

BALTIMORE FIRE OFFICER

LOCAL 964

--STAFF--

STEPHAN G. FUGATE -- TOM NOSEK

By and For the Professional Fire Officer

IN UNION

THERE IS STRENGTH

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From the Desk of the President

By Stephan G. Fugate

Our duty, rights and responsibilities as Exclusive Representatives

Among the issues I'd prefer to end my career as a Union Official without having to address, with clearly sensitive and potentially divisive implications, is that of the Union's roll in member issues versus that of the Vulcan Blazers, Inc., hereinafter referred to as VBI. I've always believed, however, that the easiest way to exacerbate a problem is to pretend it doesn't exist, and the time has come to be honest, open, and forthright.

I cannot claim to put a fixed date on its origin, but for as long as I can recall in my nearly thirty-five year career, MOP 312 has allowed for members of VBI to opt for representation of EITHER their respective Union Local OR VBI to be "...present during hearings above the second level...". To make the matter more clear, the precise language from MOP 312 dated 02/14/02 is as follows:

"Members of the Fire Fighters' or Fire Officers' Union, Local 734, or 964, shall be entitled to Union Representation at any disciplinary proceeding or investigation. Local 734 and 964 members may arrange for legal counsel to be present above the second level. Members of C.U.B., and A.F.S.C.M.E. may have representation or legal council at any hearing above the second level. Members wishing to have a representative from the Vulcan Blazers present during hearings above the second level may

do so. *However, members may only have one representative of their choosing at a hearing.*" (emphasis added).

Now, though my not knowing if such a choice of representation preceded my career is irrelevant, what is relevant (at least to me) is that I never quite understood why a member of VBI would decline Union representation in any matter of consequence, but the choice was indeed for the member to make and my opinion really didn't count. Yes, I've heard anecdotal "evidence" over these many years of how minority members were "misrepresented" by their Union, but I have never observed or been personally knowing of such claims. I've also been around long enough to know that the unreliability of firehouse rumor is legendary, and if someone tells me that Christmas in '09 will fall on December 25th, I'll check the calendar.

Sometime shortly after the arrival of Chief Clack, the issue of representation was raised not so much as to cause a fight, but to bring some clarity to an issue that even I have admittedly chosen to ignore. The fact is that in all of the years that I have been in a position to represent members in the disciplinary process, I have only had to deal with this thorny issue of choice once. And, in that one instance, in June of '08, the member opted for Union representation instead of VBI and, true to form, all went rather well for that member. Ironically, it was the unpleasant "member vs. member" type issue and there would likely have been a "winner and a loser" in any event.

Chief Clack obviously did his own research on the matter, including consultation with the Labor Commissioner, and on 09/22/08, a revised MOP 312 was issued containing the exact same language as above but for one single sentence. That sentence; "*Members wishing to have a rep-*

resentative from the Vulcan Blazers present during hearings above the second level may do so", was simply removed. The removal of those twenty words has been met with a reaction worthy of what might be expected with the return of Jim Crow, and the debate now rages on. True to form, however, the Unions have been excluded from the debate and completely unable to refute some of the allegations being made, so I'll do it here.

First, it is claimed that there is a "history" of the Unions either not or misrepresenting VBI members that has caused those members to seek refuge outside of the Locals. I'm always amused by any allegation of patterns that lack a single specific example but apparently no one engaged in the debate is concerned with proof when the allegation itself is so egregious. From personal experience, however, I know for a fact that the mere racial make-up of both Union Locals' Executive Boards is ALWAYS raises as prima-facie evidence of historic and institutional discrimination, so let me address that long-standing straw-man argument.

I am not aware of any Union Local, either in the public or private sector, that does not include some sort of attendance or participation prerequisite to qualify for election to an Executive Board or Principal Officer position. The Constitution and By-Laws of both 734 and 964 require that members have a minimum level of attendance at regularly scheduled Union meetings for eligibility to run for any elected office or position. With regard to Local 964, Article 4, Section 6 of our Constitution requires that eligibility for election to ANY office requires attendance at five regular Union meetings in the twelve months preceding nomination.

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From the President's Desk.....

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I do not think it unreasonable that someone who would presume to manage the daily activities of a Union Local, including the representation of its members, have some knowledge of the issues, process, policies and regulations under which they would function. There is, however, a prescribed process for amending our Constitution and By-Laws, and all that one need do is submit a proposed change and it will be voted upon according to accepted rules and standards.

Again, from personal experience I can tell you what the response to requiring Union meeting attendance would be and this is where MY personal opinion and NOT that of the Union Local is offered. It is often said that members of VBI do not feel "comfortable" in the atmosphere of a Union Local meeting and quite frankly, if that's true, that's not my problem or a Union problem, but his or hers. For someone who was hired to serve the various communities of our City to claim that they do not feel "comfortable" in a particular setting is (in my opinion) reason enough not to have been hired in the first place. I think it an incredibly telling admission (if indeed true) that someone would feel "uncomfortable" in the presence of a majority group or gathering not of their own race! I can't tell you how many times I have been the only or amongst a very small number of non-minorities in various settings and I have NEVER felt "uncomfortable". Again, I believe this to be a personal issue with those who claim to feel "uncomfortable" and certainly not a fault or failing of the Union.

