



BULLETIN

NABET-CWA/ABC-Disney

October 9, 2020



ABC Network Distribution and Disaster Recovery Consolidation **New York and Los Angeles**

We want to inform members working in Network Release and Disaster Recovery operations in New York and Los Angeles, that earlier this week the Union and the Company signed an agreement which will provide “A” Unit Engineering and “B” Unit Traffic and Communications members with enhanced Buyouts to Staff members and unprecedented Retention Bonuses for Daily Hire members who will be displaced as the result of these operations moving to The Woodlands, Texas.

This agreement is the result of several off-the-record meetings held in July, August and September, in which NABET-CWA leadership from the Sector, Local 16 and Local 51 negotiated with ABC Executives on several important issues concerning economics, workforce staffing, and process matters related to this agreement. Accordingly, members working in Network Release, Disaster Recovery, Traffic, Videotape/Media Operations, Master Control, SMAG, Network Technical Maintenance, and the Network Control Center in New York and Los Angeles will be subject to the following minimum considerations as abridged here from the Agreement:

1. “A” Unit Engineering Staff Employees

Pursuant to Sideletter HH (Alternative Layoff Procedure), the Company intends to completely eliminate the following operating areas: New York Break Studio Technical Director and Video Tape, and Prospect Master Control, and Video Tape (“Eliminated Operating Areas”).

The Company will offer each of the employees on the Operating Area Seniority lists for the Eliminated Operating Areas a Voluntary Separation Program in an amount equal to three (3) weeks of base pay for each completed year of Total Company Seniority, plus Ten Thousand Dollars (\$10,000), subject to a cap of One Hundred Four (104) weeks’ base pay (“A Unit VSP”), provided the employee remains actively employed through their Separation Date and signs an Agreement and General Release prepared by and satisfactory to the Company (“Release”).

With regard to the Staff employees in the Partially Eliminated Operating Areas: New York Central Switching Center (“CSC”), New York Network Technical Maintenance (“NTM”), New York Systems Maintenance And Assembly Group (“New York SMAG”) and Prospect Systems Maintenance and Assembly Group (“Prospect SMAG”), the Company will solicit their interest in the “A” Unit VSP. As provided in Sideletter HH, the Company reserves the sole right to determine the number and select from among the applicants those employees in

the Partially Eliminated Operating Areas who will receive an “A” Unit VSP offer, subject to the conditions set forth above.

2. “B” Unit Traffic Coordinator Staff Employees:

The Company will offer each of the “B” Unit Traffic Coordinator Unit Staff Employees a Voluntary Separation Program in an amount equal to three (3) weeks of base pay for each completed year of Total Company Seniority, plus Ten Thousand Dollars (\$10,000), subject to a cap of One Hundred Four (104) weeks’ base pay (“B Unit VSP”), provided the employee remains actively employed through their Separation Date and signs an Agreement and General Release prepared by and satisfactory to the Company (“Release”).

3. “A” Unit Engineering And “B” Unit Traffic Coordinator Daily Hires:

The Company agrees to pay the Daily Hires on the New York and Prospect Los Angeles lists, a Severance/Retention Bonus (“Bonus”):

***Bonus Part I:** Instead of the Continuation Pay set forth in Sideletter HR, the Company agrees to pay thirty-five percent (35%) of the daily hire’s gross compensation, minus the cash portion of the payment in lieu of benefits, for the one year period immediately preceding Separation Date.*

***Bonus Part II:** An additional lump sum based on continuous, uninterrupted years of service:*

*0 to 5 years = \$1750
5 to 10 years = \$4000
10 to 20 years = \$6000
Over 20 years = \$10,000*

Bonus Eligibility Requirements:

The employee appears on the specific eligibility lists for Daily Hires, for this purpose. No other Daily Hire shall be eligible.

The employee remains through their Separation Date. The parties expressly recognize that the Separation Date may be different for different groups of and among employees based on operational considerations. However, if the Company extends a Separation Date past December 21, 2020 with respect to daily hires on the attached New York list, or March 5, 2021 with respect to daily hires on the attached Prospect Los Angeles list, in extenuating circumstances (e.g., a staff job offer in the industry), the Company will consider a waiver of this requirement that the employee remain through their Separation Date, which will not be unreasonably withheld.

The employee must be laid off. For example, the parties recognize that with respect to CSC, NTM and SMAG work in New York some daily hires on the eligibility lists may continue to work for Network News, and with respect NTCM, SMAG and the Stockroom in Prospect, some may continue to perform work for Entertainment Marketing or General Hospital. Accordingly, any Daily Hire that is not laid off shall not be eligible for the Bonus.

The Daily Hire must execute a Release.

The Daily Hire must have accepted 80% of the shifts the Company offers every month from the effective date of this Agreement through the Separation Date.

Neither portion of the Bonus shall be subject to contributions to the Communications Workers of America Savings and Retirement Trust, or the Entertainment Industry 401(k) Plan, or the payment in lieu of vacation, pursuant to Sideletters FB or HO, or Sections A14.2(f) or B3.4(a).

(All of the above conditions may be subject to further terms as listed in the complete executed Agreement.)

The Union was able to achieve these economic considerations for those individuals ending their employment at ABC, in addition to achieving a significant reduction in the number of jobs originally slated to be eliminated in New York CSC/Master Control, New York Network Technical Maintenance, New York SMAG, Prospect SMAG, Prospect Network Technical Center Maintenance, and Prospect Central Stores.

As stated in our September 1, 2020 Bulletin, NABET-CWA undertook this matter with the utmost diligence. Our goal was to achieve the best outcome for all involved while protecting the legal and contractual rights of the Union and our members. We could not have arrived at this compromise with ABC without the support of all NABET-CWA Locals, whether or not directly affected by this consolidation. Specifically, the leadership from Local 31 (Washington DC) and Local 41 (Chicago) were actively engaged and present for every meeting with the Company, as well as all internal union caucus meetings.

While ABC is still maintains that December 21, 2020 is the New York NR shutdown date, and March 5, 2021 is the Prospect shut down date, the Company is now bound by this agreement to provide the Union with regular updates on the status of The Woodlands cut-over. We will update you on future developments as soon as possible.

If you have questions or concerns, please contact your Shop Steward or reach out to your Local Union office.

In Solidarity,

Local 16: President, Arthur Mazzacca, Vice President Bill Bores, Assistant to the President Jim Nolan, Executive Board Representatives Jim Joyce and Steve Francis, NYTO/NAC Shop Steward Mark Albin, and Local 16 Legal Counsel William Schimmel, Esq.

Local 31: President Bob Williams, Vice President Bantu Opiotennione, and Treasurer Carl Mayers

Local 41: President Chris Willadsen

Local 51: President Carrie Biggs-Adams and Steward Greg Dolphin

NABET-CWA Sector: President Charlie Braico and General Counsel Judiann Chartier, Esq.