

# EA MOTIONS



# MOTION SHEET

Motion:

I move at this time the sing sing prison NYSCOPBA representative will move on the floor of the upcoming EA

NYSCOPBA will use all means including litigation to force our insurance providers to cover (at the same rate of cost, as any other drug) any and all prescriptions for cannabis, this is to include oils and gel caps.

The wisdom of the motion:

Members & their families should not have to risk opiate dependence.

We should be able to use all legal methods of pain management

Members & their families should never have to worry about opiate poisoning.

If not us who, if not now when???

Motion Made by:

Paul Mikolajczyk

Motion Seconded by:

Don VanTassell

Motion Passed/Defeated:

**Withdrawn by Maker**

Date:

July 11, 2019



# MOTION SHEET

Motion:

I move that it be NYSCOPBA policy, when the (contract team) has a contract proposal, that they wish to present the following procedure be adhered to: the details of the proposal shall disseminate to the sectors & placed on the NYSCOPBA website for the dues paying members to review. The members will have a minimum of 55 days to review the proposal & have membership meetings to instruct their chiefs on how to vote. This all will be done before attempting to have any EA vote on any contract proposal, in any way.

The wisdom: 1. This will allow the sectors to have time to have meetings & then give their EA delegate direction on how to proceed

2. This will finally allow the dues paying members the ability to give direction to, not suggestion to the contract team & the executive board during negotiations. Which is their right under both the NYSCOPBA Constitution & Roberts rules of Order

3. Then if any retro payments are ever jeopardized it would be the members themselves taking the risks, the way it should be

Motion Made by:

Paul Mikolajczyk

Motion Seconded by:

Don VanTassell

Motion Passed/**Defeated**:

**Defeated**

Date:

July 11, 2019



# **MOTION SHEET**

Motion:

I move that NYSCOPBA file litigation, so that all members received state time to take any promotional exam.

The wisdom of the motion: Currently tour 3 is not given state time to take promotional tests! If CAYSA training is always state time for all tours, then all state exams should be as well.

Motion Made by:

Paul Mikolajczyk

Motion Seconded by:

Don VanTassell

Motion Passed/Defeated:

**Withdrawn by Maker**

Date:

July 11, 2019



# MOTION SHEET

## Motion:

To spend up to \$19,000.00 to hire a CPA/PLLC to review the recent retro checks received by the membership// This review should consist of no less than 50 volunteers members. The sample of 50 should be compromised of 10 members with less than 5 years of services. 10 members with 6-10 years of service. 10 members with 11-15 years of service. 10 members with 16-20 years of service. 10 members with 21-25 years of service. These members shall be willing to hand over copies of their paystubs and any supportive documentation to support the financial review for accuracy. This sample would test the accuracy of the state comptroller's formula in determining how the retroactive wage was calculated. This review should also look at how overtime rates changed and whether the rates being paid are correct. The executive board shall assist in this review by directly collecting any information needed or requested for the independent form conducting the review from the state comptroller's office. The results of this review shall be posted no later than 7 days upon completion on the NYSCOPBA website and all chief sector steward will receive an email of said report, effectively giving the members information that already should be provided. In the event that there are inaccuracies or systematic calculating errors the information should be brought to the attention of the membership as well as any other state agency deemed appropriate to ensure compliance. A vetted CPA/PLLC will be provided at the EA. Please see attached for an example of inaccuracies.

Wisdom: Ensure the membership has received and continues to receive the contractual rights that were negotiated by NYSCOPBA. Provide the membership proper representation by verifying their compensation is correct. Ease the membership concern about inaccuracies. Provides the membership a path to remedies of inaccuracies.

Motion Made by:

T. Guest

Motion Seconded by:

E. Sticht

Motion Passed/Defeated:

**Withdrawn by Maker**

Date:

July 10, 2019



# MOTION SHEET

Motion:

I move at this time the Sing Sing prison NYSCOPBA representative of the next EA will make the following motion

NYSCOPBA will send (via email), copies of all motions made at all EA's to all Stewards whom the union hall has email addresses for.

