

AGENDA – DIVISION 175 – COUNCIL MEETING

I. CALL TO ORDER: *February 19, 2105, PEF Region 2 Field Office*

II. ROLL CALL: *J. Eddy, K. Button, K. Patterson, E. Coyne, A. Puleo*

III. READING OF PREVIOUS MINUTES:

LAST MEETING WAS: *12:00PM, January 29, 2015*

CORRECTIONS: *NONE*

MOTION to:

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

IV. TREASURER’S REPORT – *No report.*

Andrew Puleo, MOTION TO: *Purchase Poster size picture of the 2014 State Office Building Group Picture for display in the Hornell State Office Building. Cost to not exceed \$150.00.*

SECOND: *Kathy Button*

APPROVED: *All*

Division 175 Officers are:

Andrew Puleo – Council Leader / Secy

Kathy Button – Treasurer

John Eddy – Assistant Council Leader

V. COMMITTEE REPORTS

A. Standing

1. Audit - *No report*

2. Budget - *No report*

3. Communication

a) Internal –

(1) Website (www.pef175.org) – updated as needed by Chris Jordan

(2) Bulletin Board – updated as needed

b) External

(1) PAC – Next S/W PAC meeting is March 20, at PEF HQ

(2) NASHTU – The S/W L/M Team has begun scheduling participation in the 16th Annual NASHTU Conference scheduled for April 20-22, 2015.

(3) Steuben/Livingston County Labor Council – No report

(4) Rochester & Genesee Valley Area Labor Federation – No report

4. **Constitution** – Our last Correspondence, an email to Joel LeFerve, Divisions Committee, by Ed Johnston regarding questions/proposals specific to our Division Constitution remains unanswered, could be going on 12 months now.

5. **Grievance** – *No report*

6. **Labor Management** –

a) **Local** – *The following items will be presented to mgmt today.*

*Health and Safety Committee Report
State Office Building Update
Mileage Reimbursement
New/old vehicle assignments
Interest to Switch
Emergency Response/Update/Insight/Reaction
Staffing Update
FE training
New Brown Bag Lunch Item*

b) **Statewide** – *Next S/W L/M Meeting is scheduled for March 11 at PEF HQ.*

Statewide L/M Agenda follows:

Civil Service:

*-New hires and promotions since last LM, upgrades or reclassifications, anticipated hiring and promotions including TCI's
-Technician Series; review, form subcommittee*

Human Resources:

*-OT waiver for OT-ineligible employees; capital projects, incident response, etc.
-Employee Expense Reimbursements are late again
-State vehicles; log book, rental and other changes
-PER 79c; restrictive language, enforcement*

Budget:

*-Update on pending capital program; cost or percentage going to consultants, to DB
-DB analysis; cost, time, quality, innovation. Any studies performed?
-Shared services; between regions, with Thruway Authority
-Status of car order and schedule
-Consultant Purchasing v. State Purchasing Specific to following email:*

From: Puleo, Andrew (DOT)

Sent: Wednesday, December 03, 2014 9:58 AM

To: Sechrist, Roderic A (DOT); Eng, Phillip (DOT)

Cc: Holthausen, William (DOT)

Subject: 11-13-14 Meeting with Commissioner

Dear NYSDOT Deputy Commissioners,

Re: NYSDOT Statewide Labor Management

It was good to seeing you both at our recent meeting with the Commissioner.

As we discussed, and so as to clarify the last talking point, (requisitions), presented by Angelina to the Commissioner we offer the following.

We propose that the purchasing policies implemented at NYSDOT should be applied to all parties with whom NYSDOT contracts with, such as contractors and consultants. For example, just as NYSDOT is charged with securing (3) cost estimates from vendors before purchasing equipment for Residencies and Regional Offices, so too should

Contractors/Consultants also be required to operate under the same fiscal policy. In my own experiences with both a Time and Material, Safety Requirements D-Contract, and a Time & Material, Emergency Service D-Contract, contractors were not held to this Best Practice of securing (3) cost estimates before making purchases of which they would later be reimbursed by, and with, NYSDOT monies. Also, it is our understanding that D# Force Account purchases are reimbursed by the dept. without the requirement of contractors having to secure (3) cost estimates first.

We offer the following Consultant Contract Language which is sourced from attached, (page 19), as just as an (1) example of the dept's agreement to reimburse equipment costs.

