

AFSCME Local 2627
NYC Electronic Data Processing Personnel
General Membership Meeting Minutes
September 20, 2005

A quorum being present, President Hysyk called the meeting to order at 6.14 PM.

Agenda:

Minutes
Treasurer's Report
Trustee's Report
President's Report
Unfinished Business
New Business
Good & Welfare

Minutes:

The minutes of the May 17 General Membership meeting were distributed and reviewed. Julie Leibowitz (HPD) made a motion to accept the minutes. The motion was seconded by Seth Solomon (Transit Authority). The following correction was noted; pg. 4, Mike Coco (NYPD) was nominated for Delegate to the NYC Central Labor Council but declined. The motion to accept the minutes as corrected carried.

The minutes of the June 21 meeting were not submitted to the Secretary of Local 2627, Peter Jablin by the former Secretary, Cody Childs in a timely manner. They will be distributed and reviewed at the next General Membership Meeting.

Treasurer's Report

Treasurer Bruce Heigh distributed the financial statements for April, May, June, and July 2005, and the cumulative financial statement for January 1 – June 30, 2005. Cynthia Cox (HRA) made a motion to accept the Treasurer's Report. The motion was seconded by Robert Fishburne (HRA).

Discussion followed. Steve Wiener (DOE) requested a breakout of the Shop Steward Meeting expense. President Hysyk asked Treasurer Heigh to prepare a breakout for the next general membership meeting. Ellen Bittauer (Sanitation) asked for a breakout of Contributions and Participation for May 2005. Treasurer Heigh said that this comprised \$800 for New York Dominican Officers Scholarship and Awards dinner and \$100 for Aidswalk NY. President Hysyk said that no members of the Executive Board attended the Dominican Officers dinner, it was members of Local 2627 from the NYPD. Andrea Bobrow (HRA) asked what Share of Personnel Cost is? Treasurer Heigh said that this is what the local is charged by DC 37 for having individuals on release time. Artie Kellam (HRA) asked about what goes into Executive Board meeting expense? Treasurer Heigh said that this includes the monthly allowance that Executive Board

members receive. President Hysyk suggested that the reporting categories be changed in next year's budget so that their titles better reflect the expenses included in each category. Seth Solomon (Transit Authority) said that it seems that almost all the dues received goes to either AFSCME or DC 37 and asked for an explanation. Treasurer Heigh said that these expenses are called per caps and they come off the top of our dues. Because the per capita deductions are so large a portion of our dues (96%), the local has an operating deficit in ten of the twelve months of the year. The only months where the local has an excess of income are the two three-paycheck months.

A vote was taken and the motion to accept the Treasurer's Report carried.

Trustee's Report

President Hysyk turned the meeting over to Trustee Charles McClain.

The Report of the Independent Auditors on Local 2627's financial statements for the year ended December 31, 2004 was distributed. (See attached)

Charles McClain introduced the local's auditor, Peter DeCarlo of Novak/Francella LLC.

Peter DeCarlo said that financial statements can be presented by natural classification or functional classification. Natural classification would describe what an expense was, for example, "food", functional classification would describe what the food was used for, for example, "meetings". He said that either method is correct and depends on the preference of the person preparing the financial statements.

Peter DeCarlo also noted that for the year 2004, the local received approximately \$1,500,000 in dues and had \$1,450,000 in per capita taxes. This left only \$50,000 to cover all the other expenses of the local. All the other expenses of the local cost approximately \$152,000 and this is why the local's reserves decreased over the course of the year.

Charles McClain presented the report and directed questions to Peter DeCarlo and Treasurer Heigh

Andrea Simon (HRA) said that the per capita deductions are huge and that members are questioning smaller expenses which have little impact on the bottom line. Peter DeCarlo said that per capitas make up 96 percent of the local's dues received.

1st Vice-president Robert Ajaye (BMCC) said that the services that the local is providing are services that the members have asked for. He said that while the cost of everything has gone up, Local 2627's dues have remained the same, and that it was a mistake that the proposed dues increase did not pass last year.

Artie Kellam (HRA) asked for a breakdown of Conferences and Conventions, and Insurance. Peter DeCarlo said that the Conferences and Conventions included the 2004 AFSCME International convention. Treasurer Heigh said that Insurance includes a surety bond that the local pays to AFSCME and for Directors and Board members liability insurance.

