

MOTION SHEET

Motion:

To appoint Bryan Hluska as the Central Region Vice President
upon approval of the Executive Assembly

Motion Made by:

Executive Board

Motion Seconded by:

Motion **Passed**/Defeated:

Unanimous (Central Region Only)

Date:

March 11, 2020

MOTION SHEET

Motion:

To appoint Kenny Gold as the Western Region Business agent
upon approval of the Executive Assembly

Motion Made by:

Executive Board

Motion Seconded by:

Motion **Passed**/Defeated:

Unanimous (Western Region Only)

Date:

March 11, 2020

MOTION SHEET

Motion:

To have NYSCOPBA spend up to \$750,000 on an ad campaign to promote the jobs our members do and the service they provide in protecting our communities. These ads should focus on pointing out the inadequate policies and practices of both the department & Governors Administration that continuously ignores the safety and security staff. This campaign should be directed at all major news outlets throughout the state in each region equally per ratio. This information should include information regarding drug epidemic in our state prisons, the need for secure vendor program, K9 at every facility, protective equipment, inhumane treatment of inmates with regard to double bunking, assaults on staff, assaults on inmates, parolees unaccounted for- including, murderers, rapists and pedophiles. This should be targeted through radio ads, newspaper ads, press releases and television ads.

Motion Made by:

Chris Summers

Motion Seconded by:

Brian Hluska

Motion **Passed**/Defeated:

Unanimous

Date:

March 11, 2020

MOTION SHEET

Motion:

To initiate litigation on behalf of Mike Lewis, Kurt Stitzel and Timothy Zon for retro monies and recalculations for their retirement benefit. This litigation should act as a precursor to possible litigation for other effected members who have not received the appropriate raises, retro and recalculations from the CBS 2016-2023.

Wisdom: to initiate a precedent for those members who resigned and subsequently retired under Article 15. They were denied the retro for the raise for any period worked under the new contract which subsequently effects their FAS as well as recalculations and final retirement benefits.

**Amended: This action hinges on a phone conversation with GOER on 3/12/2020. If no resolution is reached then the action shall go forward

Motion Made by:

Mark DeBurgomaster

Motion Seconded by:

Ray Sickler

Motion **Passed**/Defeated:

Unanimous

Date:

March 11, 2020

MOTION SHEET

Motion:

To approve the amended NYSCOPBA Non-Member “ Free Rider”
Policy

Motion Made by:

John Harmon

Motion Seconded by:

Tonney V.

Motion **Passed**/Defeated:

Unanimous

Date:

March 11, 2020

NYSCOPBA Non-Member "Free Rider" Policy

PURPOSE

NYSCOPBA will be abiding by the United States Supreme Court Decision, Janus v. AFSCME. NYSCOPBA hereby defines a Non-Member for the purpose of organizational operations.

GOVERNING AUTHORITY

The NYSCOPBA Executive Assembly is the governing body of the organization according to the Constitution and Bylaws of NYSCOPBA.

OBJECTIVES

To define a Non-Member.

NON-MEMBER

Section 1. *Definition*

A Non-Member will be a State Employee holding a protected title under NYSCOPBA, Bargaining Units 01 and 21, who voluntarily opts-out of NYSCOPBA's Membership or has their NYSCOPBA Membership revoked by Judicial Ethics charges.

Voluntarily opting out of NYSCOPBA membership shall be defined as:

- Notifying NYSCOPBA in writing or email of your intent to opt out of being a NYSCOPBA member or;
- Refusing to complete a NYSCOPBA Membership application as outlined in Section 3.

Section 2. *Benefits and Services*

- A. A Non-Member will not be entitled to any optional services provided to NYSCOPBA members.
- B. A Non-Member will only be guaranteed provisions as outlined according to law, Contractual Compensatory Articles and the Contractual Grievance Process.

