

EXECUTIVE BOARD MINUTES

Date: January 10, 2018

ROLL: Michael Powers, President
Tammy Sawchuk, Executive Vice President
Chris Summers, Recording Secretary
Toby Hogan, Treasurer
Scott Carpenter, VP Central
Mike Mazzella, VP Mid-Hudson
Joe Miano, VP Western
Clarence Fisher, VP Southern
John Roberts, VP Northern
John Harmon, VP LE

Attorney: Erin Parker- LMWF

Guests: Keith Jacques – LMWF, Bill Sellers- Sgt. Liaison

Minutes: December 12, 2017 Executive Board minutes were Approved

Directive Changes: 4044, 0082, 2123, 4308, 2782, 6901,2205

Next meeting: February 13, 2017 in Albany NYSCOBPA Office

Correspondence: None

President's Report–

Dec 13-14	Executive Assembly
Dec 18	Meeting with Baker & Assoc
Jan 3	Working with Law Firm re member titles under the category of ‘first responders’ for the purpose of legislation (Ryan White Act) Meeting with Keith Jacques Call with Martuscello re State of State/ Criminal Justice Reforms Review of staffing/ SHU population with Mike Marro
Jan 4	Governor’s State of State Address Conference Call with Martuscello re SHU closures
Jan 5	Green Haven Closure of RMHU at Attica attempted contact with O’Gorman

Jan 8 Meeting with Assemblyman Weprin and Sumeet
Sharma re Package Room Rules
Gallivan Public Hearing re Contraband

Martuscello/ O’Gorman Memos: Contraband Concealed in Fresh Fruits/
Vegetables; Security Inspections- Inmate Living Quarters; Response to
Healthcare Emergencies

Upcoming Meetings SCHEDULED: Statewide WPV Jan 17
Introduction Meeting with
Department Jan 18

Upcoming Meetings TO BE scheduled: Statewide L/M Meeting
Post Closure Meeting,

Assaults (Rec’d):	South Beach PC	11/22
	Five Points	12/4
	Attica	12/4
	Marcy	12/9
	Clinton	12/21
	Groveland	12/23
	Collins	12/24

Executive Vice-President-

12/15/17 Office-Talk Radio 1300 discussion about rise in prison
violence and contraband

12/18/17 Office-Meeting with Mike Marro

12/19/17 Toured Franklin CF

12/20/17 Office-Meeting with Greg Myers

12/21/17 Office-Meeting with Mike Mazzella

VP Roberts Numerous QA’S Clinton

Meeting with Greg Myer

12/22/17 ATA /Greene

12/27/17 Office

12/28/17 Office

12/29/17 Office

1/3/18 Attended State of the State LOB

1/4/18 Conference call Dan Martuscello

1/5/18 Office

1/8/18 Office- Stewards meeting Queensbury Great Meadow

1/9/18 Office

1/10/18 Office-Board Meeting

Meeting with Dan Ayote

Numerous phone calls- Contract / NYCLU / Time cuts / Consolidations

Treasurer's Report-

Total Cash- \$10,704,907.37

Unrestricted Bonds- \$6.9 million

Restricted Bonds- \$2.2 million

Rainy Day Fund- \$149 thousand- paid out- \$88 thousand

Legal Defense Fund- \$3 thousand payout

Regional Vice-President's Reports

Law Enforcement Report:

- Collective Bargaining Committee met on December 20, 2017. Next negotiations date on Feb. 2018.
- Janus v. AFSCME issues
- Legislative Agenda for LE Issues being addressed. LE Agenda being finalized.
- Waiting for dates for OPWDD and OMH Statewide Labor Management Meetings.
- Addressed many sector funding issues, no gift cards going forward.
- 70.1 Transfer issues. Addressing issues with Law Firm. OMH is the primary problem.
- One Year v. Two Year Workers Compensation Issues.
- Waiting for update from Justice Center on several issues raised in August meeting. Many issues continue especially representation problems, notification of investigation and charges being filed with evidence.
- Several conversations with OPWDD about issues and job duties of officers.
- OMH Assault Report Bill update from law firm needed. Need to address the inaccurate reports that have been generated using patient/inmate initiated reports not employee driven.
- SUNY compressed/ Alternate scheduling MOU signed.
- SHTA Retirement issues continue to be identified. Legislative solution needs to be drafted. 25 year service credit issues being addressed legally.
- WTO sector to be eliminated and members moved to respective DOCCS Regions.

