

AREA LEVEL – JOINT CONFERENCE WITH LABOR
UNITS 13, 15, 22, 23 & 25 GRIEVANCES

DATE: June 22, 2023
TIME: 10:00 A.M.
PLACE: 2124 Race Street, 2nd Floor, Philadelphia, PA

PRESENT FOR THE UNION

Rich Dezzi - E.R.V.P.
Charlie Butz - Unit #13 President
Chris Wackerman - Unit #15 President
Joe Peruggia - Unit #22 President
Mike Brown - Unit #25 Vice President

PRESENT FOR THE COMPANY

Jeff Fallon - Sr. Mgr. Labor Rel.
Carla Radicioni - Sr. CLST (via phone)

AGENDA:

1. #ER-001-23 Violation of 2008 Fios Installation and Repair Work **PU**
2. #ER-002-23 Violation of Article 2 / Bargaining directly with the emp **PU**
3. **XX**
4. #013-03-030-23 Myles Henderson – Violation of Exhibit A3.022 **PU**
5. #013-03-031-23 Kurt Gegner – Violation of Article 8 / 5G Install **PC**
6. #015-02-020-23 Tom Kleinschmidt – Violation of 2008 Buried Loop Agree **Settled**
7. #015-02-021-23 Tom Kleinschmidt – Violation of 2008 Buried Loop Agree **CID PUA**
8. #015-02-022-23 Tom Kleinschmidt – Violation of 2008 Buried Loop Agree **CID**
9. #022-03-012-23 Bill Murphy – Violation of Article 40 **CID**
10. #022-03-013-23 John Dougherty – Violation of Article 40 **CID**
11. #022-03-014-23 Chris Smyth – Violation of Article 40 **CID**
12. #022-07-001-23 Justin Haynes – Violation of Article 40 **CID**
13. #022-13-001-23 Javier Resto – Violation of Section “T” of VZ Bus Carveout **CID**
14. #023-01-002-23 Jim Nicolardi – Violation of A3.022/Overtime Bypass **CID**
15. #023-01-003-23 Jim Nicolardi – Violation of A3.022/Overtime Bypass **CID**
16. #023-01-022-23 John Palmatory – Violation of A3.022/Overtime Bypass **CID**
17. #023-01-023-23 Jim Nicolardi – Violation of A3.022/Overtime Bypass **CID**
18. #023-01-024-23 Mark Alfieri – Violation of A3.022/Overtime Bypass **CID**
19. #025-02-003-23 Jesus Gonzalez – Viol of 2008 Buried Loop Agreement **CID PUA**
20. #025-02-004-23 Mark Zimmerman – Viol of 2008 Buried Loop Agree **CID PUA**
21. #025-02-005-23 Tom Gilbert – Viol of 2008 Buried Loop Agreement **CID PUA**
22. #025-02-006-23 Dan Armento – Viol of 2008 Buried Loop Agreement **CID PUA**
23. #025-02-007-23 Greg Meyers – Viol of 2008 Buried Loop Agreement **CID PUA**
24. #025-02-008-23 Ryan Sargo – Viol of 2008 Buried Loop Agreement **CID PUA**
25. #025-03-012-23 Jim Trappe – Violation of Article 17 **Closed**
26. #025-07-004-23 Josh Schwartz-Albright – Undesirable Tours **CID**
27. #025-07-005-23 Dave Metague – Viol of 2008 Buried Loop Agreement **CID PUA**
28. #025-07-006-23 Dave Metague – Viol of 2008 Buried Loop Agreement **CID PUA**
29. #025-07-007-23 Dave Metague – Viol of 2008 Buried Loop Agreement **CID PUA**

6-22-24 VZ Labor Minutes

- 30. #025-07-008-23 Kevin Gans – Viol of 2008 Buried Loop Agreement **CID PUA**
- 31. #025-07-009-23 Kevin Gans – Viol of 2008 Buried Loop Agreement **CID PUA**
- 32. #025-07-010-23 Kevin Gans – Viol of 2008 Buried Loop Agreement **CID PUA**
- 33. #025-07-011-23 Josh Schwartz – Viol of 2008 Buried Loop Agreement **CID PUA**
- 34. #025-07-012-23 Dave Metague – Viol of 2008 Buried Loop Agreement **CID PUA**

1. #ER-001-23 Violation of 2008 Fios Installation and Repair Work:

Off Record Discussion

PENDING UNION AT LABOR ON JUNE 22, 2023.

