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Article X Charges

March 17, 1998

To:
Richard Abrahamson
President, Council 82
63 Colvin Avenue
Albany, NY 12206

From:
Timothy P. O'Leary
President, Local 1871
Jasper Street
Hudson Falls, NY 12839

Re: Judicial Panel Case No. 98-26

O'Leary et al. v Abrahamson et al

Greetings:

This is to give you formal notice that the Judicial Panel has assumed appellate jurisdiction pursuant to Articles X and XI of the International Constitution and Article, VI, Section 2B of the Rules of Procedure of the Judicial Panel over the charges files in this case. A copy of the charges is enclosed.

Pursuant to Article XI, Section 8 of the International Constitution, A member of the AFSCME Judicial Panel will be appointed to preside over the trial. A Trial Officers Selection list is enclosed. Each side has the right to delete up to two names from the list. This should then be returned to me with deletions, if any, by April 2, 1998. It is not necessary to serve a copy of the response on the other side. If I do not hear from the parties by then, I will assume that all names are acceptable.

The trial will be conducted pursuant to the International Constitution and the Rules of Procedure of the Judicial Panel. I call your attention to Article X of the International Constitution.

In Solidarity,
s/s
John Seferian
Judicial Panel Chairperson

Uniformed Supervisors Local 1871

To: The Trial Body Of Council 82 and AFSCME

On the behalf of all the Temporary Sergeants who have been working out in the field prior to February 02, 1998, and the members of Local 1871, We the Executive Board of Local 1871 are bringing Article X (10) charges against all members of the Executive Committee of Council 82. These individuals are as follows: President - Richard Abrahamson, Executive Vice President - Michael Graney, Correction Policy Chair - John Butler, Correction Policy Vice Chair - Patricia Rybak, Secretary - Lenard Crouch, Treasurer

- Michael Surprenant, and Law Enforcement Policy - Ronald Hoyt and John Reidy.

The charges are for violations of the Preamble of the International Constitution for misrepresentation and failure to represent the members of local 1871 in good faith along with violation of the constitutions bill of rights for union members sections (2) and (7). Our right to file these charges and the basis for filing these charges falls under Article X, section 2, Paragraphs A, B, and K. The charges are as follows:

For two and a half years, the Executive Board of Local 1871 has been working very hard in an attempt to do away with "temporary" promotions to the point a lawsuit was filed to stop this practice. In or about January of 1996, Sergeants Coventry, Brereton and Krusen, who were temporary at the time, Decided to do something about it. It was at this point in time these individuals approached President of Local 1871 Tim O'Leary for his help. But before they met with Tim, They had already met with a Lawyer in New York City by the name of Harvey Levine. These three Sergeants were in the process of filing a lawsuit on their own against Council 82 for failure to represent because the Temporary issue was way out of hand and nothing was being done about it. The cost to them was going to be \$10,000 out of their own pockets which they already had.

During their initial meeting with Tim, they informed him of this. Tim asked them to wait before they followed through with the lawsuit to see if Council 82 would file a lawsuit against the State on the temporary issue. Tim was asking this because he did not want to see members having to spend that kind of money out of their own pockets. After a discussion, they decided to go with Tim's request and approach Council 82. Tim also told these individuals that if Council 82 refused to do anything with the lawsuit that the local would assist us with both, A lawsuit against the state on the temporary issue and a lawsuit against Council for failure to represent us. Before they arrived in Albany to meet with Mike Graney to discuss this issue, the word was out of their intention (a lawsuit against Council 82).

During the meeting with Mike, Mike assured them that if they wanted, Council 82 would file a lawsuit in their behalf. It was at this point that Sergeants Coventry, Brereton, and Krusen told Mike that they were not comfortable with Council 82 representing them in a this lawsuit because of what they did to the officers back in 1990 when they became a "Friend of the court" Mike then informed them that that was back when Puma and Kennedy were in charge of the council and that he had nothing to do with it. Mike then assured them that this lawsuit will belong to you guys and not Council 82 and what ever you wanted to do just let Bob Hite know and it will be done. This is your lawsuit and that this has gone on long enough. The people present and witnessed this was: Tim O'Leary, Bob Krusen, Ron Brereton, Chuck Coventry, and Sam Irwin. It was at this time Mike called in Bob Hite to discuss our next move.

It was at this point, Tim O'Leary along with Chuck, Ron, and Bob began having quite a few meetings over several months with Council 82 Attorney's Bob Hite, Lisa Gelernter, and Meridith Savitt. Bob Hite made a commitment to Tim that they would have the paperwork ready for filing by the end of the second week of April 1997. He also stated that Ron, Bob, Chuck and Sam should be included as individual plaintiffs. This can be verified in the memorandum from Bob to Lisa concerning the Temporary Sergeant Litigation. The meetings continued with officials of the department who include Mr. Goord, Mr. Breen, Mr. Bartlet, Mr. Devane, and Mr. Gould, as well with officials from Civil Service.

A lot of time, money, and resources were utilized to the point the lawsuit was a reality.

This is very important because at no time from the start of this up until six days before the time limit ran out on the existing list did council 82 President Rich Abrahamson nor anyone else from the Executive

Committee with the exception of Mike Graney, Ever get involved. Rich Abrahamson the President of Council 82 never attended any meetings and when he was approached by Temporary Sergeants out in the field and asked questions over the Two and a half years period about the temporary Sergeant issue, he would respond With, "I should, but I don't know anything about the Temporary Sergeant issue." Instead of trying to find out about it, he continued to say the same thing over and over again to several Local 1871 members. All Rich was interested is the majority and not all of Council 82 dues paying members. He has even stated to Sergeants who introduced themselves as "A Sergeant," "I will not hold that against you." Just from this statement alone one can tell where his representation is.

After two and a half years plus several months, A lawsuit was filed with Judge Thomas Keegan on or about the second week of January 1998 not April 1997 like Bob Hite committed to Tim. One of the relief's we asked was for a special eligibility list for the Sergeants who were out in the field so that they could be promoted to permanent Sergeants before anyone was promoted off the new list. Per Bob Hite, Judge Keegan stated that he would not create a special eligibility list. We still have not seen this in writing and we are all wondering of just how hard our legal staff at Council 82 pushed this.

In November 1997, Rich Abrahamson called the Executive Committee in and they took a vote on using the one and three rule for the Temporary Sergeants who scored a 90 of making them permanent. There was no vote called for the 87.5's using the same one and three rule, After the States offer.

On January 28, 1998, the Department Of Corrections made Council 82 an offer to create 57 new permanent Sergeant items by promoting four Correction Officers (with a score of 90) off the old list. Twenty-three (23) Temporary Sergeants (with a score of 87.5) who were already serving in grade and to promote thirty (30) Correction Officers off the new Sergeant's list to permanent Sergeant positions. The 30 of 39 double bunk Sergeant items that always have been Temporary Items. The Department stated that their offer would not only cause the least amount of displacement around the state, But it would also basically clean up the Temporary Sergeant issue and it would insure for the most part, that except for the 25 man sick pool, most if not all appointments off the new list would be permanent appointments and not temporary appointments. This offer would have satisfied the remedy that we were looking for in the lawsuit - NO more temporary appointments, only permanent.

