

# IMPACT

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## UNION FACES TWO BIG CHALLENGES AS BLOOMBERG ADMINISTRATION WINDS DOWN

**As the Bloomberg Administration enters its final eight months in office, Local 246 is facing two big challenges as a result of the Mayor's attempt to squelch the power of the City's labor movement.**

Within the last couple of months, the City has started implementation of its Genuine Parts Company/NAPA contract, giving the private vendor complete control of the parts cages. President Joe Colangelo said this aggressive move appears to be an end-run attempt at privatizing and the Union has already expressed its concerns.

Colangelo said Union officers have been visiting the shops regularly where parts cages are out of City control in order to see the transition first hand.

"We have a tremendous number of unanswered questions since the City once again apparently did not think this plan through to the end before awarding an unnecessary contract to an outside vendor," he said. "There was no negotiating this with the unions and therefore, we provided no input. We are scrutinizing every aspect of this transition to make sure no finger pointing comes back to our members because the vendor made a mistake."

The second issue the Union is dealing with is the City's underhanded attempt to reclassify 220 trades titles, again without any input from organized labor.



"We have already filed a lawsuit to stop the shenanigans and the courts ruled in our favor. Naturally the City appealed because they weren't happy with that decision. Now we will be defending the Supreme Court decision we won before the Appellate division and since we won, I'm optimistic that we will once again prevail," Colangelo said.

For indepth stories on both, see pages 8 and 9 of this newsletter.

Pictured, Colangelo reviews the Genuine Auto Parts contract with Business Agent Thomas Graziano and Shop Steward Anthony Reyes prior to a May 1 meeting with the City to discuss many unanswered questions.



Good & Welfare



San Gets Specialty Tools



Brooklyn Visit from Joe

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# Message from President JOSEPH A. COLANGELO



It's hard to believe that there was actually a media report lately based on a press release from Deputy Mayor Caswell Holloway that the City was willing to resolve all expired contracts with the City's municipal unions. At first glance of the headline, everything looked impressive. Then the story itself revealed the catch.

The Deputy Mayor's comments are from a speech he gave to the Citizen's Budget Commission, at which he outlined a path to resolve all outstanding City labor contracts and rein in what he called exploding health care costs.

Here's the synopsis he provided: *"The City has bud-*

*geted reserves to settle all contracts and provide reasonable salary increases for employees if union leadership agrees to restructure health care benefits to improve care and reduce costs, and no retroactive pay increases. In any scenario, granting retroactive contractual salary increases for the period covering the recession would open multi-billion dollar budget gaps, and force a dramatic reduction of City services. Under the provisions outlined today, the City is willing to enter into negotiations for reasonable salary increases for City workers, provided that organized labor agrees to restructure health care benefits in a way that requires contributions from employees and retirees, and rewards employees for living healthy and assisting the City to reduce overall health care costs through disease management, data analysis, and other best practices."*

No retroactive pay increases? Current employees and retirees contribute a portion of their Health care premiums? Let's be clear on one thing; these would be some serious financial setbacks equivalent to not only no raises at all but reduction in salary.

Of course, the Citizen's Budget Commission loved the proposal, as they have a long history of despising City workers. The response from many labor leaders, myself included,

## UNIFIED PAYROLL POLICY AGREEMENT REACHED WITH CITY

On April 29, Local 246 and representatives from the Office of Labor Relations reached an agreement on a unified payroll policy for all agencies concerning how employees should be paid when working overtime. The following procedure will be implemented.

All scheduled hours in pay status shall count toward the contractual weekly threshold, including but not limited to annual leave usage and paid sick leave usage. For example, an employee works his regular daily shift and is asked to work overtime. The following day the employee takes an annual leave or sick leave day. That annual leave or sick leave day shall count toward reaching the 40 hour threshold; therefore, he/she shall be paid for the overtime worked that day.

This agreement excludes employees in the titles Auto Mechanic, Machinist and Machinist Helper employed in the Upstate facilities of the Department of Environmental Protection and other titles with specific overtime language.

was one of mixed emotion because on the one hand, they claim they are actually willing to start negotiations but on the other, will only start the process if we agree right off the bat to give something back. That's like the City asking us to come to work for free. For a full look at the Deputy Mayor's plan, see page 6 in this newsletter.