2. #ER-002-23 Violation of Article 2 / Bargaining directly with the employee:

Union: Jeff, I received an email from Unit 25 President Dave Gain that was sent to him from a director named Christina Cheyne. Do you know who that is?

Company: I know of the situation, but I do not know her.

Off Record Discussion

Union: I am going to hold this pending

PENDING UNION AT LABOR ON JUNE 22, 2023.

4. #13-03-030-23 Myles Henderson – Violation of Exhibit A3.022

Union: This grievance pertains to Myles Henderson and him not being asked for overtime on his N/S Day. We have a copy of the sheet, and it looks like to me that he was made available on 4/28/23 for Monday 5/1/23. Can you tell me how this happened?

Company: Show me what you have, I have a copy of the availability list from May 1st, and it shows off on that day and is not available on that day, while other people are showing themselves as available, but Henderson is not.

Off Record Discussion

Union: I am going to hold this pending.

PENDING UNION AT LABOR ON JUNE 22, 2023.

5. #013-03-031-23 Kurt Gegner – Violation of Article 8 / 5G Install.

Union: Grievance pertains to another circumstance where a 5G install occurred in the city. This one was IFWPA10351230327 at 1601 Windrim Ave. A Fios qualified area. Can you tell me why this happened when there is a 4-port terminal across the street and a loop still hanging?

6-22-24 VZ Labor Minutes

Company: I am not sure I need to find out more about this. I will take a pending.

PENDING COMPANY AT LABOR ON JUNE 22, 2023.

6. #015-02-020-23 Tom Kleinschmidt – Violation of 2008 Buried Loop Agreement:

8. #015-02-022-23 Tom Kleinschmidt – Violation of 2008 Buried Loop Agreement:

Union: DQDG3Y6G 11944 Glenfield and DQDG46DW 9858 Frankford. Looks like both of these instances were repair jobs that a contractor out previously. SO why in these 3 situations, was conduit not placed?

Company: It appears that the contractor overstepped here, without P&P I will offer 2 hours settlement for each.

Union: We find that satisfactory.

SETTLED AT LABOR ON JUNE 22, 2023.

7. #015-02-021-23 Tom Kleinschmidt – Violation of 2008 Buried Loop Agreement:

Union: Tom discovered that customers were instructed to repair jobs on their own at 2814 Wilmont Street for DQ052W01, through the Company 'Tech See' app, does the Company have any intention to stop using this app?

Company: No

Union: Do you agree that the 'Tech See' app did not resolve this customer's problem?

Company: If it was actually used then no.

Union: Is the customer a CWA Local 13000 member?

Company: No.

Union: Is the FSC agent a lower job title than a service technician?

Company: Yes.

Union: We feel this process violates the 2008 Buried Loop agreement, pay Tom Kleinschmidt 2 hours to settle this grievance.

Company: The FCSA is hired to work with customers to resolve their issues and there is no violation, grievance denied.

6-22-24 VZ Labor Minutes

Union: We will close this in disagreement pending Union action and charge the Company with violating Articles 2,8,17,39,40, and 41 in addition to 2008 Buried Loop Agreement

CLOSED IN DISAGREEMENT PENDING UNION ACTION AT LABOR ON JUNE 22, 2023.

9. #022-03-012-23 Bill Murphy – Violation of Article 40:

10. #022-03-013-23 John Dougherty – Violation of Article 40:

11. #022-03-014-23 Chris Smyth – Violation of Article 40:

12.#022-07-002-23 Justin Haynes – Violation of Article 40:

Union: These 4 grievances pertain to loans and Article 40. Norristown techs loaned to Quakertown. The Quakertown splicers here all asked to work overtime, yet they did not ask the loaned in techs, which triggered an Article 40 violation.

Company: I don't think this was a violation, after speaking to Area Manager John Welsh, he said they were at the bottom of Quakertown list, but they did not get that far down the list when asking for overtime.

Union: These four techs were harmed by managements indecisiveness, when deciding on overtime. The contract states that the loaned in group is part of the receiving group on that day. The Company offered overtime to everyone in the receiving group but not loaned in group. Pay 2 hours to each technician for the dates May 11, 12, 15, and 17th.

Company: The Company does not see a violation. The Quakertown techs worked some overtime, and these grievants were not asked as they were at the bottom of the list. We are not under obligation to manufacture overtime to satisfy people, the grievance is denied.

