

Civil Service LEADER

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COUNTY WORKSHOP — Erie Educational chapter 868 president Salvatore Mogavero, right, chairman of Civil Service Employees Assn.'s County Division, assists Seneca County chapter 850 president Frank McDonald at County Workshop last month at Granit Hotel in Catskills. (Additional story and photos on pages 3, 8, 9 and 14.)

Current Employees Survive Onslaught Of Pension Reform

ALBANY—Pension reform legislation passed just before the New York State Legislature recessed last week will not adversely affect benefits of any state or local government employees who joined the state's retirement system prior to July 1.

For workers who came into the system before July 1973, the first tier of the three-tiered pension arrangement created by the new legislation, there will be no effect at all.

Employees in the second tier, those who joined the temporary plan in effect from July 1, 1973, to this June 30, have actually gained an improvement, in that the new legislation makes that plan permanent. This means that the plan's benefits now enjoy constitutional protection and cannot be diminished.

The pension reform sought by the Legislature is reflected in the reduced benefits provided in

the third tier of the new arrangement, which will apply to state and local government workers who come into the retirement system as of July 1

and after.

This group will contribute toward the cost of their retirement at a rate of 3 percent of

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Chautauqua Strike Off; CSEAers OK A New Pact

(From Leader Correspondent)

MAYVILLE—The Chautauqua County chapter, Civil Service Employees Assn., which had asked for sanction to strike when wage negotiations with the County broke down, has approved a County offer of an 8 percent pay hike and a \$150 one-time bonus.

More than 500 of the chapter's 800 members turned out to approve the County's latest offer in a wage dispute, one that had quivered on the brink of strike for months.

Officers of the chapter had

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Dems Awaiting Word On Carter VP Choice As Convention Nears

THE Democratic Convention will meet in New York City next week. From the attitude of delegates from all parts of the country, it

(Continued on Page 6)

Thruway Ballots In Mail

ALBANY — Mail ballots went out this week to some 2,200 toll collectors, maintenance and clerical personnel of the New York State Thruway Authority for voting in a union representation election involving the present union, the Civil Service Employees Assn., and a challenging group, Local 698, AFL-CIO.

Ballots must be returned by 9 a.m. July 21, on which date they will be counted by the Public Employment Relations Board.

The CSEA, which has represented the Thruway employees for several years, conducted an all-out campaign calling the challenge "a phantom union

that, in fact, does not even exist."

CSEA collective bargaining specialist Patrick J. Monachino, chief union negotiator for the 2,200-member unit I negotiating union of Thruway employees,

noted that "Local 698 exists only on paper. In fact it has no members, no officers, no constitution, no by-laws, no field staff and no future. We have constantly alert-

(Continued on Page 13)

Stony Brook Grievance Win Affirms Grade Level Of Reassigned Worker

STONY BROOK—The Civil Service Employees Assn.'s SUNY at Stony Brook chapter won a victory in saving an employee from layoff—or loss of any benefits—when his job was abolished.

The win, which the CSEA leaders hope will serve as a landmark case that will provide protection for public employees throughout the state, came at the third stage of a grievance case filed by the Stony Brook

chapter.

The ruling was explained by Al Varacchi, president of the Stony Brook chapter:

An employee had been notified that he was dismissed because

(Continued on Page 3)

Madison Increment Fight Won By CSEA; Foresee Broad State Implications

WAMPSVILLE—A spokesman for the Civil Service Employees Assn. announced last month that an independent arbitrator in the salary dispute between the CSEA Madison County White-Collar unit and Madison County has decided in favor of the employees.

Roger F. Kane, CSEA collective bargaining specialist representing county employees, said "Arbitrator (Rodney E.) Dennis' binding decision that Madison County pay salary increments retroactive to Jan. 1 could have a statewide effect on employee bargaining.

"We feel it was a fair and just decision handed down by the

independent arbitrator. Naturally, the employees affected by this decision, the men and women who have continued to work without a contract since Dec. 31, 1975, are pleased with the decision."

The use of an independent arbitrator was agreed to by both sides when the County refused

(Continued on Page 13)



SECOND YEAR — It may not be a bicentennial, but to Rensselaer Educational Employees chapter 871 members, their second year as a chapter of the Civil Service Employees Assn. is an event to celebrate, too. Here chapter president Edward Evans, right, congratulates delegates on membership growth and addition of a new unit, Rensselaer City School District. From left are Betty Haber, Dorothy McGraw, Everett Desso, secretary Dolores Ciannamea, treasurer Leslie Banks, Howard Weber, Leo McKeon and Mr. Evans.

L.I. Region Goal: Bounce Ambro

(From Leader Correspondent)
NORTH AMITYVILLE — Long Island Region I of the Civil Service Employees Assn. moved quickly in the union's suggested political action campaign "of rewarding friends and punishing enemies" by voting to oppose the re-election of U.S. Congressman Jerome Ambro (D-East Northport).

The Region I executive board acted after word that Mr. Ambro, who represents Nassau and Suffolk Counties, issued a letter in support of the bid by another public sector union attempting to fragment a part of a CSEA bargaining unit.

Irving Flaumenbaum, a CSEA vice-president and head of the 23,000-plus member Nassau County chapter, had asked for a retraction of the letter. The retraction was not forthcoming from Representative Ambro.

Mr. Ambro, a freshman congressman, is opposed for re-election by H. Thomas Hogan, an Oyster Bay Town councilman.

"We expect to get money and volunteers to help his opposition," Mr. Flaumenbaum said after the Region I leadership voted to take action. The vote was unanimous.

Mr. Ambro stirred the ire of CSEA last month when he circulated a letter among Long Island congressmen endorsing the bid of a group calling itself the Correction Officers Benevolent Assn. to separate correction officers from a CSEA bargaining unit. Similar bids have been rejected three times in recent years.

Other local Congressmen also signed but later repudiated the letter. Reps. Norman F. Lent (R-



Long Island Region I fourth vice-president Ruth Braverman discusses union business with Nassau chapter's Alex Bozza.

Lynbrook), John Wydler (R-Garden City) and Lester Wolfe (D-Great Neck) advised Mr. Flaumenbaum that they had been assured by Mr. Ambro that the letter's subject matter was not controversial, and that they signed as a courtesy to a colleague.

Mr. Flaumenbaum, who is also CSEA Long Island Region I head, noted that the union's 18 chapters in the region "have thousands of members in the congressional district currently represented by Mr. Ambro."

"Mr. Ambro had no business, as a federal officer, meddling in the jurisdiction of the CSEA in Nassau County," Mr. Flaumenbaum asserted.

"This is an unjustified attack. It must be answered with political action."

Discuss Retirees

Also on the agenda of the board's monthly meeting, held in



IRVING FLAUMENBAUM

the Region I office building here, was a discussion of a proposal to bar retired members from holding elective office except in retiree chapters.

No one spoke in favor of the idea, and Mr. Flaumenbaum observed, "As long as I have been in this organization, retired people have been eligible; if the membership chose to elect them.

It's as simple as that."

Rensselaer Holding CS Rules Hearing

TROY—The Rensselaer County Civil Service Commission held a public hearing July 8 to discuss proposed amendments of the county's civil service rules. It was held at 7 p.m. at the legislative chambers in the courthouse, Second and Congress Streets, Troy, N.Y.

a hearing which would have been required had they fired him as a technician. Mr. Dunlap further held that, had a hearing been held, officials would have been required to give reasons for his termination.

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Currier Finds Opposition To Retirement Reform Bill

UTICA—James Currier, newly named employee sector representative to the State Employees' and Policemen's and Firemen's Retirement System advisory council, attended his first meeting of the group and described it as a working luncheon at which details of the proposed pension reform bill were discussed.

Mr. Currier, president of the Fort Schuyler chapter, Civil Service Employees Assn., said there appeared to be uniform opposition among members of the council to the bill in its present form.

The council, which draws members from municipalities, state officialdom, pensioners, the legislature and the private sector, advises the State Comptroller on matters affecting employee pensions. It was recently reorganized by Comptroller Arthur Levitt and for the first time now includes members from employee organizations. Mr. Currier is the CSEA representative.