- Roswell Park MOU for arming officers has been signed and awaiting updated from Roswell.
- Continue to work on Statewide MOU for seniority lists for OMH and OPWDD.
- CNYPC workers compensation discrimination case hearing held in Utica on December 18. Testimony given and awaiting closing briefs.
- Attended several PR Events and met with PR clients for branding and advertising plans.
- New issues with Kirby/ Manhattan Toll Reimbursement. Taxable problem being addressed with law firm. Awaiting update on issue.
- Having many issues with OMH concerning Labor Relations at facility and Agency Level. Grievances not being heard or answered at both levels.

Southern Region Report:

12/12/17 – Attended Executive Board meeting in Albany

12/13/17 – Attended EA at the Desmond in Albany

12/14/17 – 3 Q&A's at the ATA

12/15/17 – 3 Q&A's at the ATA

12/15/17 – Stewards meeting in the Bronx

12/18/17 – In office

12/19/17 – 2 Q&A's at the Albany Training Academy / Arbitration Prep

12/20/17 – Arbitration at Ramada Inn Fishkill

12/28/17 – Q&A at the Albany Training Academy

12/29/17 – Q&A at the Albany Training Academy

1/2/18 – In office

1/3/18 – In office

1/5/18 – In office

1/6/18 – Attended officer funeral

1/8/18 – 2 Q&A's at the Albany Training Academy

Western Region Report:

12.13.17 = Executive Assembly (Albany)

12.14.17 = Executive Assembly (Albany)

12.15.17 Office, Arbitration. Prep (Buffalo)

12.18.17 = Office, Tour Attica with Sen. Young Arb. Five Points —
Waterloo

12.19.17 = Office, Q&A Collins-Buffalo, Geneseeo Court

12.20.17 = Office, Arbitration. Albion-Batavia, Arb. Prep Auburn-
Albany

12.21.17 = Office

12.22.17 = Office

12.26.17 = Office, Calling Hours Bates & Sekuterski

12.27.17 = Arbitration .Wende- Wende, Sekuterski Funeral

12.28.17 = Office, Arb. FivePoints — Waterloo

12.29.17 = Office, Arb. FivePoints - Waterloo

01.02.18 = Office

01.03.18 = Office, Arb Orleans - Buffalo

01.04.08 = Office, Arb Orleans - Buffalo, Arbitration Wende — Buffalo
Travel Utica

01.05.08 = Arb Wende — Buffalo, Site Visit Cayuga, Q&As Auburn —
Utica

01.08.18 = Office, Travel - Albany

01.09.18 = Office, Janus Meeting — Albany, Travel — Albany

01.10.18 = Office, Executive Board

Western Region

Suspended — 35

NOD's - 74 Admin

Leave — 5

RDF Eligible - 17

Central Region Report:

12/13/17 — Executive Assembly meeting Albany I Chair OSI oversight committee
12/14/17 — Executive Assembly meeting Albany
12/15/17 — Central region office hours I Tour Gouverneur CF with BA
12/18/17 — Central region office hours I BA to Utica State Office bldg. Q&A session
12/19/17 — Central region office hours I Attend NYSCOPBA Albany office Christmas luncheon
12/20/17 — Central region office hours
12/21/17 — Central region office hours
12/22/17 — Central region office hours
12/25/17 — office closed — Christmas holiday
12/26/17 — Central region office hours
12/27/17 — Central region office hours
12/28/17 — Central region office hours
12/29/17 — Central region office hours
01/01/18 — office closed — New Year's Day holiday
01/02/18 — Central region office hours I attend Midstate CF union meetings 7A — 3P — 11P
01/03/18 — Central region office hours
01/04/18 — Central region office hours
01/05/18 — Central region office hours
01/08/18 — Central region office hours
01/09/18 — Central region office hours I attend Marcy CF 3PM union meeting with BA
01/10/18 — NYSCOPBA Albany HQ I Executive Board meeting @ 9AM

Mid-Hudson Region Report:

12/13/17 - Executive Assembly
12/14/17 - Executive Assembly
12/18/17 - Disciplinary Arbitration Prep meeting
12/19/17 - Disciplinary Arbitration
12/20/17 - Collective Bargaining Committee
12/26-29/17 - Mid-Hudson Regional Office

01/02-05/18 - Mid-Hudson Regional Office
01/06/18 - Otisville for PESH complaint
01/08/18 - Disciplinary Arbitration Prep meeting
01/09/18 - Step 2 meetings at Otisville and Eastern CF

Issues:

Green Haven - A week long inmate protest occurred over the new outside vendor/package room policy. The inmates refused to take food in the mess hall and refused to go to the yard. In addition, they did not speak in while in the mess hall. One inmate, who took food, was jumped by other inmates in the mess hall while the Executive Team was present. During the protest, a small fire was started in one of the housing units creating a lot of smoke. The inmates were yelling to be released from their cells. The responding Sgt felt it was a setup and ordered that smoke ejectors be used and that the cells remain secured. Each inmate was offered medical services.

