

NABET-CWA LOCAL 31
Executive Board Meeting
Minutes

Monday, June 8, 2009

Location: NABET-CWA Local 31 Office
Time: Meeting called to order at 6:40 pm
Presiding: James 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
Thomas Thornton, Freelance, by phone
Judy Washington, PBS
Maurice Whitehurst, WHUT
Robert Brackens, Alternate Member - HRS
Al Zodun, President's Envoy

Newly elected Alternate Executive Board Member Robert Brackens was sworn in. Approval of Executive Board Minutes for the meeting held on April 13, 2009.

2009-06-01 MOTION MADE to approve the minutes of Executive Board Meeting, April 13, 2009.

MAKER: Queen

SECOND: McDermott

MOTION PASSED

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

Secretary's Report:

1. Correspondence

- The Local received a letter from the CWA Pediatric Aids Fund urging the Local to continue to contribute to the Fund.
- Sector President Clark approved the Local 31 By-Laws submitted to him on April 14, 2009.
- Report of election of CWA Convention delegates: J. Carl Mayers, Maurice Thomas, III, Thomas Thornton and Maurice Whitehurst. Note: Special thanks was expressed to the Executive Board for the assistance given to Maurice Whitehurst in obtaining enough signatures for the Convention election.

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 lost internet connection today due to storm. A tech is coming to correct.
4. RVP Election: The Sector is reviewing the membership list for Local 31 and will rerun election.
5. Officer Elections: Board was briefed on the upcoming elections. Special Note: Because of the RVP election and the Local 31 Officer election, the membership will receive two ballots in August. Be aware that you must use the correct envelope for each ballot in order that your vote will be counted.
6. Motions Passed Electronically during May 2009:

2009-05-01 MOTION MADE to approve \$10,000 in mobilization funding for the current NBCU negotiations.

MAKER: McDermott

SECOND: Thomas

MOTION PASSED

Record Vote: Stu Rushfield and Judy Washington did not vote. Barbara Krieger voted Nay not because she was opposed but she felt such a major allocation required further discussion. All others voted Aye.

2009-05-02 MOTION MADE MOTION to split the costs of NBCU Mobilization Campaign Coordinator:

Whereas the NNC (Network Negotiating Committee) believes that a nationally coordinated mobilization campaign against NBC Universal is necessary to enhance the likelihood for a successful conclusion t the current negotiations; and

Whereas the four NBCU Locals and the Sector each have a vested interest in insuring that mobilization runs smoothly and efficiently; and

Whereas Sector Vice President Jim Joyce has been coordinating the campaign thus far;

Now Therefore Be It Resolved that the Executive Board of NABET-CWA Local 31 agrees to split the costs with the four NBCU Locals and the Sector for maintaining SVP Joyce on leave of absence to coordinate the continuing NBCU mobilization campaign for a period of ten weeks at a cost of no more than \$1,900 per month for each entity.

MAKER: McDermott

SECOND: Thomas

MOTION PASSED

Record Vote: Stu Rushfield and Judy Washington did not vote. Barbara Krieger and Dave Parr voted Nay, all others voted Aye.

2009-06-02 MOTION TO RECONSIDER 2009-05-03

MAKER: Thomas

SECOND: McDermott

MOTION PASSED

Record Vote: Ayes: Mayers, Thomas, Krieger, Queen, Rushfield, Washington, Whitehurst and Guastadisegni; Nays: Lee, Reese, Johnson and Jackson; Abstain: Thornton and McDermott. Pacheco was absent. Parr's vote was not recorded.

2009-05-03

MOTION MADE : President Mayers sign the Sub-leasing Agreement with TSC Reality and that he move forward with subleasing Local 31's office at 962 Wayne Avenue and that he designate those members he feels necessary to work with the reality agents to find new more affordable office space

Record Vote: Yeas: Lee, Parr, Thomas, Reese, Thornton, Johnson, Queen, Washington, Jackson, Whitehurst, Guastadisegni and McDermott; Nays: Krieger and Rushfield. Pacheco was absent.

2009-06-03

MOTION MADE to refer to committee appointed by President for further discussion.

MAKER: Thomas SECOND: Krieger MOTION FAILED

Record Vote: Yeas: Thomas, Krieger and Rushfield; Nays: Lee, Parr, Reese, Thornton, Johnson, Queen, Washington, Jackson, Whitehurst, Guastadisegni and McDermott. Pacheco was absent.

Treasurer's Report:

1. April 2009 Financial Report

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

INCOME:

4000: MISC. INCOME: The - \$5,768.06 is because we sent the non check off dues into the Sector and we have not yet received our portion back from them.

4001: TOTAL REBATE: \$64,737.85 is \$9,637.85 over the monthly budgeted amount of \$55,100.00.