Enough said on that subject. However, it does reinforce the need to take a much closer look at the current administration and see what they seek to accomplish on their way out of office. It's obvious now, and has been for years, that Mayor Bloomberg has a business view of the City. He looks only at the numbers and not the people who work so diligently to make sure the residents of this City have the essential services they need and are accustomed to. The problem in recent years is that he doesn't know how to come to the bargaining table. In fact, with the current administration, there is no such thing as a bargaining table. It's their way or the highway for anyone who disagrees with his policies.

One need look no further than some of the contracts he has awarded to outside vendors in the past several years to realize how his actions of today have serious and often devastating impact for years to follow.

For example, there's City Time and the \$63 million contract that exploded to \$800 million for lack of oversight on the City's part; or Johnston Controls contract with HHC for nine years to manage their facilities; or the Veolia Environmental Company's four-year contract that if they save the City \$110 million in operational expenses then they could see \$28 million in shared funds.

Which leads me to comment on the current contract awarding the City's parts contract to NAPA. This five-year, \$224 million deal that allows the company to provide parts to every agency with parts cages has so many problems and loopholes that it leads me to wonder if anyone in the City actually knew what they were signing before they actually inked the deal.

Finally, we have Executive Order 88 — the Mayor's personnel order that strips our members of 220 prevailing wage protections and adds insult to injury by reducing benefits for all new employees without negotiating with any unions.

The policies of this Administration will be felt for many years to come. The contracts that they entered into will be a nightmare to unravel. We can only assume, based on past experience, that the outside vendors awarded these contracts will overcharge, skew their productivity results and take advantage to an extent as it appears it's so easy to do when you are awarded a City contract.

No more needs to be said to explain why Local 246, and a vast majority of City unions, are taking an active role in interviewing potential Mayoral and citywide candidates for upcoming elections. This includes the offices of Comptroller and Public Advocate, in addition to all City Council seats. There comes a time when we all have to step up to the plate in order to make a difference. The more labor unions that can band together to support a single candidate, the better off we all will be.

But that's only the first step. Registering to vote and actually voting are the next. Before you know it, the primaries and general election will be here. Please take a few minutes now to be sure you and all eligible members of your family are registered to vote. If you aren't, and you don't know how, look up the phone number for our county's Board of Elections. They will provide you with all the information you need. Then, come election day, please take whatever time is necessary to actually head to the polls and vote. This is a message I will repeat often in the next few newsletters. It's urgency cannot be stressed enough.

It's always been a struggle for working class families. In fact, that's one of the principles upon which labor unions were founded. We made a huge difference a century ago and we continue to make a difference today. Without the full force and weight of your union behind you, you would never have a contract, benefits would be non-existent, raises would not be on the table for discussion, and working conditions would be a nightmare.

Things might not be going as smoothly now with the City as we would like. We are all just holding our collective breath that the next Mayor has a heart and a conscience and does the right thing by actually sitting down at the bargaining table to negotiate. You know, that concept where two sides go back and forth with give and take instead of imposing a dictatorial stance.

## MLC LABOR RALLY

SAVE THE DATE

**On Wednesday, June 12, the MLC will be holding a major Labor Rally at City Hall Park. The Rally is scheduled to begin at 4:00 p.m.**

Local 246 will be participating, so please mark your calendars and save the date. Wear your Local 246 t-shirts and hats. We also will have them available right before the rally.

We plan to gather outside 217 Broadway (the Union office building) and march over as a group. If you can commit to attending, please call the Union office at 212.233.0616 and let us know.

## GENERAL MEMBERSHIP MEETING

Thursday, **MAY 16, 2013**  
6:00 p.m.

St. Stanislaus Church  
61-17 Grand Avenue  
Maspeth, NY 11378

▶ 50/50 Raffle ▶ Door Prizes  
▶ Refreshments

## RETIRING MEMBERS:

### James Foley

Auto Electrician — San

### Robert Forst

Sheet Metal Worker — HHC

### Richard Lutz

Auto Mechanic — San

### Austin Gentle

Auto Mechanic — Fire

### Anthony Monte

Auto Mechanic — San

### Reynold Nedd

Auto Mechanic — Fire

### John Palmiro

Auto Mechanic — San

### Kenneth Patrick

Sheet Metal Worker — HRA

### Daniel Rivera

Sheet Metal Worker — HHC

### Esteban Rodriguez

Auto Mechanic — San

### Brian Schneider

Auto Mechanic — San

### Ernest Seguna

Machinist — DOC

## NEWBORN CHILDREN:

### Frankie Torres (Boy)

Auto Mechanic — San



Congratulations to Frankie Torres (Auto Mechanic — San) and his wife Christina Marie on the birth of their son Frankie Anthony on March 19, 2013, at 10:27 a.m. Frankie weighed 8 lbs. 5 oz and was 21 inches.