Two additional observations on the claimed level of discomfort in general and within Local 964 in particular. I have been a rabid Union supporter from my first days in our Department and, after nearly thirty five years, the first four of which were spent as a member of Local 734, I would bet there MAY be only one active member who has attended more Union meetings than I. In those hundreds of meetings during good times and bad, I have NEVER ONCE witnessed a single example of slight, intimidation, or confrontation that was in any way racially motivated. Quite frankly, if any single group has a right to feel "uncomfortable", it's those members in EMS!

The second and more succinct is that Union meetings are very structured, very business-like and unless you choose to socialize afterward, there's really no member interaction that might subject one to an "uncomfortable" situation. Quite to the contrary, however, Local social nights and crab feasts are a venue where "problems" would most likely surface and it is at those Union functions where the alleged level of discomfort seems not to be a problem. And please understand, I'm not trying to discourage attendance at such social events, but I'm confused. Would it make the atmosphere less antagonistic if we served food and crabs at every Union meeting?

Now that I've had my "say" in a debate we've excluded from, let me get back to the main issue. The revised MOP 312 has obviously caused Chief Clack more of a problem than he anticipated in its change, and I'm perfectly willing to go back to the original "either, or" choice provided in the previous version. If a member of VBI sincerely believes that he or she will not be fairly represented by Local 964 because of their race, have VBI represent your interests and I'm perfectly okay with that. The irony is, however, that a proposed remedy to this "debate" is to allow for members of VBI to have an "observer" at ANY level of discipline or grievance processing and let there be NO misunderstanding; **THAT'S NOT GOING TO HAPPEN!**

Implicit in such an arrangement is that we are not worthy of the confidence and trust to serve ALL of our members appropriately based upon our alleged penchant for discriminating based upon race. To say that I am OUTRAGED by such an assertion is an understatement and I'll be DAMNED if I'm going to have ANYONE tell me that I need to be monitored by anyone for any reason and CERTAINLY NOT any claimed racial bias. I will simply step down and let someone else deal with such an affront before I'll cower to it myself. After nearly thirty-five years of dealing with the subtle and not-so-subtle accusations of bigotry and racism, I'm done with that and I really don't care what anyone thinks of it.

Here's the bottom line. If the members of VBI are to be given a choice of representation, no problem. I will tell you, however, that member representation in disciplinary issues or grievance processing is NOT a team effort or spectator event. Our record in disciplinary actions in particular is nothing

short of stellar and if one would choose not to have our assistance, that's fine. I have reviewed the provisions of the accepted standard, "Duty of Fair Representation" and I'm very comfortable in my "either or" position.

Finally, Article 12, Subtitle 4, 4.1 (a) & (c) of the Baltimore City Code make very clear my position that Local 964 is the "exclusive representative" of members in the appropriate Classes. Any encroachment into that right of "exclusive representative" by either the Department or through any political influence absent a change in the Code itself will not be my issue to defend in potentially subsequent litigation. It matters little to me that a new MOP might presume to dictate how Local 964 operates in the representation of our members aside from offering a choice of either Local 964 or VBI. It will not be both and you can take that to the bank.

F & P Retirement System

I have been averse to making an issue of it, but you have to have been living in a cave not to know that both the U.S. and Global economies have suffered losses not witnessed since the Great Depression and the resulting impact upon not only ours, but ANY pension system cannot be denied or ignored. My aversion lies not in any attempt to mask a problem, but so as NOT to cause any panic or angst, particularly amongst our retired members who should be enjoying the benefits they've earned, not worrying about them.

There are indeed some major structural concerns regarding funding levels, current and future contribution demands, and benefit levels all of which are inexorably linked. The easiest of issues to address among the three above is the level of benefits as it only requires legislation to affect change. Those areas of funding and contribution levels are, practically speaking, totally dependent upon market returns and not in anyone's control, least of all City Government.

With regard to benefits, City Council Bill 08-0220 was introduced as a First Reader on Monday, October 27, 2008 which would, if adopted and signed into Law, change the post-retirement benefit structure we've known as the Variable Annuity since its inception in '83 with the first benefits being paid in '84. Although no benefit was paid in nine of the now twenty-five years of ex-

istence, including four straight beginning with '01, the average benefit paid over those same twenty-five years is 3.48% which exceeds inflation for the period on average.

As you know, the Variable Annuity structure is entirely dependent upon investment returns for any given fiscal year and, simply stated, if returns exceed 7.5%, a proportional benefit is paid and if returns fail to exceed 7.5%, there is no increase awarded at all. The proposed legislation would guarantee all increases previously granted which are, strictly speaking, NOT guaranteed under the current structure and would provide a guaranteed increase of 1.5% per year. In addition, there would be the possibility for an increase above the guaranteed 1.5% IF system returns exceed 8% AND the CPI for the year in consideration is higher than 1.5%.

In addition to the higher threshold for earnings to trigger an additional increase above the guarantee of 1.5%, there would be a dramatically different method of calculation wherein "excess earnings" would be phased-in recognizing only 5% of excess earnings in year one, 10% in year two, 15% in year three, and 20% in year four and every year thereafter. Additionally, unlike the current structure, investment losses would also be recognized using the same phase-in schedule potentially offsetting cumulative earnings. That cumulative calculation would not be limited to five or ten year rolling periods but a never ending accumulation of every year's earnings or losses.

