

NABET-CWA LOCAL 31
Executive Board Meeting
Minutes

Monday, April 13, 2009

Location: NABET-CWA Local 31 Office
Time: Meeting called to order at 6:42 pm
Presiding: Carl Mayers, President
Present: Jim Lee, Vice President
Dave Parr, Treasurer
Maurice Thomas, III, Secretary
Richard Guastadisegni, WJLA/NewsChannel 8
Larry Jackson, SRS
Stephen Johnson, HRS
Barbara Krieger, MCT, by phone
Rich McDermott, NBC/WRC
Michael Queen, NBC
Rory Reese, ABC
Stu Rushfield, NPR, by phone
Thomas Thornton, Freelance
Judy Washington, PBS
Scott Edwards, Alternate Member - SRS

Newly elected Executive Board Members Richard Guastadisegni and Maurice Whitehurst as well as Alternate Member Scott Edwards were sworn in.

Approval of Executive Board Minutes for the meeting held on March 9, 2009.

2009-04-01 MOTION MADE to approve the minutes of Executive Board Meeting, March 9, 2009.

MAKER: Thornton SECOND: Queen MOTION PASSED

Record Vote: Pacheco was absent, Krieger & Rushfield abstained, all others present voted Aye.

2009-04-02 MOTION MADE to donate \$50 to the Crohn's & Colitis Foundation of America in memory of Larry Douglas at the Portsmouth Take Steps for Crohn's & Colitis Walk on June 13, 2009.

MAKER: Parr SECOND: Reese MOTION PASSED

Record Vote: Pacheco was absent. All others present voted Aye.

Secretary's Report:

1. Correspondence - The Local received "Thank You" notes from Fred Saburro, RVP-2, the Ray Shannon family, Vic Vissari family and Fred Reed family for donations made in memory of deceased members.

The Local received a letter from Sector President Clark approving the amendment to the Local By-Law 5.40.

The Election Credentials Committee verified the election of Maurice Whitehurst and Richard Guastadisegni as Executive Board members and Scott Edwards, Robert Brackens and Ted Stewart as Alternate Executive Board members.

2. Web Page: The web page is getting quite a few hits. A detailed "CEO Overview" report was distributed.
3. Computer Update: The computer system in the Local Office is alive and well. No problems this month. A detailed Spam+ System report was distributed.
4. RVP Election: The Sector is conducting the election of the Regional Vice President for Region Three. Ballots will be sent out May 11, 2009 and counted June 1, 2009.
5. Alternate Executive Board Elections: Nominations were sent to each contract unit for the Alternate representative on the Executive Board. The only nominations received in the Local Office were that of: Robert Brackens of House Recording Studios, Scott Edwards of Senate Recording Studio and Ted Stewart of WRC. These members will serve as Alternate Executive Board members until April 1, 2011.
6. Resolutions:

Whereas Pete Catucci was an extraordinary person. His commitment to the labor movement and to improving the lives of all working women and men was unmatched. Throughout his career as Vice-President of CWA District 2, he fought tirelessly on behalf of working families. We will benefit for a lifetime from the victories he achieved and,

Whereas those of us who were privileged to count him as a friend and mentor know what a thoughtful, caring, and courageous person he was. Until the day he was taken from us, Pete used his last ounce of strength to fight for what was right, for his family and for all of us. We will continue to fight on in his name.

Therefore Be It Resolved, that this Executive Board and this NABET-CWA Union sends our deep appreciation for his kindness, caring mentorship, and brotherhood as well as expresses its heartfelt sorrow and loss at the passing of our true Union Brother and faithful Union Leader.

2009-04-03 MOTION MADE for the above resolution

MAKER: Thomas

SECOND: Queen

MOTION PASSED

Record Vote: Pacheco was absent. All others present voted Aye.

Whereas Victor Vissari was a long time editing engineer for NBC Washington, one of the great guys from the good days of Nebraska Avenue. Vic was one of the expert video tape editors at NBC NEWS. His good cheer and humor made him a truly wonderful man to work with, who was a friend to all who knew him, and,

Whereas Vic served faithfully as Local Treasurer of NABET-CWA Local 31 from July 1988 to October 2002. Vic's sense humor and vitality will be sorely missed as well as his steadfast service to the Union.

Therefore Be It Resolved that this Executive Board and this NABET-CWA Union notes with appreciation the camaraderie and brotherhood as well as expresses its heartfelt sorrow and loss at the passing of our true Union Brother and faithful servant.

2009-04-04 MOTION MADE for the above resolution.

