

**ATTACHMENT D**

**DISCIPLINARY MATTERS**

April 27, 2005

Mr. Sam Capitano  
245 Georgia Street  
Buffalo, NY 14201  
Membership # 3657085

Mr. Capitano,

The purpose of this letter is to advise you that it has come to my attention that you disrupted the March 2005 monthly union meeting.

Your conduct, as described to me by several complaining members, was inappropriate. Your refusal to abide by the requests of the elected officials conducting the monthly meeting will not be tolerated. The purpose of the month meetings is to conduct the business of the Local. You disrupted that process.

Be advised that future violations by you may result in administrative action under the terms of the consent decree and/or administrative action under the provision of the Union Constitution.

If you have any questions concerning this matter contact me at the Union office.

Sincerely,

Jack McDonnell  
Court Liaison Officer

April 27, 2005

Mr. Mark Janicki  
161 Chamberlin Drive  
Buffalo, NY 14210  
Membership # 2940453

Mr. Janicki,

The purpose of this letter is to advise you that it has come to my attention that you disrupted the March 2005 monthly union meeting.

Your conduct, as described to me by several complaining members, was inappropriate. Your refusal to abide by the requests of the elected officials conducting the monthly meeting will not be tolerated. The purpose of the month meetings is to conduct the business of the Local. You disrupted that process.

Be advised that future violations by you may result in administrative action under the terms of the consent decree and/or administrative action under the provision of the Union Constitution.

If you have any questions concerning this matter contact me at the Union office.

Sincerely,

Jack McDonnell  
Court Liaison Officer

April 27, 2005

Mr. Michael Murphy  
112 Mariemont Avenue  
Buffalo, NY 14220  
Membership # 2998071

Mr. Murphy,

The purpose of this letter is to advise you that it has come to my attention that you disrupted the March 2005 monthly union meeting.

Your conduct, as described to me by several complaining members, was inappropriate. Your refusal to abide by the requests of the elected officials conducting the monthly meeting will not be tolerated. The purpose of the month meetings is to conduct the business of the Local. You disrupted that process.

Be advised that future violations by you may result in administrative action under the terms of the consent decree and/or administrative action under the provision of the Union Constitution.

If you have any questions concerning this matter contact me at the Union office.

Sincerely,

Jack McDonnell  
Court Liaison Officer

April 25, 2005

Mr. Richard Bugman  
Dispatcher  
Laborer's Local 210  
2750 Harlem Road  
Cheektowaga, New York 14225

Mr. Bugman,

The purpose of this letter is to document and address a violation of the hiring hall rules. You alerted me to this situation and provided me with a detailed explanation of what occurred. Your candidness is greatly appreciated and exemplifies your honesty and dedication to the membership of Local 210.

I will summarize the details without identifying any members or employers. You received two separate requests for laborers. You reviewed the requests and identified the type of work at each location. As dispatcher you are aware of the work skills and also the personal problems and concerns of many of the members. You then reviewed the out of work list for the purpose of dispatching the members. You noted that one member (who had in the past notified you of personal information that could affect his ability to work) was positioned within the top four on the list. You then used good judgment, common sense, and compassion and dispatched this member to a job that would better suit this member's personal situation. In doing so, and for the right reasons, you violated the hiring hall rules by not dispatching members in the exact order as the job requests are received at the hall.

I have determined that there are two reasons for this violation. The first is a misunderstanding of the ability of the union to dispatch members for organizing purposes. I also misunderstood the guidelines. The second reason is your concern and compassion for the membership and an attempt by you to assist a member in dealing with personal issues. I commend you for your thoughts and concerns however your job is to follow the hiring hall rules without exception.

In view of your conduct this is an official warning that violations of the hiring hall rules will not be tolerated. But for your honesty and the underlining facts which established your true motivation in this situation, a more substantial administrative action would have been taken. Let this letter of reprimand serve as an official warning that violations of the rules will not be tolerated. Additionally, you are to pay a penalty of \$100.00 which you may donate to a charity of your choice. Effective immediately the

Business Manager and /or his designee will review all requests and dispatches on a daily basis. Any further violation will result in a much more severe administrative resolution.

This finding is made under the authority and provision of the Consent Decree currently in effect. If you have any questions or wish to challenge any of the above please feel free to contact me.

Jack McDonnell  
Court Liaison Officer