I don't claim to be able to predict investment returns for future years, but I believe it is safe to say that the likelihood of any increase above the guarantee of 1.5% is questionable at best particularly if such a new structure would include a negative Fiscal Year such as '08 and most likely '09.

The bottom line is that the proposed CC Bill 08-0220 could be viewed as a diminution of benefit and quite possibly an abridgement of the "Guaranty" provision of Article 22 of the Baltimore City Code, the law establishing and governing the Fire & Police Employees' Retirement System. The three active member Unions (734, 964 & FOP) and two Retiree Representative groups have been working together to address this significant issue, and we will continue to provide updates as appropriate with the hope of having the support of ALL active and retired members should the need arise.

YOUR Rights as an employee

Below my column you will find a reprint of "Weingarten Rights" as provided to Local 964 by Labor Commissioner Deborah Moore-Carter. The single page document clearly spells-out what your rights as a Unionized employee are in terms of representation during ANY questioning that MIGHT lead to disciplinary action. Given that this outline is based upon the legal interpretation of a Supreme Court ruling, and I am not an attorney, I'll refrain from elaborating and rely instead on an observation our Local Counsel is fond of, that "it is what it is". I will, however, emphasize two rather clear points and offer advice on a third.

First, these employee rights apply to those situations that he or she believes MAY result in disciplinary action OR require one to "defend" their conduct. Second, the employer DOES NOT have an obligation to advise you of your rights under Weingarten" and it is YOUR responsibility

to know what they are and how to demand them. And lastly, a prime example of a situation where Weingarten Rights do NOT apply is the signing of a Special Order containing the findings of a previous disciplinary action. Such Special Orders are the result of previous disciplinary action(s) wherein the member presumably had due process and whatever finding or penalty contained therein has, also presumably, been approved by the Chief of Department. The mere signing of a Special Order is not an acceptance of the penalty prescribed but merely an acknowledgement of receipt and can most likely be grieved at that point or within fifteen days thereafter.

If you are ordered to sign a Special Order, you are NOT entitled to union representation and a refusal to comply will likely result in your suspension without pay. Don't compound what might already be a difficult situation by refusing a direct order and follow our simple mantra of "comply now and grieve later".

Weingarten Rights

What are Weingarten Rights?

The rights of unionized workers to have present a union representative during investigatory interviews were announced by the U.S. Supreme Court in a 1975 case (NLRB vs. Weingarten, Inc., 420 U.S. 251.88 LRRM 2689). These rights have become known as the Weingarten rights.

Employees have Weingarten rights only during investigatory interviews. An investigatory interview occurs when a supervisor questions an employee to obtain information which could be used as a basis for discipline or asks an employee to defend his or her conduct.

If an employee has a reasonable belief that discipline or other adverse consequences may result from what he or she says, the employee has the right to request union representation. Management is not required to inform the employee of his/her Weingarten rights; it is the employee's responsibility to know and request.

When the employee makes the request for a union representative to be present management has three options:

it can stop questioning until the representative arrives.

it can call off the interview or

it can tell the employee that it will call off the interview unless the employee voluntarily gives up his/her rights to a union representative.

Employers will often assert that the only role of a union representative in an investigatory interview is to observe the discussion. The Supreme Court, however, clearly acknowledges a representative's right to assist and counsel workers during the interview.

The Supreme Court has also ruled that during an investigatory interview management must inform the union representative of the subject of the interrogation. The representative must also be allowed to speak privately with the employee before the interview. During the questioning, the representative can interrupt to clarify a question or to object to confusing or intimidating factors.

While the interview is in progress the representative can not tell the employee what to say but he may advise him/her on how to answer a question. At the end of the interview the union representative can add information to support the employee's case.

From the Desk of the 1st Vice President

By Michael Waldner

There have been many condolences passed on through our website over the last two months. I wish to add my heartfelt sympathies and prayers to all who have suffered a loss in the recent months. Time will never heal your heart, but it will allow you to adjust and continue your life. Remember to treasure those still with you and enjoy every minute that you are granted the fortune of all those who's continued presence you can currently enjoy.

Also, I wish to extend my best wishes and continued successful recuperation to Ed "Porky" Heckrotte as he recovers from heart repairs. My family wishes the best to you and your family. Best wishes also go out to Mike Dalton in his health struggles. He was my first Chief after my promotion to Lieutenant at T2. Those were the times I remember as the best of my career. He was a great person to work for and most importantly to work with. He was always more like one of us, even though he was our boss. He was and is still a role model who I aspire to emulate as a chief officer and as a man. May God bless you Mike and keep you in his Kingdom!

Negotiations have begun for the contract beginning July 1, 2009. We have been served the annual "doom and gloom" report already and uncharacteristically it actually appears to be true this time. My best guess at this point is not to expect too much and you won't be disappointed. We will try to get the best deal possible under the circumstances as always.

Spring training is just around the corner which means it is almost time for another softball season to begin. I have applications for Harford County's Senior (47+ yrs.) Program, but the deadline will be nearly past by the time you receive this newsletter. If you qualify and are interested in joining, call me the day you get this. I also have the Firehouse Tavern team poised for Monday nights in the Parkville / Perry Hall area. There is no age restriction on this league. The check is in the mail to secure our spot in the "forty and over division" of the IAFF / MDA tournament in September in PG County. Contact me if you are interested in playing in any or all events.

