COMMUNICATIONS WORKERS OF AMERICA
PRESIDENTS' MEETING

HYATT REGENCY
400 NEW JERSEY AVE, N.W.
WASHINGTON, DC 20001

MONDAY JUNE 13, 2016

PROCEEDINGS

(9:07 a.m.)

PRESIDENT SHELTON: Good morning, brothers and sisters. Welcome to the 2016 Biennial
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Presidents' Meeting. Will everyone please rise for a scripture reading by Shelena Williams, followed by the Pledge of Allegiance, so stay standing.

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

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

(Pledge of Allegiance recited)

Thank you. You can be seated now.

Before we start, I felt that it was absolutely necessary to say something about the tragedy that occurred in Orlando yesterday. Not only was it a tragedy of monumental proportions, but one of our own, President Mike Maldonado -- Mike, would you just stand, please? -- was informed that he lost his niece, Amanda Alvear, in the tragedy in Orlando, so I would ask that we have a moment of silence for all the victims, including Mike's niece.

(minute of silence)

Thank you. And Mike, if there's anything anybody in this Hall can do for you, I'm sure they would be willing to. Please let us know.
Pursuant to Article IX, Section 7, of the CWA Constitution, this Local Presidents' Meeting has been called to hear and resolve any pending appeals of Executive Board decisions as issued to date. That is the only business before this meeting.

With that said, I would like to recognize the National Executive Board and ask them to please stand as I say their names. Sara Steffens, Secretary-Treasurer; Dennis Trainor, Vice-President, District 1; Ed Mooney, Vice-President, District 2-13; Richard Honeycutt, Vice-President, District 3; Linda Hinton, Vice-President, District 4; Claude Cummings, Vice-President, District 6; Brenda Roberts, Vice-President, District 7; Tom Runnion, Vice-President, District 9; Lisa Bolton, Vice-President, Telecom and Technology; Brooks Sunkett, Vice-President, Public, Health Care and Education Workers; Bernie Lunzer, President, TNG-CWA; Charlie Braico, President, NABET-CWA; Jim Clark, President, IUE-CWA; Sara Nelson, President, AFA-CWA; and Dan Wasser, PPMWS Executive Officer. I should mention Dan couldn't be here today because he's ill. Carolyn Wade, Northeast Region Executive Board Member At-Large; Anetra Session, Central Region Executive Board Member At-Large; Frank Arce, Western Region Executive Board Member At-Large; Vera Mikell, Southeast Region Executive Board Member At-Large;
and dear to mine, and I'm sure a lot of other people's hearts in this room: The recent Verizon strike and victory.

(Applause.)

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

(Applause.)

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

(Applause.)

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

I told the Executive Board yesterday that, when we first started picket lines at the Verizon wireless stores, a lot of the public, particularly
millennials, had no idea what a picket line was, or what they should do when they see a picket line.

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

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

We had over 500 wireless stores nationwide just about to close. You could've rolled tumbleweed down the aisles, and most of the Verizon wireless stores in this country, when we decided we should do that, and that's because of all of you. So, on behalf of 39,000 striking Verizon folks, would all who participated, please stand up? Come on, stand up and give yourselves a round of applause.
This was an amazing effort. It was an amazing effort by just about everybody in this union. At last year's convention, I said that we needed to have a union where every Local had every other Local's back. Well, that's what happened at the Verizon strike. Every Local in this country had every other Local's back and thank you, thank you, thank you.

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

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

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

Microphone Number 3 is the "against" microphone. Use it to speak against any motion...
before the Presidents' Meeting.

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

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

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

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

During the course of our Presidents' Meeting, a verbatim record is being kept. This record will be e-mailed to you. You will have thirty days to review the record and report to us any errors you may wish to have corrected. To help us with who is to be recognized and to be sure that we follow procedures, we have two delegates from the floor.

For that purpose, we have LaNell Piercy, President, Local 4252, and Ed Barlow, President, Local 3204.

MS. KRUEGER: Good morning, everyone.

President Shelton, delegates, retirees, and guests, I
am pleased to announce that on behalf of the Credentials Committee, that the Committee has registered over 250 delegates to the Presidents' Meeting. The Committee appreciates the assistance rendered by the Secretary-Treasurer's office and especially the help of the Information Systems and Membership Dues Department.