Mr. Currier said that the union advisors to the council point-

ed out that the pension reform bill is actually regressive, in that it advocates the return to an employee contributory plan. The general trend in the private sector is toward non-contributory plans.

The advisors also maintained that the changes indicated by the proposed bill could cause a problem in the future recruitment of employees into public service. The council was in favor of one feature of the proposal which advocates a permanent supplementation allowing the pension plans to keep up with the rising cost of living, Mr. Currier said.

The meeting was conducted by Comptroller Levitt. Council meetings are scheduled on a quarterly basis.

State Has Computer Jobs

ALBANY—Job seekers should carefully analyze computer systems analyst positions announced by the State Civil Service Department.

Positions exist throughout the state on the senior level, paying \$13,404, and on the associate level, paying \$17,429, with vacancies in the Albany Department of Social Services.

Qualifying experience consists of experience in systems analysis, including such areas as computer system design, specification generation and testing.

For the senior level (no. 24-425) applicants need one year's experience if they have a computer science master's degree, or two years' experience with a computer science bachelor's degree, or three years' experience with a bachelor's degree in any major or an associate degree in EDP, or four years' experience with no degree. For the associate level (no. 24-426) two extra

years' experience is required under each option.

Further information can be obtained from the State Civil Service Department at State Office Building Campus, Albany, 12239; or Two World Trade Center, Manhattan, 10047; or Suite 750, 1 West Genesee St., Buffalo, 14202; or from a local state employment office.

Sykes Recuperating

ALBANY—Joseph Sykes, veteran field representative and organizer for the Civil Service Employees Assn., is recuperating at home, 175 So. Swan St., Apt. 6D, Albany 12202.



Recently elected Manorhaven Mayor James Mattei receives congratulations from Long Island Region I second vice-president Nicholas Abbatiello. Mr. Mattei is also member of CSEA statewide probation committee.

Court Move Affects Armory Workers

WASHINGTON, D.C.—The U.S. Supreme Court, in a decision that affects state arm-

Madison Seeks A Psychologist

WAMPSVILLE—The Madison County Civil Service Commission has announced filing for the open competitive position of supervising psychologist, which pays \$18,382-22,978. There is presently one opening. Applications are due by Aug. 16.

For further information, contact the commission at the County Office Building, Wampsville, N.Y. The telephone number is (315) 366-2341.

ory employees nationwide, recently ruled unanimously that a National Guardsman's rights were not violated when he was refused re-enlistment and subsequently fired from his job as a Guard technician.

The decision came in a case involving Billy Don Dunlap, a former member of the Tennessee Air National Guard. Mr. Dunlap claimed he was unconstitutionally refused an opportunity to re-enlist so that he could be separated from the TANG as a technician. The law requires that technicians be members of their respective Guard units.

By first denying him an opportunity to re-enlist, Mr. Dunlap held, TANG officials avoided

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RETIREMENT AND PENSION SEMINARS

We are pleased to announce that one of the city's foremost pension and retirement analysts, David Moss will conduct Seminars on Retirement Problems at 45 East 33rd Street, New York City, Suite 601 at 5:30 P.M. on the following Wednesdays, July 21, August 4 and 18, and September 1, 1976.

Absolutely no charge or obligation, however participation is limited, so please call Mrs. Cerisse Rubenstein at (212) 689-2016 for confirmation.

A service of the Council of Jewish Organizations in Civil Service and Ramblewood East Information Center.

Ask Full-Scale Political Action To Change Makeup Of Orange Legislature

GOSHEN — Andy Hall, vice-president of the Orange County chapter, Civil Service Employees Assn., announced he is asking every CSEA unit in the chapter and every State Division CSEA chapter in Orange County to appoint political action chairmen, as a first step in an all-out political action campaign beginning this summer.

Mr. Hall said the political action chairmen would assist in conducting interviews; making up and sending out flyers

Fort Schuyler Sets Grievance Session July 10

ROME—Officers, delegates and members of the Fort Schuyler chapter, Civil Service Employees Assn., will attend a training session and workshop on grievance handling July 10.

The workshop is sponsored by CSEA Central Region V (Syracuse) and will be held at The Beeches, Rome. It will begin at 9 a.m., according to chapter president James Currier, and the morning session will deal with State Executive Order 42, non-contract, and out-of-title grievance. The afternoon session, Mr. Currier said, will deal with contract grievances and will begin at 1:30 p.m.

Mr. Currier said that many officers and members of CSEA chapters and units throughout Region V will be present.

Stony Brook Grievance

(Continued from Page 1)

his job was being abolished. In face-to-face negotiations, the CSEA leaders first won an agreement to retain the veteran employee in another post.

However, he was assigned to a Grade 9 post, although he held a permanent civil service Grade 12 position. The university announced that he would be paid at the lower grade level.

The CSEA immediately brought a grievance action, contending that the employee was entitled to his pay grade, regardless of what lesser duties he might be assigned.

At a third stage hearing at

advising voters of candidates' records; holding "candidates' night" throughout the county, and, finally, endorsing those candidates who have the most to offer public employees.

"We intend to investigate candidates for every local, county, state and national office," Mr. Hall said, "from school boards to U.S. Senate seats.

"But we are especially interested in changing the makeup of the Orange County Legislature."

The County Legislature precipitated a strike by 800 county employees earlier this year when it rejected a Public Employment Relations Board fact-finder's recommendation of a 4 percent raise for the workers. The legislators instead voted no raise for the employees and tried to cut their increments to \$65 a year. At the end of the two-week strike, workers had won back their normal increments, which range up to \$1,600.

"By the time our political action program swings into high gear, we will be able to inform every voter in Orange County as to which candidates have helped public employees and which have not," Mr. Hall said.

"We will also be able to actively and strongly support those who have helped us, and help defeat those who have hurt us."

the State University level in Albany, the ruling was issued last week upholding the employee's right to his attained pay grade.

The ruling directed that the employee receive back pay and be returned to Grade 12 pay scale with no probationary period as a Grade 12 employee.

Mr. Varacchi said he hoped the ruling would serve to protect employees and discourage the state and other employers from seeking to abolish jobs.

CSEA field representative Nicholas Pollicino credited a thorough preparation of the case by Mr. Varacchi and Al Castaldi, chapter first vice-president and grievance chairman.

CETA Flap Raises Tempers At County Division Meeting

By MARVIN BAXLEY

KIAMESHA LAKE—"The law is there. The law provides safeguards, but you, the people, are the ones who are going to have to see to it that the guidelines are followed."

With this statement, Marge Karowe, a member of the Civil Service Employees Assn. legal staff, triggered instantaneous reaction from many delegates to the County Workshop last month at the Granit Hotel in the Ulster County Catskills Region.

Under discussion was the Comprehensive Employment and Training Act known as CETA.

Opposing the CETA program is rather like taking on mother, flag and country. No one denies that its intent is good. After all, in this land of opportunity, it is considered the American Way to help fellow citizens in need.

The controversy with CETA is not over its well-meaning intent, but rather with the violations that many regular civil service employees feel are a potential (if not always a real) threat to their jobs.

Violation Of Intent

It is the way that CETA is administered that causes the concern. Many people believe that it is used as a political patronage tool—and this is a violation of the intent of the program, which specifies that no current employee shall be caused to lose his or her employment due to replacement by a CETA employee.

CETA funds are intended to supplement governmental budgets for the express purpose of providing job opportunities for people who have been unemployed for extensive periods of time. At the same time, CETA employees are restricted from jobs that are currently filled by regular employees.

To get around this, there are known to be instances where jobs have been abolished, and new job titles have been created for essentially the same work. It is in this manner that certain political administrators have managed to get around the federal restrictions. In some instances, the CETA employees have even been reported to have received more money for the re-titled job than was received by the legitimate employee in the abolished position.

The storm over Ms. Karowe's remark was that she was putting the responsibility for determining these violations on the rank-and-file membership and its local leaders.