# GOOD WELFARE



## NEW MEMBERS:

### Clifton Boyce

Auto Mechanic — San

### Harry Choi

Auto Mechanic — San

### Pedro Dominguez

Auto Mechanic — San

### Paul Mattsson, Jr.

Auto Mechanic — Police

### Wei-Cheng Miu

Auto Service Worker — Police

### Peyadhar Mohabir

Auto Service Worker — Fire

### Dominick Regina

Auto Service Worker — Police

### Danny Rodriguez

Auto Mechanic — San

### Andy Yuen

Auto Service Worker — San

## IN MEMORIAM:

### Horacio Aviles

Retired Auto Service Worker — Police

### Kevin Farrell

Retired Auto Mechanic — San

### Gennaro Ferrante

Retired Auto Machinist — San

### Frank Mancini

Retired Machinist Helper — BOE

### Jimmy J. Moore

Active Auto Mechanic — Police

### Domenico Salamone

Retired Auto Mechanic — San

Send us announcements about family births, graduations, awards, honors, special trips and other family special occasions, along with photos, for our newsletter.

## RETIREE GET-TOGETHER IN FLORIDA



On Friday, March 8, 2013, Retired Sanitation Mechanic John Campanella hosted a get together with the fellow retirees at his home in Florida. Pictured from left: Auto Mechanic Charlie Sicari; Joe Esposito, Supervisor of Mechanics Local 621; Joe Bernardo, Supervisor of Mechanics Local 621; Auto Mechanic John Campanella, and Luke Camporese, Supervisor of Mechanics Local 621. Campanella reported that everyone had a great time, including the wives. "This photo is typical of how it was when they worked. There's three supervisors for every two mechanics," joked President Joe Colangelo.

# NEWS & NOTES

## ACTIVE MEMBER SHOE VOUCHERS —

The Officers and Executive Board of Local 246 announce that all **Active Dues Paying Members** may be reimbursed up to \$60 toward the expense incurred for one pair of work-related shoes purchased AT ANY STORE. This is an increase in the reimbursement rate from the last voucher. **Shoes must be purchased between January 1 and May 31, 2013. Claim must be submitted by June 15, 2013.** All active members should have already received a reimbursement form with instructions. Anyone who did not receive one should contact the Union office.

**KOMNICK SCHOLARSHIP —** The drawing for the Lawrence Komnick Scholarship Award will take place at our May 2013 Membership Meeting.

**ANNUITY FUND BOOKS —** Updated Annuity Fund books were mailed to members in April. If you have not received one, please contact the Fund Office at 212.233.0616. **We suggest you become familiar with the contents prior to calling Administrative Services Only, the Union's benefit administrator, as most answers can be found in the booklet. ASO can be reached at 1.877.999.3555.** Since these books are not printed yearly, please keep them in your Union binder and refer to them when you have any questions. These replace the books last

mailed to you in 2007. Each active member has an individual annuity account to which your employer makes contributions under collective bargaining agreements with Local 246.

**RETIREE DUES FOR 2013 —** Retiree dues for 2013 were payable in full by January 31, 2013, and are now **OVERDUE.** If you have not already done so, please send your check or money order for \$60 payable to NYC Local 246, and send to the Union at 217 Broadway, Suite 501, New York, NY 10007. The amount is nominal and just covers the per capita and retiree mailings.

**CITIZENS RX PREFERRED FORMULARY —** The 2013 Citizens Rx National Preferred Formulary is now available on the Local 246 website at [www.nyclocal246.org](http://www.nyclocal246.org). This list contains the most commonly prescribed drugs. For specific question about your coverage, please call the phone number printed on your ID card. If you do not have internet access, or cannot download the list, please contact the Union office at 212.233.0616.

**COBRA APPLICATIONS —** If you are no longer in active pay status you may not be eligible for health benefits and/or welfare benefits. You must purchase these benefits directly through the COBRA program for welfare benefits you should contact

the Union office. For health benefits you should contact the agency benefits coordinator. You must enroll within 60 days from the qualifying event.

