

A.F.S.C.M.E. LOCAL 2627  
NYC Electronic Data Processing Personnel  
Membership Meeting  
November 15, 2005

Agenda: Minutes  
Treasurer's Report  
President's Report  
Nomination and election of 1 Trustee  
New & Unfinished Business  
Good & Welfare

1<sup>st</sup> Vice-President Robert Ajaye called the meeting to order at 6:10 PM. President Hysyk could not attend the meeting due to an out-of-town Trustee's conference.

Minutes:

The Minutes of the June 21, 2005 General Membership Meeting were distributed and reviewed. A correction was made to the minutes as follows:

Page 2, paragraph 4, line 6: "Roacch" changed to "Roach".

Gary Goff made a motion to accept the minutes as amended and corrected. Cynthia Cox seconded the motion and it carried.

The Minutes of the September 20, 2005 General Membership Meeting were distributed and reviewed. Corrections were made as follows:

Page 6, paragraph 3: Change paragraph to "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 that slates should not appear on the ballot. The displaying of slates on the ballot represented a change in its appearance without notifying the membership."

Page 6, paragraph 10, line 1: Change "executive board" to "election committee".

Page 9, paragraph 4, line 3: Change "Kurtz's" to "Kurtze's".

Charlie Michaels made a motion to accept the minutes as amended and corrected. Cynthia Cox seconded the motion and it carried.

The Minutes of the October 18, 2005 General Membership Meeting were distributed and reviewed. Lynda Sobieski made a motion to accept the minutes as presented. Cynthia Perkins seconded the motion and it carried.

Treasurer's Report:

The Financial Statements for August 2005, September 2005 and January 1, 2005 - September 30, 2005 (cumulative) were distributed and reviewed. A motion was made by Charlie Michaels to accept the Treasurer's Report as presented. Peter Jablin seconded the motion and it carried.

Ellen Bitkower wanted to know where the election expenses were noted. Treasurer Heigh said that so far he has only received the bill from the 1<sup>st</sup> election which was paid and will be noted in the October 2005 financial statement. He said that the total cost for the 1<sup>st</sup> election was \$8000 and that the rerun election should cost the same amount. He added that the costs for the election would be noted under the heading of arbitration expenses.

Treasurer Heigh announced that the proposed budget for calendar year 2006 would be distributed to the members at the January 2006 General Membership meeting. At this meeting, he said members will have the opportunity to decide what reductions in spending should be made.

Treasurer Heigh stated that there will be a mandatory AFSCME dues increase beginning in January 2006.

President's Report:

Nomination and election of 1 Trustee.

1<sup>st</sup> Vice-President Ajaye asked for 3 volunteers to form the election committee. Portia Perkins, Gilbert Sambolin, and Valerie Briot volunteered to be on the committee.

The meeting was then turned over to the Election Committee. Gilbert Sambolin announced that the floor was open to receive nominations for the position of 1 Trustee which term will end in June 2006.

Stephanie Thomas nominated Cynthia Perkins  
Terri Saunders nominated Steve Weiner.  
Ira Donewitz nominated Jeff Levy.

Alan Polinsky moved to close nominations. Ira Donewitz seconded the motion and it carried.

Each of the 3 nominees were given 1 minute to speak to the membership on why he or she should be elected as Trustee.

Members cast their ballots. The election committee turned the meeting back over to the 1<sup>st</sup> Vice-President and left the room to count the ballots.

Ira Donewitz made a motion for a special order of business to discuss the Executive Board's action against Cody Childs, his website and the

legal fees that Ed Hysyk wants to pass on to him, and the problem of doing this sort of thing without the consent of the membership. Alan Polinsky seconded the motion.

2<sup>nd</sup> Vice-President Gary Goff stated that as he understood the motion, it was to change the agenda to New Business. A vote was taken on the motion to change the agenda and it passed. 36 in favor and 12 opposed.

It was decided by the membership that Secretary Cody Childs should explain what happened concerning the actions taken by the Executive Board members. Cody proceeded to give the history of what happened.

Cody said that as Chair of the web-site Committee and as the Local's webmaster, he tried to update the webpage in late August but failed because the website password was changed. He said that he had heard that Ed was going to change the webpage and that this webpage would contain less member information than the old page. So Cody copied the webpage to a new address. Then in the 3<sup>rd</sup> week of September, he received a voice mail from the Labor Attorney Arthur Schwartz telling him to call his office. Cody said that he immediately called DC 37 to find out why a private attorney hired to represent the Local was trying to contact him. He was told by an official from DC 37 that the call concerned his webpage. This official said that there was some confusion over the website and the Local's website. So Cody said that he immediately put a legal disclaimer on the webpage indicating that the site was not the official website of Local 2627. The name of the page was changed and it was stated clearly that the site was only for informational purposes for union members. Cody said that union members are protected under Federal Law and have a right to disseminate union information to other members. Cody said that Ed Hysyk didn't have to hire a lawyer at \$200 an hour to contact him about his website. He said that if Ed had called him, the issue would have been resolved without using the Local's money. Cody said that at his 1<sup>st</sup> Executive Board meeting, after having been reelected as the Local's secretary, 2<sup>nd</sup> Vice-President Gary Goff made a motion to have Cody pay the \$2400 in legal fees that the Local paid to hire Labor Attorney Arthur Schwartz. Fred Liu seconded the motion and it was passed by 6 members of the Executive Board. Cody voted nay and Treasurer Bruce Heigh abstained. Secretary Cody Childs went on to say that Local 2627 members are the supreme executive board. Members have a right to rescind any motion made by the 9 members on the Executive Board. He said that Ed should reimburse the Local for using members' dues money in an unauthorized way.

