



DIA



REPORT

DETECTIVE INVESTIGATORS' ASSOCIATION
of the District Attorneys' Offices, City of New York

Winter 2013



Report Card

Employee Relations F
Employee Morale F
Workplace Climate F
Employee Retention F
Performance Appraisal . . F
Leadership F

	Naughty	Nice
DA Hynes	x	
DA Brown		✓
DA Donovan	x	
DA Vance	x	
DA Johnson	x	
DA Brennan	x	

HE SEES YOU WHEN YOU'RE SLEEPING, HE KNOWS WHEN YOU'RE AWAKE
HE KNOWS WHEN YOU'VE BEEN BAD OR GOOD
SO BE GOOD FOR GOODNESS SAKE!

PRESIDENT'S MESSAGE

JOHN FLEMING



On behalf of the DIA Executive Board, I want to wish you and your family a safe and happy holiday season. As we close the book on 2013,

many of the issues we faced at the beginning of this year are still evident and holding us back from securing a living wage for our Detectives.

It is a sad commentary how far the District Attorneys have let this job fall. Since 1938, Detective Investigators have been the investigative arm for the District Attorneys of New York City. We were treated with respect and dignity by each Office, and were seen as vital to the mission of each DA.

But how can our Detectives feel when we are being treated the way we currently are?

For example, at our Annual Awards ceremony in November, not one District Attorney or Executive ADA showed up to support our Detectives. With the exception of Bridget Brennan and the six Chief Investigators, no one from Administration attended. Those Detectives who were honored and their families deserved an opportunity to have those officials present to thank them for their sacrifices.

And what about the actions of Bronx DA Rob Johnson and his Administrators who refused to reward the courage of one Detective who saved a witness and her daughter who were threatened after testifying in a homicide trial. DA Johnson denied the Detective a 207c hearing after suffering a severe illness right after collecting the witness and her daughter and safely transporting them to a new

location.

As a result, the Detective had to use all his time and was let go once it was exhausted. The DIA is now fighting that cowardly act by the Bronx.

And let's not forget Bridget Brennan, who still feels it's ok to discriminate against members who participate in the Union.

Not every office is experiencing such terrible treatment. In Queens, the members were happy to see their hard work and determination recognized by a round of well-deserved promotions. Also, our Queens Trustee Ron Hickman has had a productive and sustained relationship with the Administration that has led to the entire squad seeing increased benefits.

I applaud Judge Brown and his staff for showing what is possible when management and the Union work together to get things accomplished. Results such as these go a long way to retaining employees and making them feel part of the team. I also want to thank Ron for his tireless work on behalf of his squad. Ron has become an integral member of the Board and we are proud of his effort. We can only hope that this rubs off on the other DAs so that the entire membership has some hope as we enter 2014.

During the summer, I travelled to most offices to discuss what lies ahead in our goal of attaining a new contract. The last time membership received a raise was November 24, 2008. Since that time, we have seen the District Attorneys agree to raises for all other unionized and non-union employees. They also have approved raises and bonuses for Executives and administrative staff.

Continued on next page



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NEWSLETTER DESIGN/PRODUCTION
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The DIA Executive Board wishes you a *Happy New Year*

When I was asked by members how long this would go on, I had to be honest and say it could be a very long time until we see raises for our members. Because the District Attorneys decided to appeal the Office of Collective Bargaining's decision to the New York State Supreme Court, instead of negotiate a deal with us, it may take another year or two until you and your family sees raises. (see litigation time line on pages 6-7).

The DAs try to rationalize to themselves that all our members already receive a pension to supplement their earnings, but the truth is that less than 45 percent of our members are in such a position. Because our turnover rate is close to 30 percent each year, this job no longer is seen as a career, but merely a stopover to get some experience for a better job with the state or federal government. So many highly qualified Detectives leave after seeing the approach each Agency has toward our Detectives.

Employee relations plays a critical role in the health of an organization. It supports and builds relationships between management and employees and it develops avenues of communication that allow employees to feel part of an organization. From my perspective, five of the six District Attorneys gets an "F" in employee relations when it comes to our members. Our colleagues in the surrounding counties have no such problems and they spend 20 to 30 years in those offices enjoying their careers. We are lucky to see a new hire in the last three years.

Actions such as these by the District Attorneys have a tremendous impact on an organization and show the DAs to be incompetent, callous, or both. It is why the DIA must move forward on our own whenever a new challenge arises.

The DIA's new project to develop and implement a full-service wellness program for our Detectives is almost complete. In conjunction with Selikoff Centers for Occupational Health at Mount Sinai Hospital, we are going to provide our members

with "one-stop shopping" for state-of-the-art medical care so our Detectives can continue to work for as long as they wish. (see pages 14-15 for complete information.)

This program would not have been possible if not for the assistance of Brian Schroeder, Administrator of the Mount Sinai School of Medicine Division of Occupational Health, and Garry Resnick, Director of Outreach and Education at the World Trade Center Health Program. We thank them both.

In closing I want to assure each member that the DIA will continue to fight for you in 2014. We are willing to do all that is necessary to see you receive your contract as soon as possible, and will continue to request an open dialogue with the DA's offices so that we can deal with smaller issues in a timely fashion. Recent events in Queens County show that the Union is poised to work with management in any forum to get you what you deserve. Please keep your Trustee aware of any new developments so that the Union has time to analyze our options.

