

July 26, 2006

TO: ALL CORRECTION CAPTAINS

SUBJECT: SETTING THE RECORD STRAIGHT

Recently Keith James, a delegate, sent letters to our members. His letters are not in the best interest of the CCA or our members because they are not truthful, not factual, and are meant to divide the membership. They also side with management. For almost 20 years the CCA policy has been that if there is dissatisfaction within the CCA, we should work together to resolve our issues. Keith's letters are for his own self interest. We are writing you to set the record straight.

First you should know that Keith has twice applied to become a member of the CCA Executive Board, first in July 2003 and more recently in May 2005. Each time he was not selected by the then current Executive Board. Your Executive Board's decision to fill these vacancies was and has always been to select the best qualified person that will work hard for the best interest of our members. Each time there was more than one deserving candidate. We feel when we filled these vacancies we accomplished our goals. In addition, you should know that each time Keith applied for an Executive Board position, he told the Executive Board that he wanted to be a part of our team and that we were doing a great job.

We wonder what changed since May 2005? We believe nothing except maybe Keith. We believe he is putting his own self interest and ambition above your best interest. The letters that Keith sent out contradict what he has told your Executive Board that we are doing a great job. This begs the question: When was he not telling the truth? (When he interviewed to be an Executive Board member, or, now when he seems to have kicked off some type of campaign). Whatever the answer, it is not in the CCA's or our member's best interest.

As to Keith's baseless claims:

We have continuously informed you as to the status of contract negotiations. We told our delegates and members that we were going to get the same raises as the other uniformed unions but with the least amount of give backs for our members, specifically for the incumbent members. We did just that. You should know that Keith, when he did come to delegate and general membership meetings, never once got up to complain or offer suggestions about how the CCA Executive Board was conducting negotiations or the length of time it took to arrive at a contract. You should also know that Keith voted in favor of the contract at the delegate meeting. It was a unanimous vote to approve the contract.

You all know that no union makes the tax laws that Keith seems to be complaining about. What he forgot to tell you was that it was your CCA that arranged for you to make 457 contributions that reduces your tax liability for your retroactive pay.

It is not true that your President and other Executive Board members are missing in action and have not visited you at your commands.

If Keith had the knowledge and experience of what it takes to perform the duties of the various Executive Board positions, he probably would not have written such false and misleading statements. On a daily basis, your Executive Board handles grievances, EEO complaints, disciplinary matters, health and welfare benefits problems, legislation to enhance and protect our members rights, etc., as well as contract negotiations. This is in addition to representing our members in cases that involve such incidents as the Shipman matter, the 4 Captains in the Angrum case and the recent Henderson matter. In addition, your Executive Board works tirelessly to ensure our members are not unfairly held back from being promoted, just ask Penny Jones. You should know that Keith never attended even one hearing or court appearance for the 4 Captains in the Angrum case or the Henderson case. What does that say about Keith? You decide.

In addition to performing these services, ask our members in the Rikers Island facilities or in the Borough facilities if the Executive Board members have visited them on a consistent basis. The answer is a resounding "yes". Keith would not know this since he works in the Health Management Division.

We cannot figure out what Keith is talking about regarding the CCA not having a working relationship with the City of New York, or a closer professional relationship with other unions and some departmental fraternal organizations. We say this because your Executive Board has maintained a fight to ensure our members continue to receive the respect we deserve and to ensure that we are not unjustly punished for unfair disciplinary charges. Our success record at OATH is 16 out of 16. Not bad.

Your Executive Board must have a good working relationship with City government since we were able to convince this Mayor to fix the pension additional contribution rate and set it at a level below the amount than what was originally contemplated. Our President, Peter Meringolo, must have a very good reputation among other municipal union leaders since he was elected to lead the NYS Public Employee Conference consisting of more than 50 unions throughout the State. The Speaker of the NYS Assembly, Sheldon Silver, and the leader of the NYS Senate, Joseph Bruno, must have a good relationship with our President since they passed the 9/11 Bill he spearheaded on behalf of all municipal employees. The Governor must have a good relationship with our President since he signed the 9/11 Bill into law over the strong objections of Mayor Bloomberg.

What Keith doesn't know is that our President, Peter Meringolo, is part of the group of union leaders such as Dennis Hughes, President of the NYS AFL-CIO, and Randi Weingarten, President of the UFT and Chairperson of the MLC, that are meeting to propose changes to reform the Taylor Law so the rights of unions can be on more level playing field with management. If this is not getting along and playing well with others than we do not know what is? And by the way, the CCA was elected to be part of the MLC Steering Committee which is the group of unions that negotiates health benefits and sets other City - wide union policies.

What we find incredible is that Keith is complaining about our web site that we created and implemented. And while it is something new we are always looking to improve it. However, we are proud of our web site and members are using it more and more and they have given us positive feedback.

Keith has complained that we have not issued a Captains Quarterly each calendar quarter. The Captains Quarterly is the name of our newspaper. It is meant to keep you informed of non time sensitive news. You know it is not the only way we communicate with you. This is just another baseless complaint.

Keith complains about the Annuity Fund's investment performance. He just looks at one point in time and any investment expert will tell you that it is better to look at a more representative period of time and also look at how Wall Street in general is doing.

What we find amazing is that Keith wants us to get along with the Department of Correction administration that has consistently disrespected our Captains. It tries to fire or force harsh penalties on Captains for non-existent or trivial alleged violations which it has trouble proving. We have been very clear that we are fighting for the respect we deserve and to be treated fairly. What else does he want? We think Keith wants to complain so he can get a position on the CCA Executive Board. We believe he is going about it the wrong way.

When a delegate is seeking to become a member of our Executive Board we usually receive calls from the Captains they represent saying that he or she is good for the Union. In Keith's case we got calls from management. Maybe Keith thinks management should run the CCA. We think not.

We work very hard to provide you, the members, with the best possible representation. We are available 24 hours a day, 7 days a week. We fight for all Captains. We are constantly improving your benefits, representation and services.

At the end of one of his letters Keith tells you about his background. He tells you that he is currently assigned to the Health Management Division ("HMD"). What he didn't tell you is that he tells ADW's to come to HMD on overtime, from other facilities, to catch Captains out of the house while out sick and helps them to be reassigned to HMD when they actually catch a Captain out of the house while on sick leave. This is not the conduct of a Union leader.

We believe that Keith is unhappy that he was not selected to be part of the CCA's Executive Board. This letter tells you a little more about Keith than his letters do. We do not select a new member of the Executive Board based on blind ambition or self serving interests. We will not permit anyone to mislead you. We believe that is just what Keith is doing. We hope this letter sets the record straight.