

## **EXECUTIVE BOARD MINUTES**

**Date:** 11/21/2017 11 am

**ROLL:** Michael Powers, President-  
Tammy Sawchuk, Executive Vice President-  
Chris Summers, Recording Secretary  
Toby Hogan, Treasurer  
Scott Carpenter, VP Central  
Mike Mazzella, VP Mid-Hudson  
Joe Miano, VP Western- EXCUSED  
Clarence Fisher, VP Southern  
John Roberts, VP Northern  
John Harmon, VP LE

**Attorney:** Erin Parker – LMWF

**Guests:** T. Maniccia, Keith Jacques - LMWF

**Minutes:** October 10, 2017 Executive Board minutes unanimous approved

**Directive Changes:** 4065, 4002, 4069, 4065, 4910, 9390, 4929, 2725, 4060, 4404, 4902, 8630, 0051, 4003B, 4791,

**Next meeting:** December 12, 2017 9am

**Correspondence:** None received

### **President's Report–**

- New Board Members were welcome to their first meeting
- 10/10 had a meeting with Bill Wasserbach from Norvest
- 10/11 went on tour of Hudson C.F and Fishkill C.F.
- 10/12 Internal IT meeting with Stephanie- Incidents at Elmria C.F.
- 10/18 Department held presentation at Hudson C.F. regarding enacted RTA legislation
- 10/19 Preliminary PERB Conference re Annucci Memo
- 10/23 Submitted public comments on the behalf of NYSCOPBA regarding changes to Workers Comp guidelines
- 10/24 Janus vs. AFSCME and Con Con Ad Hoc Meeting
- 10/26 Meeting with Keith Jacques
- Meeting with Governor's Office regarding Death Gamble Bill
- 10/31 Began process of working with Joe Miano and Department regarding ongoing violence at Five Points & Lock downs. "Bloods vs. Kings". I requested for CERT to be activated.
- 11/6 Toured Ogdensburg and Riverview with Assemblywomen Addie Jenne

- 11/7 FOIL issue at Marcy- working with Scott Carpenter and Kevin Bruen (DOCCS Counsel) on issue. Hits were put on Officers due to this mistake.
- 11/9 Legislative/ PAC Committee Meeting
- 11/10 Received PERB decision on probationary member representation matter
- 11/11 Veterans Day- Governor signed priority legislation to give Combat Vets additional military leave. Thanks to Keith Jacques for assistance getting this through
- 11/13 Ballot Count for Run-Off Elections- Congratulations to John Harmon, Clarence Fisher, Chris Summers, Toby Hogan and Tammy Sawchuk.
- Received Notice from GOER they will continue Expedited Arbitration
- 11/17 Death Gamble Legislation delivered to Governor Office

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

10/16/17 Office - Reviewed New directive for magnetometer ( Parole Office – ISO) sent to Erin Parker for legal opinion

Sent Civil Service announcement to Erin Parker for review (ISO)

Discussion with Alan Ohms schedule changes (ISO) Erin Parker possible article 15  
10/17/17 Office Discussed staffing issues with Brian Gary (Upstate)

10/18/17 Office Mid-State QWL issues

10/19/17 Office Perb Hearing (Annucci IP) refer to Greg Myers Memo to the board

10/20/17 Office Email to Channel 5 feedback Prell incident at Clinton  
Attended Cox/Greene fund raiser

10/23/17 Office J&E Case 259

10/24/17 Office QWL meeting with GOER use of the buildings, by-laws, insurance policy and lawsuit deductible

10/25/17 Office Notifications of State IG at Up-State CF Conference call with John Roberts

10/26/17 Office

10/27/17 Office

10/30/17 Meeting with Ritchie Ellson

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

- Gen Op 11.91M
  - Bond Investment Unrestricted 7.95m
  - Bond Investment Restricted 982k
  - Attended Ballot Count NYC
  - Met with Peter Gregory of RBC Wealth Management about optional 401k
  - Met with Patty and Sal Merola about new vendor
  - RDF Payouts 116,100 Balance 192,725
  - LDF Payouts 47,650 Balance 1,156k w/Inv. Bal 2,135k
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### **Regional Vice-President's Reports**

