

EXECUTIVE BOARD MINUTES

Date: June 27, 2017

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: Larry Schaefer– LMWF

Guests: Keith Jacques - LMWF

Minutes: May 24, 2017 Executive Board Minutes accepted

Directive Changes: 9429, 9220, 2724, 9404, 4070, 6930, 3071, 4068, 2005

Next meeting: July 11, 2017

Correspondence: None received

President's Report–

- End of Legislative Session
- June 1st attended Trooper PBA Signal 30 Event
- June 6th met with Deputy Commissioner Martuscello, holding pens approved for Wyoming. Working on Southport holding pens with additional information needed. Discussed numerous issues at various facilities including staffing, morale, violence etc
- Worked with Legislature to get the death gamble legislation through both houses. Great job by Dan Valente and Keith Jacques
- June 7th Law Enforcement Lobby Day
- June 13th Two Georgia CO's shot and killed.
- June 14th Attended Memorial Wall ceremony dedication, attended DOCCS Medal Ceremony
- June 15th reached out to Bellnier over Midstate issues and staffing review problems
- Numerous staff assaults throughout the state
- Janus vs AFSCME and Right to Work updates. The case has been petitioned to the court. As of now the case has not been put on the Supreme Court's calendar. Meeting with other law enforcement unions to protect our rights.

- Constitutional Convention strategies discussed. Yard signs will be distributed with pension as the main topic
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Executive Vice-President-

6/6 Billy Jones event in Albany. Billy is looking forward to next session and working with NTSCOPBA and some new legislation that supports our member's.

6/8 Toured Moriah Shock a lot of support for the work we do and continue to do on their behalf. Talked about where we are with the contract, the IP on the clear bag and testing.

6/9 Conference in Plattsburg Captive Survival, K2 and the opiate epidemic in New York State. Would like to set up training with the two New York State Troopers that gave the training.

6/12 Call from a member out of Shawangunk on failure to receive back pay. Called the facility, Kathy McCormick (comptroller's office) and Dan Martuscello. Issue resolved, member received back pay on 7/6.

6/12 Clear bag sent out to Avomeen for testing.

6/14 Problem at Mohawk with the use of the QWL by our members. Spoke with the DSA and Superintendent and the problem was resolved.

6/19 Conference call with Sue Cunningham and Avomeen and the clear bag testing.

6/20 Staffing meeting with Mike Marro regarding Clinton.

6/20 Email to Martuscello on implantation date of vendor only packages. Pilot program will begin with Taconic, Greene and Greenhaven 9/2017.

6/23 Complaint from member regarding photo on the DOCCS Website of an inmate throwing a gang sign. Email set to Dan Martuscello, photo removed.

6/23 Letter to Acting Commissioner Annucci regarding suicide statistics.

6/26 Charity Event for Greene CF

Treasurer's Report-

- Gen Op 10.96m
- Bond Investment Unrestricted 7.6m
- Bond Investment Restricted 982K
- NYSCOPBA Pension plan audit completed...IRS has accepted our return for Plan year 2015 as filed. They made a few recommendations moving forward as noted on Letter 1744

- NYSCOPBA annual audit has been completed – paperwork will be posted as soon as its made available from Whittimore, Downen & Ricciardelli
- RDF fraud case being handled by BCI...Norvest has filed affidavit.
- Notified by BlueShield that they have requested an 8% increase to the NEA Health Insurance Plan...will update as needed.
- Sent out advertisement for Sue's vacancy
- Attended Signal 30 event
- Attended CPOF memorial
- RDF payouts 89,950 Balance 248K
- LDF Payouts 15,812 Balance 1,013m w/Inv. Bal 1,990m

Regional Vice-President's Reports

Law Enforcement Report:

- OMH Assault Report Bill second report was reviewed and like the first it was inaccurate. OMH is using inmate reporting not staff reporting. NIMRS data that is being used is inmate generated and does not accurately reflect assaults as required by law.
- Collective Bargaining Committee and Negotiation impasse filed and GOER replied that they do not agree with impasse and want to continue to negotiate. PERB has said the same thing. Committee will meet July 6 and 7.
- SUNY compressed/ Alternate scheduling MOU is completed and some SUNY Police Departments have contacted NYSCOPBA to begin process of entering into MOU. Draft of SUNY Geneseo MOU was sent to Chief.
- SHTA Retirement issues continue to be identified. Kirby PC is currently being reviewed. The other forensic facilities will follow. Bil Naylor will be receiving list to review before next facility review starts.
- WTO seniority and retirement issue has been resolved. Letter received from retirement guaranteeing both options to the former WTOs. Letter sent to all WTOs. Seniority list not finished.
- Upgrade information for titles needs updating for new applications. Rochester SSOs have reached out to look into possible application. Memo on upgrades sent to Rochester member.
- OMH Statewide will be scheduled, waiting for dates from OMH.
- OPWDD Statewide scheduled for July 7 in Rome. Meeting about some issues took place June 2. Alternative Scheduling options being reviewed. Major discussion will be about Broome and Valley Ridge issues and update on closure status.
- Roswell Park meetings to discuss the arming of officers with Doug and Greg Myers, attorney. Final version of MOU completed and being reviewed by counsel.
- Continue to work on Statewide MOU for seniority lists for OMH and OPWDD.
- Legislation update: 24hr PO for SSOs meeting with Assembly Leader counsel addressed some issues. Justice Center to schedule meeting with NYSCOPBA about our concerns and legislation. CPSO legislation in committee.

- Justice Center issues beginning to come up again. Notice of Interrogation and Interview issues. Length of investigations and updates to ongoing investigations.
- SSO Driver License issues being addressed. OMH notified and possible meeting to address the issue.
- Article 78 Dave Olivo AWOM approved, John Ciaccia MHPC wrongful termination,
- Grievance hearing on Triborough Bridge heard. Awaiting answer.
- CNYPC issues being addressed.
- CNYPC workers compensation discrimination case prehearing held and going forward. I gave information to investigator.
- LE Lobby Day on June 7 was well attended.
- Many staffing issues, Budget not approving items for agencies.
- Addressed issue with OMH not forwarding any information on PO Academy. Still being addressed. Next Academy starts July 10.

Southern Region Report:

5/25/17 - Suffolk County Parole L/M

5/26/17 - In office

5/27/17 - Officer death Sing Sing C.F.

5/29/17- In Sing Sing

5/30/17 - In Taconic C.F.

6/1/17 - State Trooper (Signal 30) event in NYC

6/2/17 - Q & A in Albany

6/2/17 - In Queensboro C.F. Memorial event

6/5/17 - In Office

6/5/17 - In Sing Sing C.F.

6/6/17 - Attended Officer funeral in NYC

6/6/17 - In office

6/7/17 - Meeting with member and her attorney in NYC

6/8/17 - In Office

6/12/17 - Attended Bedford Hills Charity event

6/13/17 - In Office

6/14/17 - Q & A in Albany

6/15/17 - 2 Q & A's in Albany

6/16/17 - In Queens Parole office

6/16/17 - Meeting at NYSCOPBA

6/20/17 - In Queensboro

6/21/17 - in office

6/22/17 - 3 Q & A's in Albany

6/23/17 - Arbitration in Tarrytown

6/26/17 - In office.

Suspensions- since Jan. 2017- 12

Q&A- Joy Faulkner (A.T.A.) -3/21/2017* pending 2nd day' Q&A- Josey, Eddie-6/15/2017
SSCF,Duggins, Yolanda 6/15/2017 SSCF, Damond, T. 6/14/2017- BHCF

Total Grievances-Active 1/2016- present- 25

Notice of Discipline- Oct. 2016- **3**, Nov. 2016- **6**, Dec. 2016- **2**, Jan. 2017- **7**, Feb. 2017- **7**,
March 2017- **2**, April 2017- **3**, May 2017-**1**, June 2017- **6** Total N.O.D.=37,