Section 3. *Exemptions and Stipulations*

Non-Members will be allowed to become a dues paying member if:

- The non-member does not have any pending or current investigations, disciplinary action or legal issues that could affect employment or action against said non-member and;
- Within the first year after NYSCOPBA is notified of non-membership by the Comptroller's Office a membership application is filed or;
- During the initial probationary evaluation period of your first NYSCOPBA protected title or;
- If the Regional Executive Board Member representing the region the nonmember works acknowledges in writing that there was an issue with the member application process (i.e. misinformation, mailing issue, misrepresentation issue, etc.) or;
- At the discretion of the Executive Assembly.

Non-Members will not be entitled to the following:

- A. Future Membership once they voluntarily opt out, including choosing to not sign in person.
- B. Membership after they fail to respond or approved according to Section 3.
- C. Membership services offered to members of NYSCOPBA, including membership services, main office departments, \$30k Life Insurance and all other optional services and benefits offered to NYSCOPBA Members.
- D. Certain aspects of the Collective Bargaining Agreement, most notably Article 8 Discipline.
- E. Retiree Chapter Membership.

MOTION SHEET

Motion:

To approve membership card for D. Cooney.

Motion Made by:

Executive Board

Motion Seconded by:

Motion **Passed**/Defeated:

Unanimous

Date:

March 11, 2020

MOTION SHEET

Motion:

To approve membership card for E. Morton.

Motion Made by:

Executive Board

Motion Seconded by:

Motion **Passed**/Defeated:

Unanimous

Date:

March 11, 2020

MOTION SHEET

Motion:

To approve membership card for J. Trujillo.

Motion Made by:

Executive Board

Motion Seconded by:

Motion **Passed**/Defeated:

Unanimous

Date:

March 11, 2020

MOTION SHEET

Motion:

To approve membership card for M. Miller.

Motion Made by:

Executive Board

Motion Seconded by:

Motion **Passed**/Defeated:

Unanimous

Date:

March 11, 2020

MOTION SHEET

Motion:

To approve membership card for M. Wilder.

Motion Made by:

Executive Board

Motion Seconded by:

Motion **Passed**/Defeated:

Unanimous

Date:

March 11, 2020

MOTION SHEET

Motion:

To approve membership card for P. Reed.

Motion Made by:

Executive Board

Motion Seconded by:

Motion **Passed**/Defeated:

Unanimous

Date:

March 11, 2020

MOTION SHEET

Motion:

To approve membership card for D. Sherman

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed/Defeated:

Withdrawn

Date:

March 11, 2020

MOTION SHEET

Motion:

To approve membership card for G. Clarke

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed/Defeated:

Withdrawn

Date:

March 11, 2020

MOTION SHEET

Motion:

To approve membership card for J. Romain

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed/Defeated:

Withdrawn

Date:

March 11, 2020

MOTION SHEET

Motion:

To approve membership card for K. Winston-Lee

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed/Defeated:

Withdrawn

Date:

March 11, 2020

MOTION SHEET

Motion:

To approve membership card for M. Burns

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed/Defeated:

Withdrawn

Date:

March 11, 2020

MOTION SHEET

Motion:

To approve membership card for S. Bonneau

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed/Defeated:

Withdrawn

Date:

March 11, 2020

MOTION SHEET

Motion:

To approve membership card for S. Pawlikowski

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed/Defeated:

Withdrawn

Date:

March 11, 2020

MOTION SHEET

Motion:

To approve membership card for T. Jackson

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed/Defeated:

Withdrawn

Date:

March 11, 2020

MOTION SHEET

Motion:

To approve the amended NYSCOPBA Retiree Chapter Policy

Motion Made by:

John Harmon

Motion Seconded by:

Mark DeBurgomaster

Motion **Passed**/Defeated:

Unanimous

Date:

