

NABET-CWA LOCAL 31
Combined Executive Board and General Membership Meeting
Executive Board Minutes

Monday, August 3, 2009

Location: NABET-CWA Local 31 Office
Time: Meeting called to order at 6:33 pm with a quorum present
Presiding: James Carl Mayers, President
Present: Jim Lee, Vice President
Dave Parr, Treasurer
Maurice Thomas, III, Secretary
Stephen Johnson, HRS
Barbara Krieger, MCT
Rich McDermott, NBC/WRC
Michael Queen, NBC
Rory Reese, ABC
David Robinson, Alternate MCT
Stu Rushfield, NPR
Thomas Thornton, Freelance
Judy Washington, PBS
Maurice Whitehurst, WHUT
Al Zodun, President's Envoy

General Membership:

Bernard Gmiter, ABC
J. Thomas Marchitto, Chair-Elections Committee
Alton Morris, WJLA
Frank Nelson, NPR
Connie Sims, ABC
Ted Stewart, NBC (retired)
Tim Welch, ABC
Bob Williams, NBC

Newly elected Alternate Executive Board Member for MCT, David Robinson, was sworn in.

Approval of Executive Board Minutes for the meeting held on June 8, 2009.

2009-08-01 MOTION MADE to approve the minutes of Executive Board Meeting, June 8, 2009 as amended.

MAKER: Johnson

SECOND: Rushfield

MOTION PASSED

Record Vote: Larry Jackson, Sarah Pacheco and Richard Guastadisegni were absent; Parr, Krieger & Tom Thornton abstained, all others present voted Aye.

Secretary's Report:

1. Correspondence
2. Web Page: The web page is fine, but we need input from NPR, WHUT and PBS
3. Computer Update: The computer system in the Local Office went down on June 23, 2009. A new server had to be purchased.
4. Motion to Replace Server:

2009-07-01 Proposal to purchase 5 new hard drives and HP server. (Sent by email to all Executive Board Members.)

MAKER: Thomas

SECOND: Parr

MOTION PASSED

Record Vote: Jackson did not respond (out of town); all others voted Aye.

Treasurer's Report:

1. June 2009 Financial Report

Below are the accounts that were considerably higher or lower than the normal budgeted amount for June 2009.

INCOME:

4001: TOTAL REBATE: \$46,948.79 was \$8,151.21 under the monthly budgeted amount of \$61,000.00.

TOTAL INCOME: \$53,059.29 is \$7,940.71 under the monthly budgeted amount of \$61,000.00.

EXPENSES:

5028: MEMBERS BENEFITS/TRAINING: -\$150.00 was \$1,300.00 under the monthly budgeted amount of \$1,150.00. This was due to the fact that three members paid in June for the July Final Cut Pro class.

5029: MEETING RMS/MT EXPENSES: -\$259.20 was \$659.20 under the monthly budgeted amount. This account shows a negative because the Sector reimbursed the Local for the travel costs for the CWA convention in June.

The total expenses for the month of June were \$16,778.31 under the monthly budgeted amount of \$74,325.00. The net income for the month of June was -\$4,487.40. All other accounts were on budget.

NEXT MONTH'S EXPENSES: Executive Board members are aware that the Local's server crashed and needed to be replaced. The process to recover the data which was lost is ongoing and is expensive. The office can not properly function without this data so not attempting to retrieve it was not an option. Expect the total cost to exceed \$20,000 which probably will appear in the July report.

Also, the staff is in the process of preparing the mailing of the ballots for the upcoming officer's election. Expect the July postage expenses to exceed \$1,600.

2. July 2009 Financial Report

Below are the accounts that were considerably higher or lower than the normal budgeted amount for July 2009.

INCOME:

4001: Total Rebate: \$67,618.57 is \$12,518.57 over the monthly budgeted amount of \$55,100.00.

4005: Investment Income: We do not have any bank information due to the fact that the Executive Board Meeting is on the first Monday of the month.

The Local's July 2009 income of \$71,793.85 was \$10,793.85 above the monthly budgeted amount of \$61,000.00.

EXPENSES:

5007: NPR: \$12,894.14 was \$9,894.14 above monthly budgeted amount of \$3,000.00. NPR sent the Local a union leave bill for the NPR negotiations in the amount of \$12,894.14 which was paid in full.

5021: POSTAGE/MAILING/COURIER: \$2,068.23 was \$1,218.23 over the \$850.00 monthly budgeted amount. The NBC strike authorization ballot and the Officers election ballots were prepared in July.