**UPDATE YOUR BENEFIT CARD —** Members It's important for our office and to you that we have the correct information for each member on their beneficiary card please call the Union Office at (212) 233-0616 to advise us of any the following changes: this way we can send you a change of beneficiary card.

**MEDICARE-ELIGIBLE RETIREES ENROLLED IN APPROVED HMOs —** NYC Local 246 is preparing the second half of 2012's reimbursement payments for those Medicare eligible retirees currently enrolled and/or who have opted to purchase their drug rider through deductions in their pension checks. In order to receive reimbursement from the Retirees Welfare Fund, eligible retirees must forward to the Union Office copies of their pension stubs for the period of July 1-December 31, 2012.

**BLACKOUT ON PISTOL PERMIT INFO ENDS MAY 15 —** Pistol permit holders in New York have a little more than two weeks to request privacy for their records before a moratorium on releasing that data to the public ends. The deadline is just one of the changes in the state's new gun laws — the New York Secure Ammunition and Firearms Enforcement Act — that firearms owners should note. The 120-day state-imposed moratorium blocking the release of permit records will end May 15. The lockdown — part of the sweeping legislation enacted in January — has given licensees time to complete opt-out forms, requesting that their records be exempt from public disclosure if they meet certain criteria.

**COPE RAFFLE WINNER —** Winner of the 50/50 Cope Raffle for April 2013 was Stanley Fera (Auto Mechanic — Sanitation).

## CONGRATULATIONS



to Auto Electrician Jack Minerva, new Shop Steward for the Sanitation Queens Borough Command. Jack replaces Jason Vetter. Jack started with the City in 1999, and has become an active member of the Local by attending membership meetings on a regular basis to keep on top of important issues.

"We look forward to having Jack on our team and working with him to best get out information to our members in Sanitation, as well as bring back to the

Local's Executive Board important issues arising within the Shop." said President Joe Colangelo. "We count on our Shop Stewards to be team players, and know that Jack will fulfill that role to the best of his ability."

# CITY OUTLINES PLAN TO RESOLVE MUNICIPAL LABOR CONTRACTS

## UNION QUESTIONS RATIONALE BEHIND IDEAS

Deputy Mayor for Operations Cas Holloway outlined what he calls a path to resolve all outstanding City labor contracts and rein in exploding healthcare costs in an address to the Citizens Budget Commission.

Holloway said the City has budgeted reserves to settle all contracts and provide reasonable salary increases for employees if union leadership agrees to restructure healthcare benefits to improve care and reduce costs, and no retroactive pay increases. In any scenario, granting retroactive contractual salary increases for the period covering the recession would open multi-billion dollar budget gaps, and force a dramatic reduction of City services.

According to Holloway, under the provisions outlined, the City is willing to enter into negotiations for reasonable salary increases for City workers, provided that organized labor agrees to restructure healthcare benefits in a way that requires contributions from employees and retirees, and rewards employees for living healthy and assisting the City to reduce overall healthcare costs through disease management, data analysis, and other best practices.

Currently, 95 percent of all City workers do not make any contribution toward their health care insurance premium. Without these reforms, healthcare costs for City workers and retirees are expected to increase by 32 percent from \$6.3 billion this year to \$8.3 billion in 2018.

"New York City recovered more quickly from the national recession than any other city, and we did it without eliminating essential services or laying off City employees who provide them, from police officers on the beat to the teachers in our classrooms," said Deputy Mayor Holloway.

Several labor union leaders, however, question the authenticity of that statement, since a great number of memberships, including that of Local 246, are down from just half a decade ago.

He said the City is prepared to agree to a new contract with any union that agrees to no retroactive, recession-era pay increases and to meaningful healthcare benefit reform that improves the quality of care and reduces costs.

Local 246 President Joe Colangelo said that no retroactive pay and requiring members to contribute to their health care costs would be a double slap in the face at a time when families are struggling to make ends meet.

He said that while he's aware of the increasing costs of health care, most municipal workers take their jobs because of the benefits, not because of the salary rates paid by the City.

"We work hard at our jobs. We come to work when others don't, like during Hurricane Sandy. Without the essential services we provide on a daily basis, the City would not be able to function as it does," Colangelo said. "To try and hit our members and all of labor with a double whammy would be unfathomable. This is yet another of the Bloomberg Administration's attempts to undermine labor in its last several months in office."

