

## **EXECUTIVE BOARD MINUTES**

**Date:** October 10, 2017 9 am

**ROLL:** Michael Powers, President  
Tammy Sawchuk, Executive Vice President (Excused)  
Mike Dildine, Recording Secretary  
Dave Viddivo, Treasurer  
Scott Carpenter, VP Central  
Mike Mazzella, VP Mid-Hudson (Excused)  
Joe Miano, VP Western  
Clarence Fisher, VP Southern  
John Roberts, VP Northern  
John Harmon, VP LE

**Attorney:** W. Sheehan– LMWF

**Guests:** K. Jacques – LMWF, W. Sellers – Sgts. Liaison

**Minutes:** September 12, 2017 E Board minutes approved unanimously

**Directive Changes:** 2727, 0053, 3051, 0058, 2932, 0086, 2727, 4933, 4913, 4937, 0069, 2230, 2022, 2608, 0040, 9395, 2020, 9432, 2948

**Next meeting:** November 14, 2017 9am Albany

**Correspondence:** None received

### **President's Report–**

- New Board members welcomed to their first meeting
- 9/15 media coverage over alleged incident at Great Meadow, four members placed on administrative leave
- Drones reported flying over Attica rec yard. The yards were searched, one weapon found that could not be tied to the drone sighting
- 9/17 Inmate on inmate fight at Sing Sing with serious injuries to staff
- 9/22 Worker's Compensation petition and cards sent to members for action
- 9/24 Officer suicide Green Haven member
- 9/25 Additional Sgt admin leave over Great Meadow incident
- 9/26 Attended Public Hearing on proposed Worker's Compensation changes. Auburn picket held
- 9/28 AAA ballot count for NYSCOPBA elections
- 9/29 Attended P. Ritchie event. Janus V AFSCME email sent to membership
- 10/2 Received letter from Commissioner Annucci naming Hudson and Adirondack as youth facilities. Meeting with staff will be held October 18<sup>th</sup>

- 10/2 Staffing review meeting held
- 10/4 Toured Great meadow and Washington with legislators
- 10/5 Walkill inmate families using QWL was stopped.
- Creedmore Safety Department named Safety Department of the Year
- Serious assaults on staff at Five Points this past weekend

### **Executive Vice-President-**

9/12/17 Board meeting  
 9/13/17 EA  
 9/14/17 EA  
 9/15/17 Office  
 9/18/17 Office  
 9/19/17 Office/ Contract meeting at the Desmond  
                     Conference Call with Jeanne Grebert Marshall Sterling deductible  
                     Meeting October 24th  
 9/20/17 Office / Albany Medical Center Site Visit  
 9/21/17 Office / IP meeting PERB Staff Allowable List  
 9/22/17 Office / Meeting Northern VP Great Meadow  
 9/25/17 Office  
 9/26/17 Office  
 9/27/17 NYC  
 9/28/17 NYC  
 9/29/17 Office/ Greene/Coxsackie Fundraiser  
 10/2/17 Office  
 10/3/17 Office/ J&E Case 259 Charges Dismissed  
 10/4/17 Office/ Inmate event Wallkill QWL / Conference call With Abby Ferreira / Letter  
 to John Shipley  
 10/5/17 Office

### **Treasurer's Report-**

- Gen Op 11.38M
- Bond Investment Unrestricted 7.97m
- Bond investment Restricted 982K
- Contracted with Ed Merenstein for RDF collections
- Contracted with Harper and Danesh to replace Atigro as our TPA for NYSCOPBA Employee Pension Plan
- Extended the lease with Patroon Creek for executive apartment. Month to Month
- Received rate increase notice for coverage renewal for NEA Health Insurance Benefit. 13.5% increase
- Met with Steve Edenbaum with Equity prime Mortgage for possible offering to membership
- Attended Ballot Count in NYC
- RDF Payouts 128,850 Balance 241,778
- LDF Payouts 17,708 Balance 1,155K w/Inv. Bal 2,137K