5024: MISC OFFICE EXPENSES: \$694.88 was above the monthly budgeted amount of \$250.00. This covers the copier charge for excessive copies for the two large mailings

5026: COMPUTER/PRINTING EXPENSE: \$2,175.62 is \$1,775.62 above the monthly budgeted amount of \$400.00. The Local has been billed for a small portion of the cost to rebuild our computer system.

The total expenses for the month of July were \$2,906.61 under the monthly budgeted amount of \$74,325.00.

The net income for the month of July was -\$5,437.76. All other accounts were under the budgeted amount or right on budget.

2009-08-02 MOTION MADE to approve the Treasurer's report for June and July 2009.

MAKER: Thomas

SECOND: Reese

MOTION PASSED

Record Vote: Krieger abstained; Pacheco, Jackson and Guastadisegni were absent; all others present voted Aye.

3. New Members: Applications for new members were reviewed. All were approved as presented.

2009-08-03 MOTION MADE to accept the following applicants as a new members: Larry L. Haley, David Paul Hummel, and Terry S. Levandoski, daily hires at ABC; Bradley Neil Kendrick and Dario William Lanzano, daily hires at MCT; Dewayne A. Stewart, daily hire at WHUT.

MAKER: Johnson

SECOND: Washington

MOTION PASSED

Record Vote: Pacheco, Jackson and Guastadisegni were absent; all present voted Aye.

President's Report

1. Local 31 Status: The companies have made 180° turnaround and have forgotten that their employees are their greatest assets. Mobilization is essential.

Staff Report

1. Union Leave Report: Accepted as reported.
2. New member packets: Membership package sent to the following employees:

ABC - Andrew Gonce
Robert Gunter

NBC - Joseph Bamford

WHUT - Robaer Washington

NB: No membership packages could be sent out from June 23 until late on July 31, 2009 due to the server failure.

3. No Work List (3.2): As listed for the benefit of officers and stewards.

OLD BUSINESS

1. By-Law Changes Article VII - Initiation Fees:

2009-06-07 MOTION MADE to remove current language of By-Law VII, Sections 7.13, 7.14 and 7.15 and add new section:

Current Section 7.13

If an applicant signs the dues check-off form and pays his/her Initiation Fee in full within 90 calendar days from the date the new member package was sent his/her Initiation Fee shall be discounted by 25%.

Current Section 7.14

In the case of an applicant who is employed as a permanent employee under a NABET-CWA contract, and has signed the dues and Initiation Fee check-off forms, he/she may pay the Initiation Fee in equal installments from each paycheck over a 12 month period.

Current Section 7.15

Daily hires, who sign a dues check-off for automatic dues deduction, may pay their Initiation Fee in one of the following three options: (Members, who chose not to have their dues automatically deducted through payroll deduction, must pay their initiation fee in full when submitting their original paperwork.)

1. They may pay their Initiation Fee in full within 90 days from the first day when they either request to join, or 90 days from the date when they are required to join (or pay the equivalent in the form of a service fee), and receive a 25% discount.
2. They may pay their Initiation Fee in monthly installments of \$100 per month until this fee is completed. (These payments will be made directly to the Local and will be the member's responsibility to automatically submit proper payment without being billed.)
3. Daily Hires who are infrequently employed under a NABET-CWA contract, may request and, at the discretion of the Local Treasurer, be given relief from the regular method of payment, by signing an Initiation Fee deduction form for a set amount to be deducted each pay period, which will be determined by the Local Treasurer based on the member's pay scale and amount of days worked, until the Initiation Fee is paid in full. Members, who do not have the option of automatic Initiation Fee deduction, must make the payments on a monthly basis to the Local without receiving a statement. Failure to make these payments by the last day of the month in which the work was performed will automatically place the daily hire employee under Option #2 and they will be required to pay \$100 monthly until the fee is completed.

New Section 7.13

The following options are available to new members for Initiation Fee payment:

An applicant who is employed under a NABET-CWA contract, and has signed the dues and Initiation Fee check-off forms, may pay the Initiation Fee in equal installments from each paycheck over a 24 month period, OR,

May pay their Initiation Fee in full within 90 days from the first day when they either request to join, or 90 days from the date when they are required to join (or pay the equivalent in the form of a service fee), and receive a 25% discount off the full fee payment, OR,

May pay their Initiation Fee in monthly installments of \$100 per month until the fee is paid in full (Payments must be made directly to the Local and it will be the member's responsibility to submit proper and correct payment in a timely manner). The Local will not be responsible for billing of these payments, OR,

Any member who is employed under a NABET-CWA contract or contract combination thereof, may request and, at the discretion of the Local Treasurer, be given relief from the regular method of payment, by signing an Initiation Fee deduction form for a set amount to be paid by the member. The set payment amount will be determined by the Local Treasurer. Payments must be made directly to the Local and it will be the member's responsibility to submit proper and correct payment in a timely manner. The Local will not be responsible for billing of these payments. Failure to make these payments by the last day of the month will automatically place the member under Option #3 and he will be required to pay \$100 monthly until the fee is paid in full.