G. PURCHASED EQUIPMENT

1. At the completion of the CONTRACT, as part of the final accounting, Form AD 176 is to be submitted to document the disposition of any equipment purchased as DNSC, as further described in the Agreement Article 4 Item II.

The aforementioned Article 4 Item II follows, (page 2 of attached).

ARTICLE 4. PROVISION FOR PAYMENT. The STATE shall pay to the CONSULTANT, and the CONSULTANT agrees to accept as full compensation for his services under this Agreement:

Item I Specific Hourly rates of pay shown in EXHIBIT "A" and "B" for employees assigned to this PROJECT. The Specific Hourly rates and all components of those rates are subject to audit. The number of hours charged is also subject to audit.

Item II Actual Direct Non-Salary Costs incurred in fulfilling the terms of this Agreement; all subject to audit. Such costs may include, but are not necessarily limited to those shown in EXHIBIT "B". All reimbursement for travel, meals and lodging shall be made at actual cost paid but such reimbursement shall not exceed the prevailing maximum rates established by the State Comptroller.

Items purchased under this PROJECT shall become the property of the STATE at the completion of the work, or at the option of the STATE, appropriate value shall be established as a credit to the STATE.

Item III The Maximum Amount Payable under this Agreement shall be for **\$1,500,000** as shown in Exhibit "C", unless increased by a Supplemental Agreement.

We believe this is a subject which deserves further attention by NYSDOT, and the Comptroller's Office.

It would be appreciated if you could advise us as to the Commissioners thoughts on this at our next Statewide Labor Management meeting.

*Thank you,
Andrew Puleo
S/W L/M Secy*

Incident Response Issues:

- Lack of OT waivers & morale*
- Poor scheduling & fatigue*
- Determination of 'Essential' – the person or the duties?*
- Staffing; shifts for longer term activations*

- c) Membership – No report**
- d) Social – No report**
- e) Health & Safety – No report**

VI. REGIONAL COORDINATOR – No Report

VII. E-BOARD REP – No report

VIII. Field Rep. – discussed grievances in confidence

IX. UNFINISHED BUSINESS – An open call to all members to serve on any Division 175 Committee remains in effect.

X. NEW BUSINESS – SOB Meeting agenda was discussed with Mgmt. Chair Tom Finch immediately preceding this meeting.

Proposed Agenda Follows:

<i>Sign in & refreshments</i>	<i>8:45 – 9:00</i>	<i>15 minutes</i>
<i>Opening – T. Finch</i>	<i>9:00 – 9:05</i>	<i>5 minutes</i>
<i>State of the Region – B. Kelly</i>	<i>9:05 - 9:20</i>	<i>15 minutes</i>
<i>PEF Representatives</i>	<i>9:20 – 10:05</i>	<i>45 minutes</i>
<i>A. Puleo</i>		
<i>E. Coyne</i>		
<i>Jim Carr (statewide pres. PEF retirees)</i>		
<i>J. McCumiskey (social committee topics)</i>		
<i>E. Johnston (misc. topics e.g. brown bag lunch series)</i>		
<i>EAP – K Patterson (P. McAnany)</i>	<i>10:05 – 10:10</i>	<i>5 minutes</i>
<i>Break</i>	<i>10:10 – 10:20</i>	<i>10 minutes</i>
<i>ICS – T. Timbrook</i>	<i>10:20 – 10:30</i>	<i>10 minutes</i>
<i>I-86 projects – M. Aldrich</i>	<i>10:30 – 10:40</i>	<i>10 minutes</i>
<i>Patterson Bridge – M. Griffin</i>	<i>10:40 – 10:50</i>	<i>10 minutes</i>
<i>LEAN – TBD</i>	<i>10:50 – 11:00</i>	<i>10 minutes</i>
<i>Safety – C. Chick (A. Hall)</i>	<i>11:00 – 11:15</i>	<i>15 minutes</i>
<i>Open discussion/ Q & A</i>	<i>11:15 – 12:00</i>	<i>45 minutes</i>

Our Council has been invited to address Construction Group at this year's Construction Group Spring Meeting. J. Eddy & A. Puleo intend to speak at this event.

XI. OPEN FORUM – *Proceeded in confidence.*

XII. ADJOURNMENT

MOTION TO ADJOURN & pay expenses:

Second: AP

Approved: KB

NEXT MEETING SCHEDULED FOR:

12:00PM March 26, 2015

RESPECTFULLY SUBMITTED:

**Andrew Puleo
Council Leader**