Heart/Lung Scans and Physical Assessments

Do not wait to avail yourself of this important preventative medical procedure as the handwriting is on the wall of its future termination. If you haven't done the scans since the beginning of this program (4-5 years ago) check with your cardiologist or principle health care provider about refreshing your profile and participating again. This will allow you to also take part in the physical assessment portion of the program that was not offered in the initial start up of the program.

New hours are in place for our program due to the declining usage and creation of another outpatient program.

The Heart/Lung scan program is now only being offered on Tuesdays and Thursdays from 1100 – 1200 hours for scans only.

Our full testing program is now only offered on Tuesdays between 1200 – 1400 hours at the Fitness/Rehab Center. This will include a wellness background questionnaire screening and blood test panel. There is also a cardio evaluation performed on a stationary bike. These programs (Assessments and heart/lung scans) at Union Memorial are offered to ALL interested members, active and retired of both Locals (734 & 964) and their spouses and widows. The results will be available only to you or a doctor you designate. There will still be a fee of approximately \$150 for the scans but the assessment is free. The entire program including the heart/lung scan will take less than 1 hour of your time. Please take advantage of it. You are never too young or too old to monitor your health. Again, these are open to active and retired members of both Locals (734 & 964), their spouses and widows. Please take advantage of these appointments while they last.

Below are the directions, instructions and contact information to schedule appointments for the Assessment and heart/lung scans. You will have to contact the heart/lung phone # to coordinate your appointments for the same Tuesday or Thursday that you do the assessment.

FITNESS ASSESSMENT PRETEST INSTRUCTIONS

Guidelines recommended for the most accurate test results:

- Wear comfortable, loose-fitting clothing. Sneakers preferred.

- Avoid food, tobacco, and caffeine for at least 3-4 hours before testing.
- Abstain from alcohol consumption within 48 hours of the assessment.
- Avoid moderate or vigorous physical activity within 12 hours of the assessment.
- Ingest no diuretic agents, including caffeine, prior to the assessment.
- Get an adequate amount of sleep (6 to 8 hours) the night before the test.
- Drink plenty of fluids over the 24-hour period preceding the test to ensure normal hydration prior to the testing.

Directions to Fitness Center

Park in garage A (1st garage on your left) and take elevator to main lobby. Walk across bridge to security desk. Sign-in at desk. Go to 33rd Street Building which is straight ahead down the hallway past the pharmacy and to your left. Walk down the ramp past the Conference Center. Elevators will be on your left. Take elevator to 2nd Floor and turn left and proceed down the hallway to the Fitness Center. You will receive a voucher to cover the parking fee.

For questions regarding the assessment test and scheduling contact:

Rebecca Winch at 410-554-2167
(Please note that this is a new number)

She will refer you to 1-877-744-3278 to set up the coordinated heart/lung scan. Let them know you are a Firefighter and need a Tuesday/Thursday appointment to coincide with your assessment.

As always, I will mention again about the Community Outreach Program (parents/siblings, friends etc.) conducted by Union Memorial Hospital offering the heart/lung scans to the general public only on Saturdays at the rate of \$75 each. The phone # is 1-877-744-3278. Getting both for a combined \$150 is a great bargain. If Union Memorial is not convenient for you, contact Franklin Square Hospital (sister hospital to Union Memorial in the same Health group). They have a scan machine and are doing heart scans through its own Community Outreach Program. Check with them on pricing, but it should be similar. **The number for Franklin Square is 443-777-7900. These are also open to the general public.**

Remember, if I am your second due Chief (and I usually am), I am your Safety Officer and I will have your back. I will look out for you, but most importantly, you look out for you. Remember too, this is your Union. I can be contacted to answer any questions or try to help with any problems at (C) 410-908-2179, (H) 410-879-4545, or (W) 443-984-1737 and I promise to return your call ASAP or email at captal@aol.com.

From the Desk of the 2nd Vice President

By Mike Campbell

My how time flies! It seems like only yesterday we were sitting across the table with the Department and the City hashing out a new contract. Well here it is January 31, 2009 and we are back at it again! We have had some preliminary meetings with the City along with meetings of both Locals committees to see that our current MOU provisions remain intact and that honest discussions about what is most important to each of you are given their proper attention. We have been told that a zero percent raise is what the City is proposing and were shown a doom and gloom presentation to attempt to give weight to the City's claim of being poor. I'm not naïve enough to believe that in this economic climate that this will be an easy year for us, but I can assure you that we will be fighting for what we feel the City should do for our members. Local 964's Committee consists of Steve Fugate, Mike Waldner, Tom Nosek, Anita Hatoff, Steve Horchar, Kevin Rock and myself. Please contact any of these members with questions or concerns. Steve and I are currently working with FDHR to see that an EMS Battalion Chief's exam is forthcoming along with getting the study material out for the upcoming EMS Lt's and Ct's exams. We are also looking over DHR's Job Specifications for all positions to make sure that they are in line with the job itself along with proper qualifications. By the time you receive this the Fire Lt and Ct's flyers should be out. A committee for future Medals Day and Memorial Services has been assembled. Chief Weigman has taken on this task for the Department. We want these functions to

be about the members, and I am entrusting that our membership will get behind us on these very important events of recognition for our members, past and present. The Memorial Service/Medals Day will be on 10/10/09 beginning at 1100 hrs. in the War Memorial building. Light refreshments will be provided by Box 414 in between the two events. The Installation of Officers evening was another huge success put on by Tom Nosek. I must give kudos to the chefs that evening: Tim Nosek, Frank Schlosser and Gil Brooks who did a fantastic job with the chow. Thanks to Tom and his Entertainment Committee for providing their services to our members!

