

AGENDA – DIVISION 175 – COUNCIL MEETING

Find Archived Minutes at: www.pef175.org/

I. CALL TO ORDER: *12:15PM, 2-28-2013, Hornell SOB*

II. ROLL CALL: *P. Burnes, E. Johnston, C. Jordan, J. Jobson, K. Button, A. Puleo,*

III. READING OF PREVIOUS MINUTES:

LAST MEETING WAS: *12-27-12*

CORRECTIONS: *None*

MOTION to:

ACCEPT: *KB* **SECOND:** *AP* **APPROVED:** *All*

IV. TREASURER'S REPORT – *Current balance is \$3205.00*

Membership Total is 151, (2) new members transferred in.

V. COMMITTEE REPORTS – **List of Committee Members can be found at:**

<http://www.pef175.org/officers/>

1. Audit - *N/A*

2. Budget - *No Report, however budget committee was requested to allocate funds to NYSATE for their recently proposed new library.*

3. Website (www.pef175.org) – *updated as needed*

4. Bulletin Board – *Members are encouraged to post appropriate material at will.*

5. Constitution – *Research of our Constitution is in progress*

6. Grievance – *Several OOT grievances are in play. We have discovered that our Agency has not been forwarding grievances to the Dept. of Civil Service for final determination.*

7. Health & Safety – *AED discussion, noted (2) new AED acquired, thanks to P. Burnes for her efforts.*

a) FSS – *No report*

8. EAP – *No Report*

9. Social Committee- *Thanks to our Social Committee for their work on the SOB meeting.*

10. VIP – *This Memberships Benefits position has been eliminated, per M. Biswanger.
Insert parking committee here on next agenda.*

11. Communication:

From: Puleo, Andrew (DOT)
Sent: Wednesday, January 16, 2013 11:13 AM
To: skent@pef.org; cgarcia@pef.org; WBayer@pef.org
Cc: Holthausen, William (DOT); Spence, Wayne
Subject: Consultants
Attachments: comparison.xls, D015682PRUDENTAGREEMENT.pdf

Hi Sue, Hi Carlos, Hi Wayne,

Re: NYSDOT Consultant Contract Inspection Costs vs. PEF Member Contract Inspection Costs

The attached documents were sent to the previous PEF administration so as to support our case that PEF members are cheaper than consultants. I am forwarding same to you so as to assist in any other future lobbying efforts PEF will undertake regarding this matter. Here in NYSDOT Region 6, there are approximately 100% more, (twice as many), Consultant Inspectors than PEF Inspectors. Note that these Consultant Inspectors are being assigned to the preferred jobs, those jobs being of which higher technical skills are required, and learned, as well as those jobs generating the most overtime.

Notable Consultant Contract provisions found in the attached:

1. Consultant Contract provides for a paid 10% Night shift Differential, the PEF Contract comparably provides for some un-decipherable pittance.
2. Consultant Overtime is paid for any time over 8 hours, the PEF Contract does not provide this same benefit without stipulations regarding scheduled and unscheduled absences.
3. The Consultant Contract provides for training costs reimbursement, the PEF contract does not provide for the training of persons 'off the street'.
4. The Consultant Contract provides for Overhead costs, the PEF contract does not provide for Overhead costs.
5. The Consultant Contract clearly cites, (page 16); "The goal of the Department is to complete the project in the most efficient, timely, and **cost effective** manner, to the mutual benefit of the contractor and the State." Comparative analysis with the PEF contact proves the "goal" has not been achieved, see attached spreadsheet.

Point being the State is giving away the store when it comes to their Consultant Agreements.

Thank you,
A. Puleo

A LEADERSHIP CONFERENCE - Regions #1, #2, #3, #4
"Our Community, Our Union, Our Future"
FRIDAY, FEBRUARY 22nd, SATURDAY, FEBRUARY 23rd, & SUNDAY, FEBRUARY 24th

Where: RIT INN & CONFERENCE CENTER
5257 West Henrietta Road, West Henrietta

A. Puleo & K. Button attended.

VI. Local Labor Management – *The minutes of these meetings can be found at www.pef175.org/.*

A SOB Meeting was held earlier this year to mixed reviews.

VII. Statewide Labor Management – *Last meeting was January 3, 2013, at PEF HQ. Next meeting has not been scheduled yet.*

VIII. PAC/PAL – *R. Hart resigned from this position, (Division 175 PAC/PAL), on 01-17-2013. Open call for a volunteer to fill this vacancy is now in play. A. Puleo handed out Legislative Agenda letters for all attendees to distribute/solicit signatures and return to PEF Field office for mailing to PEF.*

IX. Regional Coordinator – *No report*

X. E-board Rep. – *provided a copy of the PEF Policy manual to A. Puleo.*

XI. Field Rep. – *No report*

XII. NASHTU – National Association of Highway Transportation Unions

The 113th Congress is underway and the relevant congressional committees of interest to NASHTU members are starting to take shape.

