

1 COMMUNICATIONS WORKERS OF AMERICA

2 PRESIDENTS' MEETING

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5 HYATT REGENCY

6 400 NEW JERSEY AVE, N.W.

7 WASHINGTON, DC 20001

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9 MONDAY JUNE 13,2016

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1 P R O C E E D I N G S

2 (9:07 a.m.)

3 PRESIDENT SHELTON: Good morning, brothers

4 and sisters. Welcome to the 2016 Biennial

5 Presidents' Meeting. Will everyone please rise for a  
6 scripture reading by Shelena Williams, followed by  
7 the Pledge of Allegiance, so stay standing.

8 MS. WILLIAMS: Good morning. Scripture  
9 will be taken from 1 Corinthians 13:13, "And now,  
10 these three remain: faith, hope and love. But the  
11 greatest of these is love." And from Proverbs  
12 31:8-9, "Speak up for those who cannot speak for  
13 themselves. Will the rights of all who are destitute  
14 speak up and judge fairly. Defend the rights of the  
15 poor and the needy."

16 PRESIDENT SHELTON: Thank you, Shelena.  
17 Now, the Pledge of Allegiance.

18 (Pledge of Allegiance recited)

19 Thank you. You can be seated now.

20 Before we start, I felt that it was  
21 absolutely necessary to say something about the  
22 tragedy that occurred in Orlando yesterday. Not only

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1 was it a tragedy of monumental proportions, but one  
2 of our own, President Mike Maldonado -- Mike, would  
3 you just stand, please? -- was informed that he lost  
4 his niece, Amanda Alvear, in the tragedy in Orlando,  
5 so I would ask that we have a moment of silence for  
6 all the victims, including Mike's niece.

7 (minute of silence)

8 Thank you. And Mike, if there's anything  
9 anybody in this Hall can do for you, I'm sure they  
10 would be willing to. Please let us know.

Presidents Meeting Transcript 061316

11 Pursuant to Article IX, Section 7, of the  
12 CWA Constitution, this Local Presidents' Meeting has  
13 been called to hear and resolve any pending appeals  
14 of Executive Board decisions as issued to date. That  
15 is the only business before this meeting.

16 With that said, I would like to recognize  
17 the National Executive Board and ask them to please  
18 stand as I say their names. Sara Steffens,  
19 Secretary-Treasurer; Dennis Trainor, Vice-President,  
20 District 1; Ed Mooney, Vice-President, District 2-13;  
21 Richard Honeycutt, Vice-President, District 3;  
22 Linda Hinton, Vice-President, District 4;

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1 Claude Cummings, Vice-President, District 6; Brenda  
2 Roberts, Vice-President, District 7; Tom Runnion,  
3 Vice-President, District 9; Lisa Bolton,  
4 Vice-President, Telecom and Technology; Brooks  
5 Sunkett, Vice-President, Public, Health Care and  
6 Education Workers;

7 Bernie Lunzer, President, TNG-CWA; Charlie  
8 Braico, President, NABET-CWA; Jim Clark,  
9 President, IUE-CWA; Sara Nelson, President, AFA-CWA;  
10 and Dan Wasser, PPMWS Executive Officer. I should  
11 mention Dan couldn't be here today because he's ill.

12 Carolyn Wade, Northeast Region Executive  
13 Board Member At-Large; Anetra Session, Central Region  
14 Executive Board Member At-Large; Frank Arce, Western  
15 Region Executive Board Member At-Large; Vera Mikell,  
16 Southeast Region Executive Board Member At-Large;

17 Martin O'Hanlon, Director, CWA/SCA Canada. And  
18 Martin is not here because he had another pressing  
19 engagement, actually.

20 I'd like to take just a minute, even  
21 though I've stated that the only business before this  
22 meeting is the appeals, to talk about something near

5

1 and dear to mine, and I'm sure a lot of other  
2 people's hearts in this room: The recent Verizon  
3 strike and victory.

4 (Applause.)

5 I'm just going to take a moment. I'll  
6 have a lot more to say about it at the legislative  
7 and political meeting, but please -- all the Local  
8 presidents from Districts 1 and 2-13, would you  
9 stand?

10 (Applause.)

11 And Vice-Presidents Dennis Trainor and Ed  
12 Mooney, would you please stand?

13 (Applause.)

14 These folks -- those two vice-presidents  
15 and all those Local presidents, led the best strike  
16 I've ever seen in my lifetime. And I've seen a few  
17 strikes. It was an amazing strike. Um, the press,  
18 the public, everyone was on our side for a change,  
19 which is totally amazing.

20 I told the Executive Board yesterday that,  
21 when we first started picket lines at the Verizon  
22 wireless stores, a lot of the public, particularly

1 millennials, had no idea what a picket line was, or  
2 what they should do when they see a picket line.

3           And we actually had to have what we  
4 started terming as education offices on each picket  
5 line to explain to people in the public exactly what  
6 was going on and why and what their response should  
7 be. And it worked out great because the Verizon  
8 wireless stores were empty.

9           And I want to thank each and every one of  
10 you and all the other unions that helped us, but  
11 particularly everybody in this room because none of  
12 this, none of it, could have happened just with  
13 District 1 and 2-13. When we decided that we wanted  
14 to close -- well, almost close -- Verizon wireless  
15 stores all over this country, all of you kicked in  
16 and made sure that what happened at those wireless  
17 stores was simply amazing.

18           We had over 500 wireless stores  
19 nationwide just about to close. You could've rolled  
20 tumbleweed down the aisles, and most of the Verizon  
21 wireless stores in this country, when we decided we  
22 should do that, and that's because of all of you. So,

1 on behalf of 39,000 striking Verizon folks, would  
2 all who participated, please stand up? Come on,  
3 stand up and give yourselves a round of applause.

Presidents Meeting Transcript 061316

4 (Applause.)

5 This was an amazing effort. It was an  
6 amazing effort by just about everybody in this union.  
7 At last year's convention, I said that we needed to  
8 have a union where every Local had every other  
9 Local's back. Well, that's what happened at the  
10 Verizon strike. Every Local in this country had  
11 every other Local's back and thank you, thank you,  
12 thank you.

13 So I'd like to bring to the microphone now  
14 the Chair of the Credentials Committee. As she's  
15 coming up, I want to review the procedure for the use  
16 of microphones. Also, we will be using Robert's  
17 Rules of Order at this meeting. We have four  
18 microphones set up on the floor. Microphone Number 1  
19 is where a delegate would go to make a motion. The  
20 telephone associated with this microphone is  
21 connected directly to our parliamentarians. They are  
22 seated immediately behind me. Will the

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1 parliamentarians stand as I call your name?

2 Jody Calemine, CWA General Counsel,  
3 Washington, D.C.; Pat Shea, CWA Headquarters Counsel,  
4 Washington, D.C.

5 Microphone Number 2 is the "for"  
6 microphone. Use it to be recognized to speak in  
7 favor of any motion before the Presidents' Meeting.

8 Microphone Number 3 is the "against"  
9 microphone. Use it to speak against any motion

Presidents Meeting Transcript 061316

10 before the Presidents' Meeting.

11           Microphone Number 4 is the privileged  
12 "questions" microphone. Use it to raise a point of  
13 privilege or to ask a question. Each of these three  
14 microphones are connected to staff on the platform.  
15 Will the staff please rise as I call your name?

16           At the "for" microphone, Kate Romich,  
17 District 7. At the "against" microphone, Michael  
18 Schulte, District 4. And at the "questions"  
19 privilege microphone, Michael Neumann, District 6.

20           Under our rules, there is a five-minute  
21 limit on any speech. Staff, Ruth Marriot, T&T and  
22 Jeanne Stewart, District 7, will assist with this.

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1 we will rotate between the "for", "against" and  
2 "questions" privilege microphones, in that order.  
3 When you are recognized at any of the microphones,  
4 please first state your name and Local number.

