

123 Main Street
White Plains, New York 10601

914 390-8025



Gerard V. Loughran
Assistant General Counsel

Richard A. Curreri, Director of Conciliation
New York State Public Employment Relations Board
80 Wolf Road
Albany, New York 12205

Re: Declaration of Impasse – New York Power Authority and the Utility Workers
Union of America, Local 1-2, AFL-CIO

Dear Mr. Curreri:

On behalf of the New York Power Authority and the Utility Workers Union of America, Local 1-2, I am enclosing a completed "Declaration of Impasse" form with attachments. As indicated on the completed form, this represents a joint application for relief. Included in the attachments are a "Description of the Unit" and "Details of Declaration". The parties have included copies of correspondence that they feel furnish you with the details you will need to assess the status of negotiations.

If there is anything else that you need to assist you in processing this application, please do not hesitate to contact the undersigned or either one of the representatives of the parties listed in the declaration form.

Very truly yours,

A handwritten signature in cursive script that reads 'Gerard V. Loughran'.

c: Kevin Jenkins, General Counsel
Utility Workers Union of America, Local 1-2
5 West 37th Street, 7th Floor
New York, NY 10018

DECLARATION OF IMPASSE

INSTRUCTIONS: Complete in full, retain one copy and distribute in the following manner: A) File an original and one (1) copy with the Director of Conciliation, PERB, 80 Wolf Road, Albany, New York 12205-2670.
B) Simultaneously serve one (1) copy upon the respondent.

Date: _____

PUBLIC EMPLOYER

Name of Public Employer: NEW YORK POWER AUTHORITY

NAME, TITLE, ADDRESS, TELEPHONE AND FAX NUMBERS of the Representative to whom PERB should direct correspondence: JOSEPH GRULLO, Director Compensation, Employee Labor Relations, 123 Main St. White Plains NY 10601
(Telephone) 914 681 6939 (FAX) 1

EMPLOYEE ORGANIZATION

Name of Employee Organization: UTILITY WORKERS UNION of AMERICA, LOCAL 1-2

NAME, TITLE, ADDRESS, TELEPHONE AND FAX NUMBERS of the Representative to whom PERB should direct correspondence: EMANUEL HELLER, PRESIDENT, UAWA, Local 1-2
5 WEST 37th St., 7th floor, NY, NY 10018
(Telephone) 212 575 4400 (FAX) 212 575 3852

IDENTIFYING PARTY DECLARING IMPASSE

Public Employer Employee Organization Joint Declaration

DESCRIPTION OF UNIT

- A - Number of employees in the unit: see attachment
- B - Included titles: see attachment
- C - Excluded titles: see attachment
- D - Employer's fiscal year: JANUARY 1 to DECEMBER 31
(Mo./Day/Yr.) (Mo./Day/Yr.)
- E - Effective date and expiration date of present agreement: see attachment
(Mo./Day/Yr.) (Mo./Day/Yr.)
- F - Date of recognition or certification of negotiating agent: see attachment

IMPORTANT

DETAILS OF DECLARATION

IMPORTANT

On a separate sheet of paper which should be attached hereto, write a clear and concise history of negotiations leading to this Declaration of Impasse. Include the number and dates of the negotiating sessions and specifically list all presently unresolved issues.

Pursuant to Article 14 of the Civil Service Law, as amended (Public Employees' Fair Employment Act), the undersigned hereby declare(s) that a state of impasse exists between the above noted public employer and employee organization within the meaning of Section 209 of said Act.

Kenn C. Jendry
Signature of Representative Declaring Impasse

Gregory Conrad 02-04-05
Title Date

If joint declaration, both representatives must sign:

Joseph W. G... 3/6
Signature of Representative Declaring Impasse

DIRECTOR, COMPENSATION 2/4/05
Title Date

ATTACHMENT TO "DECLARATION OF IMPASSE"

RE: NEW YORK POWER AUTHORITY AND UTILITY WORKERS UNION OF AMERICA, LOCAL 1-2, AFL-CIO

DESCRIPTION OF UNIT

- A. Number of employees in unit: 63(approximately)
- B. Included titles:
- Accounting Assistant
 - Assistant Storekeeper
 - Chemistry Technician A
 - Chemistry Technician
 - Clerk Typist A
 - Clerk Typist
 - Control Operator A
 - Control Operator B
 - Electrical Technician A
 - Electrical Technician
 - Janitor
 - Mechanic A
 - Mechanic B
 - Meter Tester A
 - Meter Tester B
 - Operating Mechanic A
 - Operating Mechanic B
 - Plant Utility Worker
 - Production Technician A
 - Production Technician
 - Records and Documents Clerk
 - Senior Chemistry Technician
 - Senior Clerk
 - Senior Electrical Technician
 - Senior Meter Tester
 - Senior Production Technician
 - Storekeeper
 - System Metering Administrative Assistant
 - System Metering Administrative Assistant A
- C. Excluded titles: All non-represented positions
- D. Employer's fiscal year: January 1 – December 31
- E. Effective date and expiration date of present agreement:
Last collective bargaining agreement between the parties was effective on January 18, 2000 and it expired on January 17, 2004.
- F. Date of recognition or certification of negotiating agent: 1981

Re: Declaration of Impasse – New York Power Authority and the Utility Workers' Union of America, Local 1-2, AFL-CIO

DETAILS OF DECLARATION

The New York Power Authority ("NYPA") and the Utility Workers' Union of America, Local 1-2 ("UWUA") were parties to a collective bargaining agreement that expired at midnight on January 17, 2004. In October 2003, prior to expiration of that agreement, the parties exchanged proposals to amend the then existing contract between them. Such meetings continued throughout 2004, however, the parties were unable to reach an agreement on all terms and conditions of employment. The parties' negotiation committees met 17 times on the following dates:

October 1, 31; November 7; December 11, 12, 15, 18, 2003;
January 13, 23, 29; February 6, 17, 26; March 16; April 26; July 21
and 22, 2004.

In addition, after July 22, 2004, NYPA's chief spokesperson, it's Director of Labor Relations, and the UWUA's chief spokesperson, it's Vice President, conferred by telephone several times. Further, NYPA's Executive Vice President, Corporate Services and Administration, discussed the status of negotiations with the UWUA's President by telephone and they met in person.

Attached to this "Details of Declaration" are copies of the NYPA's and the UWUA's bargaining proposals. Also attached are copies of a letter dated November 22, 2004, from Emanuel Hellen, President of the UWUA, and a draft response dated January 10, 2005 from NYPA's Executive Vice President, Corporate Services and Administration. Please note that NYPA's response is in draft form and unsigned; however, NYPA represents that it sent such draft by fax to the UWUA in January 2005. After receiving such letter by fax, the UWUA notified NYPA on or about February 1, 2005, concerning the Union's interest in a joint declaration of impasse.