MAKER: I Fee Committee

SECOND:

MOTION PASSED

Record vote: Pacheco, Jackson and Guastadisegni were absent; all present voted AYE.

NEW BUSINESS:

1. Date of next Executive Board Meeting: The next meeting will be held on Monday, October 5, 2009, beginning at 6:30 pm. The change in date is due to the Columbus Day holiday which falls on the second Monday in October and the Local office will be closed.
2. Pocket Calendars for 2010: Will not purchase this year.
3. Mobilization Funds - PBS Negotiations: There was a 3.85% cut of staff but not union represented employees before the end of the contract. Advised by staff representative to start mobilizing. They are going to get performance pay.

2009-08-04 MOTION MADE to approve \$10,000 in mobilization funding for the upcoming PBS negotiations.

MAKER: Washington

SECOND: McDermott/Rushfield

MOTION PASSED

Record vote: Pacheco, Jackson and Guastadisegni were absent; all present voted Aye.

4. TVS/CNN Affairs: No report.
5. WHUT Affairs: June: Management of WHUT hired a consultant to supervise training and scheduling for the Operation/Production departments. Paul Buckner will be on staff for approximately a month. Two employees received reprimands during this period. Both are being grieved. A joint training meeting was held on the 9th and the 23rd of June. On the meeting scheduled on the 23rd, Jennifer Lawson delegated her position on the committee to Paul Buckner.

July: On July 5th, An employee called in on the sick line (John H.) The station remained off air till noon time the following day. (Understaffing). Management called in the employee to discuss the off air issue and later wrote him up. Contract signed by University. Management talked about an employee's new initiative; Clean Slate: Station Wide. Talk about opening dialogue up about clearing the total slate of everyone and by everyone. Management promoted a NABET employee to a temporary crew chief position but left his responsibilities ambiguous at best. Unit asked for clarification. WHUT switched over to digital mco 100%. Reorganized workflow but still didn't abide by the contract and make concessions for shift selection for a second year. Management has been notified by grievance before and a second request was made on the 31st of July, 2009. Management was notified of its responsibility to not to ask a crew chief or technician/ supervisor to do managements job by trying to regulate and discipline the workforce; rather that person should manage the work. John Hughes was made aware of the provision. No training committee was held in July. A request has been made on several occasions but to no avail. Management cancelled the scheduled Joint Conference at the last minute due to a desire to obtain consul. Management has discontinued recording of analog tape for broadcast. With this they have combined what was once two jobs into two tasks that they, on occasion, ask one person to do. In effect, they have reconfigured the workflow to accommodate the lack of technicians. Management has combined the

production and operations department into one department; Operation/Productions/Engineering department which still does not have a department head. Alex R., the Facilities manager has been promoted/cross-moted to the acting Supervisor of the new combined IT/Facilities Department; though not official - just in name. Alex is doing maintenance on the IT/broadcast equipment separate from the engineering department but inclusion. Management has been asked if this is supported by a provision in the current contract. They say yes. I disagree. No grievance filed at the date of this report. Paul Buckner, in coercion with management, published a new standard operating procedure book/folder with policies that violate a few provisions set forth in our contract. (ex: the 15 minute union break has been regulated to be available only if doing reports and discrepancies; all related to work.) The last pay period in the month didn't reflect the changes in the new contract. Dwayne Stewart and Robaer Washington have not been fully paid for their time here at WHUT-TV which means the Local hasn't been paid their dues. (2-4 months)