XIII. Steuben/Livingston County Labor Council – *The Area Labor Federation will be holding a Roundtable with Congressman Tom Reed January 29 at 6 PM at the CWA union Hall in Elmira. This meeting is open to all union presidents, business managers, and other union elected officials. If you can attend please designate somebody from your union to represent you at this meeting. We will be discussing the debt ceiling, the sequestration and what effect that will have on the southern tier, loss of manufacturing jobs in the southern tier, and any other pending legislation in this next legislative session that are areas of concern for your specific union. by Steve Patton.*

The next SLCLC meeting is scheduled for Thursday, January 31, 2013, A. Puleo intends to attend.

XIV. R&GV ALF, Rochester & Gensesse Valley Area Labor Federation

From:

<http://www.rgvalf.org/> weekly e-newsletter "The Mobilizer"

In response to recent "Right to Work" editorials published in the Democrat & Chronicle, Jim Bertolone sends a "Speaking Out" essay, as he believes such articles should receive a Union reply, especially from someone who has spent nearly 40 years in an open shop (Right to Work) as a union advocate. As the President of the American Postal Workers Union Local 215, he reminds them that the postal service is such a place by law:

"George Will's editorial on Michigan's Right to Work law, D&C 12/16/12, claims Republicans were "striking a blow for individual liberty and against coerced funding of the Democratic Party" by passing legislation to prohibit the requirement of paying union dues as a condition of employment. Today's conservatives ignore individual responsibility and paying your fair share for the benefits received from a union workplace. The law

requires, as the democratic majority of a workplace has dictated, that the union is the exclusive bargaining agent for all wages, benefits, and working conditions. Thanks to the concerted effort of the one percent for over a generation, 88% of jobs are now non-union. Obviously, if those non-union workers could command better wages, benefits and working conditions elsewhere, they would not be at a union employer. They not only want, but demand the benefits of a union contract, both from collective bargaining and contract enforcement, even though they put the cost on their co-workers. Under the law unions have a "Duty of Fair Representation" that extends to non-union members. Non union members demand and receive litigation for individual contractual claims, as well as in disciplinary and termination proceedings. Grievance and arbitration hearings for an individual can cost thousands of dollars that their union co-workers pay for.

As for funding the Democratic Party, candidate endorsements of Labor are the result of democratic votes by workers or their elected representatives and union dues cannot be donated to a political candidate's campaign. As compared to the billions spent in this election cycle, do the employees of corporations and banks have a voice in who their bosses spend company profits to elect? This lame duck legislation was made possible by billionaires, the Devos, Kochs, etc. Since Taft-Hartley allowed right to work in 1947 passed over President Truman's veto, the results are not in dispute. In right to work states workers earn over \$1500.00 less with about \$6400.00 less in median household income, 28% more without health insurance, and an astounding 36% higher rate of workplace deaths, according to the Bureau of Labor Statistics.

For those that do not wish a union, non union workers also make less with fewer benefits in right to work states. Right to work is just another part of the class war on working people to deny workers democratic protections. Right to work is an assault on democracy, individual responsibility, and the union movement that built the middle class; the only democratic institutions run solely by and for workers.

The pre-empting of Federal law, with "States Rights", whether in Labor or Civil Rights, have had shameful historical consequences.

by James V. Bertolone, President
Rochester AFL-CIO & APWU Local 215

XV. UNFINISHED BUSINESS – *We need a secy.*

Division 175 has not received a copy of the lease for the PEF Region 2 Field Office.

XVI. NEW BUSINESS – *PEF Division 175 would like to thank OGS Staff members Karen Schu & Randy Jackson for the support of PEF's Hurricane Sandy Clothing Drive. Karen & Randy led by example as they coordinated the collection/selection, at Hornell Salvation Army, and transporting of the donations collected. Thank you both very much!*

Also, PEF Division 175 would like to thank the staff of the Hornell Salvation for granting PEF 50% off on our purchase of clothing to be donated to the Hurricane Sandy victims. Thank you, thank you!

NOTE: The format of these minutes has been changed.

XVII. OPEN FORUM – *Problem with these minutes? Feel free to volunteer as Division 175 Secy. Proceeded in confidence.*

XVIII. ADJOURNMENT

MOTION TO ADJOURN (& Pay Expenses): *A. Puleo*

Second: *K. Button*

Approved: *All*

NEXT MEETING SCHEDULED FOR: *Thursday, March 28, 2013, SOB Room 365*

RESPECTFULLY SUBMITTED:

A Puleo 3-7-13

*Andrew Puleo
Council Leader
Acting Secretary*