This will be done within 10 days of the end of the EA

Wisdom: 1. This will aid stewards to best inform the dues paying members of what & how things are being done

2. It's just plain transparency

Motion Made by:

Paul Mikolajczyk

Motion Seconded by:

Don VanTassell

Motion Passed/**Defeated**:

**Defeated**

Date:

July 11, 2019



# MOTION SHEET

Motion:

I move at this time the Sing Sing prison NYSCOPBA representative of the next EA will make the following motion

NYSCOPBA shall not allow any contract book to be printed, that doesn't have all zeroes of the contract, clearly defined within its pages.

Along with this the % of the medical insurance members pay i.e. 31% will be clearly printed.

Wisdom: 1. In our last contract, there were 13 zeroes 3 zeroes to salary, 5 zeroes to expanded duty pay, 5 zeroes to location pay. None of which were in the contract book.

2. Art. 11.12 speaks of retroactive medical costs, but doesn't state how much the amount will be formed. Going from paying 25% then the give back of 6%, for an increase of 19.38% cost to members, per check

3. it's just plain transparency

Motion Made by:

Paul Mikolajczyk

Motion Seconded by:

Don VanTassell

Motion Passed/**Defeated**:

**Defeated**

Date:

July 11, 2019



# **MOTION SHEET**

Motion:

To appoint Dave Luther as the Southern Region Vice President upon the approval of the Executive Assembly.

Motion Made by:

Executive Board

Motion Seconded by:

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Motion Passed/Defeated:

**UNANIMOUS**

Date:

June 19, 2019

**\*\* Approved by the Southern Region at the  
July 10, 2019 Executive Assembly Meeting**



# **MOTION SHEET**

Motion:

To increase the bereavement floral arrangement from \$125 to \$250 for active members who pass away.

To leave the current \$125 for all other bereavement as is

Motion Made by:

M. Cooper - Downstate

Motion Seconded by:

Chris Moreau- G. Haven

Motion Passed/Defeated:

Referred to Finance  
Committee

Date:

May 8, 2019

**\*\*Finance Committee Recommends Adoption - Passed  
Unanimously at the July 10, 2019 Executive Assembly Meeting**



# MOTION SHEET

Motion:

The ~~Legal representation~~ \*contract negotiated representative of NYSCOPBA will be restricted by the contractual raises of the membership. IE: Lippes Mathias Wexler Friedman LLP or any other future lead council that represents the good men and women of NYSCOPBA will be limited to raises contractually obligated by the members. If the membership gets 0% the law firm gets 0% if the membership gets 2% the law firm gets 2%.

Wisdom: The monetary compensation of the consumer should dictate the value of the vendor's services.

Motion Made by: T. Guest  
Motion Seconded by: W. Sticht

\*Amended by Paul Miklojczyk / John Harmon

Motion Passed/**Defeated**: **Defeated**

Date: July 11, 2019



# **MOTION SHEET**

Motion:

To approve the amended NYSCOPBA Retiree  
Chapter Policy

Motion Made by:

John Harmon

Motion Seconded by:

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Motion Passed/Defeated:

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Date:

July 10, 2019

**\*\* Tabled until September 11-12, 2019 EA**



# NYSCOPBA Retiree Chapter Policy

## PURPOSE

The NYSCOPBA Retiree Chapter, an organization of the New York State Correction Officer and Police Benevolent Association, to advance and promote the NYSCOPBA programs for Retired members.

## GOVERNING AUTHORITY

The NYSCOPBA Retiree Chapter shall be governed by these policies which shall be compatible with the Constitution and Bylaws of NYSCOPBA.

## OBJECTIVES

The NYSCOPBA Retiree Chapter shall:

- A. provide opportunity for NYSCOPBA members to continue their membership and involvement in the NYSCOPBA following retirement from active employment;
- B. NYSCOPBA Retiree Chapter members, provide opportunities for their involvement in certain NYSCOPBA sponsored programs;
- C. establish opportunities for NYSCOPBA Retiree Chapter members to address and pursue issues of common concern, create avenues to safeguard and strengthen retirement benefits;
- E. create ways and means for NYSCOPBA Retired members to join with the NYSCOPBA Retiree Chapter in efforts to bring about positive support for Retiree Chapter members and the achievement of NYSCOPBA Retiree Chapter objectives;