5           During the course of our Presidents'  
6 Meeting, a verbatim record is being kept. This  
7 record will be e-mailed to you. You will have thirty  
8 days to review the record and report to us any errors  
9 you may wish to have corrected. To help us with who  
10 is to be recognized and to be sure that we follow  
11 procedures, we have two delegates from the floor.  
12 For that purpose, we have LaNell Piercy, President,  
13 Local 4252, and Ed Barlow, President, Local 3204.

14           MS. KRUEGER: Good morning, everyone.  
15 President Shelton, delegates, retirees, and guests, I

Presidents Meeting Transcript 061316

16 am pleased to announce that on behalf of the  
17 Credentials Committee, that the Committee has  
18 registered over 250 delegates to the Presidents'  
19 Meeting. The Committee appreciates the assistance  
20 rendered by the Secretary-Treasurer's office and  
21 especially the help of the Information Systems and  
22 Membership Dues Department.

10

1 with assistance of the two departments  
2 mentioned, we are continuing to improve service to  
3 our delegates, retirees and guests. We especially  
4 appreciate the coordination and assistance of the  
5 delegates over the last day as the Committee has  
6 worked to complete its assignment.

7 Since our last convention, new Locals have  
8 been added to our ranks: 29060, 3570, 3865, 24086,  
9 29084, 4201, 24036, 29037, 6457, 7040, and 87223.  
10 Let's welcome these Locals.

11 (Applause.)

12 we shall be reporting on credentials in  
13 the following categories: Category 1, those  
14 credentials properly executed and received on time;  
15 Category 2, credentials properly executed, but late;  
16 Category 3, improperly executed; Category 4A, proxy  
17 credentials properly executed, but late; Category 4B,  
18 proxy credentials improperly executed; Category 5,  
19 unusual circumstances. There are 250 credentials  
20 properly executed and on time. The Committee moves  
21 that these delegates be seated.



22 PRESIDENT SHELTON: Thank you, Marge.

11

1 So I will entertain a motion to accept the Credentials  
2 Committee report. Is there a motion? Is there a  
3 second? All those in favor? Those opposed? It is  
4 accepted.

5 We also need a motion to seat the  
6 delegates. Is there a motion from the floor to seat  
7 the delegates? Is there a second? All those in  
8 favor, please raise your hand. Those opposed,  
9 signify by like sign. It is adopted. Thank you,  
10 Marge.

11 I would now like to introduce the Appeals  
12 Committee, who is already up here. My script says  
13 call the Appeals Committee up. They beat me to the  
14 punch here. So, Debra Brown, President, CWA Local  
15 3706; Todd Leyda, President, CWA Local 4302 & Chair;  
16 Mary Ann Hopkins, President, CWA Local 6502; Michael  
17 Frost, President, CWA Local 7603; Greg Schafer,  
18 President, IUE-CWA Local 86116; and Pat Telesco, the  
19 staff.

20 I want to report on the status of Local  
21 2205's Overtime Change in Work Schedule grievance,  
22 appealed to the 2014 Presidents' Meeting. The 2014

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1 Presidents' Meeting overturned the decision not to  
2 arbitrate and a hearing was scheduled for June 16th,  
Page 9

Presidents Meeting Transcript 061316

3 2016.

4           Prior to the June hearing date, the union  
5 met with management and discussed the potential  
6 settlement to this grievance. The parties agreed to  
7 postpone the hearing, pending Verizon making  
8 agreed-upon changes in scheduling. The parties also  
9 agreed to revisit the issue to make sure it was  
10 remedied in the last quarter of 2015.

11           The schedule changes did not totally  
12 resolve the issue, so it was addressed in bargaining.  
13 In the recent contract negotiations, an agreement was  
14 reached to provide the employees the option of working  
15 the overtime assignment when Verizon cancels the  
16 overtime with less than 24 hours' notice prior to the  
17 start of the tour connected to the overtime  
18 assignment. This agreement remedies the grievance  
19 which is now closed.

20           So I'd like to call on the Chair of the  
21 Appeals Committee to start the Appeals Committee  
22 report.

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1           MR. LEYDA: Thank you, President Shelton.  
2 Just real quick, to get started, there was a typo in  
3 the date on the first line. Instead of June 11th,  
4 it's June 10th.

5           The Appeals Committee convened June 10th  
6 through June 12th, 2016, at the Washington Hyatt  
7 Hotel in Washington, D.C., for the purpose of  
8 receiving and disposing of appeals in accordance with

Presidents Meeting Transcript 061316

9 the CWA Constitution and the Internal Appeals  
10 Procedures of the Union, as established by prior  
11 Conventions and the Executive Board.

12 The Committee was available to meet with  
13 interested parties on June 11th and June 12th, 2016,  
14 between the hours of 2:00 p.m. through 6:00 p.m.  
15 Outside of these hours, the Committee was available  
16 by appointment.

17 I would like to recognize Mike Frost for  
18 Appeal Number 1.

19 MR. FROST: On October 29th, 2014, CWA  
20 Local 9421 member Joyce Reddic appealed the Executive  
21 Board's decision regarding her election  
22 challenge/appeal. The appeal is timely and properly

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1 before the Presidents' Meeting. Local 9421 conducted  
2 Local officer elections on October 22nd, 2014. Ms.  
3 Reddic was not running for any elected office.

4 On October 21st, 2014, Ms. Reddic learned  
5 that there was a Local election in progress when a  
6 co-worker mentioned the ballots were being counted.  
7 Ms. Reddic didn't receive her ballot and did not know  
8 there was an election in progress. The next day, Ms.  
9 Reddic brought her home mail into work and one of the  
10 mail items was campaign material from a candidate  
11 running for Local president.

12 In two letters, both dated October 2014,  
13 Ms. Reddic challenged the election results based on  
14 several alleged violations. The Local Election

Presidents Meeting Transcript 061316

15 Committee carefully considered her claims and were  
16 unable to substantiate any of her claims.

17 In a letter dated November 2014, but  
18 received December 9th, 2014, Ms. Reddic appealed the  
19 decision of the Election Committee to former  
20 Vice-President Laura Reynolds. Former Vice-President  
21 Reynolds assigned Valerie Reyna as investigator. Ms.  
22 Reyna performed a thorough investigation and was

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1 unable to substantiate any of the claims.

2 On May 1st, 2015, Ms. Reddic appealed to  
3 former President Cohen who reviewed the evidence and  
4 previous decisions, and found no evidence to overturn  
5 the conclusions of those who had heard the claims.

6 On May 20, 2015, Ms. Reddic appealed to  
7 the Executive Board, who also denied the appeal,  
8 based on the evidence presented.

9 Ms. Reddic believes the election violated  
10 Local Bylaws, the CWA Constitution, the Department of  
11 Labor Education Guidelines, and the UOPM. The basis  
12 of the claim is as follows:

13 1. The Election Committee violated the  
14 CWA Constitution, Local Bylaws, and the Department of  
15 Labor Education Guidelines by not posting an election  
16 notice on all Union bulletin boards at each work  
17 location.

18 2. Ms. Reddic and several other members  
19 did not receive a ballot. She claims this violated  
20 the UOPM and also claims some of the people were

21 denied the right to vote because some ballots were  
22 picked up after the ballot count and were not

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1 counted.

2           There is no requirement for election  
3 notices to be posted to Union bulletin boards. This  
4 was a practice of the Local in past elections, but  
5 the 2014 Election Committee decided not to use  
6 bulletin boards that year. There was an election  
7 notice posted in the Local's newsletter, as well as  
8 the Local's website. During the 2014 election, Local  
9 9421 had 1,447 eligible voters. There were 474  
10 members who voted. There were 31 duplicate ballots  
11 mailed out. Ballots that were received after the  
12 cut-off date for the election should not have been  
13 counted. The Appeals Committee finds there were no  
14 violations of the Department of Labor Education  
15 Guidelines, Local Bylaws, or the CWA Constitution.