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

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

(Applause.)

We shall be reporting on credentials in the following categories: Category 1, those credentials properly executed and received on time; Category 2, credentials properly executed, but late; Category 3, improperly executed; Category 4A, proxy credentials properly executed, but late; Category 4B, proxy credentials improperly executed; Category 5, unusual circumstances. There are 250 credentials properly executed and on time. The Committee moves that these delegates be seated.
So I will entertain a motion to accept the Credentials Committee report. Is there a motion? Is there a second? All those in favor? Those opposed? It is accepted.

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

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

I want to report on the status of Local 2205's Overtime Change in Work Schedule grievance, appealed to the 2014 Presidents' Meeting. The 2014 Presidents' Meeting overturned the decision not to arbitrate and a hearing was scheduled for June 16th,
Prior to the June hearing date, the union met with management and discussed the potential settlement to this grievance. The parties agreed to postpone the hearing, pending Verizon making agreed-upon changes in scheduling. The parties also agreed to revisit the issue to make sure it was remedied in the last quarter of 2015.

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

So I'd like to call on the Chair of the Appeals Committee to start the Appeals Committee report.
the CWA Constitution and the Internal Appeals
Procedures of the Union, as established by prior
Conventions and the Executive Board.
The Committee was available to meet with
interested parties on June 11th and June 12th, 2016,
between the hours of 2:00 p.m. through 6:00 p.m.
Outside of these hours, the Committee was available
by appointment.
I would like to recognize Mike Frost for
Appeal Number 1.

MR. FROST: On October 29th, 2014, CWA
Local 9421 member Joyce Reddic appealed the Executive
Board's decision regarding her election
challenge/appeal. The appeal is timely and properly
before the Presidents' Meeting. Local 9421 conducted
Local officer elections on October 22nd, 2014. Ms.
Reddic was not running for any elected office.
On October 21st, 2014, Ms. Reddic learned
that there was a Local election in progress when a
coworker mentioned the ballots were being counted.
Ms. Reddic didn't receive her ballot and did not know
there was an election in progress. The next day, Ms.
Reddic brought her home mail into work and one of the
mail items was campaign material from a candidate
running for Local president.
In two letters, both dated October 2014,
Ms. Reddic challenged the election results based on
several alleged violations. The Local Election
Committee carefully considered her claims and were unable to substantiate any of her claims. In a letter dated November 2014, but received December 9th, 2014, Ms. Reddic appealed the decision of the Election Committee to former Vice-President Laura Reynolds. Former Vice-President Reynolds assigned Valerie Reyna as investigator. Ms. Reyna performed a thorough investigation and was unable to substantiate any of the claims.

On May 1st, 2015, Ms. Reddic appealed to former President Cohen who reviewed the evidence and previous decisions, and found no evidence to overturn the conclusions of those who had heard the claims. On May 20, 2015, Ms. Reddic appealed to the Executive Board, who also denied the appeal, based on the evidence presented.

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

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

2. Ms. Reddic and several other members did not receive a ballot. She claims this violated the UOPM and also claims some of the people were
denied the right to vote because some ballots were picked up after the ballot count and were not counted.

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

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

PRESIDENT SHELTON: You have heard the Appeals Committee recommendation in Appeal Number 1. Is there a motion to accept the Appeals Committee's
recommendation? Is there a second? Any discussion?

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

MR. LEYDA: She claims she was not.

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

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

MR. CARROLL: Okay. Thank you.

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

MR. SCHAFER: Appeal Number 2. On July 30th, 2015, CWA Local President Robert Boelk appealed the CWA Executive Board's decision to deny the grievance filed by Local 4622 over a manager doing core work at AT&T. The appeal is timely and properly before the Presidents' Meeting.

CWA Local 4622 maintains that the company has violated Article 17.18 of the Collective
Bargaining Agreement due to a manager performing bargaining unit work. Article 17.18 of the Collective Bargaining Agreement states:

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

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

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

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

PRESIDENT SHELTON: I've been informed I
MR. BOELK: All right. Mayor Rob Boelk, President of 4622, Wisconsin. This is my appeal. I brought two appeals to the floor this weekend. I actually had all my appeals reviewed by our Local attorney. There was one appeal that I didn't withdraw just for the fact that it wasn't a good case. And this one here, our attorney thinks is winnable.