## NYSCOPBA RETIREE CHAPTER MEMBERSHIP

### Section 1.     *Eligibility*

*NYSCOPBA Retiree Chapter services and member benefits shall be provided only to members in good standing.*

The NYSCOPBA Retiree Chapter shall be comprised solely of:

- A. the retired associate members of NYSCOPBA or;
- B. any NYSCOPBA honorary members *will be considered a member in good standing when:*
  - a. *they have completed a minimum of twenty five (25) years of credible service in a NYSCOPBA recognized title or;*
  - b. *have applied for honorary membership within one (1) year of resigned and taken membership with another unit resigning or leaving from a NYSCOPBA recognized title and;*
  - c. *must meet the following criteria:*
    - i. *serve as an elected official for a minimum of (1) term or;*
    - ii. *have performed verifiable outstanding contributions to NYSCOPBA or its members in accordance with Article 3 of the NYSCOPBA Constitution.*
  - d. *provided a majority approval of the Executive Board. Honorary members must submit a completed application to the Retiree Committee. The Retiree Committee will review the application and make a recommendation to the Executive Board for their consideration. Honorary membership will be determined by majority vote of the Retiree Committee. Retired membership with NYSCOPBA's Retiree Chapter is open to any person who is eligible to receive a pension from the NYS Local and Retirement System. Retired membership is limited to persons who support the purposes and programs of the Retiree Chapter.*

### Section 2.     *Benefits and Services*

NYSCOPBA Retiree Chapter members shall be eligible to receive benefits and services of the Retiree Chapter authorized by the NYSCOPBA Executive Assembly Board.



### Section 3.      *Exemptions*

Retirees will not be eligible to receive benefits and services of the Retiree Chapter when:

- A. Any Retiree has left service due to an inappropriate relationship with an inmate or person confined in an institution under the jurisdiction of the NYS Department of Corrections or Office of Mental Health or;
- B. Any Retiree who was a non-member of NYSCOPBA previous to their retirement or;
- C. Any Retiree who has been found to have a felony conviction or;
- D. Any Retiree who chooses, *either verbally or in writing*, to not join the Chapter or;
- E. Any Retiree who refuses to set up automatic dues deductions or;
- F. Any Retiree who has been given the, one time, opportunity to rejoin the Chapter and fails to complete and submit the necessary paperwork within 60 days or;
- G. Exemption as deemed appropriate by the NYSCOPBA ~~Executive Board~~ *Retiree Committee*.

### Section 4.      *Appeals*

*Anyone who does not agree with the determination of the Retiree Committee may appeal their determination. Appeal determination will be by majority vote of the Executive Vice President or their designee, the board member overseeing the Retiree Committee and the Retirement department head.*

## DUES AND FINANCES

### Section 1.      *Dues*

Dues of Retired members of the NYSCOPBA Retiree Chapter shall be established by the NYSCOPBA Constitution and Bylaws payable through automatic monthly pension deduction.

### Section 2.      *Income*

Income for NYSCOPBA Retiree Chapter membership shall be derived from monthly pension deductions and the interest from the lifetime account.

## THE NYSCOPBA RETIREE COMMITTEE

### Section 1.      *Rights and Benefits*

Members of the NYSCOPBA Retiree Chapter shall have rights and benefits as provided in the NYSCOPBA Constitution and Bylaws.

### Section 2.      *Number of Members*

The number of Retiree Committee members shall be determined as provided in the NYSCOPBA Constitution and Bylaws.

### Section 3.      *Eligibility*

Only active NYSCOPBA Retiree Chapter members shall be eligible to serve on the NYSCOPBA Retiree Committee.

### Section 4.      *Election*

The election of Retiree Committee members shall be determined as provided in the NYSCOPBA Constitution and Bylaws.

### Section 5.      *Vacancy*

Any vacancies of the Retiree Committee members shall be determined as provided in the NYSCOPBA Constitution and Bylaws.



# **MOTION SHEET**

Motion:

To change the allotted amount from \$125 to \$250 dollars for office supplies for all sectors of 400 or more members for all sectors that meet the criteria.

Motion Made by:

Don VanTassell

Motion Seconded by:

Paul Mikolajczyk

Motion Passed/Defeated:

\*Sent to Finance Committee  
M. Mazzella / Chris Moreau

Date:

July 10, 2019