DEPENDENCY VERIFICATION AUDIT UPDATE

For those 15,000 City employees/retirees who did not submit any information to AON and have had their dependents terminated, these dependents will be reinstated retroactively once the necessary verification is provided by AON. This assures that your dependent(s) will be covered with no break in coverage and any rejected claims can be resubmitted to health carriers for reprocessing. It is imperative, however, that the required audit information is provided to AON as soon as possible in order to reinstate these terminated dependents. Updates about this matter can be found at the following link: www.nycdetectives.org/index.php/component/k2/item/373-important-health-benefits-notice



Contract Update

BOARD OF COLLECTIVE BARGAINING: DISTRICT ATTORNEYS MUST NEGOTIATE

As you know, the Board of Collective Bargaining (BCB) ruled on July 11, 2013 that it is the District Attorneys who are responsible for negotiating a contract with the DIA. That decision led to the Union sending a letter to the Public Employees Relation Board (PERB) to begin mediation in the hopes of securing a new contract.

That would have occurred if not for your District Attorney filing a motion with PERB on July 31 seeking to delay once more the bargaining as they appeal this matter yet again, this time to the NY Supreme Court. The District Attorneys have been fighting the DIA for three years!

The Union is now aware of attempts made by Administrators from several offices to supply untrue or inaccurate information to our members in the hope of turning membership against the Union.

This is not surprising. It is part of the playbook of their union-busting law firm Jackson Lewis.

I highly encourage all members to look up the history of this law firm. In 1972, Jackson Lewis developed a union avoidance handbook for their clients wanting to destroy unions in their company. Now in its fifth edition, "Winning NLRB Elections" also comes with a two- or three-day seminar that costs about \$1,000 to attend. We believe some Administrators have attended and paid with their own money.

You can find on their own website that Jackson Lewis has placed "a high premium on preventive strategies."

You need to know just who your DA has decided to give their money to. More than \$1 million dollars is flowing into a law firm designed to destroy unions while you and your families still sit waiting for a contract.

DIA President John Fleming said, "Do you think your

DA is on your side when he hires as his lawyer a union-busting law firm that does not recognize the sacred principle of democracy in the workplace?"

Jackson Lewis routinely places armed guards at sites where they wish to intimidate employees. "That is one tactic you will not see here," Fleming said. "I have spoken to other union leaders who have told me that everything happening with the DIA happens all the time once the employer sinks so low as to hire Jackson Lewis."

"The DIA is not stopping any office from promoting an employee, period! We are not stopping anybody from getting raises, period," Fleming said. "We have attempted for more than three months to get the DAs to sit with us in a labor-management setting to discuss concerns that you, the members, have raised with the Union."

Fleming said that the response has been to ignore the DIA and let the frustration boil over. "That is why 30 percent of the DIA membership leaves every year. It is why this job has become a dead end, and it is why, I believe, your true enemy is the man who runs your agency and hides behind a law firm designed to bust unions and make unionized employees suffer."

Our Annual Awards Ceremony is a true depiction of the value and dedication each member has toward his agency. "Do not let this campaign of fear upset you. We will stand behind you and support you 100 percent," Fleming said.

He said that the DIA strongly encourage all members to continue highlighting violations of the DIA contract so that the Union may fight them in an appropriate forum. Do not let the lawyers or administrators take away your rights.



9/11 Legislative Update

FILING FOR 9-11 DISABILITY BENEFITS IS EXTENDED & BROADENED for Certain Workers & Volunteers

WTC “Registry” Filing Extended to 9/11/2014

Three groups of public employees who missed their chance to register for lifetime disability benefits for their 9/11-related illnesses were given another opportunity recently when Governor Cuomo signed a bill **extending the deadline until September 11, 2014.**

Those who became eligible for the first time are in one of three categories. Some are City employees who would have been covered under language from the original bill involving the vesting of their pensions subsequent to 9/11, except the City Department of Law challenged their status. Department of Education workers who were originally excluded because they belonged to either the Board of Education Retirement System (including some Teachers) or the New York City Employees’ Retirement System are now eligible as well.

The third group consists of workers who, as a result of their exposure to the toxins near the World Trade Center site, developed diseases that were originally not covered under the 2005 bill, but were subsequently added as part of the Zadroga Act covering police and firefighters, also are eligible for the first time.

The bill does not allow all public workers who may have developed illnesses because of their exposure to the World Trade Center site to sign up for the Notice of Participation. Those city and state workers who fit within one of the three newly-eligible categories can now sign an affidavit proving they worked at or near

the World Trade Center site, securing the chance to receive state Workers’ Compensation benefits and enhanced pensions for disability in case of future illnesses. The state then presumes any sickness known to be triggered by 9/11-related work was caused by exposure at the site.

This “registry,” previously known as the WTC-12 for Workers’ Comp, or the Notice of Participation-WTC for certain pension systems, essentially preserves your ability to file a claim in the future should certain illnesses related to 9/11 appear later in life. Additionally, the law now allows for “vested” members of certain eligible pension systems who otherwise qualified and subsequently left service to now submit to the registry as well. The new open period for filing (if you qualify) will extend through SEPTEMBER 11, 2014. The WTC-12 can be found at www.wcb.ny.gov

REMEMBER: This is reopened for those eligible persons who did not file by the previous deadline. If you previously registered with Workers’ Compensation or your pension system, you do NOT have to file again. If you are not sure if you have already filed, or whether or not you are eligible to do so now, we recommend you contact your pension system or New York State Workers’ Compensation.