4005: INVESTMENT INCOME: Investment income was \$10,439.17 which is \$8,439.17 over the \$2,000.00 budgeted amount. Happily the market rebound benefited us.

The Local's April 2009 income of \$69,408.96 was \$8,408.96 over the monthly budgeted amount of \$61,000.00.

EXPENSES:

5014: OPEIU WAGES: \$20,935.20 was \$5,985.20 over the monthly budgeted amount of \$14,950.00. This was due to the fact that there were three pay periods in April. Next month we can expect that 401K expenses will be high because of the three paycheck month.

5015: OFFICERS WAGES: \$15,181.75 was \$3,381.75 over the \$11,800.00 monthly budgeted amount. Again this was due to the three pay periods in April.

5019: INSURANCE: \$244 is well under the monthly budget amount of \$5000. This is because we did not receive the April bill for OPEIU health insurance until this month. I has been paid but will not show up until May's report at which time it will be large since it will cover 2 months.

5031: LEGAL EXPENSES: \$26,663.63 was 14,163.63 over the monthly budgeted amount of \$12,500.00. This was due to the fact that the Local did not receive a bill in March. In April the Local paid for two months.

5034: MISC CONTRIB/EXPENSES: \$1,434.18 was \$734.18 over the \$700.00 monthly budgeted amount of \$700.00. We did not receive a bill from the Metro Council in March so April the Local paid a double bill.

The total expenses for the month of April were \$10,007.07 under the monthly budgeted amount of \$74,325.00. The net income for the month of April was -\$14,923.11. All other accounts were on budget.

2. May 2009 Financial Report

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

INCOME:

4001: Total Rebate: \$54,479.34 was \$620.66 under the monthly budgeted amount of \$55,100.00.

4005: Investment Income: \$12,857.90 was 10,857.90 over the monthly budgeted amount of \$2,000.00.

The Local's May 2009 income of \$70,102.65 was \$9,102.65 over the monthly budgeted amount of \$61,000.00.

EXPENSES:

5000: NBC: \$8,227.24 was \$5,227.24 over the monthly budgeted amount of \$3,000.00. Of this \$2,848.72 was for the negotiator's hotel, per diem and travel. \$5,378.52 was for the negotiator's union leave.

5016: ASSISTANT TO THE PRESIDENT: \$985.00 was \$715.00 under the \$1,700.00 monthly budgeted amount. The WHUT Assistant resigned and the WRC Assistant retired. Also several Assistants took a reduction in the monthly stipend.

5018: 401K EMPLOYEE: \$3,909.67 was 1,409.67 over the monthly budgeted amount of \$2,500.00. This was due to the fact that the Local had 3 pay periods in April and pays the April 401K payments in May.

5019: INSURANCE EXPENSE: \$9,006.39 was \$4,006.39 over the \$5,000.00 monthly budgeted amount The Local did not receive a bill from the CWA for the OPEIU insurance in April, the Local paid a double OPEIU insurance bill May.

5024: MISC OFFICE EXPENSES: \$1,113.56 was \$863.56 over the monthly \$250.00 budgeted amount. The Local rented a post office box for \$400.00 for the officers election and also purchased post cards to notify members of the election. The post cards cost the Local \$397.80.

The total expenses for the month of May were \$1,336.77 under the monthly budgeted amount of \$74,325.00. The net income for the month of May was -\$2,885.58. All other accounts were under the budgeted amount or right on budget.

2009-06-04 MOTION MADE to approve the Treasurer's report for April and May 2009 with technical corrections regarding deviations from budget for all prior reports.

MAKER: Thomas

SECOND: Lee

MOTION PASSED

NB: Board was advised of deviations/corrections.

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

2009-06-05 MOTION MADE to amend the monthly budget for legal expenses from \$10,000 to \$12,5000 and to correct all earlier reports and minutes.

MAKER: Thomas

SECOND: Lee

MOTION PASSED

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

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

2009-06-06 MOTION MADE to accept the following applicants as a new members: Charles David Baker, III, Anthony J. Carnaxide, Michael Leslie Jackson, Jay W. Mathis, Hunter Allan Stephens, and John Howard Sturdy - daily hires at ABC; Heather Marie Goldsmith staff at MCT; Michael Cabana, Joel F. Cashwell, Chester Lloyd Reis and Gabriel Valdes - all daily hires at NBC.

MAKER: Queen

SECOND: Lee

MOTION PASSED

Record Vote: All present voted Aye.

4. Resolution By-Law 7.4:

2009-06-07 RESOLVED, that Section 7.40 paragraph 1 of the Local 31 By-Laws be changed to read as follows:

The Local Vice-President shall be allowed non-accountable expenses of \$275.00 each month. The Local Secretary shall be allowed non-accountable expenses of \$225.00 each month. The Local Treasurer shall be allowed non-accountable expenses of \$275.00 per month. If the office is combined, the Local Secretary/Treasurer shall be allowed non-accountable expenses of \$350.00 per month for non-accountable expenses.

