

**Municipal Unions
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Introduction

This fact sheet provides snapshots of some of the municipal unions with members working for the County of Erie, City of Buffalo, and Buffalo Public Schools and recent issues involving them.

Erie County Municipal Unions

Civilian Service Employees Association (CSEA) Local 815



The CSEA is Erie County's largest municipal union, representing 4,100 workers.¹ The CSEA represents white-collar workers in Erie County.² CSEA Local 815's Erie County Unit #1 represents more than 4,000 county workers, including blue and white collar workers with:

- The Department of Social Services,
- ECMC (Erie County Medical Center), in the labs and morgues,
- The Library
- ECC (Erie Community College)
- The Parks Department
- The District Attorney's Office
- Department of Probation
- The youth and detention facilities
- Public Works, in the Comptroller's Office
- Board of Elections
- County Clerk's Office
- Senior Services and Nurses and Physical Therapists at the County Home.

Contact Information

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President – Joan Bender

What is the CSEA’s current Contract status?

The current contract expired on December 31, 2006. The expired collective bargaining agreement will remain in effect until the membership and the County ratify a new contract. CSEA and Erie County have been meeting on a regular basis to discuss contract proposals.³ A copy of their contract can be obtained by visiting:
<http://www.csealocal815.org/files/CONTRACTBOOK.pdf>

Can the County Executive replace full time employees with Part-time Employees?

Erie County cannot hire part-time workers in place of full-time workers. An arbitrator from the state's Public Employees Relations Board ruled in favor of the Civilian Service Employees Association Local 815. The union filed an improper practice charge last year after County Executive Chris Collins hired about 150 regular part time workers. The arbitrator ruled that the county violated the state's Taylor Law when it failed to negotiate with the union before hiring part time workers rather than full-time employees. Collins said the county will appeal the decision. He said the union's contract allows for regular part time positions.⁴

New York State Nurses Association (NYSNA)



Erie County recently settled a contract with the New York State Nurses Association (NYSNA). The contract calls for NYSNA’s current members paying 15% towards any increase to their insurance costs, new hires paying 15% of health insurance costs (as well as no longer receiving retiree health care) and current employees paying 50% of their retiree health care costs (Nurses within five years of retirement were deemed exempt).⁶

Under the new six-year contract, RNs will receive retroactive lump-sum payments of \$2,000 for both 2006 and 2007. Wages will increase by 12% retroactive to July 2008, then 4% each year from 2009 to 2011 for RNs at

the medical center, and 10% retroactive to July 2008, then by 3% each year for RNs at the health department. Rates for per diems were also increased by 25%.⁷

Erie County Community College Faculty and Administrators

The ECC faculty and administrators are the only two unions within Erie County with current contracts. The ECC faculty contract runs through 12/31/09 and the ECC Administrators contract runs through 8/31/11.

AFSCME

AFSCME maintains a small bargaining unit of blue collar workers with the County.⁸ Their current contract expired on 12/31/05.

CSEA Corrections Officers

This union represents the corrections officers in the Sheriff's Department. They have no current contract and are working under the provisions of their expired contract.

Teamsters Joint Council 46

The Teamsters represent the guards in the Sheriff's Department. Their last contract expired on 12/31/04.

Buffalo Police Benevolent Association, Inc. (PBA)

The PBA represents the Sheriff Road Patrol at the County level. Their contract expired on 12/31/08.

Librarians Union

This union represents the librarians in the Buffalo and Erie County Public Library system. Their contract expired on 12/31/06.

City of Buffalo Unions

Buffalo Professional Firefighters Association, IAFF Local 282



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- 255 Delaware Ave Buffalo, NY 14202
- Phone: 716-856-4130
- Fax: 716-854-1783
- Website: <http://www.buffalofirefighters.com/>

President of the Union - Daniel Cunningham

- Email – dcunningham@buffalofirefighters.com

Contract Negotiations¹⁰

Buffalo firefighters stunned many insiders when they rejected a contract Tuesday (November 4, 2008) that would have raised their pay 20 percent by 2011. The base wages of more than half the firefighters would have increased by nearly \$11,000, to \$64,745.

