

Pennsylvania Federation of Injured Workers Board of Directors Meeting Minutes

09/10/10

Call Meeting to Order 11:12 AM

Pledge of Allegiance to the Flag of the United States of America

Moment of Silence – For our troops and those injured or lost their lives in a workplace accident.

Roll Call of Board Members

- | | | |
|--------------------|-------------------|------------------|
| 1. Mike Kerstetter | 2. Pete De Pietro | 3. Carl Judd |
| 4. Mike Pron | 5. Bob Scholeck | 6. Ron Stabinsky |
| 7. Jake Long | 8. Carl Dillinger | 9. Kate McCarney |

Roll Call of Guests

1. None

Minutes from the 07/09/10 B.O.D. meeting submitted by Mike Kerstetter

1. Motion to accept – Bob Scholeck
2. Motion to 2nd – Mike Pron
3. Vote – motion carried

Financial Report submitted by Mike Kerstetter

1. Motion to accept – Ron Stabinsky
2. Motion to 2nd – Carl Judd
3. Vote – motion carried

REPORTS FROM CHAPTERS (Note: No longer than ten minutes)

1. Berks/Schuylkill County Chapter:
 - a. No report
2. Dauphin County Chapter:
 - a. Mike Kerstetter asked the B.O.D. to re-instate the Chapter Charter for Dauphin County Chapter.
 - i. A motion to re-instate the Charter for Dauphin County Chapter was made by Ron Stabinsky.
 - ii. Motion to 2nd – Bob Scholeck
 - iii. Vote – motion carried
 - b. Dauphin County Chapter has two meeting locations:
 - i. U.S.W.A. Local 1688
 - ii. Harrisburg Labor Council – A.F.S.C.M.E. Council 13
 - c. Dauphin County Chapter will start a membership drive and a fundraising campaign.
3. Lehigh Valley Chapter:
 - a. Bingo is doing good
 - b. Two picnics recently one sponsored by P.F.I.W. and the other by the Local Labor Council.

OLD BUSINESS

1. Nominations for Officers
 - a. Nominations for Officers was opened:
 - i. Pete De Pietro was nominated for Chief Executive Officer - accepted
 - ii. Carl Dillinger was nominated for Co-Chief Executive Officer at the last meeting – accepted
 - iii. Mike Kerstetter was nominated for Recording Secretary – accepted
 - iv. Ron Stabinsky was nominated for Chief Financial Officer – did not accept
 - v. Mike Kerstetter was nominated for Chief Financial Officer – accepted

- vi. Carl Judd was nominated for Trustee at the last meeting – accepted
 - b. All offices have someone running for the position. The vote will take place at the next B.O.D. meeting in November.
2. Bylaws
- a. Amendments to the Bylaws were circulated at the last Board meeting so a vote to add them could be done at this meeting.
 - b. Amendment #1
 - i. A motion was made by Carl Dillinger to add the word Organization everywhere, throughout the Bylaws, the word Corporation is located and to add P.F.I.W. in front of every location where the letters B.O.D. or the words Board of Directors.
 - ii. Motion to 2nd – Ron Stabinsky
 - iii. Vote – motion carried
 - c. Additional updates to the Bylaws have been added and are italicized, underlined and bold to make them separate from the updates voted on today. These updates will be voted on at the next P.F.I.W. B.O.D. meeting.
 - d. Amendment #2
 - i. A motion was made by Carl Dillinger to change Article V, Section (5) to read as follows:
 - 5. The meetings of the Board of Directors may be held at such times and at such place within this Commonwealth, or elsewhere, as designated by the Chief Executive Officer/Executive Officer or the P.F.I.W. Board of Directors by issuing a notice to call such a meeting.
 - a. If necessary a P.F.I.W. Board of Directors meeting can be requested by any member of the Board of Directors or member of the Corporation for a reasonable cause.
 - i. The final decision for the calling of a meeting will be left up to the Chief Executive Officer/ Executive Officer of the P.F.I.W. Board of Directors or the P.F.I.W. Board of Directors.
 - ii. Motion to 2nd – Ron Stabinsky
 - iii. Vote – motion carried
 - b. Amendment #3
 - i. A motion was made by Ron Stabinsky to add sub-section a & b to Article V, Section 7 to read as follows:
 - a. The Chief Executive Officer/Executive Director shall have authority to call an emergency meeting of the Board of Directors without a 14 day notice.
 - b. The location of the meeting will be determined by the Chief Executive Officer/ Executive officer
 - ii. Motion to 2nd – Carl Dillinger
 - iii. Vote – motion carried
 - c. Amendment #4
 - i. A motion was made by Bob Scholeck to add the following sub-section to Article V, Section 12 as follows:
 - a. Removal/Disqualification of an Organization Member, Board Member/Officer can only be done by following this procedure:
 - i. The P.F.I.W. Board Parliamentarian will preside over the removal/disqualification process.
 - ii. A notice of at least 30 days is required to the member that is to be removed.
 - iii. A formal hearing must be held with all parties concerned in attendance.
 - iv. For the hearing of the removal/disqualification of a member, the person being removed or disqualified must be in attendance and have the opportunity to explain why he/she should not be removed. If after three (3) attempts to get the member, whom is to be removed to attend a meeting for a hearing the Board can proceed without the member to be removed/disqualified in attendance.
 - v. After discussion a vote will be taken and the result made available to the organization through a notice sent to each Chapter Officer/Trustee.
 - vi. The result of the removal/disqualification of a member/officer may be appealed within 30 days, to the Board of Directors. One appeal will be allowed.
 - ii. Motion to 2nd – Ron Stabinsky

