

July 17, 2013

Regular Meeting Board of Fire Commissioners

President Klein called the meeting to order at 6:22 p.m. and led the Pledge of Allegiance to the Flag.

Present: President J. Klein, Commissioners, J. Meszoros, and W. Marshall;
D/C Petrucelli, LT Gardiner

Absent: M. Lee

Commissioner Meszoros motioned to dispense with reading the minutes of the previous meeting; Commissioner Marshall seconded and the Board passed it unanimously.

Old Business:

- 1) Local 834-Grievance 2012-18; FF John Herring, Article 5, Disciplinary Action.

Grievance settled. D/C Petrucelli to submit letter to Union President.

- 2) Local 834-Grievance 2013-1; FF Joel Christy, Article 5, Disciplinary Action.

Union President Whitbread asked to table this grievance. FF Christy is out on sick leave.

Commissioner Meszoros motioned to table this grievance to next month; Commissioner Marshall seconded and the Board passed it unanimously.

- 3) Local 834-Grievance 2013-3; FF Isaias Rodriguez, Transfer.

Philip White, Labor Relations asked to table this grievance. There is an investigation in process.

Commissioner Meszoros motioned to table this grievance to next month; Commissioner Marshall seconded and the Board passed it unanimously.

- 4) Local 834-Grievance 2013-6; Class Action OT D-Shift 12-24-12.

The Union and City are negotiating. Waiting for details from Union.

Commissioner Meszoros motioned to table this grievance to next month; Commissioner Marshall seconded and the Board passed it unanimously.

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- 5) Local 834-Grievance 2013-7; Class Action OT A-Shift 12-24-12.

The Union and City are negotiating. Waiting for details from Union.

Commissioner Meszoros motioned to table this grievance to next month;
Commissioner Marshall seconded and the Board passed it unanimously.

- 6) Local 834-Grievance 2013-8; Class Action OT BOFC Appearances.

Philip White, Labor Relations working on changing the working of letter to appear in front of the Board of Commissioners. When using "ordered", it puts the firefighters "on-duty". Phil White working on wording. President Klein stated that it is in the "best" interest of firefighters to attend. Union President Whitbread asked to table this.

Commissioner Meszoros motioned to table this grievance to next month;
Commissioner Marshall seconded and the Board passed it unanimously.

- 7) Local 834-Grievance 2013-2; LT Lee Taylor, Car Use.

Commissioner Meszoros motioned to table this grievance to next month;
Commissioner Marshall seconded and the Board passed it unanimously.

- 8) Local 834-Grievance 2013-11; Ronald Morales Pension.

Executive session.

Atty. Mitola suggested tabling this until next month so that all paperwork can be filed. CT Gardiner stated that he did not file for actual retirement but sent a certified letter requesting retirement.

President Klein asked that Union President Whitbread have Mr. Morales sign all retirement papers so that the pension can be put in place.

Union President Whitbread will relay the message to Mr. Morales.

Commissioner Meszoros motioned to table this grievance to next month;
Commissioner Marshall seconded and the Board passed it unanimously.

- 9) Local 834-Grievance 2013-12; Frank Gerardi Pension.

Executive session.

Commissioner Meszoros motioned to table this grievance to next month;
Commissioner Marshall seconded and the Board passed it unanimously.

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10) Local 934 Grievance 2013-9; Class Action, Docking Pay Checks.

Union President Whitbread will submit withdrawal after he confirms that this was paid.

11) Local 834-Grievance 2013-13; FF Jacob Hall, Dock Pay.

Per D/C Petrucelli, to be paid and confirmed.

Commissioner Meszoros motioned to table this grievance to next month; Commissioner Marshall seconded and the Board passed it unanimously.

12) Local 834-Grievance 2013-14; FF Richard Rivera, Dock Pay.

Per D/C Petrucelli, to be paid and confirmed.

Commissioner Meszoros motioned to table this grievance to next month; Commissioner Marshall seconded and the Board passed it unanimously.

13) Local 834-Grievance 2013-10; Night Differential in Pension.

Per Phil White; possible resolution. Asked to table.