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

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

(Applause.)

MR. HENDERSON: Bill Henderson --

PRESIDENT SHELTON: Excuse me --

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

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

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

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

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

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

(Applause.) Appeal Number 3.

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

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

Former President Dan Smith alleged that the stipulation was, "signed on February the 9th, 2015, without approval of the membership." Further, former President Smith alleged:

"This stipulation supersedes the MOU in CWA 25. It is my charge that this stipulation changes the language of the contract; therefore, requiring
the membership to approve said language changes."

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

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

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

PRESIDENT SHELTON: Is there any discussion? Seeing no one coming to a microphone, what you have before you is Appeal Number 3, the recommendation of the Appeals Committee in Appeal Number 3. All those in favor of the recommendation, please raise your hand. Those opposed, please signify by like sign. The recommendation carries. Appeal Number 4.

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

CWA Local 2336 conducted the Local elections on October 22nd, 2014. Jose Cruz was a candidate for the office of Local President. The results of the presidential election were as follows:

Jose Cruz -- fifty-eight (58) and Terrence Richardson -- sixty-four (64), for a difference of six votes.

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

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

The Election Committee denied Mr. Cruz' challenge.

Mr. Cruz then appealed that decision to both the Local Executive Board and Local 2336 membership, which also denied his challenge. Mr. Cruz appealed the decision to District 2-13 Vice-President Edward Mooney, who investigated the challenge and denied it as well. That denial was appealed to President Shelton and the CWA Executive Board and both upheld the decision of Vice-President
Mooney. The facts show that:

1. While some ballot instructions were corrected by crossing out the incorrect information, the Election Committee Chair acknowledged that some ballot instructions went out with incorrect return dates;

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

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

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

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

PRESIDENT SHELTON: Since there is no one at the "for" microphone, we will go to the "against" microphone. Delegate Richardson?
MR. RICHARDSON: Terry Richardson, President, CWA Local 2336 here in D.C. I am against the allegations of -- the first allegation -- instructions on voting being sent to members with incorrect addresses with the incorrect return date, I'm sorry. The date itself was correct. The day of the week was incorrect. It was, say, a Tuesday, the 22nd, which the 22nd was actually on a Wednesday. But we did not pick up the ballots until Thursday, the 23rd.

Members not receiving ballots -- when they were returned -- every member in good standing was sent a ballot at their last known address. The ballots that came back undeliverable -- our secretary made an attempt to contact them at the last can-be-reached number that we have for them. Upon talking to them, if she did get in contact with them, we got a correct address and sent them a replacement ballot. Those who we did not get in contact with until that second week were told that they had to come in to the Hall to get a replacement ballot. For the ones who did not contact us back or return our calls, we could not obtain a suitable address to send it to them.

Ballots sent to non-members -- we are a
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closed shop here in D.C. Members have the right to
resign from the Union, but they still have to pay the
equivalent of Union dues, so in our system, they are
marked as active agency fee payers, to differentiate
themselves from dues-paying, participating members.

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

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

box.

The other election material that was not
behind a lock box was excessive, ballots that we
printed out. We have 800 and something members. We
printed out a 1,000 in case there were any mistakes in
folding them or whatever. Those extras that were not
mailed out were placed in a box for if we had to do
replacement ballots and things of nature. But at no
time was the office unsecure for anybody to just walk
in, fill a ballot out, and then mail it in, because you needed a self-addressed stamp -- things of that nature to be able to do that.

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

(Applause.)

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

MR. SUMMERS: Mike Summers, President of CWA Local 2100. I would just like to add that it is the members' responsibility to get their correct address to the Local Halls. So if there were 25 ballots that came back with the wrong address, it's the members' responsibility to get the address changes to the Hall.

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

(Applause.)

PRESIDENT SHELTON: Seeing no one at the "for" microphone or the "questions" microphone, brothers and sisters, would you please take your
What you have before you, brothers and sisters, is Appeal Number 4. The Committee's recommendation is to overturn the election and rerun that election. All those in favor, please signify by raising your hand. Those opposed? The election stands. Appeal Number 5.