March 11, 2020

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;
 - a. any NYSCOPBA honorary member that has met the following criteria:
 - i. served as an union official or;
 - ii. served as an elected representative for a minimum of one (1) term or;
 - iii. have applied for honorary membership within one (1) year of resigning or leaving from a NYSCOPBA recognized title and;
 - iv. have performed verifiable outstanding contributions to NYSCOPBA or its members in accordance with Article 3 of the NYSCOPBA Constitution.
 - 1. Verifiable proof is defined as written confirmation of outstanding contributions (ie. Press release, letter of recommendation from Dept/Facility etc.)
 - b. Honorary members must submit a completed application to the Retiree Committee. The Retiree Committee maintains the authority to request verifiable information for incomplete applications submitted to the Committee prior to making a recommendation to the Board. The Retiree Committee will review the application and make a recommendation to the Executive Board for their consideration. 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.

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 has been found to have a felony conviction or;
- C. Any Retiree who chooses, either verbally or in writing, to not join the Chapter or;
- D. Any Retiree who refuses to set up automatic dues deductions or;
- E. Any Retiree, or honorary member, 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;
- F. Exemption as deemed appropriate by the NYSCOPBA Executive Board.

Section 4. *Appeals*

Anyone who does not agree with the determination of the Executive Board may appeal their determination. The individual may reapply for membership within 60 days of their denial notification. The process is a one-time opportunity to include new verifiable information that shall be sent to the Retiree Committee for recommendation and then forwarded to the Executive Board for final determination.

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:

Seeking 60% of the members approval to make changes to the current committee policy and procedure policy.

Motion Made by:

Doug Westervelt

Motion Seconded by:

Chris Fear

Motion **Passed**/Defeated:

Unanimous

Date:

March 11, 2020

MOTION SHEET

Motion:

To change current committee policy and procedures policy.

See attached policy changes

Wisdom: To allow committee members to attend EA for both days due to committee meeting business being conducted on day 2 of the EA. It has always been past practice that all committee members attend both days of the EA with allotted EOL time.

Motion Made by:

Doug Westervelt

Motion Seconded by:

Chris Fear

Motion **Passed**/Defeated:

Unanimous

Date:

March 11, 2020



New York State Correctional Officers & Police Benevolent Association, Inc.



Committee Policy and Procedure

Committees will convene on the **first and second day** of the Executive assembly in **one module**.

- **The first day of the Executive Assembly committee's will meet at designated areas from 8-10 am.**
- **10-12pm Normal Executive Assembly agenda will commence**
*Lunch will be available from 12-1pm
- Each committee will plan their module accordingly based on their respective agendas and need for longer time frames
- The committee chairs will notify the Recording Secretary of their attendance at each upcoming Executive Assembly
- Committee will make every effort to conduct business at the regularly schedule Executive Assembly's, but may meet during Executive Assembly off months if a meeting is absolutely necessary to contract NYSCOPBA business
- The discretion on whether to meet off months will rest with the Board member who oversees each Committee.
- Each committee member will receive a 415.00 stipend for each Executive Assembly that their respective committee convenes. ~~An additional \$50.00 stipend will be given to those on multiple committees, if they also convene.~~
- At the conclusion of lunch at 1pm the normal Executive Assembly agenda will commence. **Continue**
- ~~The second day of the Executive Assembly will commence at 9am and conclude at 1pm or once the agenda has been completed.~~ **9-10am Committees will meet if needed for any unfinished or New Business.**
- **10am-1pm Executive Assembly will commence until the agenda has been completed**

MOTION SHEET

Motion:

To interpret that NYSCOPBA Constitution Article XIII, Section B, (Sector Meetings) which states: “It shall be the responsibility of the individual sector steward(s) to hold regular association meetings for their membership” to mean that it is the local sector steward(s) who are responsible for choosing when and where local steward meetings will take place.

Motion Made by: A. Zappala - Shawangunk
Motion Seconded by: C. Murphy - Fishkill

Motion **Passed**/Defeated: Passed w/ opposition*

*Rowe, Molino, Carlson, Best, Scampoli, Duryea, Vincent – Sawchuk, abstain

Date: March 11, 2020