

TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS
LOCAL UNION NO. 110 - JOHNSTOWN, ALTOONA AND VICINITIES PENNSYLVANIA

Affiliated with
THE INTERNATIONAL BROTHERHOOD TEAMSTERS

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August 19, 2021

Reynoldsville Borough	Reynoldsville Borough
Attn: William Cebulskie	Attn: Mayor Caltagarone
Council President	460 E. Main Street
460 E. Main Street	Reynoldsville, PA 15851
Reynoldsville, PA 15851	

Certified Mail
7018 1130 0000 5296 6694

Re: Teamsters Local 110 & Reynoldsville Borough
Council Announcement to Advertise for a New Chief of Police

Dear Mayor Caltagarone and Council President Cebulskie:

It has come to the Union's attention that Borough Council announced yesterday evening its intention to move forward with hiring a new chief of police. This is plainly a new attack on Sergeant Murray and the Union contract. This Union continues to represent Sergeant Murray, and we have an enforceable labor contract with the Borough. This letter is to inform the Borough in plain terms of the Union's opposition to the announcement to hire a chief of police.

As this Borough is well aware, the Union has already challenged the Borough's actions in first reducing Sergeant Murray from full-time to part-time and then eliminating the part-time police officers altogether. We had a hearing earlier this year on the first charge about the reduction from full-time to part-time, and today we received the Hearing Examiner's Proposed Decision and Order. The Hearing Examiner found that the Borough violated the Pennsylvania Labor Relations Act by reducing Sergeant Murray to part-time status last February. As you both probably know by now, the Hearing Officer found the explanations you provided to be untrue and completely unworthy of belief. When that Proposed Decision and Order becomes final, the Borough will be faced with a backpay obligation for the salary difference for Sergeant Murray between full-time and part-time for over a year, an obligation to make her whole for the cost of benefits lost to her as the result of this unlawful action, and a very clear order to reinstate Sergeant Murray to her full-time position. At a bare minimum, this decision against the Borough should give the Borough officials pause before embarking on a path by hiring someone else.

You both may remember that Sergeant Murray and the Union had been willing to settle this case last year for no backpay or lost benefits simply to get her job back, and the Borough rejected that offer out of hand. The Borough could have accepted that offer and avoided the trial entirely. Instead, the Borough chose to take its chances with a trial, and now the Borough must face the consequences of that decision. A decision to bring someone new in and bypass Sergeant Murray will not turn out any better.

As I have repeatedly informed both of you, and as you have publicly recognized, Sergeant Murray has recall rights to be recalled before the Borough can hire anyone into any bargaining unit position, including the Chief of Police. If the Borough hires someone without offering Sergeant Murray recall rights, the Borough will face a grievance and arbitration proceeding from this Union to enforce our contract.

What is most puzzling is the way that the Borough has time and again kicked Sergeant Murray to the curb while pretending to have the best interests of the Borough citizens at heart. For the past five months, the Borough has left the full-time position unfilled and vacant, even though the money for that position is in both the budget and the general fund, without ever recalling Sergeant Murray. At the same time, Sergeant Murray has repeatedly inquired in writing about being returned to work. The Borough has ignored her completely; you never even had the courtesy to respond to her letters. Now it seems that you have come up with another poorly advised plan that will try to circumvent her legal rights, but if you think that this Union will sit idly by while you bypass Sergeant Murray to fill the chief's position, you are woefully mistaken.

One last point; the position of chief of police is a bargaining unit position. The Borough cannot lawfully change that position without first bargaining with this Union. The Borough cannot impose a testing requirement (because there has never been a testing requirement for that position), and the Borough cannot change the duties of the position or bypass the seniority/recall rights of other unit employees to fill that position. Doing so without first negotiating with this Union will be both a violation of the contract and a new unfair labor practice for a unilateral change in the terms and conditions of employment. I can assure you that the Borough will not fare any better in that case than the Borough has in the first case.

We have tried to work with you. We have asked repeatedly to address whatever are the genuine problems of the Borough and the Police Department. We have received empty promises and a complete runaround. Every time we have met with you, you said you would get back to us, but all we ever heard in follow up was crickets. You have repeatedly chosen to ignore us rather than seek sensible solutions to genuine problems. It is clear that you have the belief that you can act as you wish without any regard for the legal obligations of the Borough. That is why I am sending this letter to both of you. We are not going away, and we are fully prepared to legally contest any new effort by the Borough to violate the contract and Pennsylvania law.

Sincerely,

Teamsters, Chauffeurs, Warehousemen
And Helpers, Local Union No. 110



Richard Keller
Business Representative

RK

cc: Bob Eberle Esquire
Tammy Murray
File