

SUFFOLK COUNTY COURT EMPLOYEES ASSOCIATION

General Membership Meeting

Plumber's Local Union No. 200 Hall

2123 5th Avenue

Ronkonkoma, NY 11779

October 21st, 2021

PLEDGE TO THE FLAG

- a. Moment of Silence

2. ROLL CALL

- a. The Executive Board, comprised of Mr. Gerard Gwinn (President), Mr. Joey Gagnon (1st Vice-President), Mr. John Tufarella (2nd Vice President), Mr. Franky Garay (Secretary Treasurer) and Ms. Danielle L. Vios (Recording Secretary) is PRESENT.
- b. 23 Delegates PRESENT / 6 ABSENT

3. READING OF THE PRIOR MINUTES

- a. Motion To Waive

4. TREASURE'S REPORT – as of 3/12/2021

- a. Union Account \$164,146.04
- b. Welfare Account \$422,657 (Next installment 10/2021 of \$456,660)
- c. PAC Fund \$13,755.14
- d. Scholarship Fund \$20,135.53
- e. Union Investments \$118,745 (as of 8/31/2021)
- f. Investments \$2,857,435.00 – This amount is as of 8/31/2021

This money is earmarked for the Welfare Fund as “Reserves” which will enable us to keep afloat for (14) months without contribution if something were to happen

5. SICK LEAVE BANK

- a. The Sick Leave Bank balance as of 4/1/2021 is 62,107 hours
- b. So far in 2021, we granted 1,361 hours & 54 minutes to 6 members

- c. We have required no contributions from the members in (5) years but will be looking to possibly bringing back contributions in 2022
- d. According to the Procedure and Guidelines for Implementation of Section 9.3(j), Sick Leave Bank of the 2003-2007 CBA, there is an annual contribution of 3.5hrs Sick Leave in order to sustain the Bank's balances to be deducted the last day of the 1st pay period ending April 1st of each year. New Employees of UCS shall be required to join the Bank by making an initial contribution of 21hrs of SL. New members who transfer to SCCEA make an initial contribution of 14hrs of SL.

6. DISCIPLINARY ACTIONS

- a. We currently have (5) pending down from (12)
- b. (3) of the current Disciplinary Actions should be settling soon

7. GRIEVANCES

- a. There are currently (7) Grievances pending.
- b. **5/22/2019** The SLED Grievance with NYSCOA & COBANC regarding the Officers that did not receive the SLED money is going to arbitration. We are still working on this with the other Unions. There is a settlement in the works.
- c. **8/11/2020** Grievance for the use of Weekly Schedules during COVID instead of sticking to the 4 Week Term Schedules – by changing the Term Schedules and using a Weekly Schedule they are “Changing Shifts” to save/reduce over time. This is at Step 2 waiting for decision. We have made several requests for a decision and a have still not received anything as of today.
- d. **10/2/2020 Non-Contractual Grievance** regarding the Extending of the Probationary Period for the New Court Officer Trainees. Due to the Rules of the Chief Judge, anything over 40 Days off within your first (2) years of employment will automatically extend Probation. Due to the fact that their Probationary Period was extended, not only will they miss out on the Upgrade from JG16 to JG19, they will miss out on the increment in April. **This is currently at Step 3 with (e). 4/30/2021 We filed a notice to go to arbitration after getting a “No Decision” from OCA.**
- e. **10/22/2020 Contractual Grievance** under Article 19.1 (No Discrimination) and under Article 20.1 (Benefits Guaranteed) for the Court Officer Trainees. ONLY Court Officer Trainees Probation was extended, no other title was affected. They were willing to work, yet ordered to be home. They lost the

benefit of a promotion and financial benefit of a pay raise while SCCEA was NEVER notified, and still not to this day, of the extension of their Probationary Period. ****at Step 3 with (d).**

- f. **8/26/2021 - Contractual Grievance - Vaccination Mandate** – Pursuant to **Article 35 - Conclusion Of Collective Negotiations** of our CBA where it states “During the term of this Agreement, neither party will unilaterally seek to modify its terms through legislation or any other means.” OCA is in direct violation by modifying the terms and conditions of employment. Also, in violation of **Article 38 Conflict With Agreement** where it states “Where the Rules of the Chief Judge and Chief Administrative Judge and the Agreement conflict, the provisions of this agreement shall prevail.” Step 2 was to be heard 10/22/2021 but OCA has postponed the date. It is now TBD. The Improper Practice charge is still pending in P.E.R.B.
- g. **9/13/2021** – Prior/Past Practice Grievance – Lieutenant from the Mags is no longer allowed to cover the late shift if the 9-5 Lieutenant in District Court is out in order to avoid paying the Over Time. This is currently at Step 1.
- h. **10/6/2021** – Filed a Contractual Grievance to recover the time members were forced to burn when they were told they could not return to work because they were not vaccinated pursuant to the Vaccine Mandate that we had the TRO for. We have recovered the time and have withdrawn this grievance.