Union: We will close this in disagreement and charge the Company with violating Article 40

CLOSED IN DISAGREEMENT AT LABOR ON JUNE 22, 2023.

13. #022-13-001-23 Javier Resto - Violation of Exhibit "P" of the VZB Carve Out:

Union: This grievance pertains to insufficient notice of a tour change. Can you tell me why these people's tour was changed abruptly, and no notice was given and differential pay was denied?

Company: The Company does not believe insufficient notice was given. Schedule was placed on the organizations shared drive where it always is.

Union: What was the reason for the tour change after 15 years?

Company: The needs of the business.

Off Record Discussion

6-22-24 VZ Labor Minutes

Union: We feel the Company did not meet its obligation of sufficient notice of tour change. We work for a fortune 50 company who prides itself on volunteerism, community service, and does not have the decency to share a tour change with an employee who was on vacation when the decision was made. Pay 2 hours to settle this grievance.

Company: We feel the Company gave enough notice and the grievance is denied.

Union: We will close this in disagreement and charge the Company with violation Exhibit I of VZB carve out.

CLOSED IN DISAGREEMENT PENDING UNION ACTION AT LABOR ON 6/22/2023.

14. #023-01-002-23 Jim Nicolardi – Violation of A3.022/ Overtime Bypass:

15. #023-01-003-23 Jim Nicolardi - Violation of A3.022/Overtime Bypass:

Union: On January 24, 2023, Jim Nicolardi was bypassed for overtime because 4 splicers worked overtime. 3 hours each the list that I have has 2 guys that are past Nicolardi on the list. And on January 25, 2023, 4 splicers worked 1.5 hours and they were lower on the list than Jim, it seems to be that Karen Campus has a different management style than Chez Gonzalez, why is that?

Company: I pulled the overtime list on that date in April and the list shows that the grievant had 84.5 hours and the high tech had 86.5 hours. This list is among the tightest I have ever seen. Top to bottom the spread is 10 hours.

Union: Is it the Company's opinion that the letter on page 48 is satisfied and overtime is equalized?

Company: Yes.

Off Record Discussion

Union: At the time of the grievance circumstances arose prompting 2 different managers with different styles to do this and create a hostile environment. Settling this grievance thwarts potential friction between the groups and reaffirms management responsibility to abide by the overtime agreements. Pay 4 ½ hours to settle this grievance.

Company: The Company sees no violation; the list is equalized, and grievance is denied.

Union: We will close this in disagreement and charge the Company with violating A3.022.

CLOSED IN DISAGREEMENT AT LABOR ON JUNE 22, 2023.

16. #023-01-022-23 John Palmatory – Violation of A3.022:

17. #023-01-023-23 Jim Nicolardi - Violation of A3.022:

18. #023-01-024-23 Mark Alfieri - Violation of A3.022:

6-22-24 VZ Labor Minutes

Union: These 3 grievances pertain to, yet another overtime bypasses this one occurred on 5/15/23. The information that I have is that these 3 grievants were not asked to work and 2 people further down on the list were asked. Can you tell me why?

Company: Incidental overtime happens on occasion.

Union: Are there any local overtime agreements in place regarding incidental overtime?

Company: No.

Union: Then how did this happen?

Company: Again, looking at the list from this group during the mid-May timeframe there is a 10-hour spread top to bottom, these 3 grievants had 154, 157 and 159.5 hours offered respectively. The highest person on the list has 163 hours offered. Overtime equalization with this group is not an issue.

Off Record Discussion

Union: We do not believe it is unreasonable to ask for 3 hours overtime to these 2 grievants to settle this grievance.

Company: The Company does not see a violation here and the list is more than equalized. I will however reach out to local management and ensure that they understand the overtime list and rules.

Union: We will close this in disagreement and charge the Company with violating A3.022

CLOSED IN DISAGREEMENT AT LABOR ON JUNE 22, 2023.