You will receive this Newsletter prior to the next Deferred Comp. meeting on 2/24/09. If you have questions or concerns contact the Deferred Compensation Plan Office at 201 E. Baltimore Street, Suite 120 or call 410-332-0809. Their hours are Monday thru Friday from 0800 to 1700 hrs. If you have a pay issue, please let me know and also e-mail the Dept. at BCFD.Etime. I am handling the Fire Officer organizational automobile/motorcycle tag applications. If you need applications for either auto or motorcycle, drop me a line. When you receive your tags, please remember to send back the letter that is provided and include your tag number. The 964 store is up and running and will be open at Union meetings in the future along with other Social Affairs. Items available: shirts, decals, patches, license tags etc. Please keep abreast by logging on the Fire Officers website at www.iafflocal964.org.

Please keep Mike Stacharowski, Steve Kowalewski, Gary Metzbower, Nick Paylor, Roman Clark and Matt Kinsley and their families in your prayers. These members lost loved ones recently. May God bless them and their families!

Health Care

Had some major problems with the issuance of CareFirst Health Care ID cards this time around. Don't know what the problem was, but I have handled many of these issues for not only our Active members, but our Retirees as well. I have to thank the Labor Rep's at CareFirst for their prompt attention to this matter. I was fortunate enough to be with some of these Rep's at the AFL-CIO Conference when the major portion of this bubble burst and was given instantaneous attention from them to abate

the issue. I still get a call now and then from members and have been able to rectify their problems. CareFirst also took over the City's Vision Plan and this too created some angst for our members. I have the CareFirst Vision document on the Fire Officers web page. The City implemented a \$50.00 charge per emergency room visit based upon our MOU language from FY09 and the fact that we would accept an increase if all of the other bargaining groups agreed, but not all of the Unions agreed, so it will be \$35.00 for this calendar year. The City seemed to be ahead of themselves with placing the \$50.00 charge into the system. I am questioning the City over this and trying to get it rectified, but in the meantime I have included a document from the City explaining the rebate process if you get charged the \$50.00. Remember that if you get admitted you **will not** have to pay the Emergency Room charge. The IRS has published instructions on how retired fire fighters can take advantage of the Healthcare Enhancement for Local Public Safety (HELPS) benefit on their tax returns. The IRS will allow retired fire fighters to exclude from income distributions made from eligible retirement plans up to \$3,000 annually to pay the premiums for accident or health insurance or long-term care insurance. The premiums can be for coverage for the retiree, spouse or dependents. **The deductions cannot be used by widows!** The distribution must be made directly from the retirement plan to the insurance provider. Eligible retirement plans include qualified trusts, section 403(a) plans, section 403(b) annuities and section 457(b) plans. The IRS requires retirees to report total distributions on Form 1040, line 16a; Form 1040A, line 12a; or Form 1040NR, line 17a. The taxable amount should be reported on Form 1040, line 16b; Form 1040A, line 12b; or Form 1040NR, line 17b. Also, retirees should write "PSO" next to the appropriate line where the taxable amount is reported. We are not a tax service so always check with your certified tax preparer for all of your needs! If you have any issues don't hesitate to get in touch with me. You can access Employee Benefits online at <https://www.baltimorecity.essbenefits.com> or by calling 410-396-5830.

Safety and Health

The Joint Safety & Health Committee meeting was held on 1/15/09. The Fire Dept. lost

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out on the grant for the Ward Diesel Systems. Chief Clack will continue to install 2 per month utilizing the matching monies that he had set aside for the grant. 4 units will be installed in January. We are currently working with the Chief to see that more will be installed throughout the year. 4 Pierce Pumpers have been ordered and they will have the Ward system onboard. Architectural Engineers have looked at the following houses for new roofs, E52, E51, and E36 & T15. A highway safety vest has been chosen and approved by Chief Clack and as with all other issues we are pressuring the Dept. to come up with the funding to properly fit our members. E55/T23 had the paint removed from the apparatus floor ceiling and are waiting for a paint job. E45/T27 are in need of lead paint removal. E8 had a new bay door installed. E56's water was tested and it was negative for lead. E30/T8 is in line to have their water tested. E44 had new floor tiles installed. E2 is in the process of having their floor tiles replaced on the 2nd floor. E43's house lights have been repaired. They are still having a problem with their communications volume. The Dept. issued a helmet survey recently to see if any of our members have the Cairns 1010 helmet. This helmet does not have Kevlar. The Cairns 1000 helmet does. The Safety/Health Committee has been pressuring the Dept. to issue the 1000's to all of our members for some time now. Back in 2006 all new helmets came without Kevlar due to the Iraq and Afghan wars. I had heard complaints from our members about this survey, but it is in your best interest to complete it. Chief Clack has stated numerous times that he wants CPAT for new hires. Here's hoping it comes to fruition! Personal hand lights and apparatus hand lights will be field tested soon. **I am encouraging our members to complete an exposure form daily if you are being exposed to Diesel Exhaust! This is for you and your family's protection!!!!**