Commissioner Meszoros motioned to table this grievance to next month; Commissioner Marshall seconded and the Board passed it unanimously.

14) Local 834-Grievance 2013-15; Other Leave NEMO Vac, Pers, Comp Days.

Working on resolution.

Commissioner Meszoros motioned to table this grievance to next month; Commissioner Marshall seconded and the Board passed it unanimously.

15) Local 834-Grievance 2013-17; OT Probationary FF's.

Resolved. Union President Whitbread to withdraw.

16) Local 834-Grievance 2013-18; Special Leave NEMO.

Special leave is when one firefighter is asked to covers another's shift. Union President Whitbread looking for statement that this will not happen again. Labor Relations to make decision. Once a letter is received, Union will withdraw.

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Commissioner Meszoros motioned to table this grievance to next month; Commissioner Marshall seconded and the Board passed it unanimously.

17) Local 834-Grievance 2013-19; Light Duty Work NEMO.

- Union does not want light-duty personnel to be ordered to come to work when Mayor orders came via e-mail that all “non-essential” personnel were to stay home. A firefighter who had been out with back problems, had to shovel his driveway and come in to answer phones and do filing. He wants to make sure this doesn’t happen again.
- Labor Relations stated that emergency services are all essential.
- Union President Whitbread states that light-duty personnel should not be made to come in (since all they do is answer phones and file)
- D/C Grace stated that it all depends on the TWP as to what the light duty person can do according to the provider’s statement.
- Atty John Mitola stated that the Union is asking for a blanket remedy and by doing this it will take away discretion of management.
- Commissioner Marshall felt that if they were cleared to return to work for light-duty, they should come in.

Commissioner Marshall motioned to deny this grievance. Motion was not seconded. President Klein stated that the Board is unable to take action. President Whitbread will move to Civil Services.

18) Local 834-Grievance 2013-20; Paul Cocca Vac. Day.

Phil White, Labor Relations stated that they are in the middle of discussions and asked to table this grievance.

Commissioner Marshall motioned to table this grievance to next month; Commissioner Meszoros seconded and the Board passed it unanimously.

Communications:

- 1) Letter of Resignation from Commissioner Doris G. Garcia dated 6/12/13 was shared by D/C Petrucelli.

New Business:

- 1) Entertain a motion to remove Julia Jablonski Timmons, deceased June 30, 2013, from the Widow’s Pension list and refer to the Board of Trustees, Pension Plan A, for implementation.

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Commissioner Meszoros motioned to grant this request; Commissioner Marshall seconded; the Board passed this unanimously.

- 2) Entertain a motion to remove Retired Fire Assistant Chief Donald A. DeCarlo, deceased July 6, 2013, from the Firefighter's Pension list and refer to the Board of Trustees, Pension Plan A, for implementation.

Commissioner Meszoros motioned to grant this request; Commissioner Marshall seconded; the Board passed this unanimously.

- 3) Executive Session for attendance review of the following individuals:
 - a. D/C Grace asked that PE J. Skinner be added to the agenda. Commissioner Marshall motioned to add PE Skinner to the agenda; Commissioner Meszoros seconded; and the Board passed it unanimously.

Went in executive session.

Commissioner Marshall motioned to have PE Skinner obtain an IME as soon as possible; Commissioner Meszoros seconded; the Board passed this unanimously.

- 4) Entertain a motion to accept the Report of the Sick and Injury.

Commissioner Marshall motioned to accept the Report of the Sick and Injury as written; Commissioner Meszoros seconded and the Board passed it unanimously.

- 5) Entertain a motion to accept the Payroll Register.

Commissioner Meszoros motioned to accept the payroll register as written; Commissioner Marshall seconded and the Board passed it unanimously.

- 6) Policy and Procedure review.

None.

Commissioner Meszoros wanted to thank the two companies for attending the Junior Responders Career Day. They did an excellent job.

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There being nothing further to come before the Board a motion to adjourn was made by Commissioner Marshall; Commissioner Meszoros seconded and the Board agreed unanimously.

The meeting was adjourned at 7:42 p.m.

**Next Meeting: Wednesday, August 21, 2013 at 6:00 p.m., 2nd Floor at
FHQ**