- 19. 025-02-003-23 Jesus Gonzalez – Viol of 2008 Buried Loop Agreement**
- 20. #025-02-004-23 Mark Zimmerman – Viol of 2008 Buried Loop Agreement**
- 21. #025-02-005-23 Tom Gilbert – Viol of 2008 Buried Loop Agreement**
- 22. #025-02-006-23 Dan Armento – Viol of 2008 Buried Loop Agreement**
- 23. #025-02-007-23 Greg Meyers – Viol of 2008 Buried Loop Agreement**
- 24. #025-02-008-23 Ryan Sargo – Viol of 2008 Buried Loop Agreement**
- 27. #025-07-005-23 Dave Metague – Viol of 2008 Buried Loop Agreement**
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- 31. #025-07-009-23 Kevin Gans – Viol of 2008 Buried Loop Agreement**
- 32. #025-07-010-23 Kevin Gans – Viol of 2008 Buried Loop Agreement**
- 33. #025-07-011-23 Josh Schwartz – Viol of 2008 Buried Loop Agreement**
- 34. #025-07-012-23 Dave Metague – Viol of 2008 Buried Loop Agreement**

Union: On orders PA11852034453, DQ0G282C, DQ0G37J4, DQ0G34AN, DQ0G2XTN, DQ0G2ZO, DQ0G4M05, DQ0G4SHG, PA118491620, DQ0G42PW, DQ0G3CGS, DQ0G2XQS, DQ0G4WHF & DQ0G5AZY. The above technicians discovered that the customers were

6-22-24 VZ Labor Minutes

instructed to repair jobs through 'TechSee' process. Can you confirm that the reason that there were dispatches was because the 'TechSee' process was not successful?

Company: I cannot confirm that the 'TechSee' process was used or not. I can say that the call into the FSC was unsuccessful in resolving the issue and therefore a dispatch was required.

Union: Is the customer CWA member?

Company: No

Union: Are FCSA's a lower paying title than a Services Tech?

Company: Yes.

Union: Our position is this process circumvents the Services Tech title and violates 2008 Buried Loop Agreement pay 2 hours each Tech each job to settle this grievance.

Company: Part of the FSCA job function is to help customers troubleshoot their issues, it is their responsibility to do that and they will continue to do that, the grievance is denied.

Union: We will close this in disagreement pending Union action and charge the Company with violating Articles 2,8,17,39,40, and 41 as well as the 2008 Buried Loop Agreement.

CLOSED IN DISAGREEMENT PENDING UNION ACTION AT LABOR ON JUNE 22, 2023.

25.#025-03-012-23 Jim Trappe – Violation of Article 17

Union: Jim Trappe discovered that Verizon dispatched contractors to replace pole at 4500 Yates Road, Bensalem, PA Can you tell me why contractors were sent out instead of Verizon OPT's?

Company: That is how the Company chose this particular job, with contractors, which they have a right to do.

Union: Call came in at 6:15 p.m. and Alan Warnick made decision to go to contractors I am aware of the 1991 MOU and the 504 agreements. Was there any fiber on the pole?

Company: I actually believe that they sent a crew of our OPT's to put the fiber back up.

Union: Do we have over 504 OPT's in the state?

Company: Yes, look in hindsight this is not the best business practice to send our guys and contractors out.

Off Record Discussion

6-22-24 VZ Labor Minutes

Union: I am going to close this at this step.

CLOSED AT LABOR ON JUNE 22, 2023.

26. #025-07-004-23 Josh Schwartz-Albright – Undesirable Tours

Union: Grievance pertains to loans on Undesirable Tours. On Sunday, April 23rd Josh and 3 other technicians were loaned from Hatboro to Trevoise. Can you tell me why?

Company: Workload needs

Union: Any staffing issues there?

Company: I believe they may have a surplus of techs in that garage considering the workload.

Union: It looks like the 3 other techs from Hatboro were on OT and that there may have been some Trevoise guys called in. Trevoise techs should be utilized to handle the workload out of there and the Company should look into knocking down the Hatboro undesirable tours. Not sure of all OT implications, but it appears to be that since Trevoise guys were called in for OT the task of covering work in Trevoise could have been accomplished without the need to loan a scheduled Service Tech from Hatboro to Trevoise. Settle this grievance by knocking down tours in Hatboro.

Company: All Trevoise techs were asked in for overtime most accepted, then a bunch backed out at last minute. Through Article 40 the Company can assign work to techs from one group to another in order to meet the needs of the business, the grievance is denied.

Union: It is our belief that Josh is a victim here because of poor management decisions. We will close this in disagreement and charge the Company with violating Article 40

CLOSED IN DISAGREEMENT AT LABOR ON JUNE 22, 2023

Respectfully Submitted,
Joseph Peruggia, Unit 22 President