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

IUE-CWA Local 81359 maintains that the company has violated Article XXVIII of the National Collective Bargaining Agreement, both paragraphs 1 and 2, and the intent of the Local Agreement. Article XXI of the National Agreement, titled Local Understanding states:

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

2. After the effective date of this Agreement, new local understandings will be
recognized and made effective only where set forth in writing and signed by Local management and the Local, and approved by the Company and the Union.

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

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

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

MR. PATRIGNANI: Good morning, welcome. Thank you, President Shelton. Brothers and sisters, I stand before you asking for an overturn of this denial, once again. This is a terrible disparate treatment of a senior member of our Local. There are some circumstances involving this case that we would love to put before an arbitrator.
We have appealed to the International Union, The IUE-CWA pleading, "We will pay all costs associated with this case." We don't even want their money. We want to do -- we're willing to do this on our own. We feel we can definitely win this case. We feel we have substantial merit on trying to get this to closure.

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

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

At three independent union meetings we had with our members, this was unanimously voted on to take to arbitration, and if we had to incur the cost ourselves, our Local would incur all costs associated with this arbitration, because to us, seniority is the most important factor we have. And that's all we have left.

Thank you. (applause)

PRESIDENT SHELTON: Is there someone else wishing to speak? Since there is no one, please take
your seats brothers and sisters.

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

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

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

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

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

On or about November 11th, 2014, the Election Committee denied the appeal in writing. The reason given was that they gathered and verified the membership list from the Secretary-Treasurer and that office is responsible for maintaining the list. Further, the Election Committee found a person is not a member of the Local until they actually report to work at a new location that is inside that Local. This decision was upheld by the Local Executive Board. Ms. Sheehan and Ms. Walker appealed that decision to the Local membership. The Local membership upheld the appeal and determined Ms. Simmons was not a member at the time of the nominations.

On December 14th, 2014, former Secretary-Treasurer Darrin Simmons appealed the decision of the Membership and found that Heather Simmons was not a member in good standing of Local 9421 at the time of nominations. In his appeal, Mr. Simmons submitted Orion records that showed Ms. Simmons was a member in good standing of Local 9421
as of September 9th, 2014. He asserted that the Orion records were not editable by Local officers and the record showed she was current with her dues on September 9th, 2014. He also states that AT&T misreported her dues several times, which he had corrected. After a thorough investigation, former Vice-President Reynolds found that the facts did not support the claims in the appeal by Mr. Simmons and she denied Mr. Simmons' appeal.

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

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

On March 21st, 2016, Ms. Walker and Ms.
Sheehan appealed the decision of the Executive Board to the Presidents' Meeting.

The Appeals Committee has carefully considered the facts as follows:

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

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

3. Ms. Simmons asserted she was never given a date to either report to Fresno or choose to become a surplused employee. This claim is also reiterated by a second level manager. Ms. Simmons never reported to any work location in Fresno and continued to work at the Local and on the United Way campaign.

4. John Himm and Jerrie Collier, both in AT&T Labor Relations, as well as Ms. Simmons, have stated that she was not on loan to Sacramento.
5. While there were discussions between the Presidents of Local 9421 and Local 9408 about signing a waiver of jurisdiction for Ms. Simmons, there was no waiver signed.

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

7. Since the 2014 election, Ms. Simmons has applied for and accepted a position at an AT&T work location within the jurisdiction of Local 9421. The Appeals Committee does not question the claim that Ms. Simmons' didn't receive a date to report to work in Fresno, nor was she given the option to choose to be a surplused employee. It's also established that Ms. Simmons did not report to any AT&T work location in Fresno between the work place closure and the following fifteen months until Local 9421's nominations.

We do not dispute that AT&T violated a collective bargaining agreement by changing Ms. Simmons' reporting location to Fresno. Neither Local filed a grievance about AT&T violating the collective bargaining agreement, although there was, at minimum, clear evidence that her reporting location had been
changed to Fresno, and the Sacramento work location had been closed for several months.

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

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

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

"for" microphone, Delegate Miller.