#### **Law Enforcement Report:**

- Met with members at SUNY Downstate on 10/11 and toured campus to review security and staffing issues. Will be addressing with SUNY and Hospital Administration.
- Met with members at SUNY Stonybrook on 10/12 to discuss many issues, Union meeting held on 10/26 with titles and gather information for Labor Management Meeting.
- Mid-Hudson Union Meeting on 10/10 with new Chief Sector Steward and discuss issues with members.
- Held Retirement Committee meeting on 10/25 to discuss dues and benefit issues.
- Waiting for update from Justice Center on several issues raised in August meeting. Many issues continue especially representation problems, notification of investigation and charges being filed with evidence.
- 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 October 17<sup>th</sup>, 18<sup>th</sup>, and 26<sup>th</sup>. Negotiations were on October 26. The November 2 negotiations was cancelled and rescheduled for December 6.
- SUNY compressed/ Alternate scheduling MOU updated. Signed agreement with SUNY New Paltz. Awaiting several others for signature.
- SHTA Retirement issues continue to be identified. Kirby PC and CNYPC are finished. The other forensic facilities will follow. Bill Naylor will be receiving list to review before next facility review starts. Many issues have been identified.

- WTO seniority list was drafted and DOCCS asked for official memo with list and rationale for how list was constructed. Memo to Dan Martuscello will be drafted and sent shortly.
- OMH Statewide will be scheduled, waiting for dates from OMH. Email sent out to address some concerns.
- Roswell Park MOU for arming officers has been signed and awaiting official start date.
- Continue to work on Statewide MOU for seniority lists for OMH and OPWDD.
- CNYPC workers compensation discrimination case hearing held in Utica on October 16. Next date is December 18.
- State Education union meeting on October 18. Many issues raised for Labor Management Meeting Agenda. Preshift Briefing is a major issue.
- Met with DOL on November 9 to discuss IP issues.
- Attended several PR Events and met with PR clients for branding and advertising plans.
- QWL Joint Labor Management Committee meeting on October 24 was attended to discuss several issues.
- New issues with Kirby/ Manhattan Toll Reimbursement. Taxable problem being addressed with law firm.
- On October 30, attended OPWDD Peace Officer Academy to meet with Officers and discuss NYSCOPBA with them.
- Attended Labor Management Meeting for Safety Department and SHTA on November 17 and 20.

### **Southern Region Report:**

10/10/17 – Attended Executive Board meeting in Albany.

10/13/17 – Lincoln C.F. rounds

10/16/17 – Bedford Hills C.F. rounds

10/17/17 – Sing Sing C.F. and Taconic C.F. rounds

10/18/17 – Queensboro C.F. and Edgecombe C.F. rounds

10/19/17 – Office

10/20/017 – Chiefs meeting in office

10/23/17 – Office

10/25/17 – Office

10/27/17 – Attended Taconic and Queensboro Halloween parties.

10/31/17 – 2 Q & A's in L.I.C.

11/2/17 – Office

11/3/17 – Q & A in L>I.C.

11/4/17 – Attended Sing Sing / Downstate Football game

11/7/17 – Arbitration prep in Albany

11/8/17 – Meeting at NYSCOPBA

11/9/17 – Attended Edgecombe C.F. general membership meeting.

11/10/17 – At bldg. 9 with member (Residence issue).

11/13/17 – Attended ballot count in NYC. Attended retiree funeral in NYC

11/14/17 – Attended gathering for Assem. Dan Quart in NYC.

11/15/17 – Office

11/16/17 – Attended A.C. Griffin retirement.

11/16/17 – Office / Attended C.O. Myer retirement.

11/20/17 – Q & A at ATA.