Gilbert Sambolin (DOE) asked the auditor to explain his process. Peter DeCarlo said that the auditors send out verification requests to banks to verify the local's assets, review DC 37's monthly reports to verify dues received and a sample of vouchers, invoices and other documentation to verify expenses.

Mike Moses (HRA) asked how long the local's reserves will last at current rates of dues and spending. President Hysyk said that the officers elected in the local's election will need to address both the issue of the local's dues and spending as soon as possible.

Valerie Briot (TRS) asked for an explanation of how the local invests its money. Peter DeCarlo said that the items that a local can invest in are defined by AFSCME in the Financial Standards Code. Investments are required to be conservative.

Lynda Sobiesky (Brooklyn College) asked how our dues relate to the growth in our salaries. President Hysyk said that he asked Mike Musaraca, DC 37 economist, to do this calculation for members in mayoral agencies. Over the approximately ten-year period that Local 2627's dues remained flat, the salaries of members in mayoral agencies increased by 36.1% and inflation was a few points lower. This does not include the legislation that was passed that eliminated the 3% pension deduction for Tier 4 members with ten years of credited service.

Dana Hughes (HRA) made a motion to accept the Trustee's Report. Gilbert Sambolin (DOE) seconded the report and it passed.

President's Report

President Hysyk introduced Moira Dolan and asked her to give a civil service report. President Hysyk said that this will be the last civil service report that Moira Dolan will be giving since she will be taking a new position at DC 37.

Moira Dolan said that she will be taking a position in the public policy area of the research department.

Moira Dolan said that her report is as of September 2005.

Computer Aide: No existing list and no exam scheduled this year.

Computer Associate (Operations): New list since last report -- 111 eligibles, 13 promotional appointments, 7 open-competitive appointments

Computer Associate (Software): 15 additional appointments since last report for a total of 108 open-competitive appointments

Computer Programmer Analyst: 4 additional appointments since last report for a total of 41 open-competitive appointments

Computer Specialist (Operations): new list since last report - 88 eligibles, 9 promotional appointments, 1 open-competitive appointment

Computer Specialist (Software): 1390 eligibles, 81 promotional appointments, 271 open-competitive appointments

Moira Dolan said that the senior colleges in CUNY will get their rate and retro payments on October 27. This includes the 2.5%, 2.75%, and the 2% due on October 1, 2005. Community colleges have already been paid the first two increases and the 2% due on October 1 will be paid the first paycheck in October. The additional 1% for the Transit Authority is still in discussion.

Gene Olmstead (HRA) asked about when the Computer Systems Manager exam will be given. He said that there have been a lot of provisional hiring of political appointments in this title recently. Moira Dolan said that since this is a promotional title this exam is on our request list. Local 2627 is looking into the possibility of representing Computer Systems Managers.

Dana Hughes (HRA) asked about the new Certified titles. Moira Dolan said that these are non-competitive titles that Local 2627 represents.

Ralph Goldberg (HHC) asked how long leave lines are held. Moira Dolan said that the line is kept until a person wants to claim it.

Gilbert Sambolin (DOE) asked why the title of Telecommunications Specialist was separated into Data and Voice specialties. Moira Dolan said that the city separated these titles because they decided that the two specialties were different and required a different group of people. There are now two title codes for the different specialties.

Tom Eng (Sanitation) asked about how a list is called. Moira Dolan said that depending on where you are on a list you may get called sooner rather than later. She also said that if a person is on an open-competitive list, they may get called by an agency other than their own.

Valerie Briot (TRS) said that it helps if you are on a selective certification in getting called more quickly from a civil service list. She also asked about the status of the new Computer Associate (Software) list. President Hysyk said that the exam hasn't been graded yet and the list hasn't been established.

Lenny Days (HRA) asked about getting levels added to the Telecommunications Specialist title. Moira Dolan said that this is a demand for unit bargaining. It has been included in the union's demands the last two rounds, and will be included again in the upcoming negotiations. She also said that the Telecommunications Specialist titles are not residency-exempt.

John Moy (DOC) asked how to check on his status on a civil service list and how the list is moving. Moira Dolan said that DCAS has an automated civil service telephone line to check: 212-669-1357.

Eugene Onnaga (DOE) asked about the movement of the Computer Specialist (Software) list. Moira Dolan said that the union is pushing for the movement of the list, but that provisionals may be bumped by the process.

