PLEASE ATTEND THE LABOR DAY PARADE
A STRONG SHOW OF SOLIDARITY IS IMPORTANT

LOCAL 891 WILL ASSEMBLE ON WEST 45TH STREET BETWEEN 6TH AND 7TH AVENUES.
OUR MARCH TIME IS SCHEDULED FOR 11:30

We will be meeting for Breakfast at Jackie Onassis Campus H.S., 120 West 46th Street between 6th and 7th Avenues from 9:00 am to 11:15 am. Bring your family and friends. There will be a free hat and polo shirt for everyone that attends.
Dear Brothers and Sisters:

I would like to see every member of our Union at the Labor Day Parade on Saturday, September 6th. A strong show of solidarity is vital for the Labor Movement and important for our own local. Local 891 will assemble on West 45th Street between 6th and 7th Avenues. We are scheduled to begin marching at 11:30 a.m. A complimentary breakfast buffet will be served at Jackie Onassis Campus H.S. 120 West 46th Street, between 6th and 7th Avenues, from 9:00 am to 11:15 am. Bring your family and friends. There will be a free Local 891 hat and polo shirt for everyone that attends.

If DCAS is to be believed, the test scores and list numbers for the Custodian Engineer Exam should have already been mailed. If they were not, they should be mailed shortly. The Department of Education has promised to hire as soon as the list is available. Local 891 did all that it could, including a successful law suit, to force the exam to take place when very few civil service tests were being administered. Local 891, the Department and several elected officials put pressure on the agency to have the exam scored and appeals processed. Although it has taken a long time, most of the people originally disqualified based on experience requirements were eventually accepted as qualified. This includes several provisional members of our local and many of the custodial workers we have hired, trained and mentored over the years. The influx of new members will help keep Local 891 strong and prevent outsourcing. In the not too distant future, we will begin advocating for a new CE exam, because the list will likely be exhausted and the entire process of planning, advertising, testing and scoring takes so long.

Many of you are aware that we have had numerous issues with the Department of Buildings causing delays in the issuance of licenses to those Custodian Engineers waiting for the completion of their investigations for a Stationary Engineers License. I provided the Department of Buildings with a list of all the CEs who have taken the exam and are still awaiting their license. They have been investigating and have resolved many of the issues. Engineers Protective Committee Chairman, Frank Felix, along with Vice President, Jeff Bilek (a former Chairman of the same Committee), have been in continuous contact with officials from the Department of Buildings to discuss the various issues Custodian Engineers are having in the investigation stage of their Stationary Engineers license applications. DSF has also been interacting with the DOB and have offered assistance in verifying high pressure eligibility. Thankfully, some members have begun receiving their Licenses and the agency will keep Vice President Bilek apprised of the progress of all Local 891 members’ investigations.

The Department of Buildings has taken a hard line approach in issuing all types of professional licenses and Custodian Engineers applying for a Stationary Engineers license appear to be under particular scrutiny. Local 891 will continue to do whatever it takes, including taking appropriate legal action, to insure all eligible Local 891 applicants receive fair treatment. I will continue to do everything I can to ensure current and future members of our Union have every possible opportunity for advancement.

I have had ongoing contract discussions with the new First Deputy Commissioner of Labor for the NYC Office of Labor Relations. OLR has been preparing for the start of formal negotiations and plans to begin meeting with us sometime in September. I will do what I can to deliver our contract quickly, but much more importantly, I assure you I will bring you a new contract that is fair and good for our members and preserves the future of our Union.
ANNIVERSARY PINS BESTOWED UPON PROUD MEMBERS AT THE JUNE MEMBERSHIP MEETING
POLITICAL GATHERINGS

Pictured above, Queens Executive Board member Joseph Sanfilippo, Congressman Joe Crowley, Assembly member Cathy Nolan and Queens Borough Chairman Peter Maddaloni.

Pictured above, Bronx Borough Chairman James Rafferty, New York State Senator Jeff Klein and Bronx Executive Board member Pedro Arroyo.

Pictured to the left, On May 23, 2014 Honorable John Liu, New York State Senate candidate launched his campaign in Bayside, New York. Present at the event were, C.E. Ernesto Diaz; Assemblymember Michael Miller; John Liu; City Councilmember Elizabeth Crowley and C.E. Jerry Giammatteo.

Pictured below, Local 891 members support Robert Jackson as he announces his candidacy for State Senate.
All purchases made by Custodian Engineers shall be made in accordance with the requirements set forth below:

i) All single purchases totaling over $250 must be made as follows:
   1) A Department of Education approved contract vendor.
   2) If available at a lower price than #1, a vendor on the approved vendor list from NYC DCAS, or its successor agency, for products, items or services approved for purchase.
   3) Where the product, item or service is available at a lower price than that offered by the sources above, from another vendor with pre-approval in writing by the respective Director of Facilities.
   4) Any product, item or service that is not available through #1 shall be procured according to the SOPM or Department of Education policies.

ii) The combined yearly purchase total from any single vendor not holding a contract as described in subdivision (i) above cannot exceed the amount of $2500.

iii) Any other purchases made outside the guidelines described above shall require written preauthorization from the respective Director of Facilities or his/her designee. A copy of the authorization shall be attached to the PO-2 when submitted. Such authorization should include the item, vendor and purchase price. This authorization will supersede and replace all requirements outlined in Section 6a), i) above for audit purposes.