### Southern Region

Active Notice of Discipline cases- 20

- Job Related NOD cases-17
- Grievances pending step 2 meeting- 4
- 24 Hour Notice Q&A's- since last E. Board meeting-7
- Terminations-2

### Issues-

The issue of I.S.O. scheduling remains an unresolved problem. There appears to be a lack of consistency in scheduling depending on parole office and regional director. This is either an issue to be resolved at statewide labor management or the collective bargaining committee.

“Serve and Settle” – Is this process in compliance with the CBA? Who does it benefit? Does it violate member rights?

### **Western Region Report:**

10.11.17 = Office, IP Conference (Auburn-Albany) Q&A (Albion-Albany)

10.12.17 = Office, Grove. Inmate Death Inv. Drop Off Con Con Signs (Attica, Wende, Gowanda, Collins, Lakeview)

10.13.17 = Arbitration (Waterloo) Funeral (Cayuga)

10.16.17 = Office, Travel Albany, Meeting. Beth Carpenter

10.17.17 = Arbitration (Elmira), DVM Q&A (Albion-Albany) Q&A (Auburn-Utica)

10.18.17 = WC Rally (Buffalo) Liv. Co Court (Simmons)

10.19.17 = Willard Site Visit, Arbitration, (Waterloo)

10.20.17 = Office, Arbitration, (Waterloo)

10.23.17 = Collins Funeral

10.24.17 = Office, Con Con (Albany, Arbitration, Waterloo)

10.25.17 = Travel (Albany), Q&As (5) (Auburn-Utica)

10.26.17 = Collective Bargaining Committee (Albany) Arbitration (Waterloo), Senator Kennedy Event

10.27.17 = Officer Kowalski Funeral (Dunkirk)

10.30.17 = Office

10.31.17 = Office, Albion Site Visit

11.1.17 = Office

11.2.17 = Office, Arbitration (Batavia)

11.3.17 = Arbitration Preps (2) Buffalo

11.6.17 = Office

11.7.17 = Arbitration Prep (2) Waterloo, Travel( Albany)

11.8.17 = Lunch with Dave V. & Mike D Albany Office

11.9.17 = Arbitration (Wende Training Center), Q&A Albion-Buffalo OSI, TV Interview Auburn

11.10.17 = Arbitration (Wende Training Center) Giowa-Sagie Daughters Funeral Buffalo

11.13.17 = Office

11.14.17 = Office, Travel (Albany), Livingston Co. Court

11.15.17 = Office, Q&As (3) Collins-Albany

11.16.17 = Site Visit FivePoints with Executive VP Sawchuck & Exective Secretary Summers

11.17.17 = Office, Q&A Albion-Buffalo

11.20.17 = Office

11.21.17 = Office, Willard Court, Janus Meeting Albany

### **Western Region Discipline**

Suspended – 36

NOD's - 81

Admin Leave – 6

RDF Eligible - 19

### **Central Region Report: ..**

10/10/17 – Albany HQ | Executive Board meeting

10/11/17 – Office hours central region

10/12/17 – Office hours central region

10/13/17 – Office hours central region

10/16/17 – Office hours central region

10/17/17 – Office hours central region | Attend 7AM, 3PM, 11PM Mohawk CF membership meeting

10/18/17 – Office hours central region

10/19/17 – Office hours central region

10/20/17 – Office hours central region

10/23/17 – Office hours central region

10/24/17 – Office hours central region | attend 3PM, 11PM Marcy CF membership meeting

10/25/17 – Office hours central region

10/26/27 – Office hours central region | Tour Hale Creek CF | Attend 3PM membership meeting

10/27/17 – Office hours central region

10/30/17 – Office hours central region

10/31/17 – Office hours central region

11/01/17 – Office hours central region | Attend 3PM Gouverneur CF membership meeting

11/02/17 – Office hours central region |

11/03/17 – Office hours central region

11/06/17 – Office hours central region | Attend 7AM, 3PM, 11PM Midstate CF membership meeting

11/07/17 – Office hours central region

11/08/17 – Office hours central region | Attend retirement luncheon @NYSCOPBA HQ with BA

11/09/17 – Office hours central region

11/10/17 – Office hours central region

11/13/17 – Office hours central region

11/14/17 – Office hours central region | Attend 7AM, 3PM, 11PM Mohawk CF membership meeting

BA to 3PM Marcy CF membership meeting

11/15/17 – Office hours central region

11/16/17 – Office hours central region

11/17/17 – Office hours central region



11/20/17 – Office hours central region

11/21/17 – Albany HQ | Executive Board meeting.