On January 28, 29, 30, February 02, 03, Rich Abrahamson, Mike Graney, Bob Hite and John Butler had meetings with the Department Of Correction Officials concerning the temporary Sergeant issue. Not once was President Tim O'Leary nor any Executive Board Member notified of these meetings. If no one else, Tim O'Leary should have been at these meetings. He should have been there to make sure the rights of the Sergeants were protected. Out of the individuals who attended, The only ones who had a clue as to what was going on were Bob Hite and Mike Graney. What was discussed in these meetings, and were the best interests of the Sergeants protected?

On January 29, 1998, Tim was not invited, but he took it upon himself to attend this meeting. In these meetings, the Departments plan was to create 27 new permanent 4.11 positions for Sergeants and move 23 temporary Sergeants who were working in the field with a score of 87.5 into these positions. This was something we (council 82 or local 1871) never though was possible. The plan would also promote 4 correction officers with a score of 90 off the old list (existing list) who indicated on their canvass letter that they would take an appointment in any of the New York City Facilities. The plan would have also made 30 of the 39 double bunk items that are now temporary items permanent 4.11

The New permanent 4.11 Sergeant double bunk items would have been made from appointments off the

new list. This would have meant that a total of 57 new permanent 4.11 positions would have been created. This plan would have eliminated the practice of making temporary appointments and return to making permanent 4.11 appointments only. During this meeting, Tom Hepp stated that after doing all this, There would still be approximately 15 temporary Sergeants left out in the field, but within a 2 year period all new Management Confidential appointments would be permanent appointments which would in turn ripple all the way down to the temporary Sergeants. This would have meant that each time someone got appointed to a Management Confidential position, one of the 15 temporary Sergeants positions would have been made permanent and within two years from now, the only temporary Sergeant positions that the department would have had was the 25 man sick pool.

What the Department offered on January 29, 1998, was essentially everything that we have been working for the past two and a half years. At this point, there are 72 temporary Sergeants out in the field filling 72 temporary Sergeant positions. The Department offered to make 52 out of the 72 temporary Sergeant position permanent immediately

Rich Abrahamson never called for a vote to be held by Council 82 Executive team/Committee on the offer made by the Department Of Corrections Officials. Mike Graney went as far as asking Rich to call in every member of the Executive team/committee and asking their opinion of the offer or even voting on it. Rich Abrahamson said "I am not calling in anyone." Rich Abrahamson made no attempt to re-canvas the 20, really 12, Correction Officers (87.5's) who were his reason for not accepting the offer from the Department Of Correction's Officials.

What Rich Abrahamson did was sit and wait until the death date of the existing promotional list which was reached on February 02, 1998, Knowing that the offer from the department would no longer be valid because of Civil Service Law.

What Rich Abrahamson also did was act like a Dictator by not calling for a vote of the Executive Team/Committee even after it was requested by Executive Vice-president Mike Graney.

No, Our President of Council 82 Rich Abrahamson never did anything on the offer (let alone the temporary issue altogether) made by the Department Of Corrections other than to say "NO" himself. Rich Abrahamson did not fulfill his duty to properly represent all parties who had an interest in this issue. Rich Abrahamson has knowingly and willingly violated both the AFSCME and Council 82 Constitutions by knowingly and willingly violating his sworn duties as the President of Council 82 - A duty to fair representation!

Under section 13 of Article X (10), The witnesses we are demanding to call, be present and testify are as follows:

1. Commissioner Goord, 2. Commissioner Breen, 3. Commissioner Bartlet, 4. Commissioner Devane, 5. Lee Gould, 6. Tom Hepp, 7. Judge Thomas Keeghan, 8. Tim O'Leary, 9. Rick Cox, 10. Chuck Coventry, 11. John Gough, 12. Bob Dragoon, 13. Marilyn Cooper, 14. Sam Irwin, 15. Ron Brereton, 16. Bob Krusen, 17. Bob Hite, 18. Lisa Gelernter, 19. Meridith Savitt, 20. Mike Graney, 21. John Butler, 22. Patty Rybak, 23. Lenny Crouch, 24. Mike Surprenant, 25. Ron Hoyt, 26. John Reidy, 27. Chris Pinker.

On Top of these witnesses, we are providing the following packet of correspondence and union records which are pertinent to this case.

We are demanding that the Judicial Panel be comprised of impartial Officials from AFSCME Washington, DC. The reason for this request is because there is a conflict of interest present. The

accused, Rich Abrahamson and the Executive Team/Committee are involved. Rich Abrahamson has hand picked the Council 82 Judicial Panel and we all feel that we would not get a fair trial. We are also demanding that this trial be heard as soon As possible.

Under Section 15 of Article X (10), On behalf of the temporary Sergeants and the members of Local 1871, we are demanding the following penalties to be assessed against all guilty parties effective immediately:

1. Removal from office immediately
2. Suspension from the right to hold any elected position for four years
3. Expulsion from membership
4. Suspension from the right to hold or seek any elected position at any level of the union for a period of four years

Respectfully,
Local 1871
Executive Board
s/s

Timothy P.O'Leary
John W. Gough
Marylin Cooper
Charles P. Coventry
Richard Cox
Stephen Wyley
John Bukovinsky
Samuel Irwin
Robert Dragoon
William Langdon

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Council 82 Legal Update

COUNCIL 82 LEGAL UPDATE (4/3/98)

COUNCIL 82 SUES A JUDGE

Pursuant to a contract between the Office of Court Administration ("OCA") and Franklin County ("County"), the County agreed to provide court security in the Franklin County Courthouse. The contract with OCA provided that the County would select the individuals who would provide that security. The contract between the County and the Franklin County Deputy Sheriffs Association provides for a seniority based bidding system similar to that in the Security Services bargaining unit. As a result, a female Officer had bid the Court House security post, and held that post for a lengthy period of time without problem. A Franklin County Judge then decided he did not want this particular Officer to provide courtroom security and ordered her removed. He further threatened to hold up payments from OCA to the County which were to be paid in exchange for the security unless his staffing demands were met. The Sheriff then ordered that particular Correction Officer off of her post to satisfy the demands of

the Judge.

The Officer filed and won a contract grievance alleging that the Sheriff had violated the seniority portions of the contract between the County and the Local. Council 82 has sponsored a separate lawsuit against the Judge who ordered the Officer off of her bid post alleging that he had tortuously interfered with the contract rights of the Officer and the Local. The lawsuit seeks both monetary and injunctive relief and is currently in the beginning stages of litigation.