In a letter to the Municipal Labor Committee, of which Local 246 is a member, Holloway outlined the City's plan for a Request for Proposals to replace outdated contracts. The RFP will invite competition and better ensure that City workers get the best care. Through a new modern healthcare plan that incorporates wellness incentives, active disease management and other measures, he claims the City could save as much as \$400 million annually on healthcare costs and provide employees with a higher standard of care.

Holloway said in his speech that the new contracts would also require a reasonable co-premium. Ninety-five percent of City workers do not pay a share of their annual health insurance premium. But 98 percent of public and private sector employers require a premium contribution for family health coverage, and 93 percent require a contribution for single coverage.

"You can be assured that City labor unions are not taking to his proposals too kindly and are strongly opposed to his plan," Colangelo said.



## MEMORIAL DAY

As you celebrate Memorial Day at the end of May, please take a few minutes to remember our troops who died in active military duty while serving our Country and pray for those still serving overseas protecting our freedoms.

# OFFICER & TRUSTEE ELECTION

## NOMINATIONS FOR ALL POSITIONS AT SEPTEMBER MEETING

This upcoming Local 246 election is for the entire slate of officers and trustees. The following are those up for re-election:

For the position of President . . . . . Joseph A. Colangelo

For the position of Vice President . . . . . Charles Pastorelli

For the position of Secretary/Treasurer . . . Raymond S. Schacor

For the position of Recording Secretary . . James Grillo

For the position of Sentinel . . . . . Philip Mazal

For the position of Trustee Position #1 . . . John Cox

For the position of Trustee Position #2 . . . Wayne Esposito

For the position of Trustee Position #3 . . . Andrew Weinstein

Nominations for all eight positions will be announced at the September General Membership Meeting. This upcoming election will be by Mail-In Ballot Only. Honest Ballot Association will oversee the election according to the By-Laws of Local 246. All candidates must adhere to the Constitution and Bylaws when submitting their nomination petition, including but not limited to, submitting the necessary number of member signatures by June 15, 2013, and agreeing to be bound by the Election Committees' rules.

Ballots will be mailed to you by the end of September 2013. Voting will take place from the end of September until October 17, 2013. Please follow instructions on voting according to the information indicated on the ballot. Ballots must be received by the Post Office prior to 12 noon on October 17, 2013, so they can be processed through your postal system and received by Honest Ballot Assoc. in time. Honest Ballot Assoc. will then commence its tabulation at a location approved by the Election committee. The tabulation is open to all candidates and/or their observers and will be counted the afternoon of the October General Membership Meeting. The results will be certified and the newly elected officer appointed and sworn in at the October 17, 2013, General Membership Meeting that evening. Again, please follow the instructions for voting listed on the ballot. Please make sure to notify the Union office immediately of any address change.

If you do not receive a ballot by October 4, 2013, call the Union Office immediately. **IMPORTANT: TO MAKE SURE YOUR VOTE COUNTS, PLEASE FILL OUT THE BALLOT & RETURN IT AS EARLY AS POSSIBLE!**

## DRUG CAP CHANGES RAISE QUESTIONS

### UNIONS WORKING ON FUTURE PLAN

Implementation of the Affordable Care Act may have been a blessing for some, but for unions struggling to keep their welfare funds in the black, it's posing a problem.

One of the possible negative consequences of the Affordable Care Act is that unions may no longer be able to provide prescription drug coverage without members having to pay for a drug rider. President Joe Colangelo said that could range anywhere from \$110 biweekly for a family to \$55 biweekly for an individual.

The Municipal Labor Committee recently held a seminar for all member unions' welfare fund administrators to talk about the impact this will have on funds as well as brainstorm for a solution economically feasible for all.

"The seminar was very productive, with many different options talked about," Colangelo said. "We took the information we received at the seminar and met with our own Fund consultants to go over the different options and try to design plan changes

that will hopefully allow the continuation of our prescription drug coverage."

He explained that under the Affordable Care Act, there can no longer be a cap on medical expenses. The Union's plan had a cap of \$3600 per active member family. Colangelo said that while these caps were hardly ever reached, there could be circumstances where someone with an ongoing medical condition requiring extensive, long-term prescriptions could severely take down the Fund's reserves.

"We are studying all our options now and working with financial analysts who can figure out different possible scenarios into the future," Colangelo said. "The office receives many phone calls about this. I know members are nervous, but you should rest assured that the Union has always stood behind its members and will continue to do so to the best of our ability in the future."

There will be no change to the Retiree Fund under the Affordable Care Act as it does not require the elimination of the cap.