Dana Hughes (HRA) said that a report of how different scores are distributed on a list would be helpful. President Hysyk said that the present Computer Specialist (Software) list has

approximately 900 names; 650 of these names scored a 100. The city can choose any one of the 650 candidates with scores of 100. A person who scored a 70 on this exam has little chance of being picked up because of the large number of people with scores of 100.

President Hysyk thanked Moira Dolan for her report.

President Hysyk said that a lot of our members who are permanent in the title of Computer Associate (Operations) failed the Computer Specialist (Operations) exam. There will be a review class on Thursday, September 22, to help members with their appeals.

President Hysyk said that as a result of a protest brought by members of Local 2627 concerning the presence of slates on the election ballot, AFSCME hearing officer John Seferian had ruled that the local's recent election must be rerun by October 13. President Hysyk said that the Election Committee and DC 37's legal department had received clarification on this, and determined that the election must be completed by October 13.

President Hysyk said that copies of the AFSCME decision and the Public Employee Press article regarding the decision were available for members.

President Hysyk said that the Election Committee had sent out a postcard announcing the dates of the new election, and giving the phone number of the American Arbitration Association to call if a member does not get a ballot. President Hysyk said that ballots were mailed by the American Arbitration Association on September 19, and are due back on October 13.

President Hysyk said that the card and ballot were sent only to union members, not agency shop fee payers. President Hysyk said that there are approximately 3000 union members out of a total membership of 3600 in Local 2627.

President Hysyk turned the meeting over to Mohamed Zaman, member of the Election Committee. Charlie Michaels, chair of the Election Committee, was ill and unable to attend the meeting. President Hysyk also introduced Robin Roach, Associate General Counsel of DC 37.

Robin Roach said that the AFSCME judicial chairperson had directed that the candidates for each office be listed in alphabetical order on the ballot. Mohamed Zaman said that this is also his understanding, and that the candidates will be the same as before, no new candidates with the candidates listed alphabetically.

President Hysyk said that there will be no slates on the ballot for the rerun of the election.

Steve Wiener (DOE) said that he felt that President Hysyk was responsible for the violation of AFSCME rules. President Hysyk said that he had sent a letter to the Election Committee requesting that his team be listed as a slate, and that the decision to allow slates on the ballot was made by the Election Committee.

Mohamed Zaman said that the Election Committee had discussed the issue of allowing slates, and felt that they were making the correct decision.

Artie Kellam (HRA) said that the issue was not slates, but rather that there had been a motion passed at the nominations meeting in 2002 against the use of slates. The use of slates represented a change in the ballot without notifying the membership.

Keith Trader (DOE) said that he believes that not all members received election materials in the mail.

Kenny Williams (DoItt) said he had been an observer at the counting of ballots. He said that ballots were counted based on invalid marks.

Robin Roach said that the law says that if a voter's intent is clear the ballot should be counted, whether it is marked, for example, with a check or a star. The Election Committee must be consistent in applying its rules. She also said that she will be present on October 13 for the counting of the ballots.

Ibrahim Osden (DoItt) asked how much the new election will cost.

President Hysyk said approximately \$7,000 – \$7,500.

Kenny Williams (DoItt) said that President Hysyk chose the members of the Election Committee.

President Hysyk said that he had recommended Charlie Michaels as chair to the Executive Board. He said that this recommendation was approved unanimously by the Executive Board. The remaining members were chosen from volunteers at the nominations meeting.

Mohamed Zaman said that he had volunteered for the Election Committee at the meeting.

Bernie McFall (DEP) said that he had also been an observer at the counting of the ballots and that the process had gone smoothly.

Gilbert Sambolin (DOE) asked if the local's liability insurance could cover the cost of the second election.

President Hysyk said whoever is in office should explore that question. He also said that he feels that DC 37 has some responsibility for the cost of the new election.

Florence Smith (Corrections) said that we are a union and we should be unified.

Robert Ajaye (BMCC) said that the hearing officer had only found a minor issue.

Linda Sobiesky (Brooklyn College) asked when the officers elected in the rerun of the election will take office.

President Hysyk said that the election committee will give its report at a special general membership meeting on Tuesday, October 18, and the officers will be sworn in that night. He said

that AFSCME election rules create the possibility that runoffs may be needed in some of the races.

Artie Kellam (HRA) said that he did not receive sufficient notification of the dates of the new election.

Robin Roach said that all the AFSCME Election Manual requires the Election Committee to do is to give notice of the election by mail. If the Election Committee had only arranged for ballots to be sent out, that would have been sufficient notice of the election.