NOTE: This is NOT the same as filing for/with the WTC Health Registry, the Victim Compensation Fund (VCF), or the WTC Health Program.



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August 28, 2013

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Re: Case No. IA2010-007/M2010-005;
Detective Investigators Association and City of New York et al.

Dear Representatives:

I am writing in response to the July 25, 2013 letter from Mr. Greenberg on behalf of the Detective Investigators' Association (DIA) requesting reassignment of a mediator to replace former Chief Regional Mediator Phil Maier, originally assigned but no longer with PERB. I am also writing in response to the July 31, 2013 letter from Mr. Simon on behalf of the District Attorneys and Special Narcotics Prosecutor (DAs) requesting this office hold further mediation in abeyance pending the final determination of the appeal by the DAs of the recent ruling by the New York City Office of Collective Bargaining (OCB).

In November 2010, former Director Richard Curreri declined to process the Petition for Compulsory Interest Arbitration filed by the DIA because mediation had not taken place as a result of the lack of employer participation. Pointing to the central matter of the identity of the public employer having a negotiating obligation regarding the investigator unit at impasse, Mr. Curreri concluded, "Once the negotiating obligations of the parties have been determined, the mediation process can proceed, and thereafter, should an agreement not be reached, a Petition for Compulsory Interest Arbitration, if filed, would properly lie."

In conclusion, I must reiterate that until the issue of negotiating obligation by the employer is finally resolved, it would be futile for this office to proceed further with the statutory impasse procedure.

Sincerely,

Kevin B. Flanigan
Kevin B. Flanigan

JULY 25, 2013

Harry Greenberg, Esq.
sends a letter to PERB
on behalf of the DIA
requesting reassignment
of a mediator.

JULY 10, 2013

OCB issues its decision
finding that the City is
not a joint-employer
of the Detective
Investigators

JULY 31, 2013 Eric Simon
sends a letter to PERB on behalf
of the District Attorneys and
Special Narcotics Prosecutor
("DAs") requesting that PERB
hold further mediation in
abeyance pending the final
determination of the appeal by
the DAs of the OCB's ruling.

AUGUST 14, 2013
The DAs file six separate
Article 78 petitions,
seeking to overturn OCB's
decision, with a return
date of September 16,
2013, for each action.

TIMELINE

LITIGATION EVENTS REGARDING OCB'S DECISION JULY 10, 2013 - NOVEMBER 15, 2013

NOVEMBER 7, 2013 The DAs file stipulations in all six Article 78 actions, extending their return dates to January 21, 2014, and setting the briefing schedule as follows:

- Respondents' answering papers or motions are due December 16, 2013
- Petitioners' reply papers and oppositions to any motions are due January 10, 2014
- Respondents' reply papers on any motions are due January 17, 2014.

SEPTEMBER 16, 2013
The parties file stipulations in all six Article 78 actions extending their return dates to November 15, 2013.

AUGUST 28, 2013
PERB responds to Harry Greenberg's and Eric Simon's letters regarding mediation by declining to proceed, stating that "until the issue of negotiating obligation by the employer is finally resolved, it would be futile for [PERB] to proceed further with the statutory impasse procedure."

SEPTEMBER - OCTOBER 2013
The parties to the DAs' Article 78 petitions confer and agree that the six separate actions should be consolidated. After researching the relevant procedure, the parties confirm that the six actions will be consolidated under the lowest index number (101146/2013), which is before Justice Michael D. Stallman. The parties also agree on a briefing schedule for the petitions, as well as dates for any potential motions.

NOVEMBER 12, 2013
The DAs file the parties' joint motion to consolidate the six Article 78 proceedings under Index No. 101146/2013 before Justice Michael D. Stallman.



7th Annual DIA Awards Ceremony





DIA HOLDS 7TH ANNUAL AWARD CEREMONY

The Detective Investigators' Association held its Annual Awards Ceremony on Friday, November 1 at Battery Gardens in Manhattan.

The Ceremony recognizes the outstanding contributions made to the cause of law enforcement by the Detective Investigators who work for the five District Attorneys' and Special Narcotics Prosecutor. The DIA also recognizes those individual Detective Investigators or groups of DIs whose diligence in pursuing justice has led to the successful completion of cases.

"Our members deserve to be honored for their contributions to the law enforcement community," said President John Fleming. "Each year we sort through all the submissions and choose those cases that best highlight the work our members do on a daily basis. All too often the work our members does not get noticed by either the public or those in law enforcement. This ceremony gives us a chance to highlight some of the more outstanding cases and give our members a chance to be in the spotlight."