8. UPGRADES

- a. Nothing to report at this time. There are currently no talks in the process
- b. We have had talks with OCA Labor Relations months ago, but they have told us they have nothing to offer at this time.

9. LEGISLATION

- a. There are still rumors circulating about the Early Retirement Bill: **55/25** with a month for every year of service, no real “incentive” just no penalty.
- b. If there IS anything in the works, it would be announced this fall.
- c. Our lobbyist, Peter Meringolo, has been in Albany keeping our Union informed of what is actually happening with this bill. Everyone has been so busy with COVID that nothing has been worked on in this area.

10. OTHER BUSINESS

- a. **TRO has been lifted** – we have filed the appeal with all of the other unions and OCA has until Friday to answer.
- b. **Social Media** – **STAY OFF SOCIAL MEDIA!!** You should not be identifying yourself as a NYS Court Employee on Social Media if you are going to conduct yourself in a manner that could potentially impact your job status. Do not post anything that can potentially offend or be interpreted as racially bias or sexually offensive. People are losing their jobs. What one person might find humorous or entertaining, another might find seriously offensive or disrespectful. You need to take that into consideration, especially Uniformed Positions.
- c. **Work Force Numbers** **The Personnel Approval Request System (PARS) Hiring only allows us (10) employees every round. The last round was just Clerical Series, the next should include Clerks Series. It all depends on what Warren Clark puts in requests for.

As of 9/30/2021 this membership consists of:

763 Full Time Active Members

19 Part Time Active Members

770 Retirees

We have officially tipped the scales of Retirees to Full Time Active Employees. They have hired a handful more employees in the last few months, however, we have had more retirees & transfers out of county than we can keep up with, and there are still more to come...

- d. **April 2022** – Upcoming Elections for 1st Vice President, Secretary Treasurer, and all of the Delegate Series Positions.
- e. **ID Shield** – Information will soon be posted to the website about this service that will be made available to the members at a group discount. They have been approved for the Payroll Deduction of \$20/month, however, they need a minimum of (20) employees for the discounted rate to apply.
- f. **AFLAC Life Insurance** – Information will soon be posted to the website about this new policy that will be available to the membership. AFLAC is offering a “No Questions Asked” \$100,000 Life Insurance Policy which will also be available as a payroll deduction. You can contact our AFLAC representative, Shaun Thompkins, with any questions **(516)523-4315**
- g. **The New Website** – We encourage everyone to log in and use the private member side of the new and improved SCCEA Website **sccea.org**. We have the ability to text/email the membership at our fingertips. All of the forms are

on the website, the SCCEA Welfare Benefit Book, our By-Laws/Constitution, the most recent SCCEA Contract Book, and the Minutes for the meetings are available on the private member side as well. We have member discounts and the recommended vendor information that will be made available to the membership on the website as well. All you need in order to log on to the private side of the website is your personal email and DOB. If you are not able to log in, you can contact the Union Office (631)231-3983 or you can email Recording Secretary Danielle Vios sccearecsec44@gmail.com to update your profile in the new database.

11. NOMINATIONS FOR THE ELECTION COMMITTEE

CLERICAL SERIES:

**Phillip Milton nominated Barbara Rommeney
Jacqueline DeDomenico second the nomination**

**BARBARA ROMMENY IS APPOINTED TO THE NEGOTIATION
COMMITTEE FOR THE CLERICAL SERIES**

COURT REPORTER/LEGAL SERIES:

**Raymond Trezza nominated Teresa Huff
Eric Laskowski second the nomination**

**TERESA HUFF IS APPOINTED TO THE NEGOTIATION COMMITTEE
FOR THE COURT REPORTER/LEGAL SERIES**

COURT CLERK SERIES:

**Kevin McBride nominated Maryanne Fitzsimons
Mario DAmaro second the nomination**

**Joan Probst nominated Paul Carollo
Jonathan Rosenzweig second the nomination**

**THERE WILL BE AN ELECTRONIC ELECTION FOR THE CLERK
SERIES POSITION ON THE NEGOTIATING COMMITTEE**

COURT OFFICER SERIES:

**Raymond Trezza nominated Eric Laskowski
Glenn Bland second the nomination**

**Patricia Goss nominated James Raia
Jacqueline Goff second the nomination**

**Robert Battey nominated Mario DAmaro
Maryanne Fitzsimons second the nomination**

**Ronald Barber nominated Joseph Masarik
Martin Mulholland second the nomination**

Eric Laskowski withdrew his nomination

**THERE WILL BE AN ELECTRONIC ELECTION FOR THE COURT
OFFICER SERIES POSITION ON THE NEGOTIATING COMMITTEE**

****THE ELECTION BUDDY ELECTRONIC BALLOTS WILL BE SENT
OUT TO EVERYONE IN THE PERSPECTIVE SERIES MONDAY
MORNING @9am AND WILL RUN THE STANDARD (15) DAYS. THE
WINNERS WILL BE ANNOUNCED MONDAY NOVEMBER 8TH.**

President Gerard Gwinn opened the floor to discussion:

Senior Court Clerk Maryanne Fitzsimons wanted President Gwinn to expand on the PARS Hiring System and why it only allows us (10) at a time.