The delegate reaction was that CSEA has a large paid staff to watch out for these violations, and it was unrealistic to expect the elected officials, who are essentially unpaid volunteers, to carry the weight of the CETA watchdog role.

Local Input Needed

Ms. Karowe explained that with so many reported violations from throughout the state in its many administrative units, it was nearly impossible for the staff to be on top of everything at one time without input from the local leadership. She pointed out that the pressure of negotiations, strike crises, grievances and other duties prevented CSEA's staff from giving full-time attention to any one aspect of the problems currently besetting public employees throughout the state.

A motion was subsequently made by Rita Wallace, of Nassau



Problems of probation officers are discussed by, from left, George Grownley, of Monroe chapter 828; Mike Finnerty, of Wayne chapter 859, and James Brady, of Erie chapter 815. Mr. Brady is chairman of the statewide CSEA probation committee.

chapter 830, that the county delegates recommend to the CSEA Board of Directors that additional funding be granted the CETA committee so that more field representatives could be put in the field to deal with the CETA problem.

This motion was passed, and forwarded to the Board (where it was subsequently defeated in favor of a comprehensive CETA report presented by statewide CETA committee chairman Robert Lattimer.

Federal Meeting

The Lattimer report, which was circulated at the County Delegates Meeting, is reprinted below.

"On June 9th, Paul Burch, Marge Karowe and myself met in Washington, D.C. with Mel Goldberg and Robert Gelerter of the Office of Community Employment Development. These are the people who are responsible for interpretation of the CETA legislation. They informed us that in the new rules and regulations for the CETA program, coverage under the collective bargaining agreement will be made mandatory for all CETA employees. They are to receive the same benefits under the contract as a non-union person would receive.

"They informed us that there really is no bottom line for enforcing the rules and regulations of CETA. For all intents and purposes, it is incumbent upon the union to choose whatever course it prefers with regard to CETA problems. This concurs with

what Mr. Lawrence Rogers, Northeastern Regional CETA Director, had previously informed us. The avenues that the union can follow with regard to CETA problems are administrative procedures, grievances and so on; legal means, court procedures and lobbying through the New York State Congressional Delegation.

"Upon considering the information that has been available to us through our various investigations, the following recommendations are made to the Board of Directors of CSEA:

- "1. Accept CETA personnel into the union.
- "2. Designate one staff person at Headquarters to be the Statewide CETA Coordinator for CSEA.
- "3. Hold training sessions within the regions for all field staff.
- "4. Hold training sessions for all chapter presidents.
- "5. That the regional research person be designated as coordinator between Headquarters and the region.
- "6. That Regional CETA Committees stay in existence and act as monitors for whatever problems may come up with regard to the CETA program.
- "7. Disband the Statewide CETA Committee."

In its discussion, the Board consensus was, however, to continue to reject CETA employees as members until further study is made, and to continue the life (Continued on Page 9)

Ⓞ CSEA calendar Ⓞ

Information for the Calendar may be submitted directly to THE LEADER. It should include the date, time, place, address and city for the function. The address is: Civil Service Leader, 11 Warren St., New York, N. Y. 10007. Attn.: CSEA Calendar.

JULY

- 9—Testimonial dinner for Ernest K. Wagner: 6 p.m., Italian-American Community Center, Washington Avenue Extension, Albany.
- 9-10—Central Region V (Syracuse) state workshop: The Beeches, Rome.
- 10—Fort Schuyler chapter executive committee grievance training workshop: The Beeches, Rome.
- 14—Ithaca Area Retirees chapter meeting: 2 p.m., Loyal Order of the Moose Hall, 125 N. Fulton St. Ithaca.
- 17—Stony Brook SUNY chapter 614 annual picnic: Southaven Park.
- 17—Rockland County chapter clambake, 10 a.m.—7 p.m., Platzl Brauhaus, Pomona. Contact unit or section presidents for tickets.



Oneida chapter 833's Ralph Young and Dorothy Penner check over information provided delegates at general session on Monday, where votes were taken on several issues of importance to rank-and-file members of union.

Employees Fail To Claim \$1.4 Million Annually

By A. L. PETERS

Despite our many months of effort to persuade the New York City Retirement System to release the names of persons for whom they are holding unclaimed accounts, we have not been able to obtain this information.

Refusal has continued in spite of long negotiations with Melvin Goldstein, executive director of the fund, Joseph Maguire, information access officer, and correspondence with the New York City Retirement System.

State law requires that this information be published by banks, life insurance companies, and the New York State Employee's Retirement System, but

not by the five systems for New York City employees.

The New York State Insurance Department is responsible for examining and regulating the New York City Retirement Systems. We visited with officers from the Bureau of the Department which is responsible for regulation of pension systems to discuss the matter and posed the following questions:

Q. I understand that your department oversees the operation of the New York City Employees Retirement System.

A. Oversees is not quite the right word. We perform a statutory examination of the systems every five years. A 1973 law (Section 36-A of the Insurance Law) also gave us the right to

promulgate certain standards, but these standards have not yet been promulgated. When they are, we believe they will provide for greater accountability on the part of the system.

Q. Civil service employees are much concerned with several elements of the operation of the Retirement System, particularly the fact that the list of unclaimed accounts is not made public, that there is a long delay in the payments made to retired employees and their beneficiaries, often as much as a year. No interest is paid on the funds held by the board during the period in which they are not paid. Can you tell me if anything has been done about these?

A. Our last regularly filed report on examination of the Retirement System in 1968, made some specific recommendations on each of these subjects. We suggested that the system publish the names of beneficiaries who have not been located. Our filed report is a public record which is accessible. You may read it and it will indicate more specifically the measures we have suggested to remedy the problems you have raised.

Q. Have any of these suggestions been implemented?

A. We are presently carrying out our regular examination of the System and, therefore, cannot be explicit on any of the measures taken. We do know that there are still some prob-

lems in each of these areas. Our current examination will show if there has been any improvement in procedures.

Q. Will the new standards you are promulgating help to remedy the situation?

A. That is the intention. There will eventually be a period of discussion and hearings at which the promulgations will be subjected to the opinion of the public. Thereafter they will be finalized and be mandated to the System.

Q. Under the present system the persons who retire and beneficiaries of deceased employees may wait as long as nine months or a year for a payment—and in some cases for any notification at all. Do you know why this is so and what measures are being taken to remedy the situation?

A. We do know that the systems are shorthanded and that it can take up to three months to assemble the material and determine the exact amount of the benefits. To our knowledge, the system does try to make an interim payment as quickly as possible.

Q. Does the board pay any interest on this money?

A. No.

Q. How much does the board hold of other people's money on the average, what is commonly called the "float"?

A. If by float you mean those checks which are outstanding at any given moment, this amount could vary from time to time and is not generally considered as holding other people's money. On the other hand if by float you mean unclaimed disbursements it should be noted that in the most recently filed annual statement the system reported a liability for unclaimed disbursements in an amount approximating \$1.5 million.

Q. So that in effect, the System is earning interest on this amount of money all the time, and retirees are losing interest, currently amounting to \$80,000 a year.

A. The system does not earn interest on the amount of its outstanding checks. It does earn interest on unclaimed disbursements.

Q. I notice from the annual statement that during the last year reported, \$1,417,375.89 is labeled "money left or re-deposited with the organization taken back to income." Is this the sum of unclaimed accounts for the year?

A. This figure represents unclaimed funds which were restored to the general funds in the fiscal year ended June 30, 1974. But bear in mind that such funds are available when proof of claim is submitted as demonstrated by a payout aggregating about \$1.9 million in the same fiscal year.

Q. At this time if the funds are not claimed they go into the treasury of the Retirement System?

A. As indicated above, it remains in the system as a contingent liability until the funds are claimed by the rightful owner.

Q. Do you know what efforts are being made to locate those who are entitled to these funds?

A. We have not been satisfied for many years with the system's inadequate follow-up procedures to locate payees of unclaimed funds as is evidenced in filed reports of examination.

