caprio-

Motion made by: Executive Board

Motion approved unanimously

To approve the Rainy Day Fund application for O. Lord-

Motion made by: J. Harmon

Motion defeated unanimously

To approve the Rainy Day Fund application for C. Carlton-

Motion made by: Executive Board

Motion approved unanimously

To approve the Rainy Day Fund application for J. Thompson-

Motion made by: C. Hanson

Motion approved unanimously

To approve the Rainy Day Fund application for D. Walters-

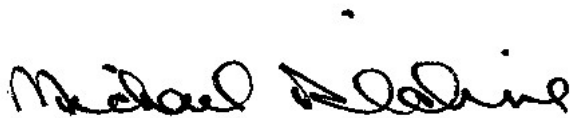
Motion made by: J. Miano

Motion approved unanimously

To hold a Rally at the Capital on May 1, 2017-

Motion made by: T. Sawchuk

Motion approved unanimously

A handwritten signature in black ink, appearing to read "Mike Dildine". The signature is written in a cursive, flowing style with some capitalization. It is positioned above a horizontal line.

Mike Dildine, Recording Secretary