Settlements- 2017- **7**, *Settlement-2- Martin, Ralik & McCrae, Shalonda*

Arbitration Termination- 1-Philip Roundtree-4-14-2017

Resignation-1- Josey, Eddie SSCF

Rainy day fund- 1-Stephenson- SSCF

Step II Hearing-SSCF-5/30/2017

Labor Management Meetings- Suffolk Parole- 6/12/2017, Brooklyn Parole 6/22/2017

Separation of Service (CSL Section 71) since- Jan. 2017- **2**

Probationary Termination- Bodden, Aquasha-BHCF

Member Suicide- Steven Kindell

Western Region Report:

5.25.17 = Arb. Prep, Willard site visit With Sen. Helming

5.26.17 = Office, Elmira Memorial Service

5.30.17 = Office

5.31.17 = Office

6.1.17 = Office, Travel

6.2.17 = Wake, Travel

6.5.17 = Office, Arb Prep Buffalo

6.6.17 = Office

6.7.17 = Office

6.8.17 = Office, Q&As (3) Utica

6.9.17 = Office, Arb (Hamburg)

6.12.17 = Office, Site Visit Collins

6.13.17 = Office, Travel to Albany, Q&A Buffalo

6.14.17 = Office, Q&A Buffalo, Albany Medal Cer., WR Meeting

6.15.17 = Office, Site Visit (Gowanda)

6.19.17 = Office, Funeral (Auburn)

6.20.17 = Office, Q&As (2) Utica

6.21.17 = Office, EAP Day Five Points

6.22.17 = Office

6.23.17 = Office

6.26.17 = Office, Step2s Albion, Arb. Prep Waterloo, Travel to Albany

6.26.17 = Office, Arb Auburn, E Board

Western Region Disciplines- Suspended – 25,

NOD's – 66, Admin Leave – 9, RDF Eligible - 13

Central Region Report:

*May 25th and 26th Central region office

*May 29th Holiday

*May 30th attended Northern region Event

*May 31st Central region office

*June 1st Q&A from Mid-State UOF, Veterans committee Albany

*June 2nd Attended THE RIDE FOR MISSING AND EXPLOITED CHILDREN, Then Albany office

*June 5th Central Region office then Albany for Lobby Day

*June 6th Attended Central Region and Veterans Lobby Day in Albany

*June 7th 8th and 9th Central Region office

*June 12th Central Region office

*Jun 13th Central Region office then Albany Desmond

*June 14th thru 18th Attended the CPOF in San Francisco

*June 19th Attended a lunch for Sue Cunningham retirement

*June 20th Central Region office and then Central region Stewards Meeting

*June 21st thru 23rd Central Region office

*June 26th Myself, BA Jason Combs, SAP Toby Hogan, Executive VP Tammy Sawchuck, and Senator Tedesco toured Hale Creek CF

My office has received numerous complaints from our members on how these facilities are running, or I should say not running. From the numerous throwing's inside our S-Blocks and RMHU's to Use of forces being criticized to the new step down program not having the appropriate staff assigned to the area. Even more important is the fact that our members are being removed from their BIDS just because a convict says they did something. Mid-State had 6 fights in different parts of the facility with two officers being hurt. Yet the State is doing nothing to protect Staff.

Mid-Hudson Region Report:

June 1 - Signal 30 Event in NYC for NYS Troopers

June 6 - Disciplinary Arbitration prep meeting in Albany

June 8 - Step 2's at Downstate CF. New Labor Rep John Burrows could be an issue.

June 12 - Hair follicle drug test in Albany. Member didn't have enough hair for sample

June 14-18 CPOF Event in San Francisco

June 19 - NYSCOPBA HQ

June 21 - NYSCOPBA Night of Unity with Dutchess County Renegades. About 140 NYSCOPBA members, their friends and family in attendance.

June 22 - Regional meeting. Very poor attendance

There seems to be an uptick in insubordination cases.