DOWNSTATE CORRECTIONAL FACILITY IP

This improper practice charge alleged a violation of the Taylor Law alleging that a memorandum issued by Deputy Superintendent for Administration at Downstate Correctional Facility unilaterally changed the procedure for taking time off for scheduled medical appointments. That procedure is set forth in the Attendance Control Policy, a statewide document which the Department of Correctional Services issued on April 14, 1987. Under the statewide procedure, no employee was required to submit documentation for a medical visit until after the visit, and then only if the duration of the visit was greater than four hours or if the employee was otherwise on a special list maintained for monitoring time and attendance policy.

On January 8, 1997, Downstate Deputy Superintendent of Administration issued a memorandum that all requests for time off to attend scheduled medical appointments with a medical provider must include the name and office phone number of the medical provider and the time of the employee's or family member's appointment or an appointment card or photocopy of an appointment card which bears the information requested attached to the time off request.

A PERB Law Judge determined that this constituted a unilateral change in a term and condition of employment and ordered Downstate to rescind its January 8, 1997 memo to restore the practice as existed prior to January 8, 1997, make all unit employees whole for lost benefits, if any, suffered by virtue of this memorandum and sign and post a notice of this decision.

UPCOMING HEALTH AND SAFETY LITIGATION

For several years Council 82 has complained to the Department of Correctional Services about the serious safety and security risks posed by the over-populated prisons and depleted security staffing levels. Understaffing, post closings, refusal to offer overtime, over-populated jails, the lack of adequate special housing unit space, poor facility management and other factors continue to make the State prisons an unreasonably unsafe place for Council 82 members to work. Therefore, the Council 82 Executive Committee has directed the Legal Department to explore any and all legal alternatives to force the State to provide a reasonably safe working environment for the Correction Officers, Sergeants and Lieutenants who work in the State prisons.

We have met with the Executive Committee and several local leaders in an effort to identify jails where the health and safety risks appear to be the most severe. We have also retained the services of a nationally renowned expert with whom representatives of these identified jails have met in order to discuss the concerns and identify the health and safety violations. We are still gathering information from the representatives of the identified jails and are attempting to have DOCS correct these problems through the grievance process. If the grievance process fails to produce a satisfactory result, we will commence lawsuits in various courts to ensure that Council 82 members are given a reasonably safe place in which to work.

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PAC Convention/survey

TO: All Members

FROM: R. Rakoce

SUBJECT: PAC Convention/Survey

I attended the PAC Conference in Albany last Monday and Tuesday. I spoke to the members in attendance regarding our current retirement benefits. I told John D'Alessandro that the little green book that was in our packets wasn't enough information in regards to our retirement. D'Alessandro disagreed. I then asked the members in attendance if they had ever heard of Article 14? I don't recall seeing many hands go up.

After Monday's official meeting was over, I was invited to attend the Legislative Committee meeting scheduled for Tuesday at 10 AM. At this meeting, I again spoke in regard to our current retirement benefits. (The benefits that too many of us do not understand) I told the Committee that myself and a few others have made up a packet of our current benefits and for better than six months have been pushing C82 (Mike G., John B., Pat R., and John D.) to verify and send it out to the members. I've heard nothing.

Rick Abrahamson was at this meeting, seemingly taking interest in this packet and told me to get him a copy. Well, this will be hand-delivered to Council 82 on my way thru Albany on 4/6/98 (10 copies will be on Abrahamson's desk).

What will happen next????? Will Rich and company disregard the packet? Will they verify the content and send to our membership? Was this just an attempt to silence another disgruntled dissenter? Will it be lost in the shuffle between 63 Colvin Avenue and 55 Colvin as the Legislative Dept. moves?

Stay tuned to see what happens next, but remember you heard it here first.

On to the retirement survey: During the course of Monday's Pac Conference, the question was raised if the Tier 3 Past Credit was the same as the bill listed on the tracking sheet. John D said it was the bill for the Tier 3 Enhancement. Yes, everyone it is the choice #4 on that survey some of you received.

I indicated that on the tracking sheet, it showed possible sponsors, completed note and that the bill was being drafted even though this choice was part of the survey. I asked shouldn't this be just like the 20 year. Awaiting results of the survey???? John D responded that they had heard from several hundred officers last year regarding the enhancement that's why that was done!

Now I ask you all, why did C82 spend thousands of dollars on a survey when it appears the winner has already been chosen??

The winner is _____????????????????????????????????

R. Rakoce

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Abe's mask has come off

J Winant writes, " John Butler and Rich were thrown into the lions den to conquer the Beast. A bloated misaligned union, without any substance or direction ". " So far they have obviously gotten some peoples attention". " Will this be there moment of triumph, or will it be the agony of defeat".

RESPONSE: Abrahamson is more like a wolve in sheeps clothing. As soon as he took office, he turned his back on the reform agenda he was elected under. He has embraced the likes of Eliot Seide, Bob Hite, Ron Hoyt, and our beloved Staff reps. Even the local presidents whose voting record reflects the "old guard" stance, against organizational reform, have joined together with Abrahamson in blocking any effort to bring true accountability to our union.

What do Eliot Seide, Rich Abrahamson, Bob Hite, Ron Hoyt and the Staff reps have in common? (Remember, the staff reps have control over most of the Executive Board.)

THE FACTS:

- 1) They all opposed a referendum amendment to our constitution, that would have given our members a one man, one vote, on organizational issues, such as political endorsements and our affiliation with AFSCME.
- 2) They all opposed a roll call vote amendment, that would have brought back some accountability to the local presidents who vote on important issues at Board meetings. They even supported changing the rules in the middle of the 96" Convention, regarding the roll call votes we were getting at that meeting. They did so, because they did not want the membership to know how they voted. (Is that ACCOUNTABILITY)????
- 3) They all opposed an amendment that would have given us a true one man, one vote, for our elections. For those of you that don't know, we as Correction Officers cannot obtain a seat on the Executive Committee, even if our Correction Officer candidate beats a Law Enforcement Officer candidate by 20,000 votes. That seat, is the Secretary of our union. Our constitution does not allow a Correction Officer to obtain the Secretary seat if we have a Correction Officer in the Treasurer seat. Therefore, we do not have a true one man, one vote, for our elections. The Secretary seat goes unchallenged to Law Enforcement.
- 4) Rich Abrahamson supported and lobbied support to have the last two Staff rep contracts voted on at statewide board meetings, without the following: (a) These votes were not on the agenda given to each local. (b) The local presidents who wanted to bring that multi million dollar contract, back to their individual locals, for their members to debate and discuss, were denied. Abrahamson and company wanted the vote to approve this multi-million dollar contract to take place that day, because it was already a done deal. The votes were already bought and paid for. The contract vote was a landslide victory for the STAFF REPS. (Read the steno's minutes regarding that meeting).
- 5) During last years election campaign, Law Enforcement Policy Chair, Ron Hoyt, sent our a defamation of character letter to all local presidents around the state. That letter was full of misleading and false information against a candidate who was running for office. That candidate, was this author. The letter was not only bogus, it was sent on Council 82 letter head and at Council 82 expense. Rich Abrahamson was made aware of that letter before it was sent out , by local president Steve McKeel. He did not act on Steve's request to stop that mailing.
- 6) Rich Abrahamson, Eliot Seide, the Staff Reps, and their puppet local presidents are calling around the state, trying to derail any attempt of our members right to seek their independence from AFSCME. As

usual, it appears the members best interest isn't what motivates 63 Colvin Ave. POSITION, POWER, AND GREED, are still the motivating factors being evidenced at 63 Colvin Ave. Just as in the past, the present regime continues to serve the banner of AFSCME.