MAKER: Thomas

SECOND: Queen

MOTION PASSED

Record Vote: Pacheco was absent. All others present voted Aye.

Treasurer's Report:

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

INCOME:

4001: Total Rebate: \$44,963.20 is \$10,136.80 under the monthly budgeted amount of \$55,100.00. The dues are down due to cutbacks and buyouts at the different locations.

4005: Investment Income: Investment income was \$4,315.67 which is \$2,315.67 over the budgeted amount. Happily the market rebound benefitted us.

The Local's March 2009 income of \$52,643.85 was \$8,356.15 under the monthly budgeted amount of \$61,000.00.

EXPENSES:

5000: NBC: \$641.20 under the monthly budgeted amount of \$3,000.00 was due to a grievance settlement the Local was awarded.

5031: LEGAL EXPENSES: \$3,677.00 was \$8,823.00 under the \$12,500.00 monthly budgeted amount. We did not receive a bill for legal expenses last month. We just received a legal bill for February and March which will push us substantially over our monthly budget amount for next month.

The total expenses for the month of March were \$30,181.41 under the monthly budgeted amount of \$74,325.00. The net income for the month of March was \$8,500.26. All other accounts were under the budgeted amount or right on budget.

2009-04-05 MOTION MADE to accept the financial report.

MAKER: Johnson

SECOND: Guastadisegni

MOTION PASSED

Record Vote: Pacheco was absent. Krieger and Rushfield abstained . All others present voted Aye.

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

2009-04-06 MOTION MADE to accept the following applicants as a new members: Paul Russell Bush and Eric Jossph Humpert, daily hires at ABC; Raven Racine Flateau, daily hire/temp at MCTV; Kevin L. Bond and James william Hall, daily hires at NBC.

MAKER: Thornton SECOND: Washington MOTION PASSED

Record Vote: Pacheco was absent. All present voted Aye.

President’s Report

1. Local 31 Status: Appointments: Scott Riess as Assistant to the President at WRC and Al Zodun as Presidential Envoy.

Staff Report

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

ABC -
Sergio Davis
Steve Gil
Larry Haley
David Hummel
Eric Humpert
Michael Jackson

Andre Joyner
Bradeley Kendrick
Michael Kirby
Terry Levandoski
Jeffrey Lingle
Jeffrey MacDougall
Ian McCullen

Norris McMahan
Thomas Mirabella
Richard Offord, Jr
Theodore Pawlicki
Chester Reis
David Robinson
Hunter Stephens
John Sturdy

NBC -
Dwayne Terrell
Gabriel Valdes

PBS -
Karen Mitchell
Ian Farley

HRS - Tom Woods

WJLA - Bruce Bookhultz

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

OLD BUSINESS

1. By-Law Changes (Second Reading) 2009-03-04 RESOLVED with amendments made to 4.42 and 4.52 striking language determined to be against DOL regulations.

By-Law 4.32

Each Executive Board Member shall canvass members of his Unit for nominations of candidates before June 1st of each election year. Candidates for the office of President, Vice-President, Secretary, Treasurer (or Secretary/ Treasurer), shall be nominated by a petition signed by at least fifty members. Such petition to be valid shall be signed by members-in-good-standing and signed by the candidate, indicating acceptance of the nomination. Such petition shall be filed with the Secretary of Local 31 no later than the first (1st) day of July.

By-Law 4.41

Elections of Executive Board Members and Alternate Executive Board Members shall be held by secret ballot every three years between March 1st and March 15th, beginning in 2011.

By-Law 4.42

Executive Board Members and Alternate Executive Board Members shall hold office for three (3) years beginning April 1 of the year of their election, ~~or until their successor shall be elected.~~

By-Law 4.51

Elections of Shop Stewards shall be held by secret ballot every three years between February 15 and March 30 beginning in 2010.

By-Law 4.52

Shop Stewards shall hold office for three (3) years beginning April 1 of the year of their election, ~~or until their successor shall be elected.~~

By-Law 5.10

There shall be two (2) Local General Membership meetings each year, at a time and place to be determined by the Local President. Unless a change is made, and notice posted fifteen (15) days in advance, the meetings will be held in conjunction with the Executive Board Meetings on the following dates: the second Mondays of February and August.

MAKER: Thomas

SECOND: Lee

MOTION PASSED

Record Vote: Pacheco was absent and McDermott were absent, all others present voted Aye.