(To Be Continued)



James Mason, Oakland, California

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State And County Eligible Lists

EXAM 39-119
ASSISTANT DIRECTOR, WATER
DIVISION
 Test Held June 3
 List Est. June 10

- 1 McGann Vincent P New York.....83.9
- 2 Lamberton Roy W Albany83.9
- 3 Crimmins Richard M Flushing.....78.9
- 4 Siegel Guy W Syosset.....78.3
- 5 Doucette Richard S Albany72.7

EXAM 35-748
SR STATISTICS CLERK
 Test Held May 3, 1975
 List Est. Sept. 16, 1975

- 1 Marchewka Joel Menands97.5
- 2 Galinski F A Albany96.2
- 3 Beck Mary E Albany95.3
- 4 Dibble William Watervliet94.9
- 5 Misura Susan L Buffalo94.8
- 6 Kelly Cynthia M Albany94.8
- 7 Eldred Melody J Coxsackie94.8
- 8 Hrbek James C Ravena94.7
- 9 Montesi David V Cohoes93.9
- 10 Barr Louis A Schenectady93.8
- 11 Gorsetman Mark Bronx93.7
- 12 Lacombe Joyce L Saratoga Spg.....93.6
- 13 O'Brien Lois A Flushing93.6
- 14 Coffin Joe Greenwich93.5
- 15 Russell J T Albany93.5
- 16 Vanschaack S R Coxsackie93.2
- 17 Riggs Donald L Scotia92.5
- 18 Kaufman George Delmar92.4
- 18A Zimmerman John A Scotia92.4
- 19 Mercer Kathryn Cortland92.4
- 20 Dasenbrock John Schenectady92.4
- 21 Merrigan V A Greenville92.4
- 22 Panucci Michael Albany92.2
- 23 Buehler Linda M Schenectady92.2
- 24 Quirk Ann E Delmar92.2
- 25 House Wayne L E Greenbush.....92.2
- 26 Lafave Ann T Tupper Lk92.2

- 27 Montgomery K A Delmar91.9
- 28 Dasenbrack J M Schenectady.....91.2
- 29 Berger Steven R Brooklyn91.1
- 30 Hawkes C A Schenectady91.0
- 31 Hasselbach Jane Albany91.0
- 32 Sullivan Mark E Albany91.0
- 33 Armwood Ronald Flushing91.0
- 34 Ling Marvin R Albany90.6
- 35 Conrad Deborah Schenectady90.0
- 36 Olan Harold Brenwood90.0
- 37 Coffey Thomas E Albany89.9
- 38 Stupia Toni L Centerreach89.9
- 39 Scott Charles A Albany89.8
- 40 Przewlocki V A Schenectady.....89.8
- 41 Lynch Michael D Delanson89.7
- 42 Gloss Susan J Rochester89.6
- 43 Babcock L D Albany89.6
- 44 Lawrence W J Albany89.6
- 45 Dornbush John P Albany89.5
- 46 O'Brien K M Albany89.2
- 47 Ronesi James W Stillwater88.8
- 48 Finnegan B A E Greenbush88.8
- 49 Valente Richard Schenectady88.7
- 50 Ryan Edward F Albany88.7
- 51 Wayman Nancy A Duanesburg.....88.6
- 52 Davidson Lynne Jt Jffrsn88.6
- 53 O'Neill Barbara Schenectady88.6
- 54 Belles Patricia Fredonia88.5

EXAM 35-746
SR CLERK PAYROLL
 Test Held May 3, 1975
 List Est. Sept. 16, 1975

- (Continued from Last Week)
- 1012 Hodge Kathleen Schenectady 72.7
 - 1013 Ames Bonnie K Hornell72.7
 - 1014 Ronesi Susan R Stillwater72.7
 - 1015 Ruck Richard E Brooklyn72.7
 - 1016 Appiarus L M Elzora72.7
 - 1017 Lahera Mindy S Albany72.7
 - 1018 Rubel Leslie H Flushing72.7

- 1019 Mallory P J Troy72.7
- 1020 Palmier K A Schenectady 72.7
- 1021 Muller Deborah Oneonta72.7
- 1022 Rockhill Diane Wingdale72.7
- 1023 Bodian Clara E Delmar72.7
- 1024 Bruno Shirley Watervliet72.7
- 1025 Brice Mary A Rush72.7
- 1026 Young Donald J Menands72.7
- 1027 Turner Ann G Troy72.7
- 1028 Keil Richard A Schenectady 72.7
- 1029 Gervasio G M Albany72.7
- 1030 Compo oJan M Clay72.6
- 1031 Jones Robert M Albany72.6
- 1032 Preston Michele Albany72.6
- 1033 Kowalski Claire Albany72.6
- 1034 Higgins Ruth J Knowlesville 72.6
- 1035 Marino K M Albany72.6
- 1036 Collins Frances Rensselaer72.6
- 1037 Harris Shirley Potsdam72.5
- 1038 Faureau K W Troy72.5
- 1039 Thurston M I Wilton72.5
- 1040 Harms Joanne L Belmont72.5
- 1041 Wright Winifred Buffalo72.4
- 1042 Swain Nancy Blasdel72.4
- 1043 Wojcik Helen T Amsterdam72.3
- 1044 Harkness D A Delmar72.3
- 1045 Drabik Diane K Buffalo72.3
- 1046 Conner Lorraine Ellenville72.3
- 1047 Mackin G A Binghamton72.3
- 1048 Johnson L R Bronx72.3
- 1049 Rutkowski A Schenectady72.2
- 1050 Cline Bruce G Albany72.2
- 1051 Bernhard Joyce Buffalo72.2
- 1052 Harris Victoria Bronx72.2
- 1053 Danley Wililam Warsaw72.1
- 1054 Stevenson Linda Wassaic72.1
- 1055 Werts Patricia Depew72.1
- 1056 Morelli Loretta Albany72.0
- 1057 Mac Joyce M Hampton Bays 71.9
- 1058 George Patricia Guilford Ctr71.9
- 1059 Schell Twylla J Guilderland 71.9

(Continued on Page 11)



MORE DUTCHESS AID — Ellis Adams, left, president of Civil Service Employees Assn. Dutchess chapter 814, accepts contribution for Dutchess Welfare Fund from CSEA director Charles Luch (Educational Employees, Region IV). Mr. Luch made the presentation on behalf of Saratoga Educational Employees chapter 864 in response to appeal from Dutchess chapter for aid to retire debt incurred as result of chapter support for striking workers last summer.

5
 CIVIL SERVICE LEADER, Friday, July 9, 1976



*Let a Smile
 be your
 umbrella*

We think a healthy smile is everyone's right — rain or shine. But, a naturally beautiful smile is more often than not the result of good preventive dental care — periodic visits to a dentist to stop trouble before it starts.

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FRIDAY, JULY 9, 1976

CETA Abuses

PROBABLY the best example to illustrate the frustration felt by public employee union leaders in dealing with the abuses (not the well-meaning intent) of the Comprehensive Employment and Training Act is the angry exchange last month at the Civil Service Employees Assn.'s County Delegates Meeting.

Involved were the three CSEA people most identified with CETA: Marge Karowe, a member of the union's legal staff assigned to specialize in the CETA law; Robert Lattimer, a statewide vice-president who heads the union's CETA committee, and Donald Webster, who established a statewide reputation by following through on a full-scale investigation in Mt. Vernon, and achieving cooperation from the county administration to halt the CETA abuses that he uncovered there, where he is the CSEA unit-president.

The problem is not so much the concept of CETA, which, after all, is a federal effort to provide work opportunities for people who have been trapped in the pit of unemployment, but in its maladministration at various levels of government.

The frustration of regular civil service employees is understandable in light of the current employment situation prevalent throughout the state and the various branches of local government.

On the one hand, employees see wage freezes as well as real and potential layoff threats. At the same time, they are aware that CETA-funded employees are being hired. In many cases, reports indicate that the CETA employees are taking over jobs that could and should be filled by regular civil service workers.

The instances vary so much from one locale to another that it is not possible to itemize here the variations of CETA abuse.