16           After a thorough review of the case, the  
17 Appeals Committee recommends that the decision of the  
18 Executive Board be upheld and the appeal of Joyce  
19 Reddic be denied.

20           PRESIDENT SHELTON: You have heard the  
21 Appeals Committee recommendation in Appeal Number 1.  
22 Is there a motion to accept the Appeals Committee's

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1 recommendation? Is there a second? Any discussion?

2 MR. CARROLL: Ron Carroll, Montreal Local  
3 30111. One question I have is, was this woman  
4 actually mailed a ballot? Do we know that? If she  
5 was mailed one?

6 MR. LEYDA: She claims she was not.

7 MR. CARROLL: well, she could've lost it  
8 or she may be lying, we don't -- but I want to know  
9 if the Committee knows if the Local actually mailed  
10 her a ballot?

11 MR. LEYDA: The Election Committee  
12 believes that they did.

13 MR. CARROLL: Okay. Thank you.

14 PRESIDENT SHELTON: Any other discussion?  
15 Seeing no one coming to a microphone, before you is  
16 Appeal Number 1. The Committee has made a  
17 recommendation. All those in favor of that  
18 recommendation, please signify by raising your hand.  
19 Those opposed signify by like sign. The  
20 recommendation carries.

21 MR. SCHAFER: Appeal Number 2. On July  
22 30th, 2015, CWA Local President Robert Boelk appealed

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1 the CWA Executive Board's decision to deny the  
2 grievance filed by Local 4622 over a manager doing  
3 core work at AT&T. The appeal is timely and properly  
4 before the Presidents' Meeting.

5 CWA Local 4622 maintains that the company  
6 has violated Article 17.18 of the Collective

7 Presidents Meeting Transcript 061316  
8 Bargaining Agreement due to a manager performing  
9 bargaining unit work. Article 17.18 of the  
10 Collective Bargaining Agreement states:

11 "Supervisory employees will normally  
12 perform supervisory duties. Nothing herein is  
13 intended, however, to prevent supervisory employees  
14 from receiving or giving training."

15 President Boelk's grievance maintains that  
16 a manager was performing bargaining unit work by  
17 doing technician inspector duties while waiting for a  
18 replacement to become available. The burden of proof  
19 is upon the Union to prove a contract violation.  
20 This was an isolated incident of approximately two  
21 weeks. There is no substantial evidence that the  
22 work in question is reserved exclusively to the  
bargaining unit.

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1 Article 17.18 of the Collective Bargaining  
2 Agreement only states that supervisors normally  
3 perform supervisor duties. Nothing herein intended,  
4 however, is to prevent supervisory employees from  
5 receiving or giving training. The Article does not  
6 prohibit managers from occasionally performing  
7 bargaining unit work.

8 After a thorough review of this case, the  
9 Appeals Committee recommends that the decision of the  
10 Executive Board be upheld and the appeal of President  
11 Robert Boelk be denied.

12 PRESIDENT SHELTON: I've been informed I

13 don't have to do a motion and a second on every  
14 appeal, so we will go to -- there is a delegate at  
15 the "against" microphone. Delegate, the floor is  
16 yours.

17 MR. BOELK: All right. Mayor Rob Boelk,  
18 President of 4622, Wisconsin. This is my appeal. I  
19 brought two appeals to the floor this weekend. I  
20 actually had all my appeals reviewed by our Local  
21 attorney. There was one appeal that I didn't  
22 withdraw just for the fact that it wasn't a good

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1 case. And this one here, our attorney thinks is  
2 winnable.

3 One thing about this case is that the  
4 manager, at the time, was actually a technician that  
5 became a manager, and for a two to three week period  
6 of time, he was doing core work. When I was  
7 questioning him on it, he was advised by his manager  
8 at the second level to continue doing core work for  
9 the fact that he didn't have anybody to do the work,  
10 which is totally ridiculous. This is core's  
11 job, and this should be our work. His name was Chad  
12 Ellis.

13 So I'm asking for this floor to overturn  
14 the Appeal's decision and to arbitrate this case. If  
15 we're not going to take a stance on this case, then  
16 we're all in jeopardy of losing our jobs. And when  
17 are we going to make a stand against AT&T, that  
18 they keep bashing our employees and doing their work.



19 It's ridiculous. So I ask for your support in  
20 overturning this decision.

21 (Applause.)

22 MR. HENDERSON: Bill Henderson --

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1 PRESIDENT SHELTON: Excuse me --

2 MR. HENDERSON: Oh, I'm sorry --

3 PRESIDENT SHELTON: Normally, we would go  
4 to the "for" microphone. There's no one on the "for"  
5 microphone, so we will stay on the "against"  
6 microphone for now. Delegate?

7 MR. HENDERSON: Bill Henderson, President,  
8 1298, Connecticut. I rise in support of my brothers  
9 from 4622. In Article 17.18, the Collective  
10 Bargaining Agreement, due to management performing  
11 bargain unit work, the basic tenet of our contracts  
12 is that, to protect our work, our bargaining unit  
13 work, and historically, if this is not done, we're  
14 going to see our work leave our work locations, and we  
15 won't have any work.

16 And this is the fight that we're having,  
17 whether it be contractors or management. There is no  
18 threshold that has to be met or how we have to share  
19 our work. We have to fight for our work every day  
20 and I stand behind them unanimously, 100% against  
21 letting management do our work. Thank you very much.

22 (Applause.)

Presidents Meeting Transcript 061316

1           PRESIDENT SHELTON: Is there any other  
2 discussion? Seeing no one coming to a microphone,  
3 what you have before you, brothers and sisters, is  
4 Appeal Number 2. The Committee has made a  
5 recommendation. If you are for that recommendation,  
6 please signify by raising your hand. Those opposed,  
7 please signify by like sign.

8           (Applause.) The recommendation of the  
9 Committee does not carry. We will arbitrate.

10          (Applause.) Appeal Number 3.

11          MS. BROWN: CWA Local 7290 former  
12 President Tim Morrison and CWA Local 3890 former  
13 President Dan Smith appealed former President Cohen's  
14 decision regarding a stipulation negotiated with and  
15 agreed to by CWA and Alcatel-Lucent. The appeal is  
16 timely and proper before the Presidents' Meeting.

17          Former President Tim Morrison of Local  
18 7290 agreed to withdraw his appeal. The Appeals  
19 Committee made several attempts to reach former  
20 President Dan Smith of Local 3890 without success.

21          Former President Dan Smith alleged that  
22 the stipulation was, "signed on February the 9th,

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1 2015, without approval of the membership." Further,  
2 former President Smith alleged:

3           "This stipulation supersedes the MOU in CWA  
4 25. It is my charge that this stipulation changes  
5 the language of the contract; therefore, requiring

Presidents Meeting Transcript 061316

6 the membership to approve said language changes."

7 Article XVII, Section 4(A) of the CWA  
8 Constitution only requires consultation with the  
9 bargaining committee when the union enters into an  
10 "agreement between the employer and the Union that  
11 amends or augments the agreed-upon contract." Past  
12 Convention and Executive Board actions have  
13 reaffirmed that consultation with the bargaining  
14 committee for a mid-term modification is all the  
15 Article XVII requires.

16 In this case, the bargaining committee was  
17 consulted and actually agreed to the stipulation.

18 After a thorough review of this case, the  
19 Appeals Committee recommends that the decision of the  
20 Executive Board be upheld and the appeal of Dan Smith  
21 be denied.

22 PRESIDENT SHELTON: Is there any

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1 discussion? Seeing no one coming to a microphone,  
2 what you have before you is Appeal Number 3, the  
3 recommendation of the Appeals Committee in Appeal  
4 Number 3. All those in favor of the recommendation,  
5 please raise your hand. Those opposed, please  
6 signify by like sign. The recommendation carries.  
7 Appeal Number 4.