## **Regional Vice-President's Reports**

### **Law Enforcement Report:**

- Waiting for update from Justice Center on several issues raised in meeting.
- Issues at OPWDD. Spoke with Director of Labor Relations and Head of Safety. IP and Agency Class action filed.
- OMH Assault Report Bill update from law firm needed. Need to address the inaccurate reports that have been generated using patient/inmate initiated reports not employee driven.
- Collective Bargaining Committee met on September 27 and will meet on October 17, 18, 26. Negotiations on November 2.
- SUNY compressed/ Alternate scheduling MOU updated. Not signed yet due to Preshift briefing issue not addressed. Will be updating and hopefully sign it next week.
- SHTA Retirement issues continue to be identified. Kirby PC is finished and awaiting final accounting of issues from facility. The other forensic facilities will follow. Bill Naylor will be receiving list to review before next facility review starts.
- WTO seniority list was drafted and DOCCS asked for official memo with list and rationale for how list was constructed.
- OMH Statewide will be scheduled, waiting for dates from OMH. Email sent out to address some concerns.
- 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. Awaiting update from Roswell Park to sign agreement.
- Continue to work on Statewide MOU for seniority lists for OMH and OPWDD.
- CNYPC workers compensation discrimination case hearing in Utica on October 16. OMH attorney failed to show up. Attorneys have been contacted to get update from investigation.
- Southern Region Steward Meeting on September 27.
- Issues at State Education again with changing policy and conditions without LMM. State Ed. Refusing to send interrogation tapes to NYSCOPBA. Addressing issues currently, will send letter to Chancellor drafted by Law firm.
- Addressing preshift briefing issue with State Ed. Looking at IP.
- Need update from law firm on IP at DOL.
- Attended several PR Events and met with PR clients for branding and advertising plans.
- Creedmoor PC Safety Department won Safety Department of the year for OMH. Going on website and press release.
- Joint Labor Management Committee meeting being scheduled to discuss several issues.
- New issues with Kirby/ Manhattan Toll Reimbursement.
- Former CNYPC Member was cleared of all charges from Grand Jury. Press Release will go out.
- Met with Oneida County Judge candidate.
- Staff Allowable List Meeting
- Met with members Finger Lakes DDSO about issues in Region.

- Met with member concerning legal issues at Trooper Barracks.
- Article 78 on Driver's License won in court. Huge decision concerning conditional driver's license.

### **Southern Region Report:**

9/12/17 - Attended Eboard meeting in Syracuse

9/13/17 – Attended EA and Attica Memorial

9/14/17 – 2<sup>nd</sup> day of EA

9/15/17 – Arbitration prep in Albany and attended Trooper event in NYC

9/18/17 – Attended Edgecombe C.F. General Membership Meeting

9/19/17 – Arbitration at Taconic C.F.

9/20/17 – In Office

9/21/17 – Tour of Sing Sing with Sen. Leroy Comrie

9/22/17 – Bedford Hills C.F. Rounds / Steward Meeting

9/25/17 – Attended Queensboro C.F. General Membership Meeting

9/26/17 – Attended Parole Workplace Violence Meeting in NYC / Shooting involving off duty C.O. in the Bronx

9/27/17 – In Office

9/28/17 – Attended NYSCOPBA vote count in NYC

9/29/17 – In Office / Attended retirement celebration in the Bronx

9/30/17 – C.O. Off duty arrest

10/2/17 – Attended Meeting at Lincoln C.f. with the Superintendent and Stewards

10/3/17 – Tour of Sing Sing C.F. with Assem. Quart and Assem. Buchwald / Queensboro Rounds

10/4/17 and 10/5/17 – In Bronx Court with C.O. (off duty arrest) and in office.

10/5/17 – In office.