1. DIA VP Jack Freck
2. Dr. Madelynn Azar-Cavanagh, Medical Director of the Selikoff Centers for Occupational Health, Mount Sinai Icahn School of Medicine
3. DIA President John Fleming with Chief Joseph Ponzi
4. NY County Trustee Thomas Artino, Fleming, Detective Investigator Steven Lane
5. NY County DA Investigator Peer to Peer Group with President Fleming
6. Bronx Trustee Nick Ranieri, Fleming, Lt. Raymond Jones and Supervisor Trustee Doris Amador

7. Brooklyn Trustee Jim Diver and Fleming with the Brooklyn Technical Surveillance Unit
8. Secretary-Treasurer Juan Parra with SNC Chief Bill Cook
9. DI Julia Collins-Jollon, Fleming, ADA Eric Rosenbaum and Analyst Deena Zeplovitz
10. Queens Sgt. John Kenna, Fleming, and Det. Richard Lewis

HONOREES

FRED GHUSSIN

MEMORIAL AWARD

Senior DI Jerry Giorgio

CAREER ACHIEVEMENT AWARD

Chief Joseph Ponzi

MAN OF THE YEAR AWARD

Lt. Raymond Jones

SPECIAL NARCOTICS

Commendations

Supv. Inv. Thomas Devine

Sr. Inv. Bernie Malone

DI Vanessa Rivera

Civil Commendation

Belinda McNeill

KINGS COUNTY

Commendations

Supv. Inv. Philip O'Rourke

DI William Aviles

Unit Citation

Technical Surveillance Unit

Supv. Inv. Shaun Winter

DI Jim Diver

DI Brian Donohue

Det. PJ McMahon (NYPD)

Alden Foster

QUEENS COUNTY

Commendations

Lt. Frank DiGregorio

Sgt. John Kenna

DI Richard Lewis

DI Julia Collins-Jollon

Certificates

S.A. Graham Klein

ADA Eric Rosenbaum

Analyst Deena Zeplovitz

BRONX COUNTY

Commendations

DI Merrybet Tavarez

Lt. Rocco Galasso

Sr. DI Vincent Cantarella

Certificates

Criminal Investigator Robert Ryan

Criminal Investigator John Barry

US Attorney's Office

NEW YORK COUNTY

Commendation

Sr. Inv. Steven Lane

Unit Citation

Peer to Peer Core Team

Supv. Inv. Elena Lui

Supv. Inv. Robert Muldoon

Sr. Inv. Lauren Liebhauser

Sr. Inv. Jason Malone

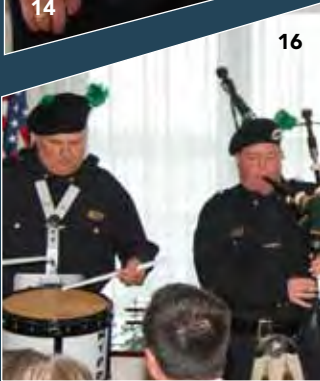
DI Diana Keam

DI Erin Mulderig



11. Ret. Detective Juan Crosas-Medina and NY County Trustee Thomas Artino
12. Standing from left: Garry Resnick, Director of Outreach and Education, WTC Health Program; Brian Schroeder, Administrator, Mount Sinai Icahn School of Medicine Division of Occupational Health; Dr. Maryann McLaughlin, Cardiologist, Mount Sinai School of Medicine. Seated from left: Dr. Laura Crowley, Selikoff Centers for Occupational Health

13. Manhattan Senior Investigator Pat McKenna and Ms. Alice Rosen
14. Bronx County Detective Vincent Cantarella, Lt. Rocco Galasso, US Attorney Investigators Robert Ryan and John Barry
15. Evelyn Quiles and Jordan Ziegler from Pasternack Tilker Ziegler Walsh Stanton & Romano



16. SNC Michael Reedy and the NYPD Pipers
17. Det. Investigator Jerry Giorgio
18. Anthony Nardella, Head of Security Brooklyn DAs office, Chief Ponzi, and guest
19. Fleming and Bronx Det. Merrybet Tavarez
20. Lt. Raymond Jones and Family
21. Fleming, Brooklyn Det. Philip O'Rourke, DI William Aviles, Jim Diver
22. Parra, SNC Det. Bernie Malone, Belinda McNeill, Det. Vanessa Rivera, SI Det. Thomas Devine



23



24



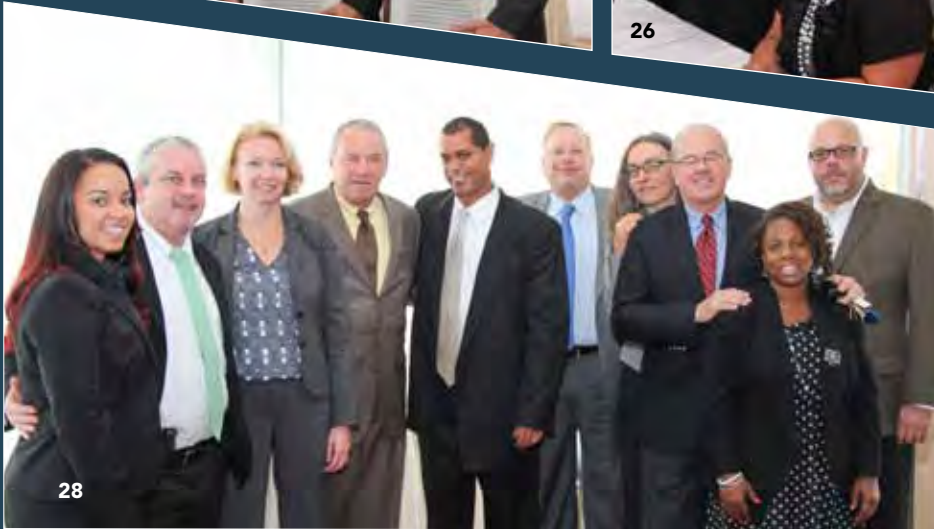
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26



