

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

DATE: April 20, 2023
TIME: 9:00 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
Dave Gain - Unit #25 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. #013-03-007-23 Terrence Joseph – Viol of 2008 Buried Loop Agree **CID PUA**
3. #013-03-008-23 Terrence Joseph – Viol of 2008 Buried Loop Agree **CID PUA**
4. #013-03-022-23 Antoine Johnson – Viol of 2008 Buried Loop Agree **CID PUA**
5. #015-02-001-23 Eric Walker – Violation of Article 8 / 5G Install **PU**
6. #015-02-005-23 Tom Kleinschmidt – Viol of 2008 Buried Loop Agree **CID PUA**
7. #015-02-006-23 Tom Kleinschmidt – Viol of 2008 Buried Loop Agree **CID PUA**
8. #015-02-007-23 Tom Kleinschmidt – Viol of 2008 Buried Loop Agree **CID PUA**
9. #015-02-008-23 Tom Kleinschmidt – Viol of 2008 Buried Loop Agree **CID PUA**
10. #015-02-009-23 Tom Kleinschmidt – Viol of 2008 Buried Loop Agree **CID PUA**
11. #015-02-010-23 Tom Kleinschmidt – Viol of 2008 Buried Loop Agree **CID PUA**
12. #015-02-011-23 Tom Kleinschmidt – Viol of 2008 Buried Loop Agree **CID PUA**
13. #015-02-012-23 Tom Kleinschmidt – Viol of 2008 Buried Loop Agree **CID PUA**
14. #015-02-013-23 Tom Kleinschmidt – Viol of 2008 Buried Loop Agree **CID PUA**
15. #015-02-014-23 Tom Kleinschmidt – Viol of 2008 Buried Loop Agree **CID PUA**
16. #015-02-015-23 Ed Grove – Viol of 2008 Buried Loop Agree **CID PUA**
17. #015-02-016-23 Ed Grove – Viol of 2008 Buried Loop Agree **CID PUA**
18. #015-02-017-23 Mike Ferris – Viol of 2008 Buried Loop Agree **CID PUA**
19. #015-02-018-23 George Graham – Viol of 2008 Buried Loop Agree **CID PUA**
20. #015-02-019-23 Jason Soder - Viol of 2008 Buried Loop Agree **CID PUA**
21. #023-01-002-23 Jim Nicolardi – Violation of A3.022 **PU**
22. #025-03-001-23 Dave Gain – Viol of 2008 Buried Loop Agreement **Settled**
23. #025-03-003-23 Dave Gain – Viol of 2008 Buried Loop Agreement **Settled**
24. #025-03-005-23 Dave Gain – Viol of 2008 Buried Loop Agreement **Settled**
25. #025-03-008-22 Dave Gain – Viol of 2008 Buried Loop Agreement **Closed**
26. #025-03-011-23 Mike Brown – Violation of Article 17 **Closed**
27. #025-07-002-23 Joshua Schwartz-Albright–Loaned on Undesirable Tours **CID**
28. #033-06-001-23 Sean Ondush – Violation of Letter on Page 28 **Settled**
29. #033-06-002-23 Sean Ondush – Violation of Letter on Page 28 **Settled**

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

Union: We Are going to hold this grievance Pending Union.

PENDING UNION AT LABOR ON APRIL 20, 2023.

2. #013-03-007-23 Terrence Joseph – Violation of 2008 Buried Loop Agreement:

3. #013-03-008-23 Terrence Joseph – Violation of 2008 Buried Loop Agreement:

Company: Correct me if I'm wrong. You're not sure who delivered the router or not?

Union: Yes

Company: Was it delivered? We're unsure at this time. Looked up the 2023 report and UPS, FedEx, Or an Assistant tech. None of these people delivered a router in 2023. I don't know when the job was. Possible it was delivered in 2022.

Union: Customer obtains the router through UPS, FedEx, US mail. When the router is online would it be registered?

Company: I would think so. There's an install step.

Union: So, its registered and you move from Apartment to apartment is the router up and running with the same info?

Company: I don't know if there are steps for that.

Union: Do you pay monthly?

Company: Don't pay monthly.

Union: is it owned?

Company: Not paying a rental fee. It's waived.

Union: Waived for a period or infinite?

Company: Its unclear. Part of a promotion.

Union: Company waives the initial fee for customer. Not sure if for a period or forever. Does the company view this service as owned by the customer or does the company maintain ownership?

Company: Neither.

Union: Can you elaborate?

Company: It's owned by Wells Fargo.

Union: Customer goes to Comcast are they required to send the router back?

Company: The expectation is to return the router, I believe.

Union: Wells Fargo is a 3rd party owner of the routers?

Company: All Routers. Verizon is in the pipeline.

Union: You indicated Wells Fargo owns the router prior. Is a customer required to return the router if they leave Verizon?

Company: I think so.

Union: When did Wells Fargo come into the mix?

Company: Roughly 2014.