### **Western Region Report:**

9.13.17 = EA, Attica Memorial

9.14.17 = EA

9.15.17 = Office, Arb prep (Buffalo)

9.18.17 = Office,EHS Exam(Buffalo)

9.19.17 = Office, Arb (Waterloo) Col.Barg W State  
9.20.17 = Office,Arb (Waterloo)  
9.21.17 = Office,Arb (Waterloo)  
9.22.17 = Office,Mtg. With Carpenter Family  
9.23.17 = Officer Bev Allen Funeral (Spencerport)  
9.25.17 = Office,Step 2s Groveland& Livingston,Collins Steward mtg.  
9.26.17 = Con Con Mtg., Auburn Picket,Arb (Waterloo)  
9.27.17 = Office  
9.28.17 = Step 2s Willard,Step 2s Auburn,Arb (Albion)  
9.29.17 = Office,Arb(Albion)  
10.2.17 = Office,Step 2s Albion&Orleans  
10.3.17 = Deliver WC Cards, Step2s Gowanda, Step2s Wende  
10.4.17 = Office,Q&A Auburn(Utica)  
10.5.17 = Office,Arb(Waterloo),Palmesano Event  
10.6.17 = Office,Arb Prep  
10.9.17 = Travel Albany  
10.10.17 = Office, EBoard

Western Region Disciplines: Suspended – 36, NOD's – 80, Admin Leave – 6, RDF Eligible - 20

### **Central Region Report:**

9/13-14/17 – EA meeting Syracuse

9/14/17 – Step II grievances, as follows;

4 @ Midstate CF

3 @ Mohawk CF

9/14/17 – Step II disciplinary

1 @ Midstate CF

1 @ Mohawk CF

9/19/17 - Step II grievance

1 @ Hale Creek CF

9/28/17 – E-Board Ballot Count | Scott Carpenter elected Central Region VP

9/29/17 – Worked at Midstate CF (Note: AUB began 10/1/17)

10/2/17 – First day in Office, set up contacts | Paul Lashway on Vets trip to Boston

10/4/17 – PESH meeting @Midstate CF with CSS and Admin over yard tower issues

10/5/17 – Office

10/6/17 – Office

10/9/17 – Columbus Day

**Mid-Hudson Region Report:**

9/13/17 – 9/14/17 – Executive Assembly

9/15/17 - Disciplinary Arbitration. Two (2) Interrogations in Albany

9/16/17 - Festival of Heroes in Kerhonkson, NY

9/18/17 - Pre-arbitration meeting with member

9/19/17 - Negotiations in Albany. Two (2) Interrogations in Albany

9/22/17 - Disciplinary Arbitration

9/27/17 – Collective Bargaining Committee

9/28/17 - Disciplinary Arbitration

10/02/17 – Staffing Review Meeting in Albany

10/4/17 Disciplinary Arbitration Prep meeting in Albany

There have been a few issues in the region regarding the use of QWL's and equipment for inmate related functions. All have been handled, but it appears to be a new trend.

Greene CF members are being subjected to DOCCS recouping shift differential pay dating back to last year. Some members are paying back thousands of dollars. This is another issue of DOCCS civilian staff not being able to keep up with the workload and our members suffering for it.

Green Haven members are having medical documentation rejected as non-conforming when the return to duty after a pre-approved sick day if the notes are written from an Urgent Care or Emergency Room physician. DOCCS personnel has stated that pre-approved sick days are for appointments made with a doctor for blood work, testing and the like. If a member needs to go to an Emergency Room or Urgent Care, they can do it during non-work hours since those types of facilities are open when general practitioners are closed.

Hudson Correctional members have been on edge regarding the new designation as an Adolescent Offender Facility. They were under the impression that the facility would be closing. Once it was explained that it is just a different designation under the law, they questioned if DOCCS use of force policies, Peace Officer Status and such would be affected by the change.