Grievances at Step II – 43

Grievances at Step III – 4

One grievance denied 11/9/17

NOD's – 6

Settled but not finalized – 2

Finalized since last EB meeting – 4

### **Mid-Hudson Region Report:**

Since last meeting, we've had six (6) days of disciplinary arbitration and multiple days of OSI interrogations at the Albany Training Academy. We have also attended multiple days of pre-arbitration meetings with the attorneys in Albany.

I've attended a Labor/Management meeting at Downstate CF, the Festival of Heroes Check Presentation at Unity Hall at Ulster/Eastern CF, two (2) Collective Bargaining Committee meetings and a Grievance & Legal Committee meeting.

We have an issue with the department denying reasonable accommodations for medical issues regarding facial hair. We are also still having issues with time keepers throughout the region. One member was charged an AWOL when he was physically working in the facility and another when he attended a CERT Physical. It took over 8 months to rectify.

I've reported to the board via email regarding an incident of assault on staff at Coxsackie. The press release was issued and printed. The female Officer did sustain a fractured hand and other injuries. The male Officer who was the initial victim of the assault blew out his knee, stitches in his mouth and other injuries.

Two (2) former members were found guilty of all charges in a federal trial from an incident that occurred at Downstate CF.

I spoke with a reporter regarding my opinion on the use of SHU's in DOCCS. I haven't seen the article yet, but I'm sure that my opposing opinion to their agenda will not be a word for word quote.

Officer assaulted at Downstate C F. It appears that this was a hit put out on the Officer by an inmate.

- Having issues with the time keepers in the region,

**Northern Region Report:**

10/10/17 Albany Office Executive Board meeting

10/11/17 Albany office/Albany Training Academy/Event with Assemblyman Billy Jones/Clinton

10/12/17 Inspector General was in Clinton. John (V.P) and Rick (B.A) was not allowed into Clinton,

Clinton union office all day

10/13/17 Inspector General in Clinton with Law Firm for members

10/15/17 Plattsburg funeral Co Rock

10/16/17 Arbitration Sgt. Carlotn Glens Falls

10/17/17 Clinton C.F

10/18/17 Great Meadow Employee day

10/19/17 In Albany

10/20/17 In Albany for Arbitration for Sgt Aghans

10/21/17 Clinton Site Visit

10/23/17 Albany Inspector General's office

10/24/17 Plattsburgh parole site visit/Clinton

10/25/17 Odgensburg for Co Sanford Arbitration

10/26/17 Utica for Q&A Upstate (4)

10/27/17 Assemblyman Jones office

10/30/17 Albany office/ academy Q&A Clinton/Barehill

10/31/17 Clinton Annex Site Visit/main

11/1/17 Step2 hearings/Franklin/Upstate/Barehill/Clinton

11/2/17 Adirondack site visit

11//6/17 Albany office Q&A Great Meadow/Academy

11/7/17 Clinton union office

11/8/17 Albany office

11/9/17 Albany office

11/13/17 Albany Great Meadow Q&A (3) /Clinton Q&A (1)

11/14/17 Albany Office

11/15/17 Altona stewards meet/PR Event

11/16/17 Albany Great Meadow Q&A (X3)

11/17/17 Clinton union office

11/20/17 Great Meadow Q&A (1) Albany office

Second Catastrophic - Pat Downey- Wife under hospice care

Herman Bell still pressing at Great Meadow

Inspector General -calling members & going to members' homes

Rdf-6

Suspensions 17

Nod 29

**Unfinished Business:** None

**New Business:**

Case #259 J & E Appeal- See Motions

Canarelli Article 78- Approved see Motions below

Rainy Day Fund and Military Leave- To look into amending the Rainy Day Fund. To add on the application if you go out on Military leave you have to notify NYSCOPBA.