8 MS. HOPKINS: On September 14th, 2015, CWA  
9 Local 2336 member Jose Cruz appealed the CWA  
10 Executive Board's decision to uphold the Local 2336  
11 officer elections. The appeal is timely and properly

12 before the Presidents' Meeting.

13 CWA Local 2336 conducted the Local  
14 elections on October 22nd, 2014. Jose Cruz was a  
15 candidate for the office of Local President. The  
16 results of the presidential election were as follows:  
17 Jose Cruz -- fifty-eight (58) and Terrence Richardson  
18 -- sixty-four (64), for a difference of six votes.

19 Mr. Cruz challenged the election results  
20 to the Election Committee on October 24th, 2014,  
21 based on several allegations. These allegations  
22 included:

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- 1 1. Instructions on voting being sent to  
2 members with incorrect return dates;
- 3 2. Members not receiving ballots;
- 4 3. Ballots sent to non-members;
- 5 4. Returned mail, ballots and other  
6 election material unsecured at the Local office, and  
7 other various issues.

8 The Election Committee denied Mr. Cruz'  
9 challenge.

10 Mr. Cruz then appealed that decision to  
11 both the Local Executive Board and Local 2336  
12 membership, which also denied his challenge. Mr.  
13 Cruz appealed the decision to District 2-13  
14 Vice-President Edward Mooney, who investigated the  
15 challenge and denied it as well. That denial was  
16 appealed to President Shelton and the CWA Executive  
17 Board and both upheld the decision of Vice-President

Presidents Meeting Transcript 061316

18 Mooney. The facts show that:

19 1. While some ballot instructions were  
20 corrected by crossing out the incorrect information,  
21 the Election Committee Chair acknowledged that some  
22 ballot instructions went out with incorrect return

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1 dates;

2 2. At least 25 individuals have no noted  
3 attempts to resend undeliverable ballots or to obtain  
4 corrected addresses;

5 3. The Local president admitted that  
6 extra ballots were unsecured during the voting  
7 period; and

8 4. The record shows ballots were mailed  
9 to non-members. Those ballots, however, were not  
10 counted.

11 After a thorough review of this case, and  
12 interviewing both candidates, the District  
13 Vice-President and the Election Committee Chair, the  
14 Appeals Committee believes that there were valid  
15 violations that occurred during this election which  
16 could have impacted the outcome of this election.  
17 The Appeals Committee recommends that the decision of  
18 the Executive Board be overturned and the election  
19 for office of the President of Local 2336 be rerun.

20 PRESIDENT SHELTON: Since there is no one  
21 at the "for" microphone, we will go to the "against"  
22 microphone. Delegate Richardson?

1           MR. RICHARDSON: Terry Richardson,  
2 President, CWA Local 2336 here in D.C. I am against  
3 the allegations of -- the first allegation --  
4 instructions on voting being sent to members with  
5 incorrect addresses with the incorrect return date,  
6 I'm sorry. The date itself was correct. The day of  
7 the week was incorrect. It was, say, a Tuesday, the  
8 22nd, which the 22nd was actually on a Wednesday.  
9 But we did not pick up the ballots until Thursday,  
10 the 23rd.

11           Members not receiving ballots -- when they were  
12 returned -- every member in good standing was sent a  
13 ballot at their last known address. The ballots that  
14 came back undeliverable -- our secretary made an  
15 attempt to contact them at the last can-be-reached  
16 number that we have for them.

17           Upon talking to them, if she did get in  
18 contact with them, we got a correct address and sent  
19 them a replacement ballot. Those who we did not get  
20 in contact with until that second week were told  
21 that they had to come in to the Hall to get a  
22 replacement ballot. For the ones who did not contact

1 us back or return our calls, we could not obtain a  
2 suitable address to send it to them.

3           Ballots sent to non-members -- we are a

4 closed shop here in D.C. Members have the right to  
5 resign from the Union, but they still have to pay the  
6 equivalent of Union dues, so in our system, they are  
7 marked as active agency fee payers, to differentiate  
8 themselves from dues-paying, participating members.

9           we had to physically go into the system,  
10 well, after we printed it out, go into the list to  
11 delete those members, remove them from our mailing  
12 list. Some did fall through the crack, but as it  
13 shows, those ballots were not counted in the election  
14 process.

15           The returned mail ballots and other  
16 election material unsecured at the Local office --  
17 while the return ballots were unsecure, we did not  
18 put them in a locked box, so to speak. They were in  
19 a folder on the secretary's desk awaiting calls from  
20 these people, so we can get their proper address, get  
21 them a ballot, so their voices could be heard in this  
22 election. This is why they were not behind a lock

29

1 box.

2           The other election material that was not  
3 behind a lock box was excessive, ballots that we  
4 printed out. We have 800 and something members. We  
5 printed out a 1,000 in case there were any mistakes in  
6 folding them or whatever. Those extras that were not  
7 mailed out were placed in a box for if we had to do  
8 replacement ballots and things of nature. But at no  
9 time was the office unsecure for anybody to just walk

10 in, fill a ballot out, and then mail it in, because  
11 you needed a self-addressed stamp -- things of that  
12 nature to be able to do that.

13 So with that being said, I ask that this  
14 election be upheld so we can move forward with the  
15 business of our Local and helping CWA to move  
16 forward. Thank you.

17 (Applause.)

18 PRESIDENT SHELTON: I'm informed that some  
19 of the other folks may not want to speak. They're up  
20 to support Delegate Richardson. Is there anybody  
21 else on that line that wishes to speak?

22 MR. SUMMERS: Mike Summers, President of

30

1 CWA Local 2100. I would just like to add that it is  
2 the members' responsibility to get their correct  
3 address to the Local Halls. So if there were 25  
4 ballots that came back with the wrong address, it's the  
5 members' responsibility to get the address changes to  
6 the Hall.

7 I would also like to say that if there are  
8 accusing ballots that were laid around being stuffed,  
9 that's an integrity issue, not just an elections'  
10 violation, and I don't believe that's the case for  
11 Terry Richardson. Thanks.

12 (Applause.)

13 PRESIDENT SHELTON: Seeing no one at the  
14 "for" microphone or the "questions" microphone,  
15 brothers and sisters, would you please take your



16 seats?

17                   What you have before you, brothers and  
18 sisters, is Appeal Number 4. The Committee's  
19 recommendation is to overturn the election and rerun  
20 that election. All those in favor, please signify by  
21 raising your hand. Those opposed? The election  
22 stands. Appeal Number 5.

31

1                   MR. SCHAFER: On December 21st, 2015,  
2 IUE-CWA Local 81359 President Dominick Patrignani  
3 appealed the CWA Executive Board's decision to deny  
4 the appeal filed by IUE-CWA Local 81359 over member  
5 Thomas Fogarty being offered and accepting an upgrade  
6 to an L-7E position in MCS, then later rescinding the  
7 upgrade, due to the current Local posting agreement.  
8 The appeal is timely and properly before the  
9 Presidents' Meeting.

10                   IUE-CWA Local 81359 maintains that the  
11 company has violated Article XXVIII of the National  
12 Collective Bargaining Agreement, both paragraphs 1  
13 and 2, and the intent of the Local Agreement.

14                   Article XXI of the National Agreement,  
15 titled Local Understanding states:

16                   1. The provisions of this agreement are  
17 subject to all present local understandings, and will  
18 remain in effect unless changed in the manner  
19 provided in the following section.

20                   2. After the effective date of this  
21 Agreement, new local understandings will be

22 Presidents Meeting Transcript 061316  
recognized and made effective only where set forth in

32

1 writing and signed by Local management and the Local,  
2 and approved by the Company and the Union.