6. WJLA Affairs: Over the past few month we have had two members get terminated. One member has found another job and we are still fighting the termination of the second member. Shortly we will be starting are 2010 vacation picks. We have a December 1, deadline to get the vacation selection process completed. The station's transition to digital went pretty smooth. The union is trying to get a meeting with the company to discuss the status of the pay cuts that we took earlier in the year. Our agreement calls for a meeting to take place every 6 months to see if and when the pay can be restored and how the station is doing. We shall see how forth coming they are. We are always working to get new member to join. Being in a right to work state that can be difficult. We would like to make it as easy as possible for people to join. A lot of the non members tell me the high initiation fee is the main reason they won't join.
7. WRC Affairs: No report.
8. ABC Affairs: The relocation of the News One unit at the ABC Washington bureau from 1725 De Sale street to the main building at 1717 De Sale street has been pushed back due to delays in the reconstruction of the old graphics department space. The move, originally expected to take place in late summer, now looks like it will take place in mid fall.
9. Citadel/WMAL Affairs: No Report.
10. Freelance Affairs: No report.
11. HRS Affairs: HRS Affairs: Our management is attempting to introduce a Policy Revision to our work hours and overtime for all House employees. Carrie has been in consultation with House Recording (CAO) management's legal counsel on this as we believe there are grounds for grievances pursuant to our specific contract. At this time, we expect to receive compromise language or enter into negotiations as necessary to address this.
12. MCT Affairs: No report.
13. NBC Affairs: At the Negotiations table NBC Management continues to insult the NABET-CWA workforce with worse proposals than ever before. In addition, Washington management demonstrates little or no interest in a show of support for the morale of its workforce.
14. NPR Affairs: Furloughs continue at NPR, and are due to be completed by September 30,

2009... All current NPR Technical Directors have been asked to remain in their current positions, pursuant to the Memorandum of Agreement (MOA) between NABET and NPR. In addition, the Technical Director of "All Things Considered" has left NPR, so that position and a newly created full-time Operations Technical Director position are in the process of being filled through applications per the MOA...

NPR has proposed initial meeting dates to begin the process of negotiations for a successor agreement between NABET-CWA and NPR. The MOA requires that negotiations begin no later than October 1, 2009, and NPR has proposed dates the week prior to October 1. At this time, nominations and elections for the NABET/NPR bargaining committee have not been held, and Local 31 will need to do so in the very near future so representatives may be seated and begin preparations for the upcoming talks. Carrie Biggs-Adams is slated to be the lead negotiator for NABET-CWA in the NPR negotiations...

NPR has announced that it intends to fully close Record Centrals (intake facilities) by the end of calendar 2009. NPR is in the process of installing self-intake stations in various locations around the building, with NABET staffers to serve as "help desk" operators who are to be at the ready to assist production staff to use the self-operated intake stations. NPR has stated that it does not intend to reduce other studio hours before the end of 2009. To date, NPR has not begun any widespread program to begin bringing NABET members into the production process, as was discussed leading up to the MOA. NPR has stated it would likely not begin this process until all furloughs have been completed...

There have been reports that NPR producers have hired free-lance engineers to go out to locations near NPR West in Culver City, CA and in New York to record sound or interviews, even though NPR audio engineers have been available to do that work, either while on the clock for NPR or after hours. There are concerns about the logic regarding this type of spending, particularly in these times of givebacks by NPR employees...

15. PBS Affairs: No report.

16. SRS Affairs: I received a response to my letter to Sen. Mark Warner about the Employee Free Choice Act. It was a routine, scripted and very vague response. He wrote:

"I believe there is a need for reform in this area, and that EFCA should be debated and voted upon by the Senate. I intend to evaluate any prevailing proposal to ensure that it allows workers and employers to be adequately informed and that it ultimately provides a fair and level playing field to both management and labor. I intend to work with labor and business communities on this issue to find ways to reach an appropriate balance and achieve the goal of ensuring that America and its workforce remain competitive in the global economy."

This does not sound like the ringing endorsement I was looking for and should serve as a warning that we have much to do to educate senators about this legislation.

In an article in Roll Call (July 20, 2009) entitled "Unions Open to EFCA Deal", the legislation is again featured in a largely positive light. Union leaders are involved in compromise negotiations with Senate offices and "everything remains on the table." Sen. Tom Harkin (D-Iowa) is crafting language that does not include the card check provision in an attempt to attract moderates and reach the 60 votes needed to invoke cloture and avoid a Republican filibuster. The U.S. Chamber of Commerce's Executive Director, Glenn Spencer, downplays this by calling the new proposal "card check light" and says "there's no

compromise." SEIU President Andy Stern expects the provision to be restored. Harkin's bill is not expected to be produced until September.

2009-08-05 MOTION MADE to adjourn.

MAKER: Krieger

SECOND: Queen

MOTION PASSED

Meeting adjourned at 7:43 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Maurice Thomas, III". The signature is written in a cursive, flowing style.

Maurice Thomas, III
Secretary

MT3:sf
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