MAKER: Parr

SECOND: Reese

MOTION TABLED

5. Retired Members Chapter:

President's Report

1. Local 31 Status: There will be a meeting of the NBC unit to discuss the negotiations, Content Producer positions and Local News Service (LNS).
2. OPEIU Contract:
3. District Two Meeting: Held in Williamsburg, VA. Discussed AT&T and NBC mobilization efforts - informational handbilling, etc. Virginia governor candidates addressed the group.
4. NBC Mobilization: Postcards will be printed to hand out to public to "Turn off Channel 4"
5. ABC: Meetings on the VSP.

Staff Report

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

ABC - Arnold Davis

PBS - Jasenn Robertson

WHUT - Dewayne Stewart

MCT- Heather Goldsmith
Dario Lanzano

NBC - John Demaio
Dennis Flowers

Ray Harris
Bernard Ozol

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

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: Committee Report

MOTION TABLED

2. CWA Convention Delegate: See Secretary's report.

NEW BUSINESS:

1. Date of next Executive Board Meeting: The next meeting will be held on Monday, August 3, 2009, beginning at 6:30 pm. The General Membership Meeting to follow immediately after, concluding with a "Meet the Candidates" session.
2. Donation for Jim Harris Memorial:

2009-06-08 Whereas former NABET-CWA Region 6 Vice President Jim Harris passed away on May 6, 2009. He was 72 years old.

Whereas: In memory of his long service in the Union as a Regional Vice President of Region Six,

Therefore Be It Resolved: The Local contribute \$50 to the Master of Arts in Industrial Relations (MAIR) Program of Wayne State University Fund.

MAKER: Lee

SECOND: Thomas

RESOLUTION PASSED

Record Vote: All present voted Aye.

3. Donation for Maryland Chiefs of Police Association: Please post.
4. Alternate Executive Board Member for Freelance Affairs: Special Election to be held immediately for all unfilled Alternate Executive Board positions.
5. PBS Affairs: No Report.

6. SRS Affairs: *April Report*: There is not much to report from the Senate Recording Studio this month. Eric Zeitlin has been officially notified that he is our new Shop Steward, replacing Bryan Whitney. Scott Edwards was sworn in at the last meeting as our Alternate to the Executive Board. We have one new hire, Gregg Brunclik, who joins our Administrative department, working as an A/V technician. Eric and I, among others, are trying to get him to join our union. Management tells me that we are now officially in a hiring freeze. I'm wondering if we should think about including on our web site page links to various Senate/Capitol Hill job sites? Most of the job listings would not be broadcast-oriented, but there may be some jobs that are offered that our membership might be interested in anyway. As far as getting photographs of our members in the workplace for posting on the web site, I have hit a brick wall. Management will not budge on this issue. One strategy remaining would be for Carl to write the Senate Sergeant At Arms, Terrance Gainer, and make an official request on the union's behalf. I think with Carl's clout, we may be able to budge management on this issue. It has been difficult to get our members together to meet as a group. Perhaps, now that the House Recording Studio has completed their contract negotiations, we can hold a meeting to review their new contract. I have gotten a copy of the HRS contract to all interested parties. After we've had some time to read it over, I'd like to arrange a meeting for our members to discuss the differences in our two contracts and strategies for how we can get a strengthened contract, using the House's as a model. If possible, it would be helpful to have Steve Johnson from HRS, Carrie and Carl to attend. We would have to coordinate it with management, but they have offered to allow us to use our conference room before or after our normal hours of operation, 9am-5:30pm.

May Report: No major issues or concerns were reported by any member. I have followed up with our new employee, Gregg Brunclik. He has received the material mailed to him, but he has not yet decided whether to join the union. Since management will not allow any photos to be taken of our members, during working hours, nor in the work place, I have asked the members to furnish me with photos of them so that we can at least post those on our web site link. So far, several members have told me they would agree to have their images posted. I hope to begin posting materials on the web site soon. The Capitol Hill newspapers have printed several articles that should be of interest to our members:

- The Hill, April 30, 2009: The Hill Profile : "Union official: Don't wait on card-check"
- Politico, May 13, 2009: "New Liberal On the Block -- Ed Schultz brings a lifetime in radio and TV to his MSNBC show"
- Roll Call, May 18, 2009: Special Section - "The Mission Ahead -- The Future of the American Worker"
- Politico, May 20, 2009: "Working Out the Kinks in Card Check"

If anyone missed them and are interested in reading them, I can get you copies.