Suffice it to say that when and where it does happen, it is a bad mark for government administrators at a time when government in general is being more closely examined by the voting populace.

Thruway Challenge

IT seems only yesterday that the Civil Service Employees Assn. won reaffirmation from Thruway Authority employees as their bargaining agent.

Yet, here we are again with another attempt by the Service Employees International Union (this time under the name of Local 698) to break away toll collectors, maintenance and clerical personnel into a new organization.

This does not make sense to us for two obvious reasons.

In the first place, the competing union has no past history on which to judge its achievements. The so-called Local 698 is either a non-existent organization or it is the oft-rejected SEIU in another disguise. In either case, Thruway employees will want to think twice before breaking ranks with the state's largest public employee union, the Civil Service Employees Assn.

Equally important to the Thruway employees are the pending contract negotiations, which cannot be resumed until the outcome of the challenge election is known.

It is too bad that the challenge system as it is now set up allows a minority of workers to force the repetitive and expensive challenges that interrupt negotiations—to the workers' own detriment.

Perhaps more stringent rules should be determined to prevent so many senseless challenges to any union that holds its bargaining rights gained in open elections.

Don't Repeat This!

(Continued from Page 1)

It is not clear whether this will be a nomination or a coronation. Gov. Jimmy Carter has everything all sewed up, and the Democrats are only waiting word from him as to his choice for a running mate.

At least for the moment, the Democrats seem to have a firm grip on their suicidal tendencies. The platform committee has prepared a platform that might well have been manufactured by the makers of pabulum, since its basic design is to offend no one. The credentials committee seems to be resolving disputes in a manner that pleases the contenders.

Carter Ahead

Moreover, the sense that the convention is going to be a coronation is heightened by polls, all of which agree that Governor Carter is running so far ahead of his potential Republican opponent, whoever he may be, that the Democrats see no possibility of defeat for their standard bearer.

In contrast to the euphoria that surrounds the Democrats, the Republicans are afflicted by an atmosphere of gloom, despair and a sense of forthcoming disaster in November. What is particularly disturbing to the Republicans is the finding by pollsters that about 30 percent of the voters who favor President Ford are likely to vote for Carter if Reagan is the nominee. Similarly, the polls show that about 30 percent of the voters who favor Reagan are also prepared to vote for Carter in the event that Ford becomes the Republican nominee.

The more optimistic among the Republicans point to the fact that Gov. Thomas E. Dewey seemed to be a certain winner against President Harry S. Truman in 1948, until the votes were actually counted at the polls. However, the more pragmatic among Republicans regard history as a slender reed on which to rest their hopes of snatching victory from the jaws of defeat.

To these more pragmatic Republicans, the only viable solution is a Ford-Reagan ticket. While Reagan has repeatedly asserted that there are no circumstances under which he would accept the second spot, many Republicans do not take the Reagan statements seriously. They understand that in so close a contest for the nomination, Reagan has no choice but to take a first-or-nothing position as a rallying slogan for his troops.

They believe that once the ballots are counted in Kansas City, President Ford will be nominated and the Governor will be convinced to take the second spot. Their basic approach is, of course, that President Ford is unable to succeed himself under the Constitution, and a Republican victory in 1976 would open the way for a Reagan nomination in 1980.

If Reagan Wins

What troubles some of the Republican leaders about this script is what to do if Reagan wins the nomination in Kansas City. In that event it would be extremely difficult to placate that group of voters who suggest they will vote for Carter in the event of a Reagan nomination. Clearly no one expects that President Ford would take the second spot on a ticket headed by Reagan.

In view of the realities of the
(Continued on Page 7)



Civil Service Law & You

By RICHARD GABA

Mr. Gaba is a member of the firm of White, Walsh and Gaba, P.C., and chairman of the Nassau County Bar Association Labor Law Committee.

Appointment Legality

An article 78 proceeding was commenced in Onondaga County wherein the petitioner requested a determination of the legality of certain acts of the Onondaga County Commissioner of the Department of Personnel.

THE PETITIONER in this case was the fire chief of the City of Syracuse. He requested a list of eligibles for appointment to the Syracuse Fire Department. A list was provided by the respondents and petitioner appointed 24 firemen from said list. Petitioner gave preference to appointment to those individuals on the list who were residents as of the date of appointment. Subsequent to the completion of their training as firefighters, the respondent advised the fire chief that he intended to decertify 11 of the appointees on the grounds that the appointments were improper, because those employees failed to meet residency requirements for appointment. "Candidates must have been legal residents of Onondaga County for at least one year immediately preceding the date of examination. Preference for appointment may be given to City of Syracuse residents," instructions said.

THE GENERAL INSTRUCTIONS as to residents contained in the notice of examination state: "Unless otherwise stated, all candidates are required to be legal residents of the municipalities in which they seek appointments for not less than six months immediately preceding advertisement of examination. Candidates for City of Syracuse must also meet City of Syracuse charter requirements regarding residents at the time of appointments." Reading both statements together, it appears clear that the only qualification for taking the examination and for appointment is that the individual be a resident in Onondaga County for one year prior to examination.

THE PERSONNEL COMMISSIONER contended that, in order to receive preference, the appointees must have been residents for six months at the time of the examination. It was conceded for the purpose of this lawsuit that the 11 individuals were not residents of Syracuse at the time of the examination. The court, after reviewing the papers before it, decided that there was no need for a hearing because the facts were clear and undisputed. The only issue that was required to be determined was whether or not the Commissioner of the Department of Personnel had properly interpreted residency requirements. The court found that the Commissioner had not made the proper interpretation, and that the 11 appointments were proper and legally made. The notice of examination of the position of firefighter prepared by the Commissioner of Personnel stated.

A MUNICIPALITY MAY require that a candidate for a position be a resident prior to examination. Neither Onondaga County nor the City of Syracuse imposed such a

(Continued on Page 7)

What's Your Opinion

By HARRY BERKOWITZ

QUESTION

Which presidential hopeful do you think would be best for civil servants?

THE PLACE

Lower Manhattan

OPINIONS

Michael Maye, president, Uniformed Firefighters Assn.: "Nelson Rockefeller. I think he has a better feel and a better understanding of the times and certainly of the big cities than any particular candidate we have at the present time. Now he won't necessarily be a candidate, being that he hasn't entered any of the primaries, but we live in very transgressive times. There's a possibility that anything can happen."



Arnold Bilmes, NYC Corporation Counsel's office: "Carter. To my judgment, a president has to stand up to issues on the foreign wars and also has to handle the crisis of the states. If New York defaults, we need help from the President and we can't get help from Ford. The Democratic party has always done something good for the country, and the state and city. I don't know what Carter will do for civil servants but I'd like to find out."



Victor Rios, parking enforcement agent: "Carter. I think he's for the people, more than any other candidate. Civil servants deserve a little more of a break. We work for the city and we should have someone in Washington who understands our problems. Carter's got the know-how to help the city."



Samuel McGloster Jr., TA bus operator: "Jimmy Carter. I have lots of reasons for liking this man. Rockefeller took a lot of things from us and went on to be Vice President. Jimmy Carter would do a lot for civil servants. Without being in office he understands already that a lot of people are unemployed. The whole country is in a bad predicament as far as unemployment is concerned. They gotta do something."



Hans Reinisch, WNYC program host: "My preference is for Eugene McCarthy as the independent candidate. He also has independent thinking on vital issues as to the relationship between government and the people. I don't think there is any originality in the thinking of the others. McCarthy would take into account the needs of the people and consequently would in the long run be in the interests of civil servants."



Jacqueline Gladden, hospital care investigator: "Carter. He has appeal for me. It's really bad to vote for a person because of the way he looks, but I haven't really listened to his platform. I think we need a change. New York has made a lot of mistakes. It would take a lot of help. Carter may be able to do something."



LETTERS TO THE EDITOR

Veteran Bill

Editor, The Leader:

On June 10, Gov. Hugh L. Carey signed into law a bill extending the official end of the Korean War from July 27, 1953 to Jan. 30, 1955, making many veterans who served during that period eligible for civil service veterans' preferences.