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

There was a handshake deal between the two presidents at the time that allowed her to stay in Sacramento on loan. It's to our understanding. So she did -- sorry, I apologize, I'm a little nervous -- she was told that when her term was up, she would then report to Fresno. So our contention was, she was not a member of our Local. She was afforded the right to go to Fresno. She should have been in Fresno. She should have not been able to run for the
The bottom line is my membership was given the facts. My membership voted that she should be removed from Executive Board. That was then challenged by her husband and then it went through the process and that's why we're here today. We believe she should not be on the Executive Board. She is now a current member of my Local. She did transfer back in. She can run for election next time.

(Applause.)

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

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

MR. FROST: NO.

MS. REMSKI: Thank you.

PRESIDENT SHELTON: Any other discussion? Those in favor of the Committee's recommendation, please signify by raising your hand. Those opposed, please signify by like sign. The recommendation
doesn't carry. Appeal Number 7.

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

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

On March 19th, 2015, the CWA Executive Board appointed CWA District 1 Staff Representative John Dempsey, as prosecutor. Mr. Dempsey investigated the charges and on May 22nd, 2015, issued his report and recommendations. Prosecutor Dempsey recommended that the charges not be prosecuted because he concluded that there had been no willful violations of the CWA Constitution or Local 1101 bylaws. The file did not contain any of the evidence provided to the prosecutor.

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

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

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

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

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

MR. BENITEZ: Good morning, brothers and sisters. Two questions I have for the Appeals Committee. My first question -- there's a note here that says that there might be some evidence -- that may have or may not have been provided. What evidence are we talking about that we're not provided
MR. LEYDA: Evidence that was provided by Mr. Grant to the Committee that we're not sure was provided to the prosecutor because it wasn't in his report.

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

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

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

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

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

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

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

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

MR. LEYDA: I'm sure that Mr. Grant had the opportunity to provide evidence to the prosecutor. Mr. Grant, though, did not meet personally with Mr. Dempsey. I think there was some logistical issues. I'm not sure how many times they
MS. BRUNO: So you don't know if he was able to provide?
MR. LEYDA: Right.
MS. BRUNO: Okay. I have a second question.
MR. LEYDA: Yes.
MS. BRUNO: Thank you. Did Mr. Grant ever provide the Committee with any specific times that he believes members were getting petition signatures while being paid by the Local, and if so, where and to whom?
MR. LEYDA: His assertions were the two months prior to the election at the Paramus Call Center.
MS. BRUNO: Say that again? I'm sorry.
MR. LEYDA: The two months prior to the election, I'm sorry, was that the call center, at AT&T Mobility Locations.
PRESIDENT SHELTON: At the "questions" microphone, Delegate Spina.
MR. SPINA: Hello, everybody. Tony Spina, Local 1109. Just reading these appeals and I know this is Appeal 7, but it's in 7, 8 and 9. About the Appeals Committee recommending that a prosecutor come from another District. You know, I find that kind of disrespectful to not only our District, but I think
President SHELTON: Delegate Spina, do you have a question?

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

PRESIDENT SHELTON: Okay.

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

(Applause.)

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

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

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

MR. LEYDA: It's my understanding that the prosecutor wanted to meet at Pine Street. Mr. Grant was in a working situation at the time. He was no
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longer a Executive Board member or anything like
that, so he had requested that the prosecutor come
out to his work area.

    PRESIDENT SHELTON: You're entitled to
another question.

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

    MR. LEYDA: Yes.

    PRESIDENT SHELTON: At the "motions"
microphone.

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

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

    So what you have before you, brothers and

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

    MR. LEYDA: Appeal Number 8. CWA Local
1101 member Doug Grant has appealed the decision of
CWA Executive Board to uphold the recommendation of
Prosecutor Joe Diesso that charges filed by Mr. Grant
not be prosecuted, and the appeal of Mr. Grant be
denied. The appeal is timely and properly before the Presidents' Meeting.

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

On December 3rd, 2015, the CWA Executive Board appointed CWA District 1 Staff Representative Joe Diesso as prosecutor. Mr. Diesso investigated the charges and on March 20th, 2016, issued his report and recommendations. Prosecutor Diesso concluded that there were no serious abuses of office, the CWA Constitution, or United States law, and recommended the charges against the charged parties not be prosecuted. The file did not contain any of the evidence provided to Mr. Diesso.