(b) All equipment purchased during the course of employment shall belong to the Department of Education. All such equipment shall be returned to the Department of Education upon the termination of employment.
**RETIRING**

Custodian Engineers are reminded that they should contact their Union prior to retirement. Information regarding benefits and insurance policies are discussed. Answers to your questions at this time may save you a lot of work later during retirement.

**IN MEMORIAM**

It is with deep regret we announce the passing of the following Brothers.

**PHILIP DWYER**
Retired Custodian Engineer Level II (M630)
Condolences may be sent to
Mr. Patrick Dwyer
63 Green Meadow Road
Skillman, NJ 08558

**WILLIAM FULTON**
Retired Custodian Engineer Level I (K235)
Condolences may be sent to
Viola Fulton
1420 Freeport Loop Apt. 14B
Brooklyn, NY 11239

**LORENZO DEBELLIS**
Custodian Engineer Level II (X123)
Condolences may be sent to
Ms. Rosemary DeBellis
429 Thornell Road
Pittsford, NY 11434

**LOUIS PEROCIER**
Retired Custodian Engineer Level I (Q144)
Condolences may be sent to
Ms. Eleanor Perocier
55 Bay Harbour Drive
Ponce Inlet, FL 32127

**MR. CHARLES BARTHA** 08/04/2014
CE Level II  K495
Mrs. Jeane Bartha
31 Newport Beach Blvd
East Moriches NY 11940

**MR. JOSEPH SMITH** 08/15/2014
CE Level II  K478
Mrs. Ellen Smith
1661 Old Country Road Lot 233
Riverhead NY 11901-4410

**MR. ANTHONY CHILLE** 08/07/2014
CE Level II  K062
Mrs. Sylvia Chille
2642 Majestic Court
E. Stroudsborough PA  18302

**SCHOOL BUILDING PLAN**

As per your Collective Bargaining Agreement (page 34-section 2-iii), the annual custodial performance plan will be formulated by the Principal consistent with the available manpower and resources. If a new plan is not formulated, the prior year’s performance plan with any written amendments by the Principal shall be the controlling plan.

Be reminded the School Building Plan is between the Principal and the Custodian. Therefore, your Plant Manager cannot dictate or formulate your building plan. Again, that is between you and your Principal. Do not formulate a building plan that you cannot live up to. Do not use the generic plan on the DSF website. Only the signature of the Principal (only one Principal’s signature) and the signature of the Custodian should be on the building plan. Additionally, you should adjust your building plan according to your budget cuts.

**DID YOU KNOW?**

**EXCEPTIONS**
If you receive an exception, you only have 30 days to file a grievance.

**FINAL AUDIT REPORTS**
You only have 30 days to file a grievance

**ELECTRONIC PO 2**
As per the CBA, you do not have to enter the bill date or the check date. Also, you do not have to enter the word “cash” in any column.
COMPENSATION

Effective August 1, 2012, the compensation rate increased to 4.09%. You should have already used this new rate for reimbursements on your August 16, 2012 PO1. This new higher rate will be reflected as an increase to your day allowance.

Calculating your Compensation Insurance Rate:

In order to calculate your compensation rate, you need to use your current New York State Insurance Fund Information Page.

Calculate as Follows:

1) Manual Premium amount from line;
   Est. Ann SIF Premium + Total Terrorism Prem + Asst.

Divided by

2) Estimated payroll from line:
   9026 Building Operations-Commercial, etc.

The resulting answer will be YOUR compensation rate.

Custodian Engineers who calculate their rate to exceed 4.09% will have to make their claims in writing. Please mail your request, along with all substantiating documentation to:

Mrs. Doreen Gray-Jones
44-36 Vernon Boulevard, 5th Floor
Long Island City, NY 11101

Now is the time to call the State Insurance Fund to make an appointment for an audit for the insurance year August 2013 to July 31, 2014. They can be reached at (888) 875-5790 to make an appointment. Your auditor is determined by your zip code.

When you call the State Insurance Fund, their computers pick up your home address. That’s why it is important to use your school zip code to identify your underwriter and auditor. The sooner the audit, the quicker you will receive the bill. Payments can then be spread until May 2013 or payment can be made in full if budgeting permits. Do not delay this audit. Have it done annually.