NEW BUSINESS:

1. Date of next Executive Board Meeting: The next meeting will be held on Monday, June 8, 2009, beginning at 6:30 pm.
2. CWA Convention Delegates:

2009-04-07 MOTION MADE to elect three (3) delegates to the CWA Convention

MAKER: Lee

SECOND: Guastadisegni

MOTION PASSED

Record Vote: Pacheco was absent. All present voted Aye

3. Elections Committee Report on Upcoming Officers' Elections:

2009-04-08 MOTION MADE to accept the committee report on the Office Election time line, as amended.

MAKER: Thomas

SECOND: Parr

MOTION PASSED

Record Vote: Pacheco was absent, Krieger abstained, all others present voted Aye.

4. PBS Affairs: Not much going on here. Just waiting for the NOC to launch their new equipment so the MOC can start using the AVID Interplay for ingest.
5. SRS Affairs: Representative Jackson was able to attend the AFL-CIO Washington DC Metro Council meeting on March 16 and provided Carl with a detailed report. It was an interesting experience for him as he got to see first-hand how the local council operates and learn more about the common issues of concern we share.

Scott Edwards came forward and allowed his name to be placed for the open Alternate to the Executive Board position. Eric Zeitlin did the same for the open Shop Steward position.

No other members of our unit came forward and expressed an interest in these positions at this time.

Management has still been completely inflexible in allowing us to meet during working hours although they did approve the use of our conference room whenever we can get the members together for a meeting, either before our after hours.

Management has also denied, for the second time, a request that members of our unit be photographed, performing their duties, so the images can be posted on our web site. Rep Jackson will discuss this matter with the members and, if need be, the titular head of the operation, the Senate Sergeant-at-Arms. It may be that the best we can do is to get photos of the members outside of the work place, but he will pursue getting permission for on-site photography before giving in.

Rep Jackson has been having a bit of trouble getting our members to organize, as is probably the case with many newly formed units. Any suggestions for ideas on how to get the members more involved will be welcomed.

6. TVS/CNN Affairs: No report
7. WHUT Affairs: March 2009 – Construction and installation continued at the WHUT plant as the contractors push towards their deadline of late April to early May. Training on some of the new equipment began the last few weeks of March. Those trained so far include the three (3) editor technicians from the Production department, a producer, Beverly Lindsay, also from the production department, the Manager from the Production department, Cody Cox and the Student Coordinator Manager. Later, Management posted the training schedule for the other technicians in the Operation's department which is set to begin on April 6 2009.

A grievance was filed on behalf of the technicians on March 26 2009. The grievance states that the company violated Article III, Section 3.6 of the Collective Bargaining Agreement between the University and NABET-CWA. There has been no word from the University on the matter at the time of this report.

The management of WHUT has brought in two former students from the University as 'Consultants / Volunteers' to be trained and to work within the plant. It is unsure if the two are on any payroll or are receiving any compensation. A request has been made to management for the start dates of the two 'Consultant / Volunteers', as well as, their purpose. At the time of this report, that information had not been obtained.

8. WJLA Affairs: No report.
9. WRC Affairs: The Content Producer situation remains at the top of our priority list. WRC as well as the other Local Media (O&O's) stations are moving forward with their plan to create these non union jobs to replace our members. All NABET Locals have filed unfair labor practice petitions as well as unit clarification petitions with the National Labor Relation Board to defend ourselves from this assault. Our attorneys are deeply involved in this suit and are in contact with the Board and each other on a regular basis. We are hopeful that a Board decision to proceed with these suits will be handed down soon. We are awaiting a response from WRC/NBC on the release of NBC Retired daily hires from their positions. WRC has begun the use of non professional Panasonic P2 equipment in the field. We are in contact with other unions concerning the LNS and Capitol Hill Pools. Contract talks between NABET and NBCU are scheduled to resume at the end of this month. Our most important issues are: Seniority, staff jobs for daily hires, future job security, and wages.
10. ABC Affairs: Friday, April 10, 2009, was the last day for Local 31 members who were permanent employees at the ABC News Washington Bureau, who opted for and was accepted in the Voluntary separation Program. Ten former staffers were given the VSP package. This offer did not preclude those who took advantage of the package from returning as daily hires.
11. Citadel/WMAL Affairs: No Report.
12. Freelance Affairs: ESPN organizing
13. HRS Affairs: HRS Affairs: Our House Recording Studio members have approved the negotiators' bargaining of our next contract. At this point, we hope to have all necessary signatures and ratification of the contract ready very soon. This document will be effective for four years. Thank you to Carrie for keeping everything on schedule and also to Sue and Moe for their services on our unit's day to vote.
14. MCT Affairs: A Grievance Meeting/Discussion was held with management on Monday, February 23, 2009. In attendance for the Company were Richard Turner, Don Katzen, and Rodney Bryant. The Union was represented by Carl Mayers, President and Barbara Krieger, Assistant to the President. The agenda and discussion included: Two outstanding grievances, "Granicus," inclement weather, the "56 hour" rule, HB1182, the start of upcoming negotiations and the company reorganization. UPDATE: Granicus system is in place and web streaming of on-air programming is available at www.accessmontgomery.tv The website is wonderful, user friendly and quite an extension of the company's vision to provide programming to a wider audience. An archiving system will be in place soon to retrieve past aired events.