3 The Local Agreement, which supplements the  
4 National Agreement, provides that upgrades are based  
5 on seniority and provides that an employee "must have  
6 attained at the A-rate in his or her current  
7 position." Mr. Fogarty's upgrade was rescinded  
8 because he had not received the A-rating. The  
9 actions taken were proper under the controlling  
10 document, the Local Agreement.

11 After a thorough review of the case, the  
12 Appeals Committee recommends that the decision of the  
13 Executive Board be upheld and the appeal of Dominick  
14 Patrignani be denied.

15 PRESIDENT SHELTON: Since again, there is  
16 no one at the "for" mike, we'll go to the "against"  
17 mike, Delegate Patrignani.

18 MR. PATRIGNANI: Good morning, welcome.  
19 Thank you, President Shelton. Brothers and sisters,  
20 I stand before you asking for an overturn of this  
21 denial, once again. This is a terrible disparate  
22 treatment of a senior member of our Local. There are

33

1 some circumstances involving this case that we would  
2 love to put before an arbitrator.

Presidents Meeting Transcript 061316

3           We have appealed to the International  
4 Union, The IUE-CWA pleading, "We will pay all costs  
5 associated with this case." We don't even want their  
6 money. We want to do -- we're willing to do this on  
7 our own. We feel we can definitely win this case.  
8 We feel we have substantial merit on trying to get  
9 this to closure.

10           The company does not want this to go to  
11 arbitration. We've had similar cases that we've  
12 tried to go there with. We get into these  
13 arbitrability hearings and the cases just die and  
14 then they want to go civil.

15           But this one here has a little bit of a  
16 twist to it with this particular person and I've  
17 tried to explain that to the Appeals Committee. And  
18 all I ask is, like I said, when -- I'm a District 1  
19 Member, we were taught to stand up and fight for our  
20 members.

21           At three independent union meetings we had  
22 with our members, this was unanimously voted on to

34

1 take to arbitration, and if we had to incur the cost  
2 ourselves, our Local would incur all costs associated  
3 with this arbitration, because to us, seniority is  
4 the most important factor we have. And that's  
5 all we have left.

6 Thank you. (applause)

7           PRESIDENT SHELTON: Is there someone else  
8 wishing to speak? Since there is no one, please take

Presidents Meeting Transcript 061316

9 your seats brothers and sisters.

10 what you have before you, brothers and  
11 sisters, is Appeal Number 5. All those in favor of  
12 the Committee's recommendation, please signify by  
13 raising your hand. Those opposed, signify by like  
14 sign. The case will be arbitrated. (applause) And  
15 your Local will not pay the cost, Dominick.  
16 (applause) Appeal Number 6.

17 MR. FROST: Darcy Sheehan, Local 9421  
18 Executive Board Member and Local 9421 member Dawnya  
19 walker are appealing the CWA Executive Board to deny  
20 their appeal regarding the Local Election in 2014.  
21 The appeal is timely and properly before the  
22 Presidents' Meeting.

35

1 CWA Local 9421 held nominations on  
2 September 9th, 2014, for Local officers and Local  
3 Executive Board.

4 On September 10th, 2014, there was an  
5 appeal to the Local Election Committee by President  
6 John Miller challenging the nomination of Heather  
7 Simmons, alleging that she was no longer a member in  
8 good standing of Local 9421. The Election Committee  
9 verified Ms. Simmons' membership status with  
10 then Secretary-Treasurer Darrin Simmons and verbally  
11 confirmed that she was a member in good standing of  
12 Local 9421. Prior to nominations, Ms. Simmons was  
13 already a member of the Executive Board.

14 An appeal to the Election Committee's

Presidents Meeting Transcript 061316

15 decision, dated October 29th, 2014, but received on  
16 October 31st, 2014, was made by Darcy Sheehan, Ben  
17 Marquez, and Dan Manzella. The appeal alleges the  
18 Election Committee did not perform a thorough  
19 investigation and that the information provided to  
20 the Committee by former Secretary-Treasurer Simmons  
21 was inaccurate.

22 On or about November 11th, 2014, the

36

1 Election Committee denied the appeal in writing. The  
2 reason given was that they gathered and verified the  
3 membership list from the Secretary-Treasurer and that  
4 office is responsible for maintaining the list.  
5 Further, the Election Committee found a person is not  
6 a member of the Local until they actually report to  
7 work at a new location that is inside that Local.  
8 This decision was upheld by the Local Executive  
9 Board. Ms. Sheehan and Ms. Walker appealed that  
10 decision to the Local membership. The Local  
11 membership upheld the appeal and determined Ms.  
12 Simmons was not a member at the time of the  
13 nominations.

14 On December 14th, 2014, former  
15 Secretary-Treasurer Darrin Simmons appealed the  
16 decision of the Membership and found that Heather  
17 Simmons was not a member in good standing of Local  
18 9421 at the time of nominations. In his appeal, Mr.  
19 Simmons submitted Orion records that showed Ms.  
20 Simmons was a member in good standing of Local 9421

21 as of September 9th, 2014. He asserted that the  
22 Orion records were not editable by Local officers and

37

1 the record showed she was current with her dues on  
2 September 9th, 2014. He also states that AT&T  
3 misreported her dues several times, which he had  
4 corrected. After a thorough investigation, former  
5 Vice-President Reynolds found that the facts did not  
6 support the claims in the appeal by Mr. Simmons and  
7 she denied Mr. Simmons' appeal.

8 On May 6th, 2015, Mr. Simmons appealed  
9 former Vice-President Reynold's decision to the  
10 President of the Union. President Shelton upheld the  
11 decision, finding that Ms. Simmons was not a member  
12 of Local 9421, and not eligible to be nominated on  
13 September 9th, 2014. On December 2nd, 2015,  
14 President Shelton reviewed the initial appeal,  
15 subsequent responses, and newly introduced  
16 information and reversed his original decision.

17 On December 10th, 2015, Local 9421 member  
18 Dawnya Walker, and Executive Board member Darcy  
19 Sheehan appealed President Shelton's decision to the  
20 Executive Board. The Executive Board upheld  
21 President Shelton's decision on February 26th, 2016.

22 On March 21st, 2016, Ms. Walker and Ms.

38

1 Sheehan appealed the decision of the Executive Board  
2 to the Presidents' Meeting.

3 The Appeals Committee has carefully  
4 considered the facts as follows:

5 1. Ms. Simmons was a member in good  
6 standing of Local 9421 for many years. Before the  
7 2014 elections, Ms. Simmons was an Executive Board  
8 member and worked fulltime for the Union for several  
9 years prior to the nominations.

10 2. The company moved employees from  
11 Sacramento to Fresno in waves. In June 2014, the  
12 work location where Ms. Simmons worked for AT&T was  
13 finally closed. The entire workgroup was moved from  
14 Sacramento to Fresno, or individuals may have  
15 declined to follow the work. AT&T assigned Ms.  
16 Simmons work location to Fresno at the time of the  
17 center closure. Fresno is in the jurisdiction of  
18 Local 9408.

19 3. Ms. Simmons asserted she was never  
20 given a date to either report to Fresno or choose to  
21 become a surplus employee. This claim is also  
22 reiterated by a second level manager. Ms. Simmons

39

1 never reported to any work location in Fresno and  
2 continued to work at the Local and on the United way  
3 campaign.

4 4. John Himm and Jerrie Collier, both in  
5 AT&T Labor Relations, as well as Ms. Simmons, have  
6 stated that she was not on loan to Sacramento.

7                   5. While there were discussions between  
8 the Presidents of Local 9421 and Local 9408 about  
9 signing a waiver of jurisdiction for Ms. Simmons,  
10 there was no waiver signed.