# PARTS CAGES OUT OF CITY CONTROL

## GENUINE PARTS CO./NAPA AWARDED CONTRACT

The Parks Department, the Department of Correction and the Department of Sanitation 5th Floor were the first of 15 shops to turn over control of their parts cages to Genuine Parts Company (more commonly known as NAPA) under an agreement the City made with the auto parts supplier.

April 1 marked the first time that parts cages were controlled by an outside vendor, the same vendor supplying the parts themselves.

"This is definitely going to be a challenging time," said President Joe Colangelo. "The Union has many questions about the entire process, including how members will be required to order and track parts usage. We were obviously not in favor of this arrangement from the start and consider this just another attempt by the City to enhance privatization."

The NAPA deal is a \$225 million, five-year contract that runs from January 2013 through January 2018. The City of New York is paying for NAPA employees' salaries and benefits, as well as guaranteeing the supplier a profit over and above the jobber price. NAPA is also allowed to use City-owned equipment, such as forklifts, to move around their parts

"This is a ridiculous contract and a huge waste of money," Colangelo said. "Obviously an outside vendor is in the business of making money. Their profit is their only concern. With City employees running the parts cages, it isn't costing the City any additional money. Having an outside vendor that claims they can save money, isn't the answer. We all know from past experience with outside contracts that the City does **not** save money in any fashion."

Colangelo said the Union has reviewed all details of the contract with its attorneys and has many complaints, including NAPA having "set hours" which could leave members without the parts they need to do proper repairs and maintenance.

"What if one of our mechanics needs a

part for a vehicle and there is no one manning the cages at that time?" Colangelo questioned. "Several of the agencies we work in have three different shifts."

Local 246 met with the Office of Labor Relations on May 1 to discuss the process and gain resolution to some of these unanswered questions. While Colangelo said the meeting was productive, there was no solid resolution on how members will sign for and receive parts.

"As the contract is rolled out to other shops, there will need to be plenty more discussion about the process," he said. "Right now only smaller shops have been taken over. Once we get to the larger shops like Sanitation and Fire, there will undoubtedly be more issues that arise. Our members need to know at all times what the exact process is so no one gets into trouble."

Additional concerns focus on who is actually hiring the NAPA employees, markup on contractor's overhead, purchasing existing inventory, infrastructure modifications and contractor rate increases.

"The bottom line is why the City even entered into this agreement in the first place. If we were already supposed to be receiving the best prices to supply parts to the largest fleet maintenance, then why do we need an outside vendor to give us a 'better' deal?" Colangelo said. "As City workers, we show up every day to do our jobs, and do them to the best of our ability. Considering we are some of the best trained and most highly qualified workers in the field, an outside vendor seems like a duplication of efforts and a huge waste of money."

"If City was able to use its own workers previously to man the cages and purchase parts from an approved list of vendors, why now we are switching to a one-vendor system," Colangelo said. "What happens if there is an interruption with NAPA that halts the delivery of parts? Our members won't be able to do our jobs. This is

an terrible contract that was not thought out very carefully. It's an end-run attempt at privatizing without actually using the word."

At the May 1 meeting, Colangelo questioned the exact time schedule for the transition, whether the employees are being transferred in accordance with the Union's contract, parts room access, whether Mechanics can assist the contractor, how parts will be ordered, the policy regarding use of equipment and the security system.

As of last notice, he said the final parts cage transfer is set for September 23, with three as yet undetermined. The NYPD contract is a separate issue.

"Once again, no one in the City reached out to us prior to implementing a new process so we could have proactively dealt with issues. We would have been able to pinpoint a lot of the what the problems would be prior to the turnover. Now, we are dealing with everything retroactively, which seems to be how the City likes to operate," Colangelo said.

"It's unfortunate that we have to go through these types of very preventable situations. We weren't even notified ahead of time that Parks and Correction were being taken over when they were. We found out from members who notified us. That's not a great way for the City to build a relationship with labor."

"The Bloomberg Administration is obviously trying to cram as much down our throats as it possibly can before vacating office at the end of the year," Colangelo said. "If the next eight months turn out to be anything like the first four, then 2013 will not be going down as one of the best years for labor in the Big Apple."

The Union is stressing to all members that if any situations arise regarding parts cages, they should immediately contact their Shop Stewards or the Union office.



# 220 LAWSUIT PROGRESSES

## APPEAL FILED ON BEHALF OF SEVERAL UNIONS

City unions representing 220 trades workers are headed back to court to defend their position that the City unilaterally stopped the prevailing wage from being the basis for compensating skilled trades employed by the City.