For anyone to insinuate that Rich Abrahamson has tried to go against the "old guard", on organizational issues, is either being mislead or is intentionally trying to deceive the membership.

Finally, as for John Butler, the jury is still out. Time will be the judge. Time has already pulled the mask off Rich Abrahamson's face. His record and actions speak for themselves. He was a MASKED REFORMER. We are still a bloated, misaligned union, with no substance and no direction.

Dave Stanson
Collins CF

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\$187M earmarked for prison, police

By MARC VIOLETTE
Ottaway News Service

ALBANY -- From a new prison to more correction officers to new bulletproof vests for state troopers, there was plenty of law-and-order spending in the new state budget lawmakers began passing yesterday.

Members of the Senate approved the crime and corrections portion of the new budget yesterday before adjourning until Tuesday to allow members to observe the Easter and Passover holidays. The Assembly, which broke for the religious holidays without passing the budget bill, is expected to follow suit Tuesday.

Included in the budget package - which has been approved by leaders in both houses - was:

- \$180 million to build a 750-cell maximum security prison;
- \$5.8 million to add 40 sergeants and 60 correction officers to the state prison system.
- \$1.2 million for new bulletproof vests for state troopers and investigators.

News that the Legislature agreed with Gov. George Pataki's earlier proposal to build a new prison was warmly received by the state correction officers' union. New York has some 69,000 inmates housed in space originally designed to hold 53,000.

The new prison will house 1,500 inmates in 750 cells.

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New Jersey Corrections

New Jersey Corrections Police Benevolent Association	Four Year	Contract.		
Step	7/95 (0%)	7/96(0%)	7/97(3.5%)	7/98(3.5%)
Recruit	31,805.15	31,805.15	32,918.33	34,070.47

Step 1	34,986.67	34,986.67	36,211.20	37,478.59
Step 2	36,695.94	36,695.94	37,980.30	39,309.61
Step 3	38,405.10	38,405.10	39,749.28	41,740.50
Step 4	40,114.45	40,114.45	41,518.46	42,971.61
Step 5	41,823.70	41,823.70	43,287.53	44,802.59
Step 6	43,532.96	43,532.96	45,058.61	46,633.59
Step 7	45,242.20	45,242.20	46,825.68	48,464.58
Step 8	46,951.40	46,951.40	48,594.70	50,295.51
Step 9	48,660.72	48,660.72	50,363.85	52,126.58
Clothing Allowance:	1st year \$1,610	2nd year \$1,610	3rd year \$1,610	4th year \$1,610
Pre-shift briefing (1/2) hr. per day. \$4,875.00 annually				
\$52,126.58				
+\$1, 610.00 Clothing allowance				
+\$4,875.00 Pre-shift briefing				
TOTAL \$58,611.58				

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More research on challenge law firm

I have continued my research on the law firm that the challengers have retained. Here is what I did. I went to the library and looked in the New York Volume of a huge 10 volume set of over approximately 50,000 pages in the Martin-Hubble Law Directory. These legal guide books are the standard in most libraries that list prestigious law firm in all states of the country. What I did is looked up Council 82 Lawyers Hite & Casey and guess what I found? They were not listed in the guide.

Now I ask myself are they a real law firm (they probably are), and who are there clients. Then I went and looked for the challengers Law firm Hinman, Straub, Pigors, & Manning and what did I see, well two pages of information on pages 36b and 37b. This was the 1996 guide and at that time HSP&M (Hinman, Straub, Pigors, & Manning) had 30, yes 30 Lawyers in their Law firm. It says they are located at 120 State St. Albany, N.Y. phone # 518-436-0751, fax 518-436-4751, e-mail

Reception@HSPMALB.MHS.COMPUSEVE.COM

They also have a Washington DC office at 50 E Street Southeast phone # 202-863-0806. The firm profile says they have "EXCELLENCE IN LEGAL REPRESENTATION". One of the quotes is, "*LAW SHOULD NOT BE PRACTICED IN A VACUUM, RATHER HSP&M BELIEVES THAT TO BEST REPRESENT OUR CLINETS, WE MUST LEARN ABOUT THEIR PARTICULAR NEEDS AND CONCERNS AND THE ENVIRONMENT IN WHICH THEY OPERATE*" A pretty profound statement, wouldn't you say. The article continues "*WE ARE THOROUGHLY MODERN IN OUR METHODS. WE FOCUS NOT ONLY ON A CLIENT'S CURRENT CONCERN BUT ALSO ON THE CLIENT'S FUTURE CONCERNS*".

All the attorneys names are listed in the two pages with most of the lawyers having attended extremely prestigious law schools like: Cornell Law School, Albany Law School, Boston University Law School,

New York University Law School, Suny Buffalo Law school, Northeastern University Law School, George Washington University Law School, University Of Notre Dame Law School, New England School of Law. After reviewing all the firms attorneys credentials I learned that 95% of the Lawyers in the firm are Graduates of Albany Law School. I am a prospective law school student myself as I am in the process this year of completing my bachelor's degree and have done quite of bit of research on law schools throughout the United States. Probably the best guide out there is, no it is not MONEY magazine but a book called "INSIDE THE LAW SCHOOLS" by Sally Golfarb. What we find here is that Albany Law School is the best premier law school for firms specializing in New York Law. Who says this, well several sources are noted in the book, the most important one being all the law firms polled, next judges, professors, and students themselves. Why? because Albany specializes in teaching a thorough knowlege of New York Law where other schools do not. Furthermore the listing in the Martin Hubble Law guide shows that a many of the attorneys graduated with designations of honors,Cum Laude, and Magna Cum Laude. These are distinction that say they scored in the top 5% of the class. These are the types of attorneys we need representing us and not just the union as is common practice now.

Tom Short

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Public Unions Eye Organizing Privatized Jobs

This is an article that was printed in the April 10, 1998 issue of the CHIEF-LEADER, pg 9

Public Unions Eye Organizing Privatized Jobs

At next month's Northeast Public Employees Conference, union leaders will discuss organizing the employees of private companies who are performing work previously done by civil servants. The annual conference will be held May 3-5 at Bally's Hotel in Atlantic City. About 400 labor leaders are expected to attend, according to the New York State AFL-CIO.