11                   6. Former Secretary-Treasurer Darrin  
12 Simmons requested that the district correct  
13 membership information to reflect Ms. Simmons'  
14 membership is out of Local 9421, not Local 9408.  
15 Also changed was Ms. Simmons' AT&T work location, so  
16 that it would reflect a Sacramento address as a  
17 reporting location.

18                   7. Since the 2014 election, Ms. Simmons  
19 has applied for and accepted a position at a AT&T  
20 work location within the jurisdiction of Local 9421.

21                   The Appeals Committee does not question  
22 the claim that Ms. Simmons' didn't receive a date to

40

1 report to work in Fresno, nor was she given the  
2 option to choose to be a surplus employee. It's  
3 also established that Ms. Simmons did not report to  
4 any AT&T work location in Fresno between the work  
5 place closure and the following fifteen months until  
6 Local 9421's nominations.

7                   We do not dispute that AT&T violated a  
8 collective bargaining agreement by changing Ms.  
9 Simmons' reporting location to Fresno. Neither Local  
10 filed a grievance about AT&T violating the collective  
11 bargaining agreement, although there was, at minimum,  
12 clear evidence that her reporting location had been



13 changed to Fresno, and the Sacramento work location  
14 had been closed for several months.

15 CWA Local 9421 held nominations on  
16 September 9th for Local officers and Local Executive  
17 Board.

18 For these reasons, after a thorough review  
19 of the case, the Appeals Committee recommends that  
20 the appeal by Ms. Sheehan and Ms. Walker be granted.

21 PRESIDENT SHELTON: What you have before  
22 you, brothers and sisters is Appeal Number 6. At the

41

1 "for" microphone, Delegate Miller.

2 MR. MILLER: Good morning, brothers and  
3 sisters. Ms. Simmons, Executive Board member  
4 currently, was the first point of contact for our  
5 Local. To say that she didn't know that this office  
6 was closing, that she didn't know the surplus  
7 process, the contract process is kind of far-fetched  
8 from her husband's standpoint. Her husband was a  
9 Secretary-Treasurer.

10 There was a handshake deal between the two  
11 presidents at the time that allowed her to stay in  
12 Sacramento on loan. It's to our understanding. So  
13 she did -- sorry, I apologize, I'm a little nervous  
14 -- she was told that when her term was up, she would  
15 then report to Fresno. So our contention was, she  
16 was not a member of our Local. She was afforded the  
17 right to go to Fresno. She should have been in  
18 Fresno. She should have not been able to run for the

19 office of Executive Board. So I had a big, long  
20 speech and I'm just not going to go into that. Just  
21 takes too long.

22 The bottom line is my membership was given

42

1 the facts. My membership voted that she should be  
2 removed from Executive Board. That was then  
3 challenged by her husband and then it went through  
4 the process and that's why we're here today. We  
5 believe she should not be on the Executive Board.  
6 She is now a current member of my Local. She did  
7 transfer back in. She can run for election next  
8 time.

9 (Applause.)

10 PRESIDENT SHELTON: At the "questions"  
11 microphone, Delegate Remski. Please, if you're going  
12 to go to a microphone, immediately pick up the phone  
13 so we know who you are. So, Delegate Remski.

14 MS. REMSKI: The question that I have is,  
15 was this employee ever job-offered by the company,  
16 the Fresno job?

17 MR. FROST: NO.

18 MS. REMSKI: Thank you.

19 PRESIDENT SHELTON: Any other discussion?  
20 Those in favor of the Committee's recommendation,  
21 please signify by raising your hand. Those opposed,  
22 please signify by like sign. The recommendation

Presidents Meeting Transcript 061316

1 doesn't carry. Appeal Number 7.

2 MR. LEYDA: Appeal Number 7. CWA Local  
3 1101 member Doug Grant has appealed the decision of  
4 the CWA Executive Board to uphold the recommendation  
5 of Prosecutor John Dempsey that charges filed by Mr.  
6 Grant not be prosecuted and the appeal of Mr. Grant  
7 be denied. The appeal is timely and properly before  
8 the Presidents' Meeting.

9 Mr. Grant filed charges dated January  
10 29th, 2015, against the Local officers and Executive  
11 Board of CWA 1101. The charges alleged violations of  
12 CWA Constitution and Local bylaws, by denying a request  
13 by Mr. Grant to view Local 1101 payroll records and  
14 by providing a cell phone to a Local organizer during  
15 an election, for Local 1101 officers.

16 On March 19th, 2015, the CWA Executive  
17 Board appointed CWA District 1 Staff Representative  
18 John Dempsey, as prosecutor. Mr. Dempsey  
19 investigated the charges and on May 22nd, 2015,  
20 issued his report and recommendations. Prosecutor  
21 Dempsey recommended that the charges not be  
22 prosecuted because he concluded that there had been

44

1 no willful violations of the CWA Constitution or  
2 Local 1101 bylaws. The file did not contain any of  
3 the evidence provided to the prosecutor.

4 After a thorough review of this case and  
5 meetings with the parties involved, as well as

Presidents Meeting Transcript 061316

6 information provided by Mr. Grant, that may or may  
7 not have been provided to the prosecutor, the Appeals  
8 Committee recommends that the appeal of Mr. Grant be  
9 granted. Further, the Committee recommends that the  
10 Executive Board appoint a new prosecutor, outside of  
11 the District, to investigate the charges.

12 PRESIDENT SHELTON: On the "against"  
13 microphone, Delegate Purce.

14 MR. PURCE: Keith Purce, President, Local  
15 1101. Mr. Grant has been putting in charges for the  
16 last few years, I would say over twenty of them.  
17 These charges have gone through the Local 1101  
18 Executive Board. They've gone through District 1.  
19 They've gone through the National Labor Relations  
20 Board. They've gone through the Department of Labor.  
21 And all have found his charges not to have any  
22 credibility.

45

1 So with that being said, I am saying we  
2 must go against the Appeals Committee and deny his  
3 request. (Applause.)

4 PRESIDENT SHELTON: On the "questions"  
5 microphone, Delegate Benitez.

6 MR. BENITEZ: Good morning, brothers and  
7 sisters. Two questions I have for the Appeals  
8 Committee. My first question -- there's a note here  
9 that says that there might be some evidence --  
10 that may have or may not have been provided. What  
11 evidence are we talking about that we're not provided

Presidents Meeting Transcript 061316

12 during this process?

13 MR. LEYDA: Evidence that was provided by  
14 Mr. Grant to the Committee that we're not sure was  
15 provided to the prosecutor because it wasn't in his  
16 report.

17 MR. BENITEZ: But, but yeah, because --

18 MR. LEYDA: There were multiple e-mail  
19 correspondence, video recordings and tape recordings.

20 MR. BENITEZ: Mr. Grant. Did he meet with  
21 the prosecutor? And discuss all the charges  
22 with him?

46

1 MR. LEYDA: Mr. Grant had conversations  
2 with Prosecutor Dempsey, yes.

3 MR. BENITEZ: So they met? They have an  
4 actual meeting to discuss the charges?

5 MR. LEYDA: No, they did not meet in  
6 person.

7 PRESIDENT SHELTON: Delegate Benitez,  
8 you're entitled to two questions. Delegate Bruno on  
9 the "questions" mike.

10 MS. BRUNO: Yes, thank you. Was Mr. Grant  
11 ever given the opportunity to provide any evidence to  
12 the prosecutor?

13 MR. LEYDA: I'm sure that Mr. Grant had  
14 the opportunity to provide evidence to the  
15 prosecutor. Mr. Grant, though, did not meet  
16 personally with Mr. Dempsey. I think there was some  
17 logistical issues. I'm not sure how many times they

Presidents Meeting Transcript 061316

18 met.

19 MS. BRUNO: So you don't know if he was  
20 able to provide?

21 MR. LEYDA: Right.

22 MS. BRUNO: Okay. I have a second

47

1 question.