Union: Wells Fargo have proprietary exclusions rights or privileges between the customers. Router returned by the customer or subsidiary. We believe that this grievance lays claim to this work. FSC was involved with this customer to the point where they walked a customer through various processes. We feel this is a Violation of Articles 2,8,12,17,39,40,41, the Letter on Pg.28 and the 2008 Buried Loop Agreement. Pay Terrence 2 hours for each job to settle this grievance.

Company: Part of the FCOSA's responsibility is to help customers navigate any problems they might have. Don't see a problem there. Wells Fargo owns the routers. This grievance is denied.

Union: We will close this grievance in disagreement, PUA.

CID PUA AT LABOR ON APRIL 20, 2023.

4. #013-03-022-23 Antoine Johnson - Violation of the 2008 Buried Loop Agreement:

Union: Who delivered the router to this customer?

Company: Don't know who delivered the router. UPS, FedEx didn't deliver the router to the customer. Routers are owned by Wells Fargo.

Union: Is there a customer agreement disclaimer? In the Customer agreement does it say they are required to return the equipment at the expiration of the contract fulfillment?

Company: Customer is expected to return the router.

Union: If it's owned by Verizon then we believe this grievance lays claim to previous grievances where Tech See was used and it circumvented a Service tech dispatch where the router is owned and operated by Verizon. Pay Antoine Johnson 2 hours 2 settle this grievance.

Company: This is not viewed as a Violation of Article 17. Router is not owned by Verizon. Relative to the FCSA. Their job is to help customers navigate through issues. The company sees no Violation. FCSA job is to help resolve problems. Therefore, this grievance is denied.

Union: We Will close this grievance is Disagreement, PUA. Company is In Violation of Articles 2,8,12,17,39,40,41, the letter on Pg. 28 and the 2008 Buried Loop Agreement.

CID PUA AT LABOR ON APRIL 20, 2023.

5. #015-02-001-23 Eric Walker – Violation of Article 8/5G install:

Union: We will hold this grievance Pending Union.

PENDING UNION AT LABOR ON APRIL 20, 2023.

- 6. #015-02-005-23 Tom Kleinschmidt – Violation of 2008 Buried Loop Agreement:**
- 7. #015-02-006-23 Tom Kleinschmidt – Violation of 2008 Buried Loop Agreement:**
- 8. #015-02-007-23 Tom Kleinschmidt – Violation of 2008 Buried Loop Agreement:**
- 9. #015-02-008-23 Tom Kleinschmidt – Violation of 2008 Buried Loop Agreement:**
- 10. #015-02-009-23 Tom Kleinschmidt – Violation of 2008 Buried Loop Agreement:**
- 11. #015-02-010-23 Tom Kleinschmidt – Violation of 2008 Buried Loop Agreement:**
- 12. #015-02-011-23 Tom Kleinschmidt – Violation of 2008 Buried Loop Agreement:**
- 13. #015-02-012-23 Tom Kleinschmidt – Violation of 2008 Buried Loop Agreement:**
- 14. #015-02-013-23 Tom Kleinschmidt – Violation of 2008 Buried Loop Agreement:**
- 15. #015-02-014-23 Tom Kleinschmidt – Violation of 2008 Buried Loop Agreement:**

Union: Tom Kleinschmidt, Service tech, was dispatched on tickets DQ0FYMPT, DQ0FYPZR, DQ0FYRXX, DQ0FYS14, DQ0FYRTS, DQ0FYS6U, DQ0FYSFD, DQ0FZ2N1, DQ0FZ57R, DQ0FZ7QL, DQ0FZ8TR, and discovered that the company directly shipped equipment to the customers via UPS. Based on info, can you confirm the Tech see app was used?

Company: I don't know if it was.

Union: Any reason to believe Tech See is not being used anymore?

Company: It's still being used.

Union: Each and every call?

Company: Definitely not the case.

Union: Can you provide instances?

Company: FSC supervisor says Tech See is only used 20% of the time.

Union: In Instances it is not used or to better clarify the question. Each time the customer calls the FSC Tech See is not used or no dispatch because the FSC used a FECO ticket? Is that accurate?

Company: There will be times we use a FECO ticket. FSC doesn't utilize it every time talking to customers.

Union: Is it fair to say, based on Company policy, procedures, directives, that no FECO was used because of a dispatch?

Company: I agree.

Union: In previous cases the FSC some way resolved the issue successfully. So, would you agree there was no truck roll?

Company: the odds are we usually don't.

Union: The customers were not Union Members?

Company: They are not.

Union: Not members so our position is the same. The Tech See App was used to circumvent thew trouble. FIOS in a Box was used after the pandemic ended. Walked customers through it to avoid a Service tech dispatch. Tech See is used on every call and is a Blatant violation of the 2008 Buried Loop Agreement, exclusive to CWA. Pay Tom Kleinschmidt 2 hours for each ticket to settle the grievances.

Company: Part of the FSCA responsibility is to help customers. Tech See is used as part of their work. The company sees no violation and this grievance is denied.

Union: CID, PUA.

CID PUA AT LABOR ON APRIL 20, 2023.