As I do not recall reading any mention of this action in the Civil Service Leader, may I suggest that you bring it to the attention of your readers.

Hans J. Mueller
New York State
Department of Commerce
Manhattan

A Thank You

Editor, The Leader:

I read, with great interest, the article on page 3 of your issue of June 25 by Ken Fisher. This unexpected broadening of exposure for such police programs is welcomed and appreciated.

All police units, from those providing the routine day-to-day services to those involved in highly specialized operations, are anxious to show their wares and explain their operations to all citizens. The attention focused upon children is especially important if they are going to grow to have respect for, and confidence in those public servants who are responsible for their safety and peace of mind.

Thank you and Mr. Fisher for this opportunity.

Emil A. Ciccotelli
Deputy Inspector
Bronx Community Affairs
Section,
New York City
Police Department

Of Buy Backs

Editor, The Leader:

I understand that employees who had joined state civil service prior to April 1972 did have the option of buying back such pension credits if they were formerly in military service but this law expired and denies employees like myself from buying back such credit.

I joined state civil service in August 1972 and have been vainly struggling to have a new bill passed which would permit me to take advantage of the former provisions or some improved modification of those provisions.

I served in the U.S. Navy between November 1940 and June 1948, most of which time was spent overseas, and feel I am equally entitled to the benefits of being able to buy back pension credits based on my military service. I was given an honorable discharge and shortly thereafter joined the Navy Reserve for four years. I fail to understand why employees who joined state civil service before April 1972 are any more en-

titled to buy back pension credits than those who joined after April 1972.

In view of the fiscal crunch in both New York City and State, and the fact that many ex-servicemen would probably retire early if they were permitted to buy back these pension rights, it would seem that everyone would benefit from the passage of the pending Lisa-Knorr Bill.

Martin Gold
Bronx

SENIOR DRAFTSMAN

ALBANY—A senior draftsman (architecture) eligible list, result from open-competitive exam 24-344, was established June 16 by the State Department of Civil Service. The list contains 45 names.

SENIOR ENGINEER

ALBANY—A senior heating and ventilation engineer eligible list, resulting from open-competitive exam 24-378, was established June 14 by the State Department of Civil Service. The list contains 10 names.

CYTOTECHNOLOGY

ALBANY—A senior cytotechnologist eligible list, resulting from open-competitive exam 27-568, was established June 14 by the State Department of Civil Service. The list contains 10 names.

RETIREMENT NEWS & FACTS

By A. L. PETERS

ERISA Update

When ERISA was established last year, its requirements were so stringent that there was a rush to discontinue private pension plans, especially by small companies for whom the paper work and guarantee were onerous. A recent survey indicates that more than 4,000 plans have discontinued, a number which represents about 1 percent of the total. Reasons given for the termination included 12 percent who blamed ERISA entirely, 23 percent blamed ERISA as part of the reason for terminating, and another 11 percent said ERISA contributed with other problems to the decision.

Senior citizens are eligible for a gamut of jobs—usually part-time. Now Congressmen Edward Hillis (R-Ind.) and Edward Blester (R-Pa.) are proposing an intern program similar to that offered to young people.

The U. S. Forest Service, for example, under provisions of the Volunteers in the National Forest Program, offers a new camp job opportunity to senior citizens which includes a free camp site for the season and the use of a small travel trailer. A variety of services are required, such as passing out information, answering questions, and some light

maintenance work. The services usually can be performed at the worker's convenience. Job duration ranges from two weeks to three months. Apply to: Forest Supervisor, U. S. Forest Service, Jefferson National Forest, Room 954, Poff Building, Roanoke, Va. 24011.

As a public service, The Leader continues to publish the names of individuals who are beneficiaries of unclaimed checks from the New York State Employees' Retirement System and the State Policemen's and Firemen's Fund. The Leader or the New York State Employees' Retirement System in Albany may be contacted for information as to how to obtain the funds.

Following is a listing of those individuals whose membership terminated pursuant to the provisions of section 40, paragraph 1 of the Retirement and Social Security Law on or before August 31, 1974.

(Continued from last week)

Quintero, Pedro	.....New York
Rae, Donald E	.....New York
Ramaca, James	.....Richmond Hill
Rasmussen, Edna L	.....Bayshore
Reid, Virginia C	.....Ithaca
Revis, Relda A	.....Canaseraga
Ricard, Jacques R Dr.	.....Marseille, France
Richard, Harold J	.....Amenia
Richardson, Paul D	.....Buffalo
Roberts, Dorothy A	.....Levittown
Roberts, Frances J	.....E. Brentwood
Robinson, Frank E	.....Schenectady
Rorb, George	.....New York
Rothrock, Donna	.....Vestal

(To Be Continued)

Don't Repeat This!

(Continued from Page 6)

Republican condition, uncommitted delegates and soft Reagan supporters will be under great pressure to line up for a Ford-Reagan ticket. The most intense pressure is likely to come from Republican members of Congress and Republican candidates for Congressional seats now held by Democrats.

Some Congressional candidates are fearful of a Republican Congressional disaster similar in dimensions to the one suffered by their candidates just two years ago in the wake of the Watergate scandals. These Congressional candidates are also convinced that there are many areas of Carter support that are soft and can be picked up by a unified Republican organization and campaign.

This group of Republican thinkers leans heavily on the fact that during the closing days of the primaries among the Democrats Carter was defeated in a number of primaries by both Senator Frank Church and Gov. Jerry Brown of California. They also feel that the Carter program was not subjected to the intense scrutiny by his Democratic primary opponents that it will be in a race against Republicans.

Thus they feel that a united Republican attack on Carter and the Democrats will be quickly reflected in the public opinion polls. However, this attack cannot be mounted until the Republicans resolve their differences in August. In the meanwhile, Governor Carter and the Democrats will be riding high.

Civil Service Law & You

(Continued from Page 6)

condition. The only requirement for taking this examination was residence in the county. It was agreed that any resident of the county on the eligible list was eligible for employment. The sole question had to do with preference which may be given to residents of the City of Syracuse. The civil service law clearly provides authority for the granting of preferential treatment in Section 23 which states that: "An appointing authority may require that eligibles that are residents shall be given preference in certification."

WHETHER OR not a city resi-

dent is appointed is an option left to the City of Syracuse which, in this case, was the fire chief. The only residence requirement for preferential treatment is that the certified person live in the City of Syracuse at time of his appointment. There was no time requirement imposed for that purpose. If the purpose of the Personnel Commissioner was to impose other standards for preferential treatment, they should have been clearly set forth. The court upheld the validity of the 11 appointments. Matter of HANLON v. HARROLDs, 82 MISC. 2ND 839.



Political action is discussed by, from left, CSEA director Ralph Natale (Nassau County), member of statewide political action committee; Westchester Local 860's Edward Carafa, member of Southern Region III's committee, and Pat Mascioli, region chairman.



Southern Region III included among its representation at County Workshop last month at Granit Hotel Barbara Babcock, of Dutchess chapter 814, CSEA director Carmine DiBattista (Westchester County) and Westchester's Donald Webster, president of its Mt. Vernon unit and expert on CETA affairs.



Marge Karowe, member of CSEA's legal staff, explains information she received on CETA program after meeting with federal officials.



Neighbors across the Hudson River, Westchester Local 860 president Raymond Cassidy talks with Rockland chapter 844 president John Mauro.



Oneida chapter 833's Louie Sunderhaft, left, is also executive vice-president of Central Region V, headed by Richard Cleary, right.



Barbara DiBattista, left, wife of CSEA director Carmine DiBattista, chats with Westchester's Mr. and Mrs. Michael Morella. He heads Local 860's county unit.



CSEA director Roger Solimando (Oneida County) awaits turn at microphone as chapter 833 delegate Rosemary Baker appeals for assistance in solving problem.



Leader editor Marvin Baxley, left, and associate publisher Paul Kyer get update on various court cases being handled by CSEA chief counsel James Roemer.



Looking attentive during business meeting are Chautauqua chapter 807's delegate Barbara Bajdas, first vice-president William Osmer and secretary Sharon Whitehead.