Submitted By:
John Maderich
Compensation Insurance Chairman

COLLECTIVE BARGAINING AGREEMENTS

Section 25(c) of the CBA between Local 891 and Local 32BJ and Section 16(c) of the CBA with Local 94 have identical language in the seniority clause:

Any employee who was out on long-term disability shall, upon request of the employer, be required to furnish medical evidence of such continued disability and the most recent prognosis as to when such employee will be able to return to work. The failure of an employee to produce the above information after written request of the employer will give the employer the right to permanently replace such employee. This language has twice been interpreted by an arbitrator in cases involving Local 32BJ employees on disability and workers’ compensation leave. The Arbitrator held that:

- An employee’s repeated submission of medical evidence of continued disability but repeated failure to submit evidence of a prognosis as to when the employee will be able to return to work does not warrant holding the position open indefinitely.

- If an employee repeatedly submits documents with return to work dates, and the employee repeatedly fails to return to work on the stated dates, the employee may be permanently replaced. The case involved an employee who missed his return to work date 19 times. While finding that 19 times was not acceptable and warranted permanent replacement under the CBA, the Arbitrator did not address the issue of whether there was an acceptable number of times an employee may miss the return to work date before being replaced.

CONCLUSION

In sum, nothing in the law or CBA requires a Custodian Engineer to hold a position open indefinitely for a disabled worker if legitimate business reasons dictate that the worker must be replaced. However, under the CBA, if, upon request of the CE, an employee provides both medical evidence of a continued disability and a prognosis with a date the employee will be able to return to work, the position must be held open to that date.

Submitted By:
Frank Byrne
Grievance Chairman Local 32BJ/94

VARIABLE RATE

The Pension Committee reports that the Variable unit values for The unit values for June 89.452, July 91.093 and August 89.051.

PRINCIPAL RATING

Members are reminded they only have 30 days to grieve a Principal’s Rating. Any member wishing to grieve a rating should contact their Borough Chairman. Please contact your Union immediately upon receiving a Principal’s Rating you wish to grieve.
PAYROLL

HOLIDAYS

Monday September 1 (Labor Day), Thursday September 25 and Friday September 26 (Rosh Hashanah) are DOE Holidays for all CE's and their staff. Labor Day is in the schedule and therefore not reimbursable. However both days of the Rosh Hashanah Holidays are not in the schedule and are reimbursable up to three hours for one employee.

P O 2 REIMBURSEMENTS

CE’s are reminded that any petty cash outlays for gasoline, stamps etc. under $50 and not paid by check will be reimbursed to the CE in the form of a SIPP check (Small Item Payment Process). This check will be mailed directly to the CE’s home. The amount of this item will then be deducted as an expense from the PO2 as it appears on the DAR. It will also be deducted from the building allowance (day money) on the DAR in the 202 column.

Travel and the home phone expenses will also be reimbursed to the CE. These reimbursements will be added to the CE’s gross wages and subject to all tax and miscellaneous deductions. CE’s will not receive a SIPP check for travel/home phone expenses. However, these items will also be deducted as expenditures from the PO2 as it appears on the DAR and also deducted from the building allocation in the 202 column.

• The DAR entry in the PO2 column will reflect only the total of Section B on the PO2 Form submitted by the CE electronically. It will not include expenses in Section E or expenses listed in the Petty Cash section below Section E.

SCHOOL FOOD PERMITS

As per the city wide e-mail sent out on 3/05/2014 School Food is now processing its extended use permits online. As a result all summer feeding permits were sent out online to CE’s. These permits will follow the online process currently in place for schools and CBO’s. These permits as do all permits need to be approved by the Principal so that the CE can receive payment for the activity.

Submitted By:
Tony Fitapelli Payroll Committee Chairman

PAYROLL

HOLIDAYS

Monday September 1 (Labor Day), Thursday September 25 and Friday September 26 (Rosh Hashanah) are DOE Holidays for all CE’s and their staff. Labor Day is in the schedule and therefore not reimbursable. However both days of the Rosh Hashanah Holidays are not in the schedule and are reimbursable up to three hours for one employee.

P O 2 REIMBURSEMENTS

CE’s are reminded that any petty cash outlays for gasoline, stamps etc. under $50 and not paid by check will be reimbursed to the CE in the form of a SIPP check (Small Item Payment Process). This check will be mailed directly to the CE’s home. The amount of this item will then be deducted as an expense from the PO2 as it appears on the DAR. It will also be deducted from the building allowance (day money) on the DAR in the 202 column.

Travel and the home phone expenses will also be reimbursed to the CE. These reimbursements will be added to the CE’s gross wages and subject to all tax and miscellaneous deductions. CE’s will not receive a SIPP check for travel/home phone expenses. However, these items will also be deducted as expenditures from the PO2 as it appears on the DAR and also deducted from the building allocation in the 202 column.

• The DAR entry in the PO2 column will reflect only the total of Section B on the PO2 Form submitted by the CE electronically. It will not include expenses in Section E or expenses listed in the Petty Cash section below Section E.

SCHOOL FOOD PERMITS

As per the city wide e-mail sent out on 3/05/2014 School Food is now processing its extended use permits online. As a result all summer feeding permits were sent out online to CE’s. These permits will follow the online process currently in place for schools and CBO’s. These permits as do all permits need to be approved by the Principal so that the CE can receive payment for the activity.

Submitted By:
Tony Fitapelli Payroll Committee Chairman