27



28



29

23. Fleming, Jerry Giorgio and Ret. Det. Juan Medina
24. Chiefs Walter Alexander, Lawrence Festa, Joseph Ponzi, Robert Turbiak, Bill Cook and Frank Chiara
25. Fleming, Queens Lt. Frank DiGregorio and Special Agent Graham Klein
26. Queens Trustee Ron Hickman and Doris Amador
27. Queens Sgt. John Kenna and Det. Richard Lewis
28. SNC Detective Squad
29. Boardwalk Empire Star Vincent Piazza

NOTE: The DIA regrets to inform you of the passing of Lt. Raymond Jones on December 24, 2013. Our condolences go out to his wife, family and friends. We salute the fine career of Lt. Jones and his contributions to the people of Bronx County.

SIGN UP FOR E-MAIL BLASTS FROM THE DIA

Many times throughout the year, the DIA sends important e-mails to members who have provided their e-mail addresses. This is the fastest way to disseminate timely and important information. If you would like to be included, please log onto the DIA website at www.nycdia.com and enter your information. Of course, it's then important to actually open the e-mails and read them!

OCCUPATIONAL HEARING LOSS

ONE OF MOST COMMON PROBLEMS

If you work in a noisy environment and have been exposed to noise during a period of time, you may be currently suffering from, or may later develop, a loss of hearing.

Occupational loss of hearing is one of the most common work-related illnesses; yet, it is also one of the least reported, least filed claims. The key to filing a claim is awareness.

To be eligible for Workers' Compensation for Occupational Hearing Loss, a worker must either be removed from the noisy environment for at least three months, begin using protective hearing devices such as ear defenders full time for at least three months, or must file the claim within two years from the date the three-month waiting period ends. If you cannot meet these time requirements, you can still file a claim anytime as long as it is within three months from the date you first knew or should have known that you have a hearing loss caused by your work.

The New York Workers' Compensation Law compensates workers for permanent loss of hearing in the normal conversational range of 500 to 3,000 decibels. Awards are based on a percentage of hearing loss in both ears for occupational claims that develop over time.

Under the Workers' Compensation Law, cash awards are made for permanent loss of hearing. The value of the award is based upon the severity of the hearing loss. Each percentage point of loss equals 1.5 weeks of compensation. The rate of weekly compensation is based upon two-thirds of your average weekly wage determined as of the date of your disablement.

For example, qualifying claims for disablements after July 1, 2013, have a maximum weekly rate of \$803.21. If you have 100 percent loss of hearing to both ears, this entitles you to an award of compensation of \$120,481.50; a 50 percent loss would be worth \$60,240.75. These payments are completely tax free!

Exposure to occupational noise is one of the most common and yet most preventable hazards experienced by workers across a wide range of occupations and industries.

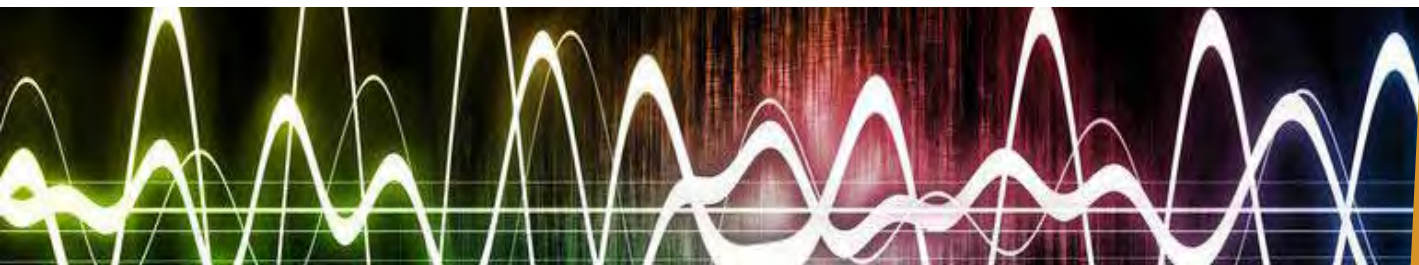
Most Local 246 members work in environments where there is constant noise and they do not wear proper ear protection when on the job. Unless you can prove adequate noise protection while still working, it may be more realistic to wait until you retire or move to a new job where there is no further noise exposure before filing a claim. If you are not working for more than three months due to some other illness or injury, whether work-related or not, you also would be eligible to file for a hearing loss claim at that time.

As we get older, most of us experience some form of hearing loss. Usually such a loss is determined to be caused solely by "old age" alone without further inquiry. The Workers' Compensation system uses a formula to determine loss of hearing caused solely by noise exposure on the job and subtracts hearing loss due to age.

How do you know whether your hearing is damaged?

Hearing loss can be gradual; you might not even notice the loss immediately. A ringing in your ears, called tinnitus, may be a symptom of overexposure to loud noise. The only way to know for certain is to have a hearing exam by a certified audiometric technician, audiologist, otolaryngologist or physician.