Make sure that you e-mail the Safety Office at (FDSO@baltimorecity.gov) if you have any safety related issues along with contacting me. If you are e-mailing Health and Safety Officer Bill Jones, you must e-mail William H. Jones, not William Jones! You must also continue sending in Special Reports as is policy. The next meeting is scheduled for 2/19/09. Contact me with any issues. **BE SAFE!**

President's Club

Steve and I will be ordering this year's President's Club in the Spring! I will be canvassing those members who have yet to sign up for the PAC Fund. Retirees cannot contribute by way of dues deduction, but can still donate the full amount of \$100.00 by way of cash or check to be included in the Presidents Club! Please make checks out to: Local 964 PAC Fund! The PAC Fund is our most important tool to have the **local** politicians listen to our concerns. The Fund can **only** be used for Local and State politicians and **cannot and will never be used** for Federal politicians, (President, Senator etc.) If you contribute \$4.00 or more a pay you are automatically included in the President's Club. Thanks to those who have contributed and to those who haven't, contact me if you need a dues deduction card.

As always, keep your Beneficiaries up to date and don't hesitate to call or e-mail me at any time.

Cell - 443-629-0216

Work - 410-396-5773

E-mail: captain16@hotmail.com

Worlds to twirl by...

I pulled into Nazareth, I was feelin' about half past dead;

I just need some place where I can lay my head.

"Hey, mister, can you tell me where a man might find a bed?"

He just grinned and shook my hand, and "No!" was all he said.

Take a load off Fannie, take a load for free;
Take a load off Fannie, And you can put the load right on me.

--The Band

From the Desk of the Secretary-Treasurer

By Anita Hatoff

Happy New Year to everyone and I hope 2009 is better for everyone. I hope everyone had a wonderful Christmas as well.

Well it's that time of year again. Everyone is scampering to get all the necessary information for their tax person. This is an especially busy time for me. I have to get my personal taxes together, but must also do the same for Local 964. We have also started negotiations for Fiscal Year '10. Then there are the normal duties of my position. Bob, I just keep saying, "I don't know where he found the time!" As time passes, I truly appreciate and learn more about what Bob did as the Secretary-Treasurer for all those years. It is one heck of an undertaking. Bob is STILL there anytime I call with questions. I have been blessed to have him as my mentor. I know I keep putting "Thank you's" in my article to him, but you just don't understand what someone does until you walk a mile in their shoes. Thanks again Bob!

I have recently had the pleasure of working with Georgeanna Garceau, of Garceau Realty, and to say she was a big help would be an understatement. I want everyone to keep Garceau Realty in the back of their minds for any real estate needs. They are top notch and truly are willing to work with you and for you above and beyond. She is committed to helping those in the Fire Service so pass the word and call Garceau Realty.

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WHAT'S HAPPENING?

Negotiations - will continue through February 28th

Heart and Lung Scans - currently available

Emerald Society Bull Roast - March 7th

St. Patrick's Day Parade- March 15th

Retiree Dinner Dance April 17th

Medal's Day October 10th 2009

SEC-TREAS*...continued from page 7*

I stated earlier we have started negotiations and as always it is a very slow process in the beginning. We all know the financial turmoil the world seems to be in right now. As expected the City has mapped out their bleak financial future for us. We, as a negotiating team, are committed to keeping the best interest of our membership in mind.

My parents celebrated their 50th anniversary on Feb. 6th. I wanted to say Congratulations to them and let them know how happy I am to have them as parents, friends, mentors and role models. I love you both and hope to celebrate many more with you. I enjoy times like these because my family gets together to celebrate. We don't just go out to dinner, we wind up sitting around for hours talking about everything from old times to the here and now. We currently have only 3 generations, but within 2 weeks we will have a forth generation arriving. My dad will be a great grandfather. He is the best father, poppy and soon to be great poppy. I love my family they are the best.

**From the Desk of
the Recording Secretary**

By Tom Nosek

We are now in negotiations for FY 2010 and as my colleagues from the Eboard state in their newsletter articles, we have received the "doom and gloom" scenario from the City. I just wonder why with such a dismal economy here in Baltimore and through out the country, why our politicians find it is necessary to give every city resident trash cans at the tune of \$3 million dollars!!! The negotiating team which has two new members Brother Kevin Rock T18 and Brother Steve Horchar T1. We will be meeting with the City until March 1 and then bring back the contract package to the members.

Installation of officers took place January 19, taking office for three year-terms were President Steve Fugate, 2nd VP Mike Campbell, Trustee Harvey Webster and the entire board of directors. I would like to thank Dave Cox, Treasurer of Local 734 for administering the IAFF oath to elected officers. The evening was capped off by buffet style baked ziti, Italian sausage, crab

soup and cold cut platters. Big thanks go my brother Tim Nosek, Frank Schlosser and Gil Brooks for cooking the meal, thanks guys. Thanks also goes to Mike Campbell, Art Turner and others for setting up and cleaning the hall. Social night will be held March 26, please check out the flyer in this newsletter.