Delegation from Broome chapter 804 included, from left, Ruth Marsh, Martene Gioia and Barbara Pickell with Broome Ed chapter 866 former president Anne Maywald.



CSEA vice-president Joseph McDermott, second from left, meets with county delegates from Albany Region IV, which he heads. Left is Jeanne Kelso, of Clinton chapter 810. Right are Clinton chapter president Fran Besette and Rensselaer chapter 842's John Vallee, who is Region IV second vice-president.



Town of Hempstead unit president Kenneth Cadieux, accompanied by his wife, Gerry, left, look over agenda with CSEA director Mary Moore (Executive). Mr. Cadieux is also chairman of statewide constitution and by-laws committee.



CSEA executive director Joseph Lochner, at dais, speaks about need for increased membership. Seated, from left, at head table are assistant executive director Joseph Dolan; County Division vice-chairman Howard Cropsey, of Albany chapter 801; Van deCar, DePorte & Johnson, Inc. advertising agency's Bud Johnson, and CSEA comptroller Thomas Collins.



Putnam chapter 840 president Russel Cheney, right, confers with CSEA collective bargaining specialist Roger Kane on the problems faced by Putnam employees in dealing with obstinate county Board of Supervisors.

County Delegates Dispute Whether New Rules Make CSEA Responsible For CETA Employees

(Continued from Page 3)
of the CETA committee. (The CETA policy on membership is a matter of especial disagreement, and it is known that CETA workers have been accepted into membership of some chapters.

Representation Conflict

The question of representation was raised by Vincent Speciale, president of Oneida chapter 833. Mr. Speciale asked "How will we represent one against the other if there is a conflict between a regular employee and a CETA worker?"

To this Ms. Karowe responded that the federal government has changed the regulations, and "we must represent them under the Taylor Law whether or not they are members."

Heated reaction to this statement came from CSEA vice-president Solomon Bendet, head of New York City Region II.

Mr. Bendet said, "I've lived through this before with WPA. I want to see it in writing."

Mr. Bendet also demanded clarification of the situation regarding CETA employees who

may be eventually added to the state employment rolls as regular employees. He pointed out that problems could materialize if they were to pass over people already on the eligible lists.

Retirement Benefits

Greene County chapter 820 president Alfred Jeune raised the question of retirement benefits for CETA employees. To this, Ms. Karowe explained that the state can put retirement funds aside for them, but only as they become regular employees are

(Continued on Page 13)



Fresh from their election victories as officers of Suffolk chapter 852, treasurer Dorothy Goetz, executive representative Frank Parker and first vice-president Ed Valder check over agenda for County Delegates Workshop.



Two former statewide CSEA vice-presidents greet each other. At left is George DeLong, of Craig Developmental Center, with Montgomery County's Richard Tarmey, chairman of CSEA social services committee.



Eugene Nicoiella, CSEA director representing Schenectady County chapter 847, takes microphone in effort to clarify problem.



CSEA director Judy Burgess, a school employee in Ontario County, discusses problems with Danny Jinks, union collective bargaining specialist who serves as advisor for school districts committee.



Four different counties are represented by this attentive group of delegates, from left, Tompkins chapter 855's Bonnie Barber, Oneida chapter 833's Louie Sunderhaft, Broome chapter 804 president and CSEA director Mary Battista and Steuben chapter 851 president and CSEA director Lyle Slocum.

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Fourth In A Series On Robert's Rules A Question Of Privilege

By ALAN BERNSTEIN
MANHATTAN — At many organizational meetings, a member will stand up and say, "I rise to a question of privilege." At that point almost anything could come from the member's mouth.

But is it legal to say whatever you please, as many people do?

Not according to Robert's Rules of Order.

A question of privilege is a device permitting a request or main motion relating to the rights of the assembly to be brought up for possible immediate consideration. Questions of privilege should not be confused with "privileged motions," of

which the former is the highest-ranking.

Questions of privilege are of two types: Those relating to privileges of the assembly as a whole and questions of personal privilege. If the two come into competition, the former always takes precedence over the latter.

Questions of privilege of the assembly may relate to its organization or existence; to the comfort of members with respect to heating, ventilation, lighting, noise or disturbance; to the conduct of officers and employees or visitors; to the punishment of members; and to the accuracy of published reports of proceedings.

Questions of personal privilege may relate for example, to incorrect record of a member's participation in a meeting contained in the minutes, or charges circulated against a member's character.

According to Robert's "Questions of personal privilege seldom arise in ordinary societies and even more rarely justify interruption of pending business."

In raising of question of privilege, a member should rise and address the chair without waiting for recognition, stating which type of privilege he is introducing. The chair then directs the member to state his question and depending on the case the member can (a) describe the situation and ask for a remedy, or (b) make a motion if the matter requires formal action.

If the motion is seconded, which it must, and the chair decides it should be entertained immediately, it is taken along the same lines as any other motion. When the question of privilege has been disposed, business resumes at the point at which it was interrupted.

Among the characteristics of a question of privilege:

- Takes precedence over all motions except motions to recess, adjourn, or fix time to which to adjourn.
- Cannot be applied to any other motions and no subsidiary motions can be applied to it.
- In order when another has the floor if warranted by urgency of the situation.
- Does not require a second unless member states it in the form of a question when directed by the chair.
- Not debatable.
- Not amendable.
- Ruled on by chair. No vote on question's admissibility is taken unless the chair's ruling is appealed.
- Chair's ruling as to admitting the request or motion that has been raised as a question of privilege cannot be reconsidered.

APPOINT KISTLER

WASHINGTON, D.C.—Frederick A. Kistler has been named director of the U.S. Civil Service Commission's Bureau of Policies and Standards, succeeding Arch S. Ramsey, who was recently appointed director of the Commission's Bureau of Recruiting and Examining.

SHENANDOAH

THE NEW MUSICAL
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- 1108A Douglas Cheryl Albany71.1
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(Continued on Page 15)

Rensselaer Seeks A Fire Coordinator

TROY — The Rensselaer County Civil Service Commission has announced a Sept. 18 open competitive examination for county fire coordinator. Filing for the \$10,000 post, for which there is presently one vacancy, closes Aug. 18.

Applicants must have been county residents for at least four months and have a high school diploma, four years' fire fighting and/or fire prevention experience and two years' responsible supervisory experience.

Further information on the written test (No. 63-999) and application forms can be obtained from Rensselaer County Civil Service Commission, Third Floor, Court House, Troy, N.Y.

Dutchess Seeks Account Clerks

POUGHKEEPSIE — An open-competitive examination for account clerk in the Dutchess County Unified Court System has been announced for Sept. 18, with no special requirements except four months' residency. Filing closes Aug. 6.

The written test (No. 45-481) for the \$7,049-\$8,689 job will cover account keeping, arithmetic and clerical aptitude. For further information contact Staffing Services Unit, Office of Court Administration, Room 1209, 270 Broadway, New York, N.Y. 10007.

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CAREY APPOINTS

ALBANY—G. Douglas Pugh, of the Bronx, has been appointed by Gov. Hugh L. Carey as a member of the Unemployment Insurance Appeal Board. Mr. Pugh, 52, assumes that position after 11 months as executive deputy industrial commissioner in the Labor Department. He was named for a term ending November 18, 1981, to succeed Herman B. Zipser, whose term expired. The position carries a salary of \$35,250 a year.

FIRE BOARD

ALBANY—Gov. Hugh L. Carey has announced the appointments of Thomas C. Disbrow, of Dundee, and Robert J. Bays, of Cortland, to the Fire Safety Advisory Board. Mr. Disbrow was named for a term ending March 31, 1978, to succeed the late Wilfred L. Parsons of Cortland. Mr. Bays was named for a term ending March 31, 1977, to succeed the late Thomas W. Ryan of Buffalo.