2 MR. LEYDA: Yes.

3 MS. BRUNO: Thank you. Did Mr. Grant ever  
4 provide the Committee with any specific times that he  
5 believes members were getting petition signatures  
6 while being paid by the Local, and if so, where and  
7 to whom?

8 MR. LEYDA: His assertions were the two  
9 months prior to the election at the Paramus Call  
10 Center.

11 MS. BRUNO: Say that again? I'm sorry.

12 MR. LEYDA: The two months prior to the  
13 election, I'm sorry, was that the call center, at  
14 AT&T Mobility Locations.

15 PRESIDENT SHELTON: At the "questions"  
16 microphone, Delegate Spina.

17 MR. SPINA: Hello, everybody. Tony Spina,  
18 Local 1109. Just reading these appeals and I know  
19 this is Appeal 7, but it's in 7, 8 and 9. About the  
20 Appeals Committee recommending that a prosecutor come  
21 from another District. You know, I find that kind of  
22 disrespectful to not only our District, but I think

1 it's --

2 PRESIDENT SHELTON: Delegate Spina, do you  
3 have a question?

4 MR. SPINA: It's a point of privilege.

5 PRESIDENT SHELTON: Okay.

6 MR. SPINA: I find it disrespectful that  
7 the Appeals Committee is looking to get a prosecutor  
8 from another District, and I think that every  
9 District in here should find a problem with that, if  
10 we can't handle our own business in our own  
11 Districts. Thank you.

12 (Applause.)

13 PRESIDENT SHELTON: Seeing no one at the  
14 "for" microphone, please take your seats.

15 There's another Delegate at the  
16 microphone, at the "questions" mike. Delegate,  
17 please identify yourself and ask the question.

18 MS. WOJTOWICZ: Sherri Wojtowicz, 7250. I  
19 have two questions. The first one is, why was Mr.  
20 Grant unable to get to Pine Street to meet the  
21 prosecutor, considering it was only a couple of miles  
22 from where the Local was headquartered?

1 MR. LEYDA: It's my understanding that the  
2 prosecutor wanted to meet at Pine Street. Mr. Grant  
3 was in a working situation at the time. He was no

4 longer a Executive Board member or anything like  
5 that, so he had requested that the prosecutor come  
6 out to his work area.

7 PRESIDENT SHELTON: You're entitled to  
8 another question.

9 MS. WOJTOWICZ: And did the prosecutor  
10 give Mr. Grant a chance to send the information,  
11 rather than just to meet in person?

12 MR. LEYDA: Yes.

13 PRESIDENT SHELTON: At the "motions"  
14 microphone.

15 MR. ABBOTT: Don Abbott, Local 3122. Make  
16 a motion to call the question.

17 PRESIDENT SHELTON: The motion is  
18 nondebtable. A two-thirds vote is needed to affirm  
19 the motion. Is there a second? All those in favor  
20 of closing debate, please raise your hands. Those  
21 opposed? we will close debate.

22 So what you have before you, brothers and

50

1 sisters, is Appeal Number 7. Those in favor of the  
2 Committee's recommendation, please raise your hands.  
3 Those opposed, please signify by like sign. The  
4 recommendation does not carry. Appeal Number 8.

5 MR. LEYDA: Appeal Number 8. CWA Local  
6 1101 member Doug Grant has appealed the decision of  
7 CWA Executive Board to uphold the recommendation of  
8 Prosecutor Joe Diesso that charges filed by Mr. Grant  
9 not be prosecuted, and the appeal of Mr. Grant be



10 Presidents Meeting Transcript 061316  
denied. The appeal is timely and properly before the  
11 Presidents' Meeting.

12 Mr. Grant filed charges dated November  
13 17th, 2015, against the Local Executive Committee and  
14 a Business Agent of CWA Local 1101. The charges  
15 alleged violations of the CWA Constitution and Local  
16 Bylaws.

17 On December 3rd, 2015, the CWA Executive  
18 Board appointed CWA District 1 Staff Representative  
19 Joe Diesso as prosecutor. Mr. Diesso investigated  
20 the charges and on March 20th, 2016, issued his  
21 report and recommendations. Prosecutor Diesso  
22 concluded that there were no serious abuses of

51

1 office, the CWA Constitution, or United States law,  
2 and recommended the charges against the charged  
3 parties not be prosecuted. The file did not contain  
4 any of the evidence provided to Mr. Diesso.

5 After a thorough review of this case and a  
6 meeting with the parties involved, as well as  
7 information provided by Mr. Grant that may or may not  
8 have been provided to the prosecutor, the Appeals  
9 Committee recommends that the appeal of Mr. Grant be  
10 granted. Further that the Committee recommends the  
11 Executive Board appoint a new prosecutor, outside the  
12 District, to investigate the charges.

13 PRESIDENT SHELTON: On the "against"  
14 microphone, Delegate Purce.

15 MR. PURCE: Keith Purce, President 1101.

16 Once again, it's Mr. Grant, as I said earlier. In  
17 this one, he accuses us of retaliating against him  
18 for filing an election complaint with the DOL. He  
19 lost that complaint. He lost his election by eleven  
20 hundred votes, so there was no reason for anything to  
21 be overturned. There was no reason for us to be  
22 spiteful or to go after him. We just wanted to move

52

1 on. Unfortunately, he doesn't want to move on.

2 The other thing was refusing to provide  
3 him with a written response as to why he could not  
4 run for the position of Shop Steward. He ran for the  
5 position of Shop Steward. He actually caused a  
6 ruckus there and was threatening and bullying and  
7 harassing people at the election.

8 I have six statements from witnesses that  
9 were there at the election, and now there are  
10 currently charges filed against him from one other  
11 person -- people that were there who felt bullied by  
12 him. So we did send him that reason why he was not  
13 able to become a Shop Steward, which is per our  
14 Bylaws that we are able to, as an Executive Board,  
15 vote for somebody not to become a Shop Steward if  
16 there's a just cause, and we felt that was just cause.

17 Failing to properly represent him, I do  
18 not know exactly what he means by that. Because we  
19 represent everybody to the best of our abilities.

20 And then, bullying of our business agent.  
21 He's saying he was bullied by our business agent,

22 Heather Trainor. Doug Grant is over six feet tall, a

53

1 grown man, pretty big. Heather Trainor's about  
2 five-three. So I don't know why he felt so bullied  
3 by Heather Trainor. So once again, we feel that the  
4 Appeals Committee did not properly look at this case,  
5 and we believe that it should be voted against and he  
6 should be denied his appeal. Thank you.

7 (Applause.)

8 PRESIDENT SHELTON: Anybody else wishing  
9 to speak? Please take your seats.

10 Brothers and sisters, what is before you  
11 is Appeal Number 8. All those in favor of the  
12 Committee's recommendation in Appeal Number 8, please  
13 raise your hands. Those opposed, signify by like  
14 sign. The recommendation does not carry. Appeal  
15 Number 9.

16 MS. BROWN: Appeal 9. CWA Local 1101  
17 member Doug Grant has appealed the decision of the  
18 CWA Executive Board to uphold the recommendation of  
19 Prosecutor Joe Diesso that charges filed by Mr. Grant  
20 not be prosecuted, and the appeal of Mr. Grant be  
21 denied. The appeal is timely and properly before the  
22 Presidents' Meeting.

54

1 Mr. Grant filed charges dated January  
2 15th, 2016, against the Executive Committee and a

Presidents Meeting Transcript 061316

3 Chief Steward of CWA Local 1101. The charges alleged  
4 that the above-referenced officers violated the CWA  
5 Constitution and the Local Bylaws by working in  
6 "collusion" to drag out a case that should have been  
7 dismissed.

8 On January 28th, 2016, the CWA Executive  
9 Board appointed CWA District 1 Staff Representative  
10 Joe Diesso as prosecutor.