Firefighters blamed the contract's defeat on various factors, including a rush to approve the pact, concessions that many found distasteful and an intense "distrust" of Buffalo's control board. Of the 600 who voted, nearly 60 percent opposed the pact.

Most firefighters would have received pay increases ranging from \$11,000 to \$13,000 by 2011. The pact included retroactive raises of 9.4 percent, including a \$3,500 lump sum increase that would be added to firefighters' base salaries dating back to July 2007 and a 3.4 percent raise retroactive to last July. They would have received 3.4 percent raises next summer and in 2010, plus a 2 percent increase in the final year of the contract.

Overtime Issues

A flap over sky-high overtime in the Buffalo Fire Department escalated when the head of the fire union urged the mayor to oust his finance commissioner. Mayor Byron W. Brown issued a quick response, saying he does not intend to fire Janet Penksa. Fire union President Daniel Cunningham was upset over comments made last Friday by Penksa. Penksa said it was "abusive" that some firefighters are making as much as \$165,000 a year when overtime is included. Cunningham also accused Penksa of falsely intimating that some firefighters are undermining efforts to end a lengthy contract stalemate.

Five years ago, the Fire Department spent about \$2.2 million in overtime, according to an analysis by The Buffalo News. Last year, the overtime tab approached \$10.6 million. Cunningham said the city's failure to hire a single firefighter in seven years is a major factor. He also said that a significant amount of overtime has been financed through federal grants that a national coalition of firefighters helped to snare.¹¹

Pension Issues

The head of Buffalo's control board (Paul J. Kolkmeier) is calling on New York State to exclude overtime from pension calculations for all employees in the state pension system, including police and firefighters. Kolkmeier contends the problem — known as "pension spiking" — could easily be resolved if the State Legislature changed the law so that overtime was not factored into pension payments.¹²

Firefighter overtime has increased fivefold in the past five years, with firefighters about to retire getting a disproportionate amount of the extra

money. As a result, firefighter pensions are up an estimated 50 percent, with pensions often exceeding the base pay a firefighter received while working. Responding to The News report on firefighter overtime, Cunningham said firefighters have “nothing to be ashamed of and make no apology for the money they have earned. They have worked as many as 93 hours a week away from their families at a very dangerous and demanding job.” Cunningham also released numbers showing that the city saved about \$6.5 million last year by paying overtime rather than hiring new firefighters.¹³

Buffalo Police Benevolent Association, Inc. (PBA)

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Contact Information

- 74 Franklin St. Buffalo, NY 14202
- Phone: (716) 851-4501
- Website: <http://buffalopba.com>

President of the PBA - Robert P. Meegan, Jr.



Does the PBA Contract have a current contract?

The PBA’s contract with the City of Buffalo expired on June 30, 2007.

How does overtime relate to pensions?

Much like the firefighters the Buffalo Police Department’s overtime effects the amount they receive for a pension.

City payroll records show Police Department overtime was about \$2.2 million in 2004. In 2008, the Police Department overtime was almost \$8.8 million. Police Department overtime is doled out by seniority.¹⁵

How hard is it to strip a pension from an officer?

Pensions are highly protected. Being a crooked cop can cost a police officer his job, his reputation and even his freedom. But not his pension. Consider Buffalo Detective Sylvestre Acosta, who is serving 45 years in prison, and also collecting a \$40,544 annual pension. Or fellow narcotics investigator Gerald T. Skinner, whose \$54,751 disability pension was approved while he was behind bars. It's all legal. In fact, some say it's a constitutional right in New York State. However, a few Albany lawmakers think change is needed.¹⁶

AFSCME Local 264, AFL-CIO

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Contact Information

- 257 Elmwood Ave., Suite 201 Buffalo, NY 14222
- Phone: (716) 852-0883

President of AFSCME Local 264 – Bill Travis

Whom does AFSCME Local 264 represent?