We will be honoring the 2008 retirees at our annual dinner/dance to be held this year on April 17 at the UAW hall, cost is \$35. We will also be drawing our annual raffle ticket trip that evening. This year the trip is a four night stay in Ocean City, raffle tickets are \$5 and all proceeds benefit our VEBA fund. Talking about the VEBA fund, the downturn in the economy has not missed our VEBA fund, we need to replenish our investment losses. SO PLEASE sell your raffle tickets, we will be mailing out 3 tickets to each member both active and retired sometime next week. THANKS IN ADVANCE. Please see the retirees dinner/dance flyer also in this newsletter.

The VEBA bingo operation that was spear headed by Bob Hatoff and Frank Reisenfelder for the past thirteen years has also become a victim of the dismal economy, the local ceased the bingo operation the first of the year. THANKS Bob and Frank for your years of dedicated service to the Local and the VEBA fund. Your dedication has raised thousands of dollars, such allowing this Local to continue to provide for deceased members widows and families. I would also like to thank Reese Wingate, it is my understanding that Reese's mom brought this idea to our Local.

The "NEW" Medals Day committee has had three meetings, they already picked a date, October 10. Location is War Memorial bldg. starting with a 11am Memorial service, lunch (Box 414) and then Medals Day at 1pm. Committee members are working on the program booklet, photographers, singers, guest speakers, etc. There is also a Medals committee restructuring how medals are awarded, etc. The motto is Medals Day "by the members for the members". The committee is asking the members to support this new and improved event, we would like the officers of the BCFD to talk it up and mark the date on your calendar, we are honoring our own!!

What else is happening in our beloved BCFD??? There is still City Council bill 08-220 changing the variable annuity to a fixed percentage increase annually on the F&P pension, such is still in committee. Talks on restructuring the EMS bureau, plans for more classes at the Fire Academy, City /FD budget problems, talk of fitness and wellness programs and finally our members working 24/7, 365 day a year protecting the citizens of Baltimore while responding to thousands of Fire and EMS emergencies!!!

Baltimore's annual St. Patrick's day parade is Sunday March 15, and the annual Emerald Society bull and oyster roast is March 7!!!

In closing please see the list of Union officers and their contact numbers elsewhere in the newsletter. Think WARM, annual picnic will be July 12 at Cascade Lake in Hampstead Md. Only 142 days away

Box 414

By Walt Lemmon

We have completed the bulk of the payroll deduction cards. There are a few members we were unable to reach. The club would ask that those people contact us. We are pleased with the response.

Old Man Winter has brought some very COLD days and nights and the wagons have been there with that much needed hot drink and food. We carry Jersey Gloves, Hand Warmers and Socks on the units.

December ended with four additional alarms of fire in five days. The wagons were on 17 incidents in January. All 3 units along with mutual aid from Central Alarmers participated in the President-elect Obama visit to Baltimore. Command posts were set up at Old Town Station, Police Headquarters, along the side of the Wohlman building and Baltimore St & Guilford Av.

Tired and Retired

By Bob Hatoff

Well 2008 is finally over. The Orioles had their 11th consecutive losing season, and we lost our chance of getting a raise. The one bright spot was the Yankees, with the highest payroll in history, didn't even make the playoffs. Now the Yankees went and blew \$550 million to sign the top 2 free agent pitchers and the top free agent hitter. While the Orioles for the bargain price of 3 million, signed a pitcher who was 9 & 10 and a 38 year old catcher who never could hit. Will the Orioles make it 12 in a row, probably. Will the Yankees make the playoffs, probably. If they don't, wouldn't it be nice to have a bug planted in Steinbrenner's office?

I got a note from Bucky Muth. He spent Christmas in Rehobeth, Del. He said he hasn't moved in 18 months. This may be a new record for him. I couldn't confirm this because the 4 boxes of address changes are no longer in my house. It was a matter of moving the records out or getting a bigger house. Since I couldn't afford a bigger house, I donated the records to my presidential library. (I was a PTA and little league president.) Bucky couldn't find a phone number for Chuck Nolte in Delaware, but he does remember him!

I got a nice letter from Earl Russell. He's living in CATAWISSA, PA, and no I couldn't find it on the map. Earl is now 82 and he remembers Hugo Warns, Fred Rafferty and Bucky Muth!

I got a letter from Wayne Melchior. He's moving from Charlseton, S.C. to Davenport, Fla. He's hoping to get a job at Disney World. Wayne will be 65 this year. Since his father, Ross, was my scout master, I've known Wayne for about 60 years. In all that time I always felt he belonged in Disney World!

Wayne's brother, Roger, called and asked me to make his daughter famous. She's showing a prize bull at the County Fair. If you can't make the fair you can see the bull at your local Outback Steakhouse.

My favorite letter came from Joe Sheldon. He sent me a dollar and requested I don't send him my CD. If more of you followed his example I could afford that bigger house to keep Bucky's address changes. I had some thoughts of sending his dollar back, but I figured he wouldn't

have sent it if he couldn't afford it. So being a generous person I sent it to a really needy man. Joe the CEO of General Motors wants to thank you.