**Northern Region Report:**

9/12/17- Syracuse executive board meeting

9/14/17-Glens Falls arbitration

9/18/17-Clinton site visit

9/19/17-Franklin site visit

9/20/17-Clinton site visit (Stiller movie information)

9/21/17-Albany office

9/22/17- Albany office,QnA Albany academy (4) great meadow

9/23/17-Clinton NYSCOPBA office (treasure help)

9/25/17-Moriah Shock step 2 hearings, Washington step 2 hearings, Clinton stewards meeting

9/26/17- Albany office,QnA Albany academy (2) upstate

9/27/17-Albany office,QnA Albany Academy (6) 4 great meadow,2 upstate

9/28/17-Albany office,QnA (2) Bare Hill,Upstate

9/29//17-Albany training academy QnA great meadow

9/30/17-Clinton UI information assault on staff

10/2/17-Bare Hill Site visit, Clinton Sector meeting

10/3/17-Albany office

10/4/17-Albany office, Washington, Great Meadow Assembly women tours with Legislators Walsh, Woerner

10/5/17-Upstate site visit

10/7/17-PR event Plattsburgh

10/10/17-Albany office Executive board meeting, QnA Altona Albany Training Academy

Metal silver ware at both Altona and Franklin Correctional. Why? Possible switch?

Increased gang activity Franklin CF

Tailor shop worker arrested Clinton CF

Inmate Herman Bell ticket dismissed Great Meadow, FBI calling and showing up to members' homes

QWL funding? Possible removal of funds for something for members?

Nod-27, Rdf-4 plus Great Meadow (2), Suspensions-17, Arbitrations in progress-4

**Unfinished Business:** None

**New Business:**

C-82 IP Consolidation and Staff Allowable List- The IP will be consolidated with C-82. There were no objections to the redefined allowable lists.

Fill Health & Welfare, Retirement and Veteran's Committee's Executive Board Members- John Harmon will be the acting Retiree Committee Executive Board member. All Committee board positions will be filled after the November election.

Change November Executive Board Meeting Date- Meeting date remains the same, the time changes to 11 am start

Sgt. at Arms (Must they be stewards?)- Agreed per EA motion that Sgt at Arms must be stewards

Executive Board Election Transition- See motion below

Employee Holiday Bonus- Approved, see motion below

Challenging Double Bunk Variances-DOCCS no longer needs a double bunk various as they are in compliance with current regulations

Grievance Closures- CON CON13-0069 and CON15-0064- Both closed see motions below

Walters Termination Request- Does not meet the criteria for an Article 78

Kahl Article 78- No action taken

Hudson QWL Decision- No grounds for an appeal

Loomis Catastrophic- Tabled for further information

**Motions:**

To approve the Rainy Day Fund application for J. Taylor

Motion made by: Executive Board

Motion unanimously defeated

To approve the Rainy Day Fund application for M. Lafleur



Motion made by: Executive Board  
Motion unanimously defeated

To approve the Rainy Day Fund application for A. Sisilli  
Motion made by: Executive Board  
Motion unanimously defeated

To approve the Rainy Day Fund application for S. Lucas  
Motion made by: Executive Board  
Motion tabled for further information

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

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

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

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

To approve the Honorary Retiree Chapter application for R. Stay  
Motion made by: Executive Board  
Motion unanimously defeated

To approve the Honorary Retiree Chapter application for D. Moore  
Motion made by: Executive Board  
Motion unanimously defeated

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

To close grievance CON13-0069  
Motion made by: D. Viddivo  
Motion unanimously approved

To close grievance CON15-0064  
Motion made by: D. Viddivo  
Motion unanimously approved

To allow non-returning Executive Board members two weeks access to all functions in order to make for a smooth transition period.

Motion made by: M. Dildine

Motion unanimously approved

To pay a \$650 holiday bonus to all NYSCOPBA personnel

Motion made by: D. Viddivo

Motion unanimously approved

To approve a second catastrophic for G. Loomis

Motion made by: M. Mazzella

Motion tabled for further information

To immediately begin the process of drafting and introducing legislation for a “Worker’s Choice” law that would help protect NYSCOPBA from any adverse actions from the pending Janus v. AFSCME Supreme Court case. Bill must be submitted to the legislature when appropriate. NYSCOPBA must be proactive and protect the organization and the rights of our members

Motion made by: J. Harmon

Motion unanimously approved



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Chris Summers  
Recording Secretary