For more information or to file a Workers' Compensation claim, contact Jordan Ziegler, Esq. at Pasternack Tilker Ziegler Walsh Stanton & Romano LLP at 800.692.3717 or at jziegler@workerslaw.com



Health Corner

MOUNT SINAI SELIKOFF CENTRE Creates DIA Member Wellness Program

As was mentioned at our recent Annual Awards Breakfast, the Detective Investigators Association has embarked upon a new initiative in partnership with the Mount Sinai Selikoff Centers for Occupational Health. The Selikoff Centers are well known for providing top-notch evaluation and care specifically related to illnesses and injuries sustained as a result of one's work, and it is also the home of the WTC Health Program Clinical Center of Excellence at Mount Sinai.

It is an accepted belief that law enforcement work can take a toll on workers' physical and mental health. While DIA members are certainly susceptible to the ordinary risks of this work, the concern is that members may face additional or "unique" risk factors since many offer their training and experience to the profession for years beyond the average longevity in law enforcement. In many cases, DIA members will remain in service double, or even more, the 20 years performed by many law enforcement professionals.

Generally, most law enforcement agencies do not have the high percentage of older employees that the DIA

does. With age comes various challenges to health that, when combined with certain factors unique to Investigator work, can have an adverse effect on life and the ability to continue working. The DIA was concerned that there was no clear path to ensure members were being properly evaluated for both work- and non-work-related injuries and illnesses. Additionally, the Union wanted to be sure members could avail themselves of an expert opinion, not only to address their health concerns properly, but also to assist our employers in determining duty status or further a Workers' Compensation claim if applicable.

Recognizing the trust many of our members have placed in Mount Sinai due to the expertise and care provided through the WTC Program, the DIA sought to collaborate and develop a program integrating health protection and health promotion tailored toward our members' unique physical and mental health needs. The Selikoff Centers enthusiastically offered to work with us and custom build a program based on the "Total Worker Health™" concept. Through a process by which they will first identify risk factors particular to DIA members,

NYC DETECTIVE INVESTIGATORS' ASSO WATCH FOR DIA MEMBERS

Featuring Exclusive Custom Design, DIA Mini Shield Logo on Dial, Case Back and Buckle, DIA Initials on Crown, Swiss Made Chronograph Movement, Sapphire Crystal, 330 Feet Water Resistant, Solid 316L Stainless Steel Construction 44mm Sport Case & More!

Available Exclusively at www.AmericasFinestPolice.com



RS FOR OCCUPATIONAL HEALTH

Mount Sinai physicians and staff then can establish targeted examinations and other diagnostic tests to uncover any health problems needing attention. The next very important component is prevention. Through evaluation of various risk factors considered during an annual wellness exam, many recommendations, such as lifestyle changes, fitness and nutrition, can be made. This program is designed to conform with all existing Federal, and State laws regarding privacy, and at no time will an employer be allowed access to your medical records unless you expressly desire to release such records.

In light of the fact that our various District Attorney's Offices operate independently and with no uniform manner in which to evaluate members' medical standings — particularly in cases of work-related injuries — the DIA is developing this program so members can be evaluated, treated, and have recommendations made by Selikoff Centers' physicians, which should provide clearer documentation, as well as guidance, to the benefit of both the member and the employer. This approach should help members return to work, or remain out as

appropriate, and remove some of the ambiguity that currently overshadows this process. Where necessary, the Mount Sinai Selikoff Centers for Occupational Health are staffed by Workers' Compensation participating providers, as well as support staff trained in providing benefits assistance.

This initiative is still in the early stages, and thus access to services will likely begin by utilizing your existing insurance coverage (such as GHI), or Workers' Compensation where applicable. Mount Sinai, in partnership with the DIA, is exploring additional funding sources such as grants and philanthropic funding to close any gaps created by uncovered costs. The DIA strongly believes that this type of health protection and health promotion program benefits the City and our District Attorneys Offices, in that increasing employee health reduces absenteeism, workplace injury and illness, and related claims, all of which have a financial impact. Also, to everyone's benefit is the likelihood that making wellness a priority will increase your longevity, thereby benefitting both the DA's offices, as well as the people of the City of New York.

CIATION LIMITED EDITION

Audemars M&M Inc. c/o America's Finest Police are pleased to introduce a limited edition, blue dial chronograph watch (NYDIA001) made exclusively for City of New York DIA active and retired members.

DIA MEMBER PRICE \$300 + tax/shipping

REGULAR PRICE \$500, MEMBERS SAVE 40%

PRE-REGISTER BY JANUARY 6, 2014 & SIGN UP IF YOU WANT TO

PURCHASE at www.AmericasFinestPolice.com

Or Contact Melisa or Michael at 212-452-1544 to pre-register



Health Corner

NEW HEALTH SCREENING PROGRAM FOR RETIREES

The Detective Investigators Association and Inner Imaging, affiliated with the Heart Institute at Beth Israel Medical Center, are pleased to announce a Health Screening program for Retired Detectives.

During the last 85 years, more fellow Police Officers have died of heart disease than shootings, stabbings, cancer and the next three diseases combined. The DIA believes that this proactive health initiative would help our retired members in identifying the various stages of heart and lung disease. We have reviewed the results from DEA active members and believe this is an important course of action for our retirees.

The DIA has arranged a substantial discount for a heart and lung screening. The out-of-pocket cost to our Retirees will be only \$150 for both of these tests. The regular cost can range between \$650 and \$850.