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

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

MR. PURCE: Keith Purce, President 1101.
Once again, it's Mr. Grant, as I said earlier. In this one, he accuses us of retaliating against him for filing an election complaint with the DOL. He lost that complaint. He lost his election by eleven hundred votes, so there was no reason for anything to be overturned. There was no reason for us to be spiteful or to go after him. We just wanted to move on. Unfortunately, he doesn't want to move on.

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

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

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

And then, bullying of our business agent. He's saying he was bullied by our business agent,
Heather Trainor. Doug Grant is over six feet tall, a grown man, pretty big. Heather Trainor's about five-three. So I don't know why he felt so bullied by Heather Trainor. So once again, we feel that the Appeals Committee did not properly look at this case, and we believe that it should be voted against and he should be denied his appeal. Thank you.

(Appause.)

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

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

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

Mr. Grant filed charges dated January 15th, 2016, against the Executive Committee and a
Chief Steward of CWA Local 1101. The charges alleged that the above-referenced officers violated the CWA Constitution and the Local Bylaws by working in "collusion" to drag out a case that should have been dismissed.

On January 28th, 2016, the CWA Executive Board appointed CWA District 1 Staff Representative Joe Diesso as prosecutor. Mr. Diesso investigated the charges and on March 20th, 2016, issued his report and recommendations. Prosecutor Diesso found that there were no violations of the CWA Constitution or the Local Bylaws, and recommended that charges against the charged parties not be prosecuted. The file did not contain any of the evidence provided to the prosecutor.

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

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

MR. PURCE: Hello, again, everybody. Now, with this case, he's claiming that there was
collusion to drag out a case that should have been dismissed. This was a case with Chief Steward Bill Nebbling, who has a learning disability. He has a problem reading and writing stuff down, and Doug Grant made fun of him, abused him, just teased him and harassed him about his disability.

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

We actually had our lawyer to defend him, to get that case dropped. We asked Bill Nebbling if he would drop it. Bill Nebbling felt so adamant about it, that he couldn't take that harassment and that teasing anymore for his disability, that he pursued the case and eventually it was handled, but there was no collusion there.

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

(Applause.)

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PRESIDENT SHELTON: On the "questions"

mike, Delegate Harmon.

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

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

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

MR. HARMON: Thank you.

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

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

(Appause.)

On the "motions" microphone, Delegate Abbott?
MR. ABBOTT: Don Abbott, Miami, Florida. Like to make a motion to adjourn, please.

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

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

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

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

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

MR. CONNER: Morning, everybody. Ken Conner, Local 6171. First of all, I want to thank everybody for what we all did to support the East when Verizon was out on strike. We picketed several of the Verizon wireless stores in the State of Texas.
The only thing that I'm asking each and every one of y'all --.

(Applause.)

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

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

(Applause.)

MR. CONNER: Thank you.

PRESIDENT SHELTON: On the "questions" microphone, Delegate Marble.

MS. MARBLE: I'm Beth Marble, Local 13101. Yesterday I said good-bye to a friend, co-worker and Union brother. Heath Janssen, a splicer of 19 years and Shop Steward in Dover, Delaware, was tragically struck and killed by a drunk driver, while he was...
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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
12 PRESIDENT SHELTON: Sergeant-at-Arms,
13 please pass the hat, as the Delegate asked.
14
15 And while that's going on, I'd like to say
16 thank you to the Appeals Committee. I know they
17 worked very, very tough -- appeals, I know they
18 worked hard. They worked till about 1:00 this morning
19 and they worked, whether you agree or disagree with
20 anything they did, they did a great job, and they
21 worked very, very hard to get there. So thank you
22 very much.
23
24 (Applause.)
25
26 PRESIDENT SHELTON: By the way, the

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
10 And we are going to have, after we adjourn
11 this, we are going to have Secretary-Treasurer
12 Steffens give a financial report. I would ask that
13 you all stay to hear that. So, well, we'll wait till
the Sergeants-at-Arms are off the floor. Because I
know they'd all vote to adjourn, for sure.

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

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

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