- iii. Vote – motion carried
- b. Amendment #5
 - i. A motion was made by Bob Scholeck to add the following sub-section to Article V, Section 15 as follows:
 - a. The P.F.I.W. Board of Directors may suspend or make any exception to this rule after considering the reasons for the lack of attendance.
 - ii. Motion to 2nd – Carl Judd
 - iii. Vote – motion carried
- c. Amendment #6
 - i. A motion was made by Bob Scholeck to amend Article VI, Section 2 as follows:
 - 2. Any officer or agent may be removed, disqualified, suspended or expelled from the P.F.I.W. Board or the P.F.I.W. Corporation by the P.F.I.W. Board of Directors whenever in its judgment, the best interest and goals of the Corporation/Organization will be served thereby, by such removal, disqualification, suspension or expulsion shall be only for just cause, and without prejudice to the contract rights or any person so removed, disqualified, suspended or expelled.
 - a. Removal/Disqualification of an Organization Member, Board Member/Officer can only be done by following this procedure:
 - i. The P.F.I.W. Board Parliamentarian will preside over the removal/disqualification process.
 - ii. A notice of at least 30 days is required to the member that is to be removed.
 - iii. A formal hearing must be held with all parties concerned in attendance.
 - iv. For the hearing of the removal/disqualification of a member, the person being removed or disqualified must be in attendance and have the opportunity to explain why he/she should not be removed. If after three (3) attempts to get the member, whom is to be removed to attend a meeting for a hearing the Board can proceed without the member to be removed/disqualified in attendance.
 - v. After discussion a vote will be taken and the result made available to the organization through a notice sent to each Chapter Officer/Trustee.
 - vi. The result of the removal/disqualification of a member/officer may be appealed within 30 days, to the Board of Directors. One appeal will be allowed.
 - ii. Motion to 2nd – Carl Judd
 - iii. Vote – motion carried
 - d. Amendment #7
 - i. A motion was made by Carl Dillinger to add a clause to Article VI, Section 6 as follows:
 - The CFO/CFD shall be responsible to see that the year-end financial statement is transcribed onto the proper United States Internal Revenue Service form and submitted by the designated deadline. The CFO/CFD shall be responsible to see that the necessary forms for the yearly submission to the Pennsylvania Bureau of Charities are submitted by the designated deadline.
 - ii. Motion to 2nd – Carl Judd
 - iii. Vote – motion carried
 - e. Amendment #8
 - i. A motion was made by Carl Judd to add as clause to Article XII, Section 5, Sub-section 2 as follows:
 - This will amount to one half of all dues collected by Chapter will be sent to the Corporation Board of Directors.
 - ii. Motion to 2nd – Mike Pron
 - iii. Vote – motion carried
 - f. Amendment #9
 - i. A motion was made by Kate McCarney to add a clause to Article XII, Section 7 reads as follows:

- a. In the case where the office of President becomes vacant the Vice President will take over for the rest of the current term of election and the office of Vice-President will be filled by a successor appointed by the remaining officers of the Chapter.
 - ii. Motion to 2nd – Ron Stabinsky
 - iii. Vote – motion carried
 - g. Amendment #10
 - i. A motion was made by Bob Scholeck to add a sub-section to Article XII, Section 8 reads as follows:
 - a. Settling a dispute between Organization Members can only be done by following this procedure:
 - i. A notice of at least 30 days is required to each member involved in the dispute that the Board of Directors will be holding a hearing to settle the dispute.
 - ii. A formal hearing must be held with all parties concerned in attendance.
 - iii. For the hearing, if after two (2) attempts to get all the members involved in the dispute to attend a meeting for a hearing the Board can proceed without all the members involved in the dispute, in attendance.
 - iv. After discussion a vote will be taken and the result made available to the organization through a notice sent to each Chapter Officer/Trustee.
 - v. The result of the dispute settlement may be appealed once to the P.F.I.W. Board of Directors within 30 days.
 - ii. Motion to 2nd – Ron Stabinsky
 - iii. Vote – motion carried
 - h. Amendment #11
 - i. A motion was made by Kate McCarney to replace Section 10 of Article XII with the following:
 - 10. The Officers of each Chapter shall complete and return the annual reports forms furnished by the Chief Financial Officer of the Corporation/Organization.
 - a. This must be done by the end of 60 days or the end of February after the closing of the Chapter finance books on December 31st of the preceding year.
 - b. Documents to be included in the year-end annual report:
 - i. Financial report form issued by the P.F.I.W. Board's Chief Financial Officer.
 - ii. A list of contact information for all dues paying members and members granted a hardship membership so a complete record of the Chapter membership is available to the Corporation/Organization.
 - c. The Year-end financial statement filed by each Chapter and the P.F.I.W. Board of Directors will serve as an annual audit.
 - i. If irregularities or discrepancies occur then a formal audit can be called for by the Chief Financial Officer of the P.F.I.W. Board of Directors.
 - d. Any member of the P.F.I.W. Corporate Organization can request an audit of any financial data if just cause is presented to the P.F.I.W. Board of Directors.
 - e. The year-end financial report done by the P.F.I.W. Board Chief Financial Officer that will be submitted to the United States Internal Revenue Service and the Pennsylvania Bureau of Charities will be reviewed by the P.F.I.W. Board Trustees.
 - i. The year-end financial statement should be approved by the Trustees before submitting them to the United States Internal Revenue Service and the Pennsylvania Bureau of Charities but is not necessary to do so.
 - ii. Motion to 2nd – Ron Stabinsky
 - iii. Vote – motion carried
 - i. Amendment #12
 - i. A motion was made by Bob Scholeck to add a sub-section to Article XII, Section 13 that reads as follows:

- a. The P.F.I.W. Board of Directors can be asked by any member to intervene in a dispute between any member and the leadership of a Chapter.
 - b. The P.F.I.W. Board of Directors will review all disciplinary action taken by a Chapter leadership and its members to determine that it was done in the best interest of the Corporation/Organization.
 - a. The P.F.I.W Board of Directors can reverse any decision or action if found to be unfair or against the best interest of the Corporation/Organization.
 - ii. Motion to 2nd – Carl Judd
 - iii. Vote – motion carried
 - j. Amendment #13
 - i. A motion was made by Kate McCarney to add a Section 18 to Article XII that reads as follows:
 - 18. If a Chapter is formed but no members attend any meetings and there is not enough member participation to fill all officer positions of the Chapter.
 - a. The active members of the Chapter can conduct business of the Chapter as long as it promotes the best interest and purpose of the P.F.I.W. Corporation/Organization.
 - b. All required documentation and reports must be filed with the PFIW Board of Directors.
 - c. The Chapter is authorized to organize injured worker events and fundraisers to support the work and goals of the P.F.I.W. Corporation/Organization.
 - d. The P.F.I.W. Board of Directors shall have direct oversight for a Chapter that is formed but does not have enough active members to fill all the officer positions.
 - i. All planned public activities for injured workers must be approved by the P.F.I.W. Board of Directors.
 - ii. All fundraising activities must be approved by the P.F.I.W. Board of Directors.
 - iii. All expenditures of the Chapter exceeding \$1000 must be approved by the P.F.I.W. Board of Directors.
 - ii. Motion to 2nd – Mike Pron
 - iii. Vote – motion carried
 - k. Amendment #14
 - i. A motion was made by Bob Scholeck to add an Article XIV Reimbursement of Personal Expenses reads as follows:
 - ARTICLE XIV - REIMBURSEMENT OF PERSONAL EXPENSES
 - 1. Reimbursement for travel expenses and personal expenses to anyone doing work for the P.F.I.W. Corporate Organization will be set by the Board of Directors. Travel expenses will be paid per mile traveled.
 - a. This will apply to all P.F.I.W. Corporate Organization members.
 - ii. Motion to 2nd – Ron Stabinsky
 - iii. Vote – motion carried
 - l. Amendment#15
 - i. A motion was made by Carl Judd to add a Section 2 to Article XVIII reads as follows:
 - 2. In the event that a dispute of any kind gets to the point that legal action is taken against the P.F.I.W. Board of Directors by any Director, Board Officer, member of the P.F.I.W. or any third party involved:
 - a. No P.F.I.W. funds can be used to pay for any legal defense action without a majority vote of the P.F.I.W. Board of Directors.
 - b. No P.F.I.W. resources can be used to support any legal action without a majority vote of the P.F.I.W. Board of Directors.
 - c. Any Director, Board Officer or member of the P.F.I.W. initiating legal action against the P.F.I.W. Board of Directors, other members or the Corporation/Organization shall have their membership to the P.F.I.W. Corporation/Organization revoked.
 - ii. Motion to 2nd – Ron Stabinsky
 - iii. Vote – motion carried