President Gwinn explains that basically every month-month and a half Warren Clark can request (10) new positions. How long it actually takes before those positions are filled or approved to be filled is up to OCA.

Court Officer Mario DAmaro questioned how short we actually are. Staffing levels have dropped so low, we have more Retirees than we do Active Full Time Employees in SCCEA.

Sergeant Michael Mattera questioned the speed in which Suffolk County hires new employees. Why are we not able to get new hires as fast as other counties such as Nassau or NYC?? Senior Court Clerk Maryanne Fitzsimons also points out that the ones who do the hiring in HR on the 7th floor have either retired or are retiring. So now what?? President Gwinn explains that we are constantly in contact with Warren Clark and are asking about new hires/transfers since we are desperately in need of filling the positions. *When you keep getting the work done, they don't see the need for more people. The last round of PARS was Clerical, the next round should be Clerks. Security (Officers) will not be until at least APRIL (after the Academy is out).

Officer Patricia Goss brings up the Vaccination Mandate and inquires what the expiration date on the Orange Card means. She would also like to know if the booster shot will be addressed in the mandate. President Gwinn states they are not addressing the booster at this time. He also states we are not fighting for the vaccinated or unvaccinated, we are fighting for the fact that OCA unilaterally changed the terms of our contract. The date on the Orange Card seems to be a (1) One Year date from your date of full vaccination. If you had a (2) shot vaccination, it is a (1) one year date from the 2nd dose. If you had the J&J, it would be a (1) one year date from that shot.

Officer Mario DAmaro inquired what the purpose of the Orange Card actually is.

Sergeant Michael Mattera inquired what the Union is doing with the form that was distributed through the Delegates to the members about being forced to get the vaccine. There was a form created for SCCEA members to memorialize their objection to the COVID-19 Vaccination Mandate. This form is being kept in a file at the Union Office for those members that wish to sign it and send it in. Right now we are just creating a file.

Senior Court Clerk Dorota Glowa brings up the point of all of the people, including Judges, that are vaccinated and are still testing positive for COVID. If this is about "Keeping us safe" then why allow the unvaccinated public into the

building. President Gwinn states that we are not getting in to the Science of COVID, we are fighting the Legal side of this argument. Secretary Treasurer Garay reiterates the point that our fight is about the contract not the science.

In trying to keep the conversation on track and more focused on the contractual issues at hand rather than arguing things we cannot change President Gwinn answers a question about PERB and where it is heard. It is the Public Employees Relations Board and it is heard in Brooklyn. Our attorney says our best chance right now is the PERB hearing next month. As of 10/21/2021 OCA did offer to negotiate on the Vaccination Mandate and the exemptions.

Court Attorney Referee Kerri Lechtrecker inquired the process if the decision in PERB is not favorable to us. Can we file exceptions?? President Gwinn did answer YES, our Union Attorney is well versed in such processes. We filed our Impact Bargaining Letter 10/21/2021.

President Gwinn shares from an email sent out from Carolyn Grimaldi regarding the UCS Vaccination Exemption Review Committee when Court Officer Jonathan Rosenzweig questions the credentials of the individuals sitting on the committee. “The Committee consists of professionals from diverse background and areas of expertise which include executive, human resources, legal, American with Disabilities (ADA) and/or management experience [or some combination thereof]”

“The determination of the Committee is final, i.e., there is no administrative/internal mechanism for appealing the determination of the Committee.”

1st Vice President Joey Gagnon brings up a point that if you did file a medical exemption, and if they do question that, they may very well require a HIPAA release for further medical information so to be prepared for such things.

Court Officer Martin Mulholland brings up a good point (bringing us back to the Hiring/Workforce Issues) questioning the fact that we now have more Retirees than Active Full Time Employees, how does that impact the Union financially? President Gwinn states that it does impact the Welfare Fund and we would possibly have to make some adjustments. 1st Vice President Joey Gagnon said that we have done studies in the past of the management of the Welfare Fund as far as

use of benefits for retirees and Active Members. Past President William Dobbins had to cut back the amount of the Health Insurance reimbursements to the membership and cut back the medical reimbursement to the retirees in order to get the Welfare Fund out of the red.

Court Reporter Christine Genalo inquired what the purposes of the Negotiating Committee at this time. President Gwinn states that since we are currently out of contract, we are simply getting a Negotiating Committee together to prepare ourselves for when OCA IS ready to begin negotiating.

****If you are home from work on quarantine, YOU DO NOT WORK****

If your doctor or the BOH/DOH says that you have to quarantine for (10) days, then you quarantine for (10) days!! You do not need to test to come back to work unless you are experiencing symptoms. Be guided by your doctor.

Court Officer Raia inquired about getting sick from the vaccine or having a reaction from the vaccine, how would your time be charged. President Gwinn stated that you would have to use your sick time.

12. MOTION TO ADJOURN

MEETING ADJOURNED