11 Mr. Diesso investigated the charges and on March  
12 20th, 2016, issued his report and recommendations.  
13 Prosecutor Diesso found that there were no  
14 violations of the CWA Constitution or the Local  
15 Bylaws, and recommended that charges against the  
16 charged parties not be prosecuted. The file did  
17 not contain any of the evidence provided to the  
18 prosecutor.

19 After a thorough review of this case and  
20 meetings with the parties involved, as well as  
21 information provided by Mr. Grant that may or may not  
22 have been provided to the prosecutor, the Appeals

55

1 Committee recommends that the appeal of Mr. Grant be  
2 granted. Further, the Committee recommends that the  
3 Executive Board appoint a new prosecutor, outside of  
4 the District, to investigate the charges.

5 PRESIDENT SHELTON: On the "against"  
6 microphone, Delegate Purce.

7 MR. PURCE: Hello, again, everybody. Now,  
8 with this case, he's claiming that there was

Presidents Meeting Transcript 061316

9 collusion to drag out a case that should have been  
10 dismissed. This was a case with Chief Steward Bill  
11 Nebbling, who has a learning disability. He has a  
12 problem reading and writing stuff down, and Doug Grant  
13 made fun of him, abused him, just teased him and  
14 harassed him about his disability.

15 Bill Nebbling went to the EEOC to file a  
16 complaint. Doug Grant at the time was a business  
17 agent on the Executive Board, so when that complaint  
18 was filed, it was filed against the Executive Board  
19 because he was an employee of the Executive Board, so  
20 I don't know why he would think that we were in collusion  
21 to drag out a case that was against us also.

22 we actually had our lawyer to defend him,

56

1 to get that case dropped. We asked Bill Nebbling if  
2 he would drop it. Bill Nebbling felt so adamant  
3 about it, that he couldn't take that harassment and  
4 that teasing anymore for his disability, that he  
5 pursued the case and eventually it was handled, but  
6 there was no collusion there.

7 we just worked with him to try to get what  
8 we could do through the State of New Jersey, and once  
9 again, Bill Nebbling had the learning disability and  
10 felt strongly about it, and there was nothing we  
11 could do to get him to drop the charges. So we had  
12 to use our own lawyer to defend Doug in that case, so  
13 there was no collusion whatsoever. Thank you.

14 (Applause.)

Presidents Meeting Transcript 061316

15 PRESIDENT SHELTON: On the "questions"  
16 mike, Delegate Harmon.

17 MR. HARMON: Bradley Harmon, Local 6355,  
18 St. Louis, Missouri. My question for the Committee,  
19 it's been noted in this and several other appeals,  
20 that the file for the prosecutor was not provided to  
21 the Committee for review. My question is, is that  
22 normal practice for appeals involving a prosecutor,

57

1 that the Appeals Committee is able to review the  
2 evidence that's been provided to the prosecutor?

3 MR. LEYDA: We were provided the report of  
4 the prosecutor. There were no attachments or any  
5 evidence that went along with it. And when we  
6 received evidence from Mr. Grant, we stated  
7 it that way just because we don't know if the  
8 prosecutor had the same evidence.

9 MR. HARMON: Thank you.

10 PRESIDENT SHELTON: Anyone else wishing to  
11 speak? Please take your seats.

12 What's before you, brothers and sisters,  
13 is Appeal Number 9, the Committee's recommendation in  
14 Appeal Number 9. All those in favor of that  
15 recommendation, please raise your hands. Those  
16 opposed, signify by like sign. The recommendation  
17 doesn't carry.

18 (Applause.)

19 On the "motions" microphone, Delegate  
20 Abbott?

Presidents Meeting Transcript 061316

21 MR. ABBOTT: Don Abbott, Miami, Florida.  
22 Like to make a motion to adjourn, please.

58

1 PRESIDENT SHELTON: Thank you, Delegate  
2 Abbott. Before we do that, I'd like to take a point  
3 of personal privilege, but the women's Committee has  
4 requested that we hold a raffle for what they have  
5 collected. Fifty percent of the money is going to go  
6 to a Verizon striker that needs it. And Yvette  
7 Herrera from my office is going to come up here and  
8 pick the winner. Well, pick a ticket.

9 MS. HERRERA: No, they want you to do it.

10 PRESIDENT SHELTON: Oh, they want me to do  
11 it? OK. All right. Okay, it's ticket number  
12 713313.

13 (Applause.) So the winner is Delegate  
14 Abbott. PRESIDENT SHELTON: Now he's got the  
15 money to go home.

16 Before we adjourn, Delegate Conner on the  
17 "questions" microphone?

18 MR. CONNER: Morning, everybody. Ken  
19 Conner, Local 6171. First of all, I want to thank  
20 everybody for what we all did to support the East  
21 when Verizon was out on strike. We picketed several  
22 of the Verizon wireless stores in the State of Texas.

59

1 The only thing that I'm asking each and every one of  
2 y'all -- .

3 (Applause.)

4 The thing that I'm asking each and every  
5 one of y'all to remember right now is that we still  
6 have 26 Verizon employees out of our Local.  
7 We've reached out to the company to possibly get an  
8 extension of that Collective Bargaining Agreement  
9 which ends August 6th. The company has told us, in  
10 no uncertain terms, that they will not extend, and  
11 they want to go into full-fledged bargaining for the  
12 26 people.

13 I'm just asking everybody in here, if you  
14 remembered what we did for the 39,000 individuals  
15 that were on strike on the East, that if you would  
16 show District 6 and Local 6171 the same support  
17 for our 26. Because if we let these 26 go,  
18 it's just a stepping stone for them to attack  
19 everybody else.

20 (Applause.)

21 MR. CONNER: Thank you.

22 PRESIDENT SHELTON: On the "questions"

60

1 microphone, Delegate Marble.

2 MS. MARBLE: I'm Beth Marble, Local 13101.  
3 Yesterday I said good-bye to a friend, co-worker and  
4 Union brother. Heath Janssen, a splicer of 19 years  
5 and Shop Steward in Dover, Delaware, was tragically  
6 struck and killed by a drunk driver, while he was



7 working in a protected work zone. He left behind his  
8 wife and two children, a son, 14, and a daughter, 8.  
9 I would like to pass the hat to raise funds for his  
10 family at this terrible time.

11 PRESIDENT SHELTON: Sergeant-at-Arms,  
12 please pass the hat, as the Delegate asked.

13 And while that's going on, I'd like to say  
14 thank you to the Appeals Committee. I know they  
15 worked very, very tough -- appeals, I know they  
16 worked hard. they worked till about 1:00 this morning  
17 and they worked, whether you agree or disagree with  
18 anything they did, they did a great job, and they  
19 worked very, very hard to get there. So thank you  
20 very much.

21 (Applause.)

22 PRESIDENT SHELTON: By the way, the

61

1 Women's Committee collected \$777, half  
2 of it, \$388.50 will go to strikers. Great job.

3 So just before we adjourn, a couple of  
4 announcements. Vice-President Cummings would like to  
5 have a Presidents' Meeting at the conclusion of the  
6 meeting in this room for the District 6 Locals. So  
7 if you would, meet Vice-President Cummings at the end  
8 of the meeting.

9 And we are going to have, after we adjourn  
10 this, we are going to have Secretary-Treasurer  
11 Steffens give a financial report. I would ask that  
12 you all stay to hear that. So, well, we'll wait till

13 the Sergeants-at-Arms are off the floor. Because I  
14 know they'd all vote to adjourn, for sure.

15 I'd also like to say thank you to our  
16 observers. You did a great job. Thank you.

17 So, brothers and sisters, before you is a  
18 motion to adjourn. Is there a second? All those in  
19 favor of adjourning, please signify by raising your  
20 hand. Those opposed, signify by like sign. We are  
21 adjourned.

22 (whereupon the meeting was adjourned at 10:34 a.m.)