Feliciano NOD Grievance Closure Request- withdrawn (See motion below)

Winter Weather Memo- The memo reads the same as last year. If you call in you have to say it's weather. You have to use vacation or PL (weather).

Executive Board Committee Assignments-

Collective Bargaining- John Harman & Mike Mazzella

Health & Welfare- Joe Miano

Finance Committee- Toby Hogan

Grievance & Legal- Mike Mazzella

Legislative/Political- Mike Powers

Election Committee- John Roberts

Judicial/Ethics- Tammy Sawchuk

Publicity & Meetings- Clarence Fisher

Constitution & Bylaws- Chris Summers

Veterans Committee- John Harman

Account Signers- Tammy Sawchuk, Toby Hogan, Chris Summers, John Roberts and Mike Mazzella.

NEA Trustees- Tammy Sawchuk and Chris Summers

Statewide Public Affairs Contract-

Annucci Memo IP – Was tabled and will be discussed at December Executive Board

2<sup>nd</sup> Catastrophic request for Pat Downy (Clinton C.F.)- Tabled unless change in circumstances

Joe Jacobs (SHTA Mid- Hudson) Justice Center decision- unlined disciplinary case first he was not guilty. The charges in the NOD and the charges in the justice center case are identical and actually reference the justice center law. Motion was made to file an Article &8 on the behalf of J. Jacobs.

**Motions:**

Action Without A Meeting – To approve the Legal Defense Fund application for C. Stipano  
Motion passed with all Board members voting in the affirmative

Legal Defense Fund Motion –  
To approve the Legal Defense Fund application for D. Hayes  
Motion made by: Executive Board  
Motion denied 5 to 2

Rainy Day Fund Applications –  
To approve the Rainy Day Fund application for W. Wells  
Motion made by: Executive Board  
Motion unanimously approved

To approve the Rainy Day Fund application for G. Cruz  
Motion made by: Executive Board  
Motion denied 7 to 1

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

To approve the Rainy Day Fund application for R Wiltsie  
Motion made by: Executive Board  
Motion was tabled for further information

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

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

To approve the Rainy Day Fund application for T. White  
Motion made by: Executive Board  
Motion was tabled for further information

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

To approve the Rainy Day Fund application for P. Brockway  
Motion made by: Executive Board

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

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

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

Honorary Retiree Chapter Applications- J. West,

To approve the Honorary Retiree Chapter application for J. West  
Motion made by: Executive Board  
Motion unanimously passed

To approve the Honorary Retiree Chapter application for J. Shouan  
Motion made by: Executive Board  
Motion defeated 8 to 1

To approve the Honorary Retiree Chapter application for G. Rock  
Motion made by: Executive Board  
Motion defeated 8 to 1

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

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

To deny the appeal for J&E file case 259  
Motion made by: Executive Board  
Motion unanimous passed

To file Article 78 on the behalf of Officer Canarelli  
Motion made by: Scott Carpenter  
Motion unanimous passed

To close Feliciano NOD Grievance case number 16-1603

Motion made by: Chris Summers  
Motion unanimous passed

To replace Mike Dildine main stay funds trustee with Chris Summers

Motion made by: Clarence Fisher  
Motion unanimous passed

To name Joe Miano & Mike Mazzella as trustee for trustee for NYSCOPBA 401K plan

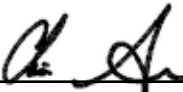
Motion made by: Toby Hogan  
Motion unanimous passed

To file an Article 78 on behalf of Joe Jacobs

Motion made by: John Harman  
Motion unanimous passed

To Hire Baker Public Relations

Motion made by: Mike Mazzella  
Motion unanimous passed.

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Chris Summers, Recording Secretary