In a nutshell, Mayor Bloomberg stripped the City Comptroller of the ability to perform the wage studies and set the appropriate prevailing wage, and he arbitrarily re-classified the titles of 10,000 workers to a salary plan used to negotiate wages outside of the skilled trades. He did this without any discussion whatsoever with the affected unions, and without the needed approval of the state's Civil Service Commission.

All affected unions filed a joint argument before the State Supreme Court Appellate Division defending the lower court's ruling that the City was arbitrary and capricious when it reclassified Labor Law §220 prevailing rate employees to graded titles.

Last April, DCAS adopted a resolution, without notice to the Union, reclassifying the aforementioned titles from Labor Law §220 prevailing rate employees to graded titles.

"The Mayor's orders fundamentally and dramatically changed how affected employees' compensation and benefits were to be determined, in addition to making wholesale changes in their actual compensation," said President Joe Colangelo.

Local 246 joined with other impacted unions to file a lawsuit. The City appealed and the Judge issued a temporary restraining order. The City's reclassification plan was eventually annulled on the basis it was "arbitrary and capricious" because the changes violated two State statutes.

The City finally brought an appeal before the state Supreme Court Appellate Division, which at the time this newsletter went to print was scheduled to be heard on May 7, 2013.

"The City's hasty reclassification plan was rife with fatal problems," Colangelo said. "The City failed to abide by certain requirements needed to make changes, and the Mayor's Personnel Orders were found to be invalid. While there is no guarantee of the appeal, I am hopeful and positive that the Appellate Court will continue to rule in favor of organized labor and the changes will once again be found to be arbitrary and capricious."

Local 246 Counsel Harry Greenberg said that the law clearly states the rules that must be followed before such a change could take place.

*"[I]n a city of one million or more, where a majority of laborers, workmen or mechanics in a particular civil service title are members of an employee organization which has been certified or recognized to represent them ... the public employer and such employee organization shall in good faith negotiate and enter into a written agreement with respect to the wages and supplements of the laborers, workmen or mechanics in the title. If the parties fail to achieve an agreement, only the employee organization shall be authorized to file a single verified complaint pursuant to subdivision seven herein, on behalf of the laborers, workmen or mechanics so represented ..."*

"For more than a century, public employees in skilled trades titles, including those represented by Local 246, have had their wages and benefits determined in accordance with prevailing rates, by the New York City Comptroller." Colangelo said. "The Mayor single-handedly tried to change that."

Greenberg said that the Appellate Court should affirm the lower court's June 29, 2012 decision annulling the City's Personnel Orders "which ran afoul of the plain language in Civil Service Law §20" because "the City implemented its Personnel Orders without sound basis in reason and without regard to the facts."

## COLANGELO HELPS WITH AUTOMOTIVE HIGH SCHOOL RE-ACCREDITATION

President Joe Colangelo was recently asked to serve on the accreditation committee for Brooklyn's Automotive High School as they seek NATEF re-accreditation.

"This was a true honor as it shows the value our members play in various communities," he said. "Serving on this committee is unique in that the accreditation is for the school's maintenance and light repair program."

As part of his official duties, Colangelo was asked to review the school's instructional program in regard to both classroom work and shop time. He reviewed the shops, tools, safety procedures

and how much time is dedicated to hands-on instruction.

"This is instrumental to the school and I am proud to be a part of this committee," he said. "I was given a tour of the school and the shops and saw how well trained these young men and women are who complete the program. I look forward to partnering with Automotive High School and working with them to draw more elementary and middle school students into their program. Past and future graduates from Automotive end up working for the City of New York as well as dealerships and repair shops throughout the metropolitan area."

# UNION ROUNDUP

**The Union continued its meetings** with OLR to resolve problems with the City time system and is happy to report that as of now, all issues have been resolved. However, the Union continues to monitor the system and how it impacts members.

**The Municipal Labor Committee's Steering Committee** met April 15 to discuss the Bloomberg Administration's lack of negotiating with unions to resolve outstanding contracts. The MLC passed a resolution to plan a rally of all City employees to address the serious problem that has the potential of strapping the next mayor with billions of dollars of debt. It was also discussed that no politicians currently running for office will be invited to the rally; the sole focus will be to highlight how members have been struggling without contracts for many years.