Pensions, Surpluses

In addition to a workshop on organizing, including signing up members already in bargaining units, sessions will be held on pension issues and the distribution of state and local government budget surpluses.

A workshop also will look at legislation affecting Federal and postal employees and privatization by the Government and Postal Service. State Comptroller H. McCall is scheduled to be the dinner speaker on May 3. Gerald W. McEntee, president of the American Federation of State, County and Municipal Employees is among those scheduled to address the conference on May 4.

For further information call the New York State AFL-CIO Public Employee Division at 212-777-6040.

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Studies show boot/shock camps a failure

I received a news article from my friend and Fellow Correction Officer in Canada who is on the forefront

of the anti-privatization movement in Canada. I would scan the document but the print quality is poor, here are some excerpts from the document.

- 1) Academics have given up on boot camps, they say there are numerous studies in the U.S that show no convincing evidence that boot camps change behavioral patterns or reduce recidivism.
- 2) When the minister of Canada was asked on what studies does he base his decision to increase the number of shock camps, the minister could not state not even one study.
- 3) University of Toronto Criminologist Anthony Doob says shock camps are a fad, he says, shock camps are "the hula hoop of young offender treatments" "the idea that marching and taking away television and things like that are going to do something, other than in a sense make adults feel better, is a joke".
- 4) University of Maryland In the USA has studied shock camps and professor D. MacKenzie says shock camps have few benefits. She conducted a report and gathered every study she could on shock camps submitted it to the U.S. Congress and concluded there is no impact shock camps have on recidivism.
- 5) Since 1980 a arm of the US Dept. Of Justice has conducted several studies and every study showed shock camps have little effect, and that there is very little difference in recidivism rates between shock camps and adult incarceration. Researchers in the U.S. say they are not cost effective and actually increase prison population and costs.
- 6) Dale Parent formerly of Minnesota Dept. Of Corrections now doing studies for ABT in Massachusetts says, "a lot of corrections commissioners went along with the idea of correctional boot camps only on the promise that it could cut crowding", and that simply hasn't happened. It has resulted in overcrowding in every state.

Tom Short

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The time is now

Fellow Officers,

The time is now for change, we are heading into a new era. The state is bragging of how much money they have, the Council is falling apart and we are tired of the crap that we are given.

There is a new union asking us to support them with a challenge. Every member of Council 82 should ask themselves what has our union really done except say we can't change the past, well I ask what are you doing to prevent the future. Everytime you ask a Council 82 official why is this this, his reply is that is on the last contract or you are arguing about what a new agency has negotiated, well I can not afford another contract that we had last time or the time before that. EIGHT years and only 14% in raises.

The only significant difference in the 1991 -1995 contract and the 1995 - 1999 contract is this:

- 1) The color of the book.
- 2) One less zero
- 3) an increase in about 50 dollars for uniform allowance that is now taxed

4) an increase in about 85 dollars for location pay

5) the fact the Council 85 gave up article 75 of the civil service law for suspensions - According to Civil Service Law you can not be suspended for more than 30 days without pay unless a guilty conviction is found.

This is the same contract, all they did was change the nail polish and hair style and call it a new girl.

SEFA sets the pattern for bargaining, if SEFA gets a 8% over four years that is what we get. AFSCME's attitude is if we do for one we do for all. Why are we being placed with civilians.

How many lawyers does the council have for legal issues. We are 135% over populated and understaffed what is the union doing about this. How can you open a chapel turn it into a mess hall and not staff it properly.

Also were is all the money going, approx \$15.00 per pay check multiplied by approx 23,000 officers. That is alot of money, I don't see were it is going. Ask a union official these questions instead of answers you get attitude and a deffensive one at that, when someone gets deffensive that means he is guilty.

Vote for a decertification, 5 states have broken free of AFSCME and have never looked back, most recent was Massachussettes and their first contract was better than the last 3 combined. Past has shown that Council 82 and AFSCME do not and will not care for its members, 14% over 8 years is a joke, what guarantee does Council 82 give that our next contract will be any better, none. A three step increase, anyone with a brain can tell you that it will never happen, ask for three and hope for 1 that is what Council 82 is doing. It is like selling a car if you want \$3,000 you advertise for \$4,000 with room to negotiate.

A challenge is in the air, I don't even see Richie baby and company going around in person and speaking to any of the local members telling them in person what he plans to do about our contract. He has closed his door on us. John I know you will get pissed reading this but oh well, I have had enough crap dished to me by this union. We have major issues that have not been answered, and if they are answered it is a run around beat around the bush answer.

People read your contract ask for a copy of the last one and compare the numbers.

Look at the other states around us and see what they get, we are at least \$10,000 under paid by the other states figures. Ask why and all you get is excuses, none of which supports our salary.

Drew
Sing Sing

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YOUR FIRED!!!! Arbitration

And here is how and why!!!

This is part of Article 75 N.Y.Civil Practice Law!!!! ARBITRATION

ARTICLE 75

ARBITRATION

7501. Effect of arbitration agreement.

7502. Applications to the court; venue; statutes of limitation; provisional remedies.

(a) Applications to the court; venue.

(b) Limitation of time.

(c) Provisional remedies.

7503. Application to compel or stay arbitration; stay of action; notice of intention to arbitrate.

(a) Application to compel arbitration; stay of action.

(b) Application to stay arbitration.

(c) Notice of intention to arbitrate.

7504. Court appointment of arbitrator.

7505. Powers of arbitrator.

7506. Hearing.

(a) Oath of arbitrator.

Sec. 7511. Vacating or modifying award. (a) When application made. An application to vacate or modify an award may be made by a party within ninety days after its delivery to him.

(b) Grounds for vacating.

1. The award shall be vacated on the application of a party who either participated in the arbitration or was served with a notice of intention to arbitrate if the court finds that the rights of that party were prejudiced by:

(i) corruption, fraud or misconduct in procuring the award; or

(ii) partiality of an arbitrator appointed as a neutral, except where the award was by confession; or

(iii) an arbitrator, or agency or person making the award exceeded his power or so imperfectly executed it that a final and definite award upon the subject matter submitted was not made; or

(iv) failure to follow the procedure of this article, unless the party applying to vacate the award continued with the arbitration with notice of the defect and without objection.

2. The award shall be vacated on the application of a party who neither participated in the arbitration nor was served with a notice of intention to arbitrate if the court finds that:

(i) the rights of that party were prejudiced by one of the grounds specified in paragraph one; or

(ii) a valid agreement to arbitrate was not made; or

(iii) the agreement to arbitrate had not been complied with; or

(iv) the arbitrated claim was barred by limitation under subdivision (b) of section 7502.