LEGAL NOTICE

A & M Realty Associates
 Substance of Certificate of Limited Partnership filed with the New York County Clerk on June 24, 1976: 1. Name—A & M Realty Associates. 2. Character of business—to acquire and own improved real property located in Marlborough, Massachusetts, and the factory and other commercial structures located thereon and to develop, construct improvements upon, sell, maintain, operate, lease and manage the foregoing and all such other purposes as may be necessary or desirable to enhance or protect the assets of said partnership. 3. Principal place of business—1 East 53rd Street, New York, New York 10022. 4. General partner—Lee H. Miller, 311 East 72nd Street, New York, New York 10021; Limited partner—Raffie Aryeh, 35 Kennedy Avenue, Tehran, Iran. 5. Partnership begins on the date of the filing of its certificate of limited partnership and ends on the date of the occurrence of any of the following: (a) the sale or other disposition of substantially all its property, and the distribution of the proceeds; (b) the disposition or attempted disposition by the general partner of all of his interest (without the written consent of the limited partner); (c) the written consent of the general partner and the limited partner to terminate, or the resignation or withdrawal by the general partner (except upon the written consent of the limited partner to the admission of a substitute general partner), or his death, retirement or insanity or the death of the limited partner; (d) the filing of a voluntary petition under any bankruptcy or insolvency law by the general partner or the adjudication of the general partner as a bankrupt or insolvent, or any similar proceeding, under any bankruptcy or insolvency laws. 6. Initial cash contribution of the limited partner—\$2,500. 7. If additional capital is required, the general partner and the limited partner may, but shall not be obligated to, contribute 50% of such additional capital and if one contributes less than 50%, the other may, but shall not be obligated to, contribute the remainder or any part thereof. 8. Contribution of the limited partner is to be returned upon termination, unless sooner returned out of the partnership cash flow. 9. Profits are to be shared equally by the general partner and the limited partner, but only after certain special distributions are made to the general partner or the limited partner, as the case may be, to take into account additional contributions, if any, by either in excess of the additional contributions of the other. 10. Limited partner may substitute an assignee as contributor in his place only with the written consent of the general partner. 11. No provision for additional limited partners, for priorities among limited partners, for the right of the remaining general partner or partners to continue the business on the death, retirement or insanity of a general partner, and no right in a limited partner to demand and receive property other than cash in return for his contributions.

SHORT TAKES

PRAISE FOR HUTCHINGS

In a recent editorial in the Syracuse Herald-Journal, Hutchings Psychiatric Center was praised for inspection results reported by the Joint Commission for Accreditation of Hospitals' Psychiatric Council. The Council is made up of representatives from six national mental health organizations. The facility was especially praised in the Council's report for its environment, medical records keeping and treatment tendered to difficult patients, the Herald-Journal editorial pointed out. It continued, "Environment in layman's terms means 'homelike.' Record keeping spells out 'individualized treatment' which, the examiners reported, isn't typical, yet, of psychiatric hospitals. 'Treatment for difficult patients' is equaled only in one other institution in the country, the Council stated. Hutchings, in a word, is functioning but still growing. . . . We're fortunate," the editorial concluded. Hutchings serves Onondaga, Oswego, Cortland, Oneida and Cayuga Counties. It employs a staff of about 600.

APPROVE MH BILLS

The State Legislature has given approval to a package of bills intended to upgrade the quality of care tendered to the mentally handicapped. The package is expected to be approved by Gov. Hugh L. Carey. The bills would:

- Define terms of conditional release or discharge of persons from Mental Hygiene facilities.
- Transfer power of approval of certificates of incorporation for not-for-profit corporations that run facilities for the mentally disabled from the Board of Social Services to the Department of Mental Hygiene.
- Give the Mental Hygiene Department Commissioner power to appoint directors to departmental facilities who would have non-competitive class civil service status and who would serve at the pleasure of the Commissioner; currently directors have civil service status protection.
- Make persons serving on community mental health boards subject to the provisions of the conflict-of-interest statutes of the General Municipal Law.
- Remove a requirement that the Mental Hygiene Department Commissioner must certify that a psychiatrist is qualified to testify in criminal proceedings where the sanity of the defendant is in question.

OK SCHOOL TAX BILL

Gov. Hugh L. Carey has signed a bill which will allow 57 small city school districts to keep levying more property taxes than the State Constitution permits. The bill is another attempt to circumvent a three-year Court of Appeals decision which declared the excess taxes, for employee pensions and social security payments, to be unconstitutional. This most recent bill declares the taxes to be legal ones and asks that the court not strike them down until a state constitutional convention convenes. Without the bill, the districts would have had to impose severe cutbacks. Since many of the districts have taken advantage of the laws permitting them to exclude employee benefit payments from constitutional limits, they would have been obliged to make serious staff and program cuts without some exemption from the state.

LIFT LOTTERY BAN

State Supreme Court Justice Abraham J. Gellinoff has lifted a preliminary injunction that banned the resumption of the state lottery. In removing a restraint he imposed last May 17, Justice Gellinoff said he had been assured by Lottery Division Director John Quinn that "only a number corresponding to a ticket actually sold shall be the grand prize winning number." Former New York City Councilman Robert I. Postel had brought suit in Manhattan Supreme Court to stop operations of the "Double Up" and "Colossus" lotteries on grounds that winners had been declared on unsold tickets, with numbers selected by a computer. "In the light of procedures now outlined by Director Quinn, the court sees no reason why the lottery should not be promptly reinstated and implemented as Director Quinn envisions," Justice Gellinoff noted, adding that the lottery should be quickly resumed since it "brings much-needed revenues to the state."

RAP NEAR HOME PLAN

A plan by the State Department of Mental Hygiene to provide supervised community living for retarded adults near their homes has achieved only a fraction of its intended goals, according to Comptroller Arthur Levitt. The plan has been in operation for about five years, and participating clients were resettled from state developmental centers. In an audit report on the plan, Mr. Levitt noted that it was launched in 1969 with a statewide goal of 7,400 hostel beds. As of March 31 of this year, however, only 769 spaces—slightly more than 10 percent of the projected goal—had been provided. There are 18 hostels around the state. Mr. Levitt's report praised them for their programs and administration but said there are too few hostels to serve all the people who could benefit from their programs. The report noted that "DMH did not have a positive and aggressive plan to assure timely development of sufficient community beds for the retarded." The report noted that there has been an "inability to secure suitable facilities" and "lengthy time delays in purchasing and renovating newly acquired buildings" due to "state agency processing and a lack of effective coordination."

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Thruway Challenge

(Continued from Page 1)

ed our Thruway people that Local 698 is really State Employees International Union, that same bunch that the employees have rejected in the past and which has been directly responsible for many interruptions of our negotiations over the past several years."

The latest interruption of Thruway negotiations is occurring right now. Contract talks between the CSEA and the Thruway Authority on behalf of the 2,200 Unit I employees was broken off by the Thruway when Local 698 (SEIU) filed for an election.

"Eaten Alive"

"We want to win this thing and get back to the table to win a good contract for these people as quickly as possible," says Mr. Monachino.

He noted "Local 698 has no team and no demands at all, and it would be weeks at least before they could even sit down at the bargaining table. And of course, with no experience in negotiating at this level of government, they'd be eaten alive by management anyway."

He said the CSEA has conducted a campaign on the issues, "and if employees vote on the merits and on the issues, Local 698 shouldn't get a single vote."

"CSEA has talked about experience, dues, insurance programs, staff assignments, everything. The other bunch has skirted every issue." He also noted that he issued a direct challenge to Local 698 operatives to engage in an open debate (July 8) in Buffalo.

Open Debate

"I don't think they'll show up, because they don't have anything to support their wild claims," Mr. Monachino added.

"We've gained salary increases every time we've went to the bargaining table for Thruway employees, and the overall contract is one of the best of its kind anywhere."

"I think the workers recognize that the CSEA is far superior to the challenging bunch, and that we'll record a big win."

McGowan Flays Proposed Merger, Closing Of PCs

MARCY—A large group of newspaper, radio, and television reporters, on hand for a news conference called regarding the proposed closing or merging of Marcy and Utica Psychiatric Centers, heard William McGowan, executive vice-president of the Civil Service Assn. attack those he