**The 220 Trades Coalition** met March 26 and scheduled an Albany lobby day on Tuesday, May 21. Coalition members will be visiting legislators to lobby the JOC's legislation and to educate legislators about the Mayor's attempt to strip members of prevailing wage protections.

**SEIU International recently held a conference call** to update smaller locals on what was decided at the last Executive Board meeting. One interesting, albeit disturbing, fact is that it's projected that by 2020, one in four U.S. jobs will be low-paying, minimum wage. Some 28% of workers are expected to hold low-wage jobs in 2020, roughly the same percentage as in 2010, according to a study by the Economic Policy Institute. The study defines low-paying jobs as those with wages at or below what full-time workers must earn to live above the poverty level for a family of four. In 2011, this was \$23,005, or \$11.06 an hour.

## EMPLOYEE RECOGNITION PERFECT ATTENDANCE



The Department of Environmental Protection held its Annual Employee Recognition Day on April 11 and honored several Local 246 members for their commitment and dedication to the job. Vice President Charles Pastorelli attended the event, at which DEP Commissioner Carter H. Strickland spoke. The following are those members, all Machinists, who were honored:

20 Years of Service  
Archibald Wilson

Perfect Attendance  
Ion Dumitrascu  
Sam Samuel  
Deven Shah  
Radion Sheynson  
Bansraj Sukhu

## THE MERMAID PARADE

Saturday, June 22, 2013

Come join the fun at the Mermaid Parade of Coney Island, an annual, ocean-themed parade that takes place each June down by the sea on Coney Island in Brooklyn.

This year's parade is scheduled for June 22, 2013. Along with kicking off the summer, the Mermaid Parade originated to help continue the tradition of Mardi Gras-like events that were often held on Coney Island in the first half of the 20th century. Artistic self-expression is also a highly encouraged part of the parade, and Mermaid Parade observers are likely to see mermaids, mermen, and a wide variety of other sea creatures. The Mermaid Parade also features local celebrities who take on the coveted roles of King Neptune and a Queen Mermaid each year.

After the Mermaid Parade, the Mermaid Parade Ball takes place, in which parade participants and observers can get together and mingle, enjoy live music, and watch the many sideshows and burlesque acts that come out to entertain. Although the organizers say otherwise, it might be best to leave the kids home ... but definitely bring the camera.

# BK 15 GETS A VISIT

## SAN MEMBERS GET NEW EQUIPMENT

Auto Mechanics Ralph Catuogno and Joel Riveron-Carballo met with President Joe Colangelo recently to talk about issues for the balance of 2013 as well as get brought up to date on important issues transpiring since January.

Colangelo made the visit to Brooklyn 15 as part of his regular rounds that he started doing upon first taking office as Vice President in 2002 and continued when he became President in 2004.

They discussed the current parts contract with NAPA, which is on the minds of all members, as well as the Agency response in the months after Hurricane Sandy.

Colangelo said that Sanitation has started new program of providing certain shop tools in each location in order to unify the specialty tools members work with. While members are required to provide their own basic tools for the job, the ones the Agency is providing are those members do not typically have in their personal tool inventory. The intent is that as members go from one shop to another, they will all be utilizing the same specialty tools, thereby requiring less training and less downtime.

"I am following the new program carefully to be sure it works for everyone," Colangelo said. "The Agency is anticipating providing a large amount of shop tools, and as with any new program, it must be monitored carefully."



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## BROOKLYN SANITATION LOT

### A REGULAR VISIT FROM PRESIDENT COLANGELO



Senior Auto Service Worker Darryl Horton Jr. (pictured left) and Auto Mechanic Adam Zitchick met with President Joe Colangelo during a recent stop at the Brooklyn Sanitation Lot.

"I have known Adam for quite some time now, so it's always nice to meet up with him and catch up on what's been going on. As his assignments change over the years, I am never quite sure when we will have a chance to talk," Colangelo said.

Darryl is a recently hired Senior Auto Service Worker, which is the same title Colangelo started with back in 1981.

"I was able to share some of my experiences with him from more than 32 years ago when the job was a little different, and he was able to tell me about his transition to the job now," Colangelo said.

"It's not often enough that I get a chance to speak on a personal level with our members as there is always so much going on within the Union that needs attention. Making these regular rounds to the shops gives us a chance to bring members up to

date on important issues, find out about problems that may be occurring on the job, and also get to know members better. This is a great job and will provide many opportunities for all new hires in the future," he said.