The purpose of making this available is to help you remain healthy. If on the other hand, you are a victim of a disease, we want to help you identify the disease early, before it becomes disabling.

Help us to help you and your fellow Retired Detectives. Call Inner Imaging at 212.991.5445 for an appointment and they will explain the program to you. They are located at 307 East 63rd Street in Manhattan.

An Open Letter from Retired Detective John McNamee *Reprinted with his permission*

Dear Sir:

Just a brief note to say "thank you" for saving my life.

I received your invitation on the Detectives' Endowment Association letterhead to be tested, and my wife Ann and I decided to spend the \$150 and go for the test.

We went on July 7, 2011 and received results on July 11. My primary doctor Richard Crane, M.D. "poo-pooed" the results of your test and told me I "shouldn't have gone, because it only opens a can of worms."

Well, you were kind enough to provide me with another Medical Doctor and friend, Dr. William Lawson, who took the ball and ran with it. He did a battery of tests to confirm your findings of cancer on my left lung. On August 15, 2011, I was released from Mount Sinai cancer free.

All through my ordeal I was constantly asked why I went for your test and was told that your early detection "saved my life."

On August 8, 2011, Dr. Todd S. Weisner removed the upper part of my left lung and the cancer. I have since started four months of chemo just to make sure it does not come back.

My radiologist is Dr. Kenneth Rosenzweig, who is the Chairman of Radiation Oncology at Mount Sinai School of Medicine. He reviewed the whole case and has stated that your early detection saved my life.

My lung specialist is Dr. Maria Padilla, who also credited you as a life-saver. All of these doctors are at the top of their field at Mount Sinai.

I had no symptoms, yet my cancer was at stage 3A.

Thank you and sincerely,

John McNamee
Retired Detective, NYPD



MLC WINS INJUNCTION CITY'S 1,000-PAGE RFP IRKS UNIONS

Health insurance has historically been a subject of bargaining. While the rising cost of health insurance has been a tremendous challenge for the City of New York, it has also put a significant strain on labor unions whose welfare funds are bearing the brunt. Combine that with the implementation of ObamaCare and unions are facing a huge dilemma.

DIA President John Fleming said that while the Union understands that rising health care costs take their toll on all involved, the DIA was strongly opposed to the City's attempts to unilaterally change providers or modify our existing benefits without union input and is prepared to challenge any City action through our membership in the Municipal Labor Committee.

On September 30, the Municipal Labor Committee won an injunction against the City's efforts to release a Request for Proposal on a new healthcare provider for City employees, with Manhattan Supreme Court Justice Melvin Schweitzer saying the unions would suffer "irreparable injury" if the RFP went ahead without labor's input. The MLC sued the City on August 9 to block the RFP, saying Mayor Bloomberg, now in the final month of his administration, was looking to rush that process and lock his successor into a healthcare deal. A 1992 healthcare agreement requires union input on any such RFP, but the MLC said it was barely consulted by the Mayor and his Deputy Mayor, Caswell Holloway, who announced it.

Justice Schweitzer dismissed the City's argument that blocking the RFP would prevent much-needed savings. "Although the City argues that delaying the issuance of the RFP is costing it millions each day, the truth of the matter is that the injunction will merely preserve the status quo. The City will not suffer any harm from the delay," he said in his decision. "The court declines to void a long-honored contract, and an even longer-honored tradition of cooperation in the procurement process between the parties."

MLC Chairman Harry Nespoli said, "We were never ever against the RFP. If they had done it the right way, we never would have been pushed into a corner with this thing. They came to us and handed us a 1,000-page RFP and said this is what we want to do. We said we were never part of this, and we have that 1992 agreement...as we got into what they wanted us to accept, it wasn't as good as what they're telling newspapers. The medical coverage wasn't as good."

In a prepared statement, Holloway said, "We are appealing the decision which, if allowed to stand, would mean that municipal unions can unilaterally force the city to continue to spend more than \$6 billion per year on health benefits that cost too much and deny workers and their families access to the best care. Common-sense reforms that reduce costs and improve the quality of care for City employees are goals that the City's unions should support, not frustrate and delay."

Holloway has argued that the City's aggressive stance with the RFP has already helped bring down healthcare costs, but the MLC said those savings were reached through negotiation with providers, and that ramming a multi-billion dollar system through in the final months of the Bloomberg administration was an unwelcome notion for its members.

"Unions did not have the chance to study the RFP," Fleming said. "Any change in the City's health insurance plan affects hundreds of thousands of City employees in all five boroughs. These changes would be long term and could be detrimental to everyone."

While the administration can appeal the decision, Nespoli said that it was "running out of time" and predicted that the matter would be acted on by Mr. Bloomberg's successor. "We'll talk to the city about it, but I think the whole thing is, they should be done now, and what they should do is leave it up to the next administration," he said. "We'll sit down as long as we can have the input that we had before."

Health Corner



By Carmine D. Russo
Executive Director,
DEA Health Benefits

ACTIVE HEALTH BENEFITS FUND PRESCRIPTION DRUG CHANGES START JANUARY 1

Effective January 1, 2014, all active DIA members and their eligible dependents covered by the Detectives' Endowment Association, Inc. Health Benefits Fund ("The Fund") will see certain modifications to the Fund's benefit plan.

