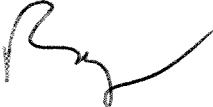




memo:

TO: Field Representatives
FROM: Roger Scales 
DATE: October 24, 2006
RE: *New Sign-Off Agreement in Disciplinary Grievances*

This is to advise you that we will now use a new Sign-Off Agreement in Article 33 disciplinary cases. A copy is attached and we will distribute copies with carbons to the Regional Offices. All the old versions of this form should be destroyed.

The major difference between the old Sign-Off Form and the new Sign-Off is that the new version specifically states that it is the member's obligation to file all grievances and demands for arbitration in his or her arbitration case. Keep in mind that Field Representatives are still responsible for filing grievances and demands in Article 33 disciplinary cases unless you have a copy of this waiver form in your possession or a confirming letter as described herein. There are a few other editing changes that do not affect the substance of the form.

As provided in the Sign-Off form, PEF's policy continues to be that once a PEF member chooses to retain private counsel or represent himself or herself in a disciplinary arbitration case, PEF will pay the union's share of the arbitrator's fees and AAA administrative fees. However, PEF will not pay any fees from either the arbitrator or AAA that are associated with cancellations or postponements by the member or his/her representative, nor will PEF pay the member's attorneys fees. Again, the member will be responsible for filing any and all grievances and demands for arbitration in the disciplinary case.

If a PEF member decides to either retain private counsel or represent himself or herself in an Article 33 disciplinary case, you need to have them sign the new Sign-Off Agreement. If you are unable to get the member to sign the Sign-Off Agreement, you should send them a letter which confirms all the information contained in the new Sign-Off form. A copy of the signed Sign-Off Agreement or a copy of the confirming letter should be sent to Meghan Allen in Contract Administration to ensure that the bills are paid appropriately.

Should you have any questions, please contact Meghan Allen at PEF Headquarters, ext. 223.

LMK/tlc
Attachment

cc: William P. Seamon
Tom Privitere
Marvin Moschel
Lisa King
Robert Carrothers
Meghan Allen
All Field Administrative Staff



NEW YORK STATE
PUBLIC EMPLOYEES
FEDERATION, AFL-CIO

SIGN-OFF AGREEMENT

TO: NYS Public Employees Federation, AFL-CIO

FROM: _____ (Grievant)

DATE: _____

Although I have been made fully aware that PEF is willing to provide me with representation at no cost in regard to the disciplinary process under Article 33 of the PEF/State agreement, I have chosen: (1) to retain private representation at my own expense or (2) to represent myself.

I further understand that although PEF is not bound to pay the fees of an arbitrator, it will pay the union's share of the arbitrator's fees and the American Arbitration Association (AAA) administrative fees. However, PEF will not pay any fees either from the arbitrator or AAA due to a postponement or cancellation by me or my representative, and I understand that I am responsible to pay any and all such fees.

Further, I acknowledge that I am responsible for timely filing the grievance and demand for arbitration in my disciplinary case. I have been advised that the time frames for filing such are contained in Article 33 of the PEF/State collective bargaining agreement. I am also aware that it is imperative that I or my representative contact the AAA in regard to the rules and regulations pertaining to arbitration proceedings.

(Signature)

cc: PEF Albany Headquarter's Discipline File
Field Representative's File
Grievant