Gary Goff (DOF) said that there had been a lot of fruitful discussion but some of the statements that have been made amounted to campaigning. He said that these statements were appropriate for the campaign, but not for the general membership meeting.

Bill Elkin (HRA) called the question and made a motion to move the agenda. Robert Fishburne (HRA) seconded the motion and the motion carried.

A hand count on the motion was requested and conducted. There were 25 hands in favor of the motion, and 17 opposed. President Hysyk resumed his report.

President Hysyk said that he has told members repeatedly not to use agency Internet for personal business, and that there are several situations where employee's use of the Internet is being investigated by their agency. Steve Wiener (DOE) asked what agencies. President Hysyk said HRA. President Hysyk said that forwarding an inappropriate message could cause the originator, the receiver, and any other persons who the message was sent to have their computer usage investigated.

President Hysyk said bargaining for a new contract starts tomorrow.

President Hysyk reported on legislation. A new pension bill has been passed that enables persons who took loans against their pension to pay back their loans after they have retired and have their pensions restored to the full benefit. Governor Pataki vetoed the 25/55 bill, and also a bill that would have established tier equity for overtime.

President Hysyk said that DC 37's annual legislative conference will be held on Saturday morning, October 22. Members can contact Political Action at 212-815-1550 for more information.

President Hysyk thanked the Local 2627 members who marched in the Labor Day parade.

President Hysyk said that the DC 37 education fund tuition reimbursement has been increased to \$700 a year and that this is presently payable in two semesters. President Hysyk also said that he is a trustee of the Education Fund and that he is working on getting a change that will allow the \$700 to be payable in one semester.

President Hysyk said that the new CUNY contract allows members to take graduate courses tuition-free.

President Hysyk said the local's worker's compensation workshop was very successful and the local has other workshops scheduled under the leadership of 2nd Vice President Gary Goff.

President Hysyk said that the process of awarding a new prescription drug contract is nearing completion.

President Hysyk summarized the following motions that were passed by the Local 2627 Executive Board meetings of July, August, and September 2005.

July:

- Motion to accept June 2005 E-board meeting minutes.
- Motion to accept Treasurer's Report.
- Motion to send Cody Childs a letter to thank him for his service as webmaster, and ask him to return all passwords and account IDs related to the website, as well as any e-mail addresses of users he has compiled.
- Motion to contribute \$500 to DC 37 Jewish Heritage celebration.
- Motion to accept resignation of Robert Ajaye as trustee, due to his election as 1st Vice President.
- Motion to get DSL for Internet access for the two office computers, and e-mail for one computer. Cost is up to \$360 annually for the DSL and a one-time expense of \$50 for the e-mail.

August:

- Motion to accept July 2005 E-board meeting minutes.
- Motion to accept Treasurer's Report.
- Motion to appoint 1st Vice President Robert Ajaye as chair of the Education Committee.
- Motion to buy 1 table of 10 tickets to DC 37 Italian Heritage at \$800.

September:

- Motion to accept August 2005 E-board meeting minutes.
- Motion to accept Treasurer's Report.
- Motion to fund rerun of election.
- Motion to buy 4 tickets to Education Scholarship Dinner for \$400 - 3 for Stephanie

Thomas, her daughter, & guest; 1 for 1st Vice President Robert Ajaye to represent the local.

President Hysyk suggested that starting in January 2006, the Local may want to consider requiring members who attend an event to pay for a portion of their ticket. President Hysyk took the names of members who wanted a ticket to the Italian Heritage dinner.

Unfinished Business:

Lenny Days (HRA) asked about the status of AWS and the Computer Programmer Analyst Trainee (CPAT) grievances. President Hysyk said the best opportunity to address AWS would be after the election if Mayor Bloomberg is elected, and that most of the CPAT grievances will be going to arbitration.

New Business:

Lenny Days (HRA) said that HRA has a new policy that requires flyers in order to get a level change within a title. President Hysyk said that he would look into this.

Good & Welfare:

Charles McClain's (HRA) daughter gave birth to a son.
Speedy recovery to Dennis Harney (HRA), who is recuperating in the hospital.
Ira Kurtz's (HRA retiree) daughter was married.

Charles McClain (HRA) made a motion to adjourn. The motion was seconded by Waldo Sutherland (ACS). The meeting was adjourned at 9.12 PM.