Now as you're reading this, Janice and I have celebrated our 50th anniversary. It's mind boggling to imagine someone putting up with me for 50 years. As you know, when you get married you don't spend any time thinking about 50 years in the future. When you've been married that long your thoughts drift back over the years. There are many things you wish you had done and many you regret doing. Hind sight is always 20/20. So I'm determined to treat Janice a lot better for the next 50 years. I'm going to take her on more vacations. I've already made reservations for a week in Dundalk. I will no longer argue with her or yell at her. Anita taught me how to text message her. Finally I promise not to see other

women. I'll only date them on foggy nights when the visibility is zero.

Let's hope 2009 will be a lot better. As always you can reach me at 410-866-3235 or 1805 Greencastle Dr, Balto., MD 21237.

Sick and Injured

- Ed Kilcoyne had another trip to the hospital for heart problems. He's out and was able to make the January Retiree's meeting.
- Fred Baber has been diagnosed with leukemia and has started treatments for that.
- George Lloyd has suffered a stroke.
- My hero, Porky Heckrotte, had major open heart surgery. He came through it okay and is very sore and tired.
- Mike Dalton has had a recurrence of tumors and is not doing too good.

Please join me in keeping these guys in your prayers.

IAFF Local 964 Trustees and Board of Directors January 2009

George Jones	Trustee	Lieutenant, Truck 18
Harvey Webster	Trustee	Lieutenant, OFM
Kevin Rock	Trustee	Lieutenant, Truck 18
Arnold Turner	Sgt, at Arms	Battalion Chief, 4 th Batt.
Reese C. Wingate, III	1 st . Battalion Steward	Battalion Chief, 1 st Batt.
Steve Horchar	2 nd . Battalion Steward	Lieutenant, Truck 1
Ben Alder	3 rd . Battalion Steward	Captain, Truck 10
Steve Kowalewski	4 th . Battalion Steward	Captain, Engine 44
Thomas Skinner	5 th . Battalion Steward	Lieutenant, Truck 12
Jim Murray	6 th . Battalion Steward	Lieutenant, Engine 58
Mark Platek	Fire Comm. Steward	Lieutenant, FCB
Steve Gibson	OFM, HQ Steward	Captain, OFM
John Kisser	Fire Academy Steward	Lieutenant, Fire Academy
Walt Lemmon	Retired Members	Retired Lieutenant
Robert Lennon	Retired Members	Retired Lieutenant

Annual Retirees Dinner/Dance

April 17, 2009 7-11PM

***United Auto Workers hall
O'Donnell and Oldham St.'s***

Tickets \$35

Hot buffet, open bar, live music and dancing

***Ocean City, Md vacation raffle
Proceeds benefit the VEBA fund***

Honoring 2008 Retirees

Captain Donald Hubbel R1 (deceased)

Lt. George Baker, Jr. E41

Lt. Christopher Smith E56

Lt. Robert Merrit T26

Lt. John Giotis EMS

Captain William Martin FIB

Lt. Michael Johnson S.O.

Lt. George Keefe E35

Lt. Walter Connell SQ47

Lt. John Hall Fire Prev.

Port Eng. Ken Robinson

BC Richard Van Fossen BC6

Baltimore Fire Officer Local 964

Social Night

March 26, 2009 - 7-11pm

Local 964's Hall

***Menu: steamed shrimp, wings, beef hot dogs,
beer, soda
and***

“Chef's Special”!!!!!!

Cost \$15

Emergency Room Rebates

Effective January 1, 2009, emergency room co-pays increased from \$25 to \$50. This increase applies to all City medical benefit plans. Although a \$35 emergency room fee was negotiated with some unions, that fee was not used when the City of Baltimore programmed its medical benefit plans into the BOSS system.

Consequently, in order to honor its agreement, the City will offer active employees enrolled in a City sponsored medical plan a \$15 rebate for services incurred between January 1, 2009 and December 31, 2009 only. The City will pay \$15 of the \$50 dollar emergency room co-pay and the employee will be responsible for the remaining cost of \$35. Effective January 1, 2010, the City will not offer any rebates. However, emergency room co-pays will be waived if the employee/covered family member is admitted.

In order to be reimbursed, an employee must submit the following to their agency's Human Resources (HR) Officer:

(1) proof that they are enrolled in a City sponsored medical plan. Acceptable documentation includes a copy of the employee's 2009 Benefits Confirmation Statement, 2009 Benefits Summary or medical card listing covered dependents, and

(2) proof, such as an itemized receipt or an Explanation of Benefits, of emergency room co-pays for themselves and covered family members.

Employees may obtain a copy of their 2009 Benefits Summary by logging on to the benefits website at www.baltimorecity.essbenefits.com. Employees who do not have computer access can receive assistance from the agency HR office.

THE BALTIMORE FIRE OFFICERS

Local No. 964

Meetings -- 1st & 3rd Monday

1030 S. Linwood Avenue

Baltimore, MD. 21224

PHONE: 410-276-6964

Non-Profit
U.S. POSTAGE
PAID
Permit No. 4815
Baltimore, MD

Change of Address -- Cut out and return to the Secretary, Local #964

NAME _____

ADDRESS _____

CITY _____ ZIP _____

PHONE No. _____