Any cases dealing with a hint of racial issues are not being settled at all. There is an arm of the Governor's Office that is looking at all racial claims, whether they be discipline issues or ODM complaints.

Shawangunk visitors are not being sent through metal detector. The unit was moved from visit process area to the employee entrance so that staff can be searched.

Downstate has major QWL issues. Will be asking for a forensic audit of the account. They haven't had a committee in place in years. The QWL in a mess.

Assault at FCF yesterday. Female CO was spit in the face and then punched twice in face by an inmate that was mad about being counseled about his hair style. Officer and responding officer transported to Urgent Care. I was told by the Capt that a local union rep told the Officer not talk to BCI and that our members will not talk to any police agency without an attorney present. Another rep clarified that he said not to talk to BCI until after they got back from Urgent Care.

Visitor caught trying to smuggle 9 mm rounds in to Green Haven

Northern Region Report:

May 25th Malone Saranac Lake Ogdensburg Lake Placid pick up golf prizes

May 30th northern region golf tournament

May 31st northern region golf tournament Warrensburg

June 1st Albany office

June 2nd Altona salute to labor

June 5th Albany office

June 6th Ticonderoga personnel file discussion and Albany office

June 7th Albany office

June 8th Ogdensburg Potsdam disciplinary discussion for arbitration met with Randy page

June 9th Albany office check signing

June 12th Albany office

June 13th New York City to leave to go to the San Francisco

June 14th San Francisco cpof

June 15th San Francisco cpof

June 16th San Francisco cpof

June 17th San Francisco cpof

June 18th return from San Francisco

June 19th Albany office retiree party

June 19th Malone northern region meeting June 20th return trip from Malone

June 21st met with member workers compensation issue

June 22nd Albany office

June 23rd assemblyman Dan Stec tournament

June 26th Comstock meet with Washington Stewart

Unfinished Business:

O.A.P. Meeting w/DOCCS- Will attempt to schedule with DOCCS

Constitutional Convention- Constitutional Convention strategies discussed. Yard signs will be distributed with pension as the main topic.

Janus V. AFSCME- The case has been petitioned to the court. As of now the case has not been put on the Supreme Court's calendar. Meeting with other law enforcement unions to protect our rights.

New Business:

Worker's Comp/Health & Safety Position (Sub-committee)- Agreed to a small committee of Sawchuk, Viddivo and Dildine to interview qualified applicants

Makuch Retirement Approval- Tabled to next meeting

Warrant Transfer Representation Ballot Issue- Will be done as all DOCCS employees beginning with the next election cycle

Lobby Consultant- A retainer will be put together to hire Lobby Consultants Chris Duryea and Kevin Baines

Website Issues (search)- Will follow up with Membership services

DOCCS Not Honoring Arbitrator Decisions- Will deal with on a case by case basis

ISO Article 78 Appeal Request- No action taken

Archived Executive Assembly Minutes- Will have the password removed

CourXam from Excelsior College – Will set up a table at the EA

Motions:

To approve the Rainy Day Fund application for A. Balzano

Motion made by: Executive Board

Motion unanimously approved

To approve the Rainy Day Fund application for R. Stowell

Motion made by: Executive Board

Motion unanimously approved

To approve the Rainy Day Fund application for A. Jiminez

Motion made by: Executive Board

Motion unanimously approved

To approve the Rainy Day Fund application for S. Light
Motion made by: Executive Board
Motion unanimously approved

To approve the Rainy Day Fund application for M. Doka
Motion made by: Executive Board
Motion unanimously approved

To approve the Rainy Day Fund application for N. Joshua
Motion made by: Executive Board
Motion sent back to member for further information

To approve the Legal Defense Fund application for J. Citriniti
Motion made by: Executive Board
Motion unanimously approved

To close the grievance CON 12-0260
Motion made by: Executive Board
Motion unanimously approved

To close the grievance CON 11-0779
Motion made by: Executive Board
Motion unanimously approved

To close the grievance CON 15-0358
Motion made by: Executive Board
Motion unanimously approved



Mike Dildine, Recording Secretary