(c) Grounds for modifying. The court shall modify the award if:

1. there was a miscalculation of figures or a mistake in the description of any person, thing or property referred to in the award; or

2. the arbitrators have awarded upon a matter not submitted to them and the award may be corrected without affecting the merits of the decision upon the issues submitted; or

3. the award is imperfect in a matter of form, not affecting the merits of the controversy.

(d) Rehearing. Upon vacating an award, the court may order a rehearing and determination of all or any of the issues either before the same arbitrator or before a new arbitrator appointed in accordance with this article. Time in any provision limiting the time for a hearing or award shall be measured from the date of such order or rehearing, whichever is appropriate, or a time may be specified by the court.

(e) Confirmation. Upon the granting of a motion to modify, the court shall confirm the award as modified; upon the denial of a motion to vacate or modify, it shall confirm the award.

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Political Action and Legislative Funds

AFSCME COUNCIL 82, AFL-CIO
93 COLVIN AVENUE
ALBANY, NEW YORK 11108
(518) 489-1434

SUBJECT: Political Action and Legislative Funds

Local Presidents & Secretaries,
Council 82 Legislative Committee,
PAC Chairs

FROM: John D'Alessandro

DATE: April 7, 1998

It has recently come to my attention that there seems to be some kind of effort to weaken the Council's legislative and political program. Under the guise of "free money", certain individuals are advocating that our members request a rebate of the portion of their dues that goes towards political and legislative activity. I would strongly urge that all local leaders explain to their membership the importance of these activities and the part they play in achieving both increased compensation and job site protections.

It is important that our members not be fooled by criticisms and/or complaints about what might or might not have happened five or ten years ago. We should be extremely proud of what we have achieved legislatively and politically over the last two years with limited resources and a lot of hard work.

It is also important to explain to our members that if they request a political rebate from AFSCME International, for whatever reason, the Council must also provide them a rebate. I have spoken with many members who made a rebate request to AFSCME and were surprised to get one from the Council also.

When I spoke at the 1997 Convention in support of the amendment to raise dues for political and legislative action. I explained why monetary resources are a key element in building a strong program. I also stated then that monetary resources must be combined with a grassroots political action structure and an informed and involved membership to achieve true political strength. When these three elements come together, I believe that Council 82 will become not only the premier law enforcement group in New York but also one of the top in the nation. I am happy to say that the legislative and political victories over the last two years have put us well down the path of achieving these goals.

With the 1998 legislative session currently at a critical point and the political season close in front of us, I am confident that our continuing efforts will add to our string of successes.

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Get informed and educated out West. NYSCOPBA mtg.

The word has begun to spread out West. Correction Officers are being educated and informed regarding the upcoming opportunity. N.Y.S. C.O.P.B.A. will be at the Gowanda American Legion Post, (located on E.Main St. Gowanda, NY) on TUESDAY APRIL 28th, at 4:00 pm.

We as New York State Correctional Peace Officers want and expect three things from our union.

- 1) A fair and equitable contract that keeps up with the cost of living.
- 2) To be able to deal with management on a level playing field.
- 3) To be able to walk out of jail after an eight hour tour with a little self-respect and dignity as proud NYS Correctional Peace Officers.

A.F.S.C.M.E. C 82 for over a decade has failed to provide these 3 basic principles.

N.Y.S.C.O.P.B.A. offers all of us a fresh start with promise and opportunity. A new beginning; free from all the excess baggage of the past. It's time to take control of the future of corrections in New York State. As we enter into the new millennium, we must rightfully claim what is deservingly ours ---- The #1 position in pay and benefits in the country.

The word is out and spreading rapidly. We've had enough of inefficiency and inaction. It's time we became part of the solution.

Remember, we are the biggest Law Enforcement powerhouse in the NorthEast. It is time we acted like it. It is time we seize control of our futures and our careers.

"Not a challenge,,, an opportunity !!!!!!!!!!"

THE NEW YORK STATE CORRECTIONAL OFFICERS & POLICE BENEVOLENT ASSOCIATION.

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AFSCME & the CCA.

Below is a letter written from the President of the Association of Oregon Corrections Employees. A.O.C.E.

To: Richard Harcrow, President Attica local 1040.

3-29-98

From: Gary Harkins, President.

R.E.: AFSCME and the CCA.

I recently had a conversation with Susan Hart. She is a Communications Representative with the CCA in Tennessee. In this conversation she made a couple of interesting points. The first is that AFSCME currently represents non correctional employees at their Shelby facility in Memphis, Tennessee. The second, is that AFSCME is "very supportive" of CCA in the committee hearings currently underway in the Tennessee Legislature. These hearings are on a bill to make all of Tennessee's prisons into private ones, which CCA hopes to control.

I have some concerns regarding this information. Currently, in Oregon, both AFSCME and the AOCE represent non correctional employees at our institutions. A portion of AFSCME's and all of AOCE's Non-C.O.'s, are non strikable due to the important roles they play in the institutions. I believe that this representation by AFSCME in a CCA private prison is in direct opposition of what the CCJC represents. Also, it is very clear that the CCA still enjoys the support of AFSCME which was cemented in the deal made in April of last year. In January of this year, an article on Dr. Crants again mentioned this deal as being in force. This alliance between AFSCME and the CCA is working to turn an entire state's prison system into a private one. It appears that Gerald McIntee's AFSCME press releases to the contrary are nothing more than a smoke screen.

I believe that the CCJC Leadership should look into this matter and that the AFSCME organizations who are members of the CCJC answer for AFSCME's actions in Tennessee. I also believe that, if deemed warranted by the Leadership Members, the AFSCME organizations should be subjected to Article III, (4) Removal, of the soon to be adopted Bylaws.

If you have any questions or concerns, please do not hesitate to contact me.

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AFSCME Delegates v members input!!!

There has been allot on the NET about AFSCME lately and the pros and cons about affiliation. If AFSCME lived up to its own philosophy and by-laws there is no doubt it would be a good situation. However here is an article which appeared 4/12/98 in the local paper. Under this article is an excerpt from the Hans / Beck decision relating to the use of forced union dues, Federal required language for union constitutions and excerpts from the Preamble and Bill of Rights from the AFSCME constitution.

Just as Puma, Kennedy and Germono had total control of the Council through their hand picked Executive Board, so McEntee and his cronies control AFSCME. And until each and every member has a vote in who runs this organization and on major issues, we exist under a DICTATORSHIP!!!!!!

Labor should learn what members want

Despite robust job creation, unions continue to bleed membership. Job growth tends to be strongest in nonunion sectors of the economy- technology and services, for example. And stiff global competition is forcing unionized industries to hold high labor costs in line.

That's all the more reason for labor officials to adapt to economics realities. But recent events indicate they are resisting change.

Delegates to the AFL-CIO's recent convention agreed to ask members for a \$13 million special assessment to fight California's Prop. 226. The voter initiative requires that unions obtain worker (member) permission before spending dues for political purposes. How ironic.