We have filed grievances over our work being preformed by other than our members in two separate instances. This process is in the second stage of discovery. UPDATE: We were presented most of the documentation requested and discussion was held at the February 23rd meeting. The Company neglected to present us with requested documentation about the contract terms between the County and MCT. Carl's decision on how to proceed will be forthcoming. ... APRIL REPORT: Still pending/ and the Ag.-Farm Fair will be coming up soon.

We need some sort of resolution over the "56 hour rest period" between workweek hours. This has been an on-going problem with the staffing of weekend projects. Since this is a very small unit and the "staff" technicians are few, we have hopes to compromise a situation that will be a "win-win" for both sides. The discussion progressed and it seems that the company would be fine with a grievance that would help us cement language that hopefully will fly until our next contract talks in early summer. I would recommend that we file a grievance to expedite discussions for resolution. UPDATE: At the February 23rd meeting this was discussed at great length. A compromise in the form of a "resolution" rather than a grievance being filed will be forthcoming for Carl's approval and then move on to the company for agreement. ... APRIL REPORT: A resolution was written by the Union, then explained and given to manager, Rodney Bryant. We are awaiting the reply from the company for acceptance, but assume from the conversation that it is acceptable language.

The re-organization continued, but now all positions have been filled. We did gain one full time position because of the re-organization and our work opportunities have been great with new programming and the budget season at the county level.

Maryland HB1182 threatens the sustain ability of MCT in the economic budget plans for the state. Richard Turner has been incredibly pro-active on the station's behalf. He has made all of the pertinent information available on the "Access Montgomery" website. He made Carl and me aware of the key facts in our February 23rd meeting. I then put a call into Charlie "Boots" with the CWA to help get someone in Annapolis to pay attention to this need. Please also call your respective representatives in Annapolis if you are Maryland residents. I made calls to three of my delegates in the state house and realized as I got their names, they all had used our channel to campaign and participate in the "Candidate's Forum and Debates" which were held in MCT's studios!!! UPDATE: Keep the cards and letters coming folks, 'cause it is working. "Annapolis" has decided to do a more in depth study before cutting anything out of the budget pertaining to Public Access Stations.

After discussion with the Company it was determined that contract talks are expected to begin sometime in early May for the renewal of terms which expire on June 30, 2009. UPDATE: I, Barbara Krieger, will join Lou Fallot for the negotiation process. I will be holding a meeting with the members in early May before we start talks with the company.

On a very sad note for our Union, Richard Turner's contract will not be renewed as of October 2009. Published in the minutes from a meeting of the Joint Executive Committee, Budget and Finance, of the MCT Board of Director's on December 9, 2008 it reads:

"Lee Klumpp reported that he and Darryl Lesesne, as requested by the full board in the October 20th meeting, have met with Richard Turner. This meeting took place at 3pm on 10/31/08 to inform Richard of the unanimous vote at the October 20th 2008 full board meeting in a closed session to not renew the Executive Director's employment agreement

when it expires in October 2009. Additionally the President and Treasurer informed the Executive Director of the Board's decision not to offer a new contract."

15. NBC Affairs: According to a local manager who prefers to remain anonymous: "Station management has stated that sale or rental of any or all property at 4001 Nebraska Ave is possible. That is to say, NBC will consider any reasonable offer, although they insist THERE IS NO OFFER UNDER CONSIDERATION at this time. In the unlikely event that the sale of the entire property would occur, the station would possibly move the entire operation into Northern Virginia." This is a corporate idea not the idea of local management. NBC Washington is still holding meetings to teach non-union staff how to shoot with consumer cameras despite current litigation underway with the National Labor Relations Board concerning same.

16. NPR Affairs: No report.

2009-04-09 MOTION MADE to adjourn

MAKER: Lee

SECOND: Guastadisegni

MOTION PASSED

Meeting adjourned at 8:51 p.m.

Respectfully submitted,



Maurice Thomas, III
Secretary

MT3:sf
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