AFSCME Local 264 represents the City’s Blue Collar Workers including Street and Sanitation workers, Parking Enforcement, Water, Mechanics and Equipment repair employees for police and fire, police dispatch and other civilian employees within the police department.¹⁸ AFSCME Local 264 also represent the Buffalo Board of Education food service workers, approximately 400 people, service center workers of All High Stadium, approximately 55 people, and the Buffalo Municipal Housing Authority (BMHA) blue collar workers, approximately 200 employees.¹⁹



What is their current contract status?

With regard to the Blue Collar Workers in the City of Buffalo AFSCME Local 264 recently negotiated and signed a nine-year contract in December 2008. The contract retroactively runs from 7/1/2002 – 6/30/2011.²⁰

With regard to the Buffalo Municipal Housing Authority (BMHA) AFSCME Local 264 recently negotiated and signed a seven-year contract. The contract retroactively runs from 7/1/2004 – 6/30/2011. The Buffalo Fiscal Stability Authority has considered this contract yet. However, the control board is set to consider the contract on May 13, 2009.²¹

With regard to the Buffalo Board of Education food service workers, AFSCME Local 264 has had no contact with the Buffalo Board of Education about renewing the current contract that expires at the end of this year.²²

The service center workers of All High Stadium have not had a contract since 6/30/2004.²³

AFSCME Local 650



AFSCME Local 650 represents white collar workers within the City of Buffalo. The Buffalo Fiscal Stability Authority approved AFSCME Local 650’s contract with the City of Buffalo on 7/2/2008. The contract covers the AFSCME Local 650 retroactively from 7/1/2004 – 6/30/2011.²⁴ A copy of the AFSCME Local 650 contract can be obtained by visiting:

http://www.afscmedc35.org/index.cfm?zone=/unionactive/view_article.cfm&HomeID=92546&page=Local20650

Buffalo Crossing Guards Association

The Buffalo Fiscal Stability Authority approved the Buffalo Crossing Guards Association contract with the City on 1/28/2008. The contract covers the Crossing Guards retroactively from 6/1/2004-6/30/2010.²⁵

Building Trade Inspectors Association Local 2651 (AFSCME)

This union represents the City of Buffalo Building inspectors.

Buffalo Public Schools

Buffalo Teachers Federation (BTF)

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Contact Information

- 271 Porter Ave. Buffalo, NY 14201
- Phone: 716-881-5400
- Fax: 716- 881-6678

BTF President - Philip Rumore

Has the BTF's contract been violated by the District?

The District unilaterally switched to a single carrier from offering teachers the four health care options specified in the BTF contract. The BTF grieved that the contract violation before arbitrator Dana Eischen. On October 23, 2006, Mr. Eischen's arbitration award directed the District to restore the four choices and to rehire certain teachers laid off because of the switch. Justice NeMoyer confirmed the award and ordered the District to comply with it. The District appealed that order to the Appellate Division. The Appellate Division affirmed the order to restore the four health care options, but vacated the rehiring of the teachers..²⁷



New York State United Teachers (NYSUT)

NYSUT represents teachers in more than a dozen charter schools, including five in Buffalo.²⁸ The NYSUT also represents the bus aides in Buffalo. NYSUT is the largest public employee union in New York State, representing over 525,000 members, including more than 95 percent of public school teachers in the state. NYSUT is affiliated with the American Federation of Teachers and the AFL-CIO.²⁹



Buffalo Educators Support Team (BEST)

BEST represents Buffalo District Teacher's Aides and Assistants. BEST is the second-largest union in the District, as well as the city, representing nearly 1,000 employees.³⁰

The Buffalo Fiscal Stability Authority approved the Buffalo Educators Support Team contract with the Buffalo Public School District on 8/19/2008. The contract covers the Buffalo Educators Support Team retroactively from 7/1/2004-6/30/2012.³¹

I.U.O.E Local 409

The I.U.O.E Local 409 represents maintenance and engineers at the Buffalo Public Schools.