- m. Amendment #16
 - i. A motion was made by Kate McCarney to add sub-sections to Article XIX reads as follows:
 - a. The proposed amendments to the Bylaw's and Chapter Charter must be published and made available to all Board members one meeting prior to voting on the amendments to the Bylaw's.
 - b. The proposed amendments to the Bylaw's and Chapter Charter must be discussed and debated prior to a vote.
 - ii. Motion to 2nd – Ron Stabinsky
 - iii. Vote – motion carried
- 6. Injured Worker National Convention
 - a. Carl Judd reported that the phone numbers the P.F.I.W. has for other injured worker organizations around the world are no longer any good.
- 7. New Chapters
 - a. Bob Scholeck & Kate McCarney for Schuylkill County Chapter
 - i. A meeting location is needed
 - ii. A notice will be sent out to all Berks County Chapter asking if any members wish to migrate to Schuylkill County Chapter.
 - b. Kate McCarney for Lancaster County Chapter
 - i. A meeting location is needed.
 - c. Mike Kerstetter for Delaware County Chapter
 - i. Contact was made with Sam Pond to see if he is still interested in supporting the Chapter.
 - ii. A meeting location is needed in Media, PA.
 - d. Mike Kerstetter for Dauphin County Chapter
 - i. Action & report done earlier in the meeting.
 - e. Pete De Pietro for Beaver County Chapter
- 8. Panel Attorneys
 - a. The panel attorney list is now up-to-date.
 - b. All Chapters must keep the P.F.I.W. B.O.D. abreast of the status of the panel attorney. When a panel attorney is submitted to the B.O.D. the start date and ending date of the panel attorney agreement must be submitted. This will help to keep the panel attorney list up-to –date.
- 9. Panel Physician Agreement
 - a. The Panel Physician Agreement fee was discussed and changed to be the same as the Panel Attorney fee at \$300.
 - i. A motion to accept the Panel Physician Agreement was made by Mike Pron.
 - ii. Motion to 2nd – Kate McCarney
 - iii. Vote – motion carried
- 10. New Board Members
 - a. Robert Snyder
 - i. A motion to add Rob Snyder to the P.F.I.W. Board of Directors was made by Bob Scholeck.
 - ii. Motion to 2nd – Kate McCarney
 - iii. Vote – motion carried
- 11. P.F.I.W. Website Development
 - a. New webpages added to the P.F.I.W. website
 - i. Workplace Safety
 - ii. Social Security Disability
 - iii. Injured/Disabled Veterans
 - iv. Americans with Disabilities Act
 - b. New forms were added to the Chapter Startup Resources & About Us Resources and these forms can be filled out online and printed.
 - i. Chapter Startup Guide
 - ii. Membership Form
 - iii. Asset Tracker form
 - iv. Project Funding Request Form
 - v. Expense Claim Form
 - vi. Panel Attorney Agreement Form
 - vii. Panel Physician Agreement Form
 - viii. Monthly Financial Form – does calculations
 - ix. Year-end Financial Form – does calculations

- x. Nomination of Officers Form
- xi. Election Ballot Form
- xii. Meeting attendance Sheet
- c. Samples of what meeting minutes and meeting agenda should look like are also posted as a guide.
- d. The Bylaws and Chapter Charter will be posted once all the amendments have been added to them.

NEW BUSINESS

1. Governor's Occupational Safety & Health Convention
 - a. Carl Dillinger said that P.F.I.W. will be able to setup a display at the PA AFL-CIO table at the convention.
 - b. Pete De Pietro requested that expenses be paid for him to attend the convention.
 - i. A motion to pay the expenses for Pete De Pietro to attend the convention was made by Ron Stabinsky.
 - ii. Motion to 2nd – Kate McCarney
 - iii. Vote – motion carried
2. New Board Members
 - a. Rick Bloomingdale (President of the PA AFL-CIO)
 - i. A motion to add Rick Bloomingdale to the P.F.I.W. Board of Directors was made by Ron Stabinsky.
 - ii. Motion to 2nd – Kate McCarney
 - iii. Vote – motion carried
3. Donated computer equipment
 - a. Mike Kerstetter has computer equipment to donate to P.F.I.W. Chapters that needs it to setup a Chapter office.

GOOD AND WELFARE

1. Open the meeting to the floor for discussion
2. Discussion of details for the next P.F.I.W. B.O.D. meeting.
 - a. Location: Berks County Chapter
 - b. Date: November 12, 2010
 - c. Time: 11:00 AM
 - d. The host Chapter will pay for the lunches.

ADJOURN MEETING

1. Motion to adjourn the meeting – Bob Scholeck
2. Motion to 2nd – Mike Pron
3. Vote – motion carried

The meeting for the PFIW Board of Directors adjourned at 2:55 PM