16. #015-02-015-23 Ed Grove – Violation of the 2008 Buried Loop Agreement:

17. #015-02-016-23 Ed Grove – Violation of the 2008 Buried Loop Agreement:

Union: Ed Grove, Service tech, was dispatched on tickets DQ0FZPQG, DQ0G0KB1, DQ0G0KVP, DQ0G0M11, where the customer was instructed to repair the job on their own. Would you say in these instances there was no FECO ticket?

Company: I would.

Union: The Customer called the FSC and there was no resolve, so a tech was sent out?

Company: Yes.

Union: If the FSC did resolve the issue would there have been a truck roll?

Company: Probably not.

Unions: Our position is that the FSC saw an opportunity to keep using the Tech See app after the pandemic ended, to try and walk customers through their issues and avoid dispatching a Service Tech at all costs. We feel the Tech See app is used on every call into the FSC. Service techs have been going into homes freely and willfully for years now. We feel this is a Blatant violation of the 2008 Buried Loop Agreement. We feel this work is exclusive to CWA Local 13000 Bargaining Unit. Pay Ed 2 hours overtime, cease and desist the use of Tech See to settle this grievance.

Company: Part of the FSCA job function. FSC associate will continue to work with the customer. This grievance is denied.

Union: CID, PUA.

CID PUA AT LABOR ON APRIL 20, 2023.

18. #015-02-017-23 Mike Ferris – Violation of the 2008 Buried Loop Agreement:

19. #015-02-018-23 George Graham – Violation of the 2008 Buried Loop Agreement:

20. #015-02-019-23 Jason Sodor – Violation of the 2008 Buried Loop Agreement:

Union: These techs were dispatched on PA11838397046, DQ0GGPJ, DQ0G1USN. There was dispatch because of no FECO ticket. Do you agree?

Company: I do. Correct.

Union: if the FSC was able to resolve the issue for each ticket there wouldn't have been a truck roll? Would that be fair to say?

Company: That's fair to say.

Union: To your knowledge, these customers were not CWA members?

Company: They are not.

Union: The Tech See app was brought on during the pandemic. We also had Fios in a Box to avoid going into people's homes. The FSC saw an opportunity to keep using the Tech See app after the pandemic ended to try and walk customers through their issues to avoid dispatching a Service tech at all costs. This is a blatant violation of the 2008 Buried Loop Agreement. This work is exclusive to CWA local 13000 Bargaining Unit. Pay each grievant 2 hours for each ticket to settle these grievances.

Company: We see no violation. These grievances are denied.

Union: CID, PUA.

CID PUA AT LABOR ON APRIL 20, 2023.

21. #023-01-002-23 Jim Nicolardi – Violation of A3.022:

Off Record Discussion

Union: We will hear this on next agenda

22. #025-03-001-23 Dave Gain – Violation of 2008 Buried Loop Agreement:

23. #025-03-003-23 Dave Gain – Violation of 2008 Buried Loop Agreement:

24. #025-03-005-23 Dave Gain – Violation of 2008 Buried Loop Agreement:

Company: Willing to give 2 hours OT for each ticket to Dave Gain. No P&P

Union: Settled.

SETTLED AT LABOR ON APRIL 20, 2023.

25. #025-03-008-22 Dave Gain – Violation of the 2008 Buried Loop Agreement:

Off Record Discussion

Union: We will close this grievance

CLOSED AT LABOR ON APRIL 20, 2023

26. #025-03-011-23 Mike Brown – Violation of Article 17:

Union: Mike discovered a contractor performing work done by Local splicers Contractor was sent out to find Verizon Facilities. You should be using Splicers to do this work. Pay Mike 2 hours to settle this grievance.

Off Record Discussion

Company: In this case there was no locate ticket or PA one call. The contractor did not perform a locate. He was sent to verify there was a conduit. Grievance is denied.

Union: We will Close this.

CLOSED AT LABOR ON APRIL 20, 2023.

27. 025-07-002-23 Joshua Schwartz-Albright – Loaned on Undesirable Tours:

Union: Can you tell me why Joshua was scheduled in Hatboro and loaned out of district on an undesirable tour?

Company: Needs of the business.

Union: Tours are used to cover work specifically within their admin group. Loaning out on an undesired tour puts an undo burden on the tech and doesn't need to happen. Pay Josh 2 hours OT to settle this grievance.

Company: Article 40 gives us the right to schedule one group to send techs to where the work might be during scheduled hours. Needs of the business. This grievance is denied.

Union: Company is in Violation of Articles 39,40,41 and the Letter on Pg.59. CDAPUA

CID PUA AT LABOR ON APRIL 20, 2023.

28. #033-06-001-23 Sean Ondush – Violation of Letter on Page 28:

29. #033-06-002-23 Sean Ondush – Violation of Letter on Page 28:

Company: 2 grievances. Company is willing to offer 2 hours for each to remedy without P&P.

Union: Accepted.

SETTLED AT LABOR ON APRIL 20, 2023.

Submitted by,
Dave Gain, Unit #25 President
Formatted by: cc