United Environmental Workers CWA Local 1186

The CWA represents the sewer authority in the City of Buffalo.

Buffalo Counsel of Supervisors and Administrators

The Buffalo Counsel of Supervisors and Administrators represents the principles and administrators for the Buffalo Public Schools.

¹ Joyce Kryszak, CSEA 815 Wins Arbitration Ruling, WBFO, April 2, 2009: http://www.publicbroadcasting.net/wbfo/news.newsmain?action=article&ARTICLE_ID=1488600§ionID=1 and Tom Campbell, *CSEA Local 815 Ready To Return To Bargaining Table With Erie County/Health Care Benefits Seen As #1 Issue*, WNY Labor Today, February 25, 2009

² Erie County Budget 2009 pg. 38

³ <http://www.csealocal815.org/erieunit.asp>

⁴ Joyce Kryszak, CSEA 815 Wins Arbitration Ruling, WBFO, April 2, 2009: http://www.publicbroadcasting.net/wbfo/news.newsmain?action=article&ARTICLE_ID=1488600§ionID=1

⁵ <http://www.nysna.org/>

⁶ Tom Campbell, *CSEA Local 815 Ready To Return To Bargaining Table With Erie County/Health Care Benefits Seen As #1 Issue*, WNY Labor Today, February 25, 2009

⁷ Mark Genovese, *At last: A new contract at Erie County!*, New York Nurse, January/February 2009

⁸ Patty Devinney Field Coordinator WNY Area Labor Federation

⁹ <http://www.buffalofirefighters.com/>

¹⁰ Brian Meyer, *Factors add up in defeat of Buffalo firefighters contract*, Buffalo News, November 6, 2008

¹¹ Brian Meyer, *Fire union head calls for ouster of city finance chief as overtime spat escalates*, Buffalo News, March 31, 2009.

¹² Susan Schulman, *Police, fire pensions are challenged*, March 22, 2009.

¹³ Susan Schulman, *Police, fire pensions are challenged*, March 22, 2009.

¹⁴ <http://buffalopba.com/>

¹⁵ Susan Schulman, *No crime too big to take away a public pension; Defenses cited for controversial practice*, Buffalo News, April 5, 2009

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- ¹⁶ Susan Schulman, *No crime too big to take away a public pension; Defenses cited for controversial practice*, Buffalo News, April 5, 2009
- ¹⁷ <http://www.local264.com/>
- ¹⁸ <http://www.local264.com/> and Bill Travis
- ¹⁹ <http://www.bfsa.state.ny.us/reports/publicInputReport200410.pdf> and and Bill Travis
- ²⁰ Bill Travis on 4-24-09
- ²¹ Bill Travis on 4-24-09
- ²² Bill Travis on 4-24-09
- ²³ Bill Travis on 4-24-09
- ²⁴ <http://www.bfsa.state.ny.us/meetings2008/resolutions/res08029.pdf>
- ²⁵ <http://www.bfsa.state.ny.us/meetings2008/resolutions/res08002.pdf>
- ²⁶ <http://www.btfny.org/>
- ²⁷ http://www.btfny.org/whatsnew/prov/BTF_Dec_08.pdf
- ²⁸ Richard C. Iannuzzi, *Teachers unions embracing reform*, Buffalo News, April 2, 2009.
- ²⁹ http://www.nationalponsi.org/ccr/Listings/nys_united_teachers_home.htm
- ³⁰ http://archives.buffalorising.com/story/important_bps_announcement
- ³¹ <http://www.bfsa.state.ny.us/meetings2008/resolutions/res08042.pdf>