7. TVS/CNN Affairs: No report

8. WHUT Affairs: No Report.

9. WJLA Affairs: No Report.

10. WRC Affairs: Our members at WRC are experiencing considerable turmoil. The management at the station(and all NBCU O&O's) is plowing ahead with significant changes. These changes are being implemented with little or no input from employees, nor much

regard for employees past contributions or future job prospects. Content Producers....this scheme is on the verge of implementation in Washington. It has already been started in other cities. NABET employees are facing elimination of their jobs and the creation of non-union positions which incorporate NABET job functions under new job titles. We have been and are presently pursuing legal actions to defend our members.

Local News Service.....another scheme to reduce staff and cut union represented employees. This is a pooling arrangement for news coverage by different (and competitive) media corporations. It is to be put into effect this month and will negatively affect our news field crews. Our WRC members along with IBEW & IA members at channels 5 & 9 will be affected. Our news editors at WRC will be wiped out by these plans. Our Daily Hire field crews will see their shifts reduced and eliminated.

Contract Negotiations.....NABETS' contract with NBCU expired on March 31st. Since bargaining began in September of 2008,very little progress has been made. NBCU has put forth many negative proposals which would change seniority, reduce work opportunities and erode job security. All our represented shops are seeing similar attacks upon our members jobs, and the economic security of our families. We must stand together and coordinate a defense of our union sisters and brothers.

11. ABC Affairs: On Monday May, 10th ABC management notified ENG Camera Persons and ENG Audio persons as their intent offer a Voluntary Separation Program to seven employees from that unit. This would involve losing three ENG Camera Persons and four ENG Audio Persons. The offer would contain three weeks' base pay for each completed year of total company seniority up to a maximum of 104 weeks. The Separation date would be sometime in July. The union has requested a meeting with ABC Management to clarify several issues regarding the rational for the downsizing.
12. Citadel/WMAL Affairs: No Report.
13. Freelance Affairs: Work is slowly picking up for Daily Hires as Staff vacations get more frequent. Still, with the elimination of staff positions, work is less than it used to be, and with more staff taking buyouts and getting laid-off, the ranks of Freelancers is growing yet again.
14. HRS Affairs: We continue to progress under our new contract with issues that were presented in the May report.
15. MCT Affairs: A) On Friday, June 5th immediately following a studio production at MCT, a dinner meeting with the MCT contract employees was held at a local restaurant to solicit suggestions for the upcoming contract. It proved to be well attended and quite an informative session. As the negotiator, I gathered quite a few excellent ideas through discussion with the folks. We also had two special guests in attendance that paid for their own dinners; donating his time was our Local Secretary Moe Thomas and after driving down from New York just for the meeting, Lou Fallot our Sector Rep. for the MCT contract. Both men spoke to the employees about the importance of the contract negotiations.

B) Our first and so far our only meeting for the contract negotiations, took place on June 17th. The negotiation teams are: Lou Fallot and Barbara Krieger for the Union and Don Katzen, Rodney Bryant and Patrick Thorpe for the Company. The company presented us

with seven (7) proposed changes to the contract. Some of their suggestions were just “title” changes to management positions caused by the recent company re-organization. We countered with a re-write and additions to many sections. The teams were able to discuss a good portion of the changes with some agreement, but mostly there was just discussion for the purpose of understanding the language/proposals. At the conclusion of the first day the company agreed to an extension to the present contract, simply because the expiration date is June 30th and our next negotiation sessions are scheduled for July 22nd and 23rd.

C) I am very happy to report that I have two members interested in becoming more active in the Union. David Robinson has petitioned to be the alternate as a representative for the E-Board and Michael Bailey has shown interest in becoming our shop steward. I feel that both of these members will be a welcome and helpful addition to the strength of our Union.

D) (Old Item, but still active and imperative because of the now ongoing contract talks – Note the Updates)

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. ... MAY REPORT: No document has been signed so I suspect the company has been operating under the proposed resolution. ...JULY REPORT: We still do not have a signed copy of the resolution, so the company is in clear violation of the contract in that an employee is straying the “56 hour rule” and the “consecutive days” sections of the contract.

E) The latest company bulletin came out and should help substantiate our grievance pertaining to the Volunteers taking our work. There is an article titled “All Roads Lead to the Fair,” that clearly and unequivocally states that video from last year’s shoot is being used in PSA’s and that the Volunteer’s will be shooting the parade and the crowning of the king and queen under the guise of “hands-on training.” This project was very clearly our function at the Agricultural Fair in years past.

F) There have been complaints filed against one of the members of the Board of Directors. We will wait and watch this situation.

16. NBC Affairs: No Report.

17. NPR Affairs: No Report.

2009-06-09 MOTION MADE to adjourn.

MAKER: Guastadisegni

SECOND: McDermott

MOTION PASSED

Meeting adjourned at 10:08 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
opeiu153aflcio-clc