As a result of the Federal Patient Protection and Affordable Care Act (PPACA), compliance with the changes to our current prescription drug program mandated by PPACA will generate approximately \$1 million in additional costs with NO extra funding. Therefore, we must make some plan modifications to offset the extra spending mandated by the new law.

Effective January 1, 2014, the Fund is required to eliminate the current \$10,000 annual maximum dollar limit from its Prescription Drug Benefit Plan. As such, the Fund's prescription plan has been modified effective January 1, 2014 as follows:

- The \$10,000 annual spending limit per family is being removed from the plan
- Generics will remain at a \$0 member copayment
- An increase to the copayments:
 1. Preferred brand name medications will now require a 25% copayment
 2. Non-preferred brand name medications will now require a 50% copayment
 3. All brand name psychotropic and asthma medications will now require a 45% copayment
 4. All prescriptions (brand and generic) above a \$10,000 amount per calendar year per family unit paid by the Fund will be subject to a 50% copayment

- A list of preventive drugs that now will be covered at no cost with a valid prescription from your physician
- The implementation of a Step Therapy program

Specialty Medications will be permitted to be filled one time at a retail pharmacy and all future fills must go through BeneCard Central Fill Specialty Pharmacy.

Due to the inordinate expense imposed on the DEA by PPACA, effective January 1, 2014 the DEA Active Fund will indefinitely suspend the Catastrophic Medical Program.

This program supplements the GHI-CBP Plan when utilizing non-participating providers. Those members and or dependents who have GHI-CBP non-participating provider claims incurred on or before December 31, 2013, and have met their \$2,000 out of pocket threshold, may submit their claims to the Health Benefits Office for reimbursement. As such, the DEA encourages you to utilize GHI-CBP participating providers to minimize your out-of-pocket expenses.

These changes will take effect January 1, 2014. If you have any questions regarding your prescription benefit, please contact BeneCard PBF Member Services at 1-888-DEA-NYPD (888-332-6973). You may also call the DEA Benefits office at 1-212-587-9120 if you have any general questions.

Member Letters

December 12, 2013

Mr. John M. Fleming
President

Detective Investigators' Association
District Attorneys' Offices-City of New York
P.O. Box #130405
New York, New York 10013

Dear John,

By way of introduction, I am a Detective Investigator in the Queens County District Attorney's Office (QDA) and a member of the Detective Investigator's Association since February 2011. I was fortunate enough to be picked up at QDA after a 25-year career in the New York City Police Department.

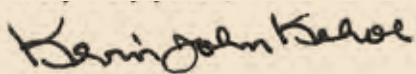
I am writing this letter to personally thank you and my QDA Trustee/Delegate Sergeant Ronald Hickman for your tireless efforts in trying to resolve our contract situation. I know that your position and Ron's are often thankless jobs, but you are our representatives fighting for us on a daily basis, for which you both have my sincere gratitude. I have come to learn that contract negotiations can be a never-ending and arduous task, and our current situation has some nuances, not particular to any other city unions, that the DIA is still working hard to resolve.

Notwithstanding, I want to thank you and Ronald Hickman for having ensured that the QDA membership was finally awarded a bonus, that we will realize in our December 20th paychecks. This was no easy task to achieve, and I am truly thankful and grateful for your collective efforts in making this become a reality. With a 19-year-old in his second year at Marquette University, every dollar helps, and my service-appropriate bonus will be put to good use.

I wish you and your families a very Merry Christmas, and a New Year filled with Peace, Hope, Good Health and Love.

With respect and admiration, I am

Very truly yours,



Kevin John Kehoe

DIA STORE

Proceeds from the sale of all items go to the DIA Foundation, which was set up to assist members in need.

PATCHES

DIA members can now display their pride by purchasing a newly-designed patch from their Trustee for \$5.



CHALLENGE COINS



Challenge coins are a memento that give personnel pride and affinity for an Officer's agency or department. They can be traced back to the military when soldiers used these as a source of pride. They were used to recognize the actions of soldiers who go above and beyond the call of duty.

Today many police agencies have designed challenge coins for the very same purpose. Our challenge coin is available for a cost of \$6. Please contact President John Fleming to purchase one.

DIA KEY CHAINS



DIA key chains are leather with metal shield. They can be purchased for \$5 from your Trustee.

DIA REPORT



Detective Investigators' Association
District Attorneys' Offices — City of New York
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2014 MEMBERSHIP CARDS

2014 Membership Cards are included with the newsletter for Retirees. Active members already received theirs. Any Active member who did not receive one should contact their Trustee. Retirees who do not get one with their newsletter should contact President John Fleming.



IN

MEMORIAM



The DIA is sad to announce the passing of a very good friend, John Langton, who died November 26 at the age of 73. He worked with police associations throughout the state to create memorabilia that defined the groups and their missions.

DIA President John Fleming called Langton a creative genius and a true friend of the law enforcement community, especially the DIA. "He helped develop and design countless pieces of memorabilia for the DIA since 1995. We will miss him and his great sense of humor," Fleming said.

John began his career for the NY Post as a cartoonist and prolific artist. After a 20-year career, he began working with police unions to design memorabilia. John is survived by his lovely wife Carol, and son John Jr., who recently retired from the NYPD.