And yet a California Field Poll in November found 70 percent support for Prop. d226 among union households. The message to organized labor from some 159,00 workers (members) last year was unmistakable: become useful or irrelevant.- The Detroit News

From Hans/Beck decision:

Thomas Jefferson said that "to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves is sinful and tyrannical."

CITE-
29 USC CHAPTER 11 - LABOR-MANAGEMENT REPORTING AND DISCLOSURE PROCEDURE 01/16/96

-EXPCITE-
TITLE 29 - LABOR

CHAPTER 11 - LABOR-MANAGEMENT REPORTING AND DISCLOSURE PROCEDURE

402. Definitions.

SUBCHAPTER II - BILL OF RIGHTS OF MEMBERS OF LABOR ORGANIZATIONS

411. Bill of rights; constitution and bylaws of labor organizations.

- (a)(1) Equal rights.
- (2) Freedom of speech and assembly.
- (3) Dues, initiation fees, and assessments.
- (4) Protection of the right to sue.
- (5) Safeguards against improper disciplinary action.
- (b) Invalidity of constitution and bylaws.

412. Civil action for infringement of rights; jurisdiction.

413. Retention of existing rights of members.

414. Right to copies of collective bargaining agreements.

415. Information to members of provisions of chapter.

CONSTITUTION of the American Federation of State, County and Municipal Employees, AFL-CIO

Preamble

Workers organize labor unions primarily to secure better wages and better working conditions. We hold that they also organize in order to participate in the decisions which affect them at work. One of the fundamental tenets of democratic government is the consent of the governed. Unions are an extension of that idea.

7. Members shall have the right to full participation, through discussion and vote, in the decisionmaking processes the union, and to pertinent information needed for the exercise of this right. This right shall specifically include decisions concerning the acceptance or rejection of collective bargaining contracts, memoranda of understanding, or any other agreements affecting their wages, hours, or other terms and conditions of employment. Members shall have an equal right to vote and each vote cast shall be of equal weight.

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Taylor Law and Triborough Act

<< As the challenge comes upon us and the next meeting set for the 14th in Elmira which I shall be at, don't be fooled by any statements that might becoming out from the Council that when you go with a new bargaining agency that you loose your insurance, benefits, ect. Wrong this is all protected by the Taylor Law and Triborough Act. If Council 82 has real Lawyers write them a letter and ask them this question. They would be foolish to answer the question any other way. >>

***No one at Council ever said that, as a matter of fact the contract will remain intact until another is negotiated, this will hold true regardless of who negotiates the contract. Some provisions do have sunset clauses in them as most contracts do. Those being uniform allowance and pay raise percentages.

Unless there are dates or schedules attached to the article they will in fact remain. Actually, the only insurance benifit you would lose would be the life insurance C-82 carries on its members. I'll check to see if there could be anymore.

John Butler CPC

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Labor Management at Alexandria Bay

The L/M at Alexandria Bay was the begining of what I feel L/M should be. Instead of doing a L/M with a limited amount of participants we included all local presidents, the Commissioner, all deputy commissioners, all DOCS department heads, all hub superintendents, and a few facility superintendents.

I admit I went into it a little nervous. I really didn't know what to expect. By putting all these people into one room it had the potential of getting out of hand. My nervousness was for nothing. Our presidents acted very professionally and articulated their concerns better than any lawyer could have. Their professional manner addressing our concerns about safety, security, and the betterment of our professions was a sight to behold. If there was a lack of unity it was well hidden because it didn't show up anywhere.

The pride I felt to be a part of this event will last a long time.

We came out of this L/M with a lot more then when we went in with. We will be forming a committee to address all aspects of our uniform, from quality and possibly a change. Even the State patch will be addressed. The initial meeting is scheduled for this month.

Goord agreed that it was over due to implement 9mm into the department. The cost of 2 million will be addressed to the legislators. With the cooperation of the department, it could happen in the near future.

Turtle necks was also agreed upon. The only question now is either blue or black. While I don't think DOCS will buy them, that doesn't mean we shouldn't try to get them to.

Cell extraction suits will be getting out to our facilities. Training for extraction should start ASAP.

Goord was a little pissy about taking out the free weights, but agreed to weld them and put fencing around the weight areas where feasible.

The items for the wall tower posts were approved by the legislators. We will be receiving 60 COs along with 40 Sgts statewide.

Goord also got a little pissy about the Various/Variou agreement. I think this will have to be pursued to enforce our seniority rights of these position. The fact that some facilities do and some don't isn't acceptable, it should be a statewide standard.

Goord was in favor of 20 year retirement, COLA and the upgrade for us. he also presented us with a letter of endorsement for our upgrade.

This is really a small sampling of what actually transpired there. I feel we are on the threshold of a true L/M and I can see the potential of even better things to come. I would suggest you take the time to go to your next local meeting. Your president can give you some details that I am leaving out for sure. A lot went on to benefit our members that not even I am totally aware of yet. We now have the ball rolling, lets keep it going.

A stenographer was present for the L/M and for the open forum. Once we receive them back they will be distributed in the President/Secretarys mailings.

For those on the Hack-Net who were in attendance I want to express my pride in you for a job well done, Thank you.

John Butler

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20yr Retirement Survey

TO: Union Members
FROM: Joe Green, Collins CF
RE: 20 yr Retirement Survey

In my posting last week,I commented on this issue being brought to the attention of the C82

Leadership(?) at the AFSCME PAC Conference.

Now is the time to encourage the membership to voice their opinions, options and outrage to C82 Executives. I urge you to become vocal because we must send a message to C82 that they be very cautious in determining the future fate of the membership.

I truly believe that the 20 year retirement survey is a tactic to divide and distract the membership.

We, collectively as members, must mandate our local presidents to stop the drafting of a 20 year sellout now, before C82, AFSCME and NYS have the opportunity to remove a very major bargaining issue from this membership.

The 20 year survey may seem appealing to those approaching 20 years of service, because to those members it is packaged as an option for one and not very costly to them as an individual. Secondly, the aftermath would be deadly to the future members that would be mandated into what amounts to a major sellout.

For two reasons:

1) Each member would be forced to surrender \$ 2,500.00 annually to the retirement system out of pocket. This would alter all deferred comp. contributions, subsequent tax deductions, Fica and Medicare deductions will also increase also, among unforeseen others. Can you imagine being a future new hire living 50% of new hire salary, working downstate for 5 years, supporting a family through three years of zeros on a contract!!--- We can't do this to our fellow future members!