Lynda Sobieski wanted to know who authorized the money to hire the lawyer. Gary Goff said that the Executive Board authorized it. A member asked if there were any minutes of an Executive Board motion that authorized the hiring of a lawyer. Lynda wanted to know when the lawyer was hired because the Local had a membership meeting in September and this issue was never brought up. Gary said that Cody's website was passing itself off as the official website of the Local. He said that some elected members of the Board were left blank on the Officer's page. He said that Cody gave his own interpretation of the AFSCME ruling. Gary said that he and the rest of the Executive Board felt that this was an emergency for a website to be passing itself as the official website of the Local. He said that the members as a body are not the right members to judge this. Gary suggested that the competent body deal with this issue. Steve Boyarsky asked Gary why didn't he take this issue to the competent body like DC 37 before \$2400 was spent on hiring an outside lawyer.

Earl Jeffers made a motion to rescind the payment that the executive board voted for Cody to pay and instead have those executive board members who voted for Cody to pay, hold them accountable for reimbursing the Local for the legal fees. Anthony Harry seconded the motion. Kenny Williams seconded the motion. Discussion followed. Ellen Bitkower said that she personally thinks that the action of the Executive Board was reprehensible and unnecessary to hire an expensive lawyer to deal with the problem. But she felt that no one should be responsible for reimbursing the Local for the legal fees. Kenny Williams stated that members money should not have been spent towards this kind of action. He said that the action that the Executive Board took sounded personal. He added that members should not be paying for an attorney for members to sue another member. Kenny said when members requested that the union hire an attorney to file a class action suit against an agency, they were told that it could not be done. But he added that the Local can take members money and spend it frivolously whenever they want. A member asked why can't we charge for Executive Board members with paying the legal fees when they sought to charge one of our members. Cynthia Perkins said that there are a lot of gray areas and that for the members to make a decision at this point, one way or another, would not be correct. Discussion ended. A vote was taken and the motion passed.

Stephanie Thomas stated that she was disappointed across the board. She stated that we are brothers and sisters of the same Local and that we need to get back to this. She stated that we need to move on and put all of this bad blood aside and focus on doing productive things with this Local.

1<sup>st</sup> Vice President Robert Ajaye turned the meeting over to the Election Committee so that they could give the results of the election.. Gilbert Sambolin announced the following results:

Cynthia Perkins received 27 votes.  
Jeff Levy received 13 votes.  
Steve Weiner received 34 votes.

Steve was declared the winner of the Trustee Election and was sworn in by DC Representative Tyler Hemingway.

Robert Ajaye continued with the President's report. There will be a contract bargaining session with the City next week. Members still have time to submit their demands to the Local's office.

SCA and the TA will be getting the 1%. SCA will be getting the payment on November 18<sup>th</sup>. A date for the TA has not been confirmed.

Members should not forget to use their floating holiday. Every year many members forget to request the use of their floating holiday.

1<sup>st</sup> Vice-President Robert Ajaye stated that the General Election Committee has received a protest filed by Peter Jablin concerning the Election of the Secretary. A decision has not been issued in the appeal of the AFSCME Judicial Chair's ruling. Gary Goff said that the Local 2627 Election Committee is trying to get a feel from AFSCME on whether they can avoid having 2 elections. If there is a rerun of the election for Secretary, the committee would like it to occur at the same time as the run-off election in order to avoid the cost of an additional election. Kenny Williams and Artie Kellam stated that the protest is costing the members money. Kenny said that we are looking at bad leadership and that we should have strong leadership that members can count on. He stated that we need leaders that we can count on to do the right thing for the members and not what's right for themselves. Kenny added that members are looking for leaders who want it to be about the members and not about what's in it for the leaders.

Andrea Bobrow wanted to know why the Executive Board members wanted to take the webpage away from Cody Childs. 1<sup>st</sup> Vice-President Robert Ajaye said that there was a new administration in office. Kenny Williams wanted to know what administration he was referring to.

Artie Kellam wanted to know if the City notifies the union every time there is a hiring pool. In addition he wanted to know if the union knows of a case where an agency has asked people to give up their civil service title in order to be promoted provisionally to a different title in order to switch the civil service line to someone else. Robert Ajaye said that it does not sound legal. But he will get an answer to both questions.

Kenny Williams asked about including terminal leave as a contract demand. Robert Ajaye said that demand will be pushed when they negotiate for the contract.

Dana Hudes talked about the City's use of the CSM title for people doing our work. He said that this practice is similar to union busting. He also said that the union should push for a Computer Special Supervisor title that will enable more appointments to the higher levels of the CS title.

Unfinished Business:

None.

New Business.

None.

Good & Welfare:

Fred Liu made a motion to adjourn the meeting. Billy Elkin seconded the motion and it passed. The meeting was adjourned at 8 p.m.