Otisville - A PESH complaint was filed regarding razor collection process. I, along with our Health and Safety Specialist, attended a PESH inspection in the late afternoon on Saturday January 6th. A report from PESH will follow.

Fishkill - About 2 years ago, the DSS at Fishkill ordered the removal and destruction of all winter storm windows as a security concern. To date, this issue has not been resolved and our members are being subjected to extremely low temperatures while working in their housing units. It appears that DOCCS has set up a construction project for April 2018. Something needs to be done now.

Officers that are being put on administrative leave are having their badge and ID taken by the administration. We are looking into this change in practice.

Officers are being suspended for incidents that do not appear to jeopardize the safety and security of the facility or its overall operation. We should bring this up at our next meeting with DOCCS.

Northern Region Report:

12/14/17 Albany Training Academy for a Q&A Sgt Great Meadow

12/15/17 Attended a meeting for Nyscopba members at caysa

12/16/17 Christmas kids party Nyscopba Clinton sector

12/18/17 pk hill great meadow disciplinary step 2 x7

12/19/17 Franklin site visit with Assemblyman Billy Jones

12/20/17 Bare Hill/Upstate site visit with Assemblyman Billy Jones, Clinton for partial lockdown

12/ 21/17 CCF for Lockdown/frisking also Female Attacked in Annex

12/26/17 North County Cancer Fund Check presentation
12/27/17 Riverview site visit
12/28/17 Albany office and Law Firm
12/29/17 Franklin Disciplinary step 2x5
1/2/17 ISO Plattsburgh
1/3/17 Clinton for 12 BCI wanting to talk with officers
1/4/17 Albany office
1/5/17 meeting with vendor and tour de force info meeting
1/8/17 Clinton NYSCOPBA office IP meeting and local meeting/ Great Meadow IP meeting at Ramada
1/9/17 Albany
1/10/17 Executive Board meeting Albany
RDF/12

Unfinished Business:

IP regarding Commissioner Annucci Memo. This was tabled at last Executive Board meeting on December 12, 2017. Waiting for the three facilities that would be effected to hear what members wanted to do. The Executive Board will be moving forward on the IP.

New Business:

- J&E case #260
- Withdraw on NOD Grievance DIS17-0031 (motion Below)
- SHU Closing (Cayuga SHU 200, Southport A Block and Upstate #8 Block) this was talked about in the Presidents report.

-SHTA Article 78 The law firm provided a memorandum recommending that an Article 78 be filed challenging the termination of SHTA Barosci after only one year of WC leave, instead of two. The documents submitted by SHTA Barosci regarding the incident that led to his injury indicate that this was not simply a case of injury during a restraint, but that during a restraint (necessitated by the patient hitting another staff member), the patient took deliberate assaultive action toward SHTA Barosci (aggressively falling on SHTA Barosci, landing on his knee and twisting leg). Based on these facts (and a recent favorable decision from an Albany Court), this is a good case to address this subject.

- Training for New Stewards- The dates have been sent out to all the regions. Steward training will start in the month of February.

- NYSCOPBA Facebook page- Dave Viddivo Asst. to the President will be the one who will be overlooking the page. He wanted to know if any of the Executive Board would like to be an administrator.

Motions:

Action Without A Meeting-

To approve the Rainy Day Fund application for J. Histed

Motion made by: J. Miano

Motion passed unanimous

Rainy Day Fund Applications –

To approve the Rainy Day Fund application for T. May

Motion made by: Executive Board

Motion passed 8 to 1

To approve the Rainy Day Fund application for H. Deler

Motion made by: Executive Board

Motion was defeated unanimous

To approve the Rainy Day Fund application for G. Gordon

Motion made by: Executive Board

Motion passed 8 to 1

To approve the Rainy Day Fund application for B. Swanhart

Motion made by: Executive Board

Motion was defeated unanimous

To approve the Rainy Day Fund application for J. Waufle

Motion made by: Executive Board

Motion passed unanimous

To approve the Rainy Day Fund application for R. Moore

Motion made by: Executive Board

Motion passed unanimous

To approve the Rainy Day Fund application for J. Schnettler

Motion made by: Executive Board

Motion passed 8 to 1

Legal Defense Fund- None

Honorary Retiree Chapter Applications- None

Motion to move forward on the IP regarding Annucci Memo

Motion made by: Executive Board

Motion passed unanimous

Motion to pay Wendy Jaruis Legal bills from the legal defense fund for outside legal bills.

Motion made by: John Harmon

Motion passed unanimous

A handwritten signature in black ink, appearing to read "Chris Summers", is written over a horizontal line.

Chris Summers

Recording Secretary