2) If any such Bill is drafted, we lose a major bargaining chip to be played in the future--preferably when we will have a winning hand. At the March 30th and 31st PAC Conference, C82 reverted to past practice again by placing all the blame on our local presidents!! Let me respectfully say that my local president is a bit too busy and underpaid to be drafting legislation that ultimately affects the future of this membership. As I was trying to make this point clear, that the fat cats on Colvin Ave. mail out such an insulting survey to the members, Coxsackie Treasurer, Primo, stated that it was the local presidents fault for not providing Colvin Ave. with adequate input and about half of your Pac Conference attendees applauded this!!!

I'm not pointing any fingers at Brother Primo. He was right because the last Executive Committee agreed to provide input. My point is that if the Colvin Ave. leadership that draws sizeable salaries off our union dues has to rely on local presidents that aren't paid an overworked to draft retirement legislation, WE ARE IN BIG TROUBLE.

It further upsets me that half of the Pac Conference delegates applauded C82's position on this issue and for the remainder of the conference treated myself and other members vocal on this issue, like lepers.

I CALL ON EVERY MEMBER NOW TO COPY THIS POSTING AND CIRCULATE IT AND RETHINK OUR POSITIONS ON THIS ISSUE AND NOT LET C82 DRAFT A SELLOUT BILL---NOT NOW ,NOT EVER!!!

Fraternally,
Joe Green,
Collins C.F.

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Roll Call Vote / Referendum Votes

Finally, as for John Butler, the jury is still out. Time will be the judge.

*** I'll be glad to put some cards on the table for the benefit of the jury. Roll Call Voting; I will always be in favor of this, however, not carte blanche. I don't feel a need for Roll Call voting for regular union business such as approval of minutes, treasurers report, adjournment or a host of other customary motions. I believe that this amendment was defeated not because it was for Roll Call Voting, but because it wasn't defined as to what it would pertain to. To have Roll Call Voting for every motion that is put on the floor could take forever and distract from conducting union business. We do have a system in place to conduct a Roll Call Vote. Roll Call Votes were taken at the last E-Board meeting. Should the approval of a treasurers report be in question it can be taken to a roll call vote at any C-82 meeting. I think an amendment specifying when a roll call vote has to be taken would have a better chance of passing.

Referendum votes. I would like to have this for our members with 2 stipulations.

1. The issue be brought up at a convention and voted on along with the amendments. I would also recommend approval by at least one local.
2. The issue be placed on the ballot for statewide elections. I feel in this way the membership will be best represented and best served. Actually, this could be done at a convention without an amendment to the constitution. With a system of just collecting X amount of signatures could have us putting out all kinds of referendum votes at several times a year. The thing about the issue going out during the statewide election would bring in a much larger amount of ballots and may encourage more members to vote.

The reform movement wasn't about a roll call vote or a referendum vote. It was alot more then that. It was about giving a voice to the membership by placing all local presidents on the E-Board, by having the elected officials and employess of C-82 account for their spending, and curtailing the power the C-82 elected officials had.

They have been accomplished. The E-Board now consists of all local presidents duly elected by their locals instead of the chosen 28 member E- board.

Any elected official or employee of C-82 is required to fill out an expense report that will be forwarded to all local presidents now. Every member can now see where the money is going that we use. Any President can question any expenditure at an E-Board meeting. The E-Committee is limited to \$1,000.00. Anything above must be approved by the E-Board. Any hirings or appointments must be approved by the E-Board. In fact, the E-Board is in control via approval of our union. The members are (or should be) in control of their local President.

If the difference cannot be seen by the members then the members weren't paying attention just 3 years ago. A lot has changed and it won't take an additional 5-10 years to complete the changes. I seen a significant change on April 7th at the L/M meeting. There are still things needed to be done, but getting mad at a union due to the fact the body of that union voted against your ideas is going against the concept of the MAJORITY. An issue need not be laid to rest, but an avenue to readdress it should be the route, not bitter critisizim of the union due to its failure.

Time has already pulled the mask off Rich Abrahamson's face. His record and actions speak for

themselves. He was a MASKED REFORMER.

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Rights undercut at Council

82 and State Lab/Man committee

Still taking great strides !!! backwards!!!!

One of the key functions of the Committee is to provide technical assistance to new and existing local and regional labor-management committees consistent with Article 25 of the collective bargaining Agreement, which supports the establishment of joint labor-management committees to facilitate communication between the parties and the promotion of a climate conducive to constructive employee relations. During this period, the Committee remained as a resource in support of the proactive labor management process.

Monitoring Existing Projects

While no new expenditures resulted in fiscal year 1995-96, the Committee's ongoing fiduciary responsibility to monitor and oversee existing and ongoing projects took on greater emphasis. For example, the activity of the grievance resolution committees was reviewed and analyzed. The success of this initiative was documented to show the effectiveness of the resolution process in resolving work site disputes and reducing the number of formal grievances that need to be processed. Although modifications to the program will result from negotiated changes in the contract grievance process, the rudiments of the grievance resolution program will be incorporated in future training of labor-management representatives in order to facilitate expeditious local resolution of work site problems.

The Committee also reviewed the progress of funded capital projects such as the completion of previously funded training and activity centers. In phasing out of "bricks and mortar" type projects, the Committee worked to ensure that all projects were progressing to completion in accordance with State purchasing guidelines. Once they are completed, maintenance of and improvements to training and activity centers become the responsibility of the facility or local committee involved.

Future Direction

With new leadership from both the State and union, the parties intend to continue the evolution of the Committee from being primarily a grant funding source to taking a fresh approach in support of cooperative and beneficial management activities. It is hoped that fiscally responsible, easily replicable approaches can be identified that will address the challenges of the morale, productivity and lifestyle concerns associated with the stressful employment of a security environment.

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Good and Welfare Program

Received a notice today from the good and welfare program, the program set up to help officers who are

out on a disability, the union pays your health benefits for up to a year until you receive your 3/4 approval. then the retirement office sends you a separate check for the amount of the health coverage C-82 paid for your health benefits, then you just sign it and send it to C-82. well, C-82 sent out W-2's to those members using this benefit making them claim up to \$6,000 dollars for the health benefit coverage, and placing that amount in box number 7 on the W-2 which indicates that you are self - employed and provided a services to C-82 ,and in turn they paid you this amount which is in the box# 7. you then would have to claim this on your taxes as earned income and pay all taxes on this. When some of us disabled officers contacted C-82 (Micheal Surprenant) to inform him that the council is placing this amount in the wrong box(# 3 is where it should have been.) he informed me that it was in the best interest of C-82 as told by their people to leave it where it is. even after explaining to him that this would make it a false filing of taxes by a member to the I.R.S. still, he told me that this is where it will remain. well after many calls from disabled members and their accountants to C-82 telling them that the I.R.S. will be notified of what C-82 was doing, C-82 sent out an amended W-2 to all of us, placing this amount in the proper box. now i don't have to tell you all why C-82 did this the way they did for so long.

I'm hoping you can see their financial gain here, and the mis- use of union funds here, not to mention, the scam going on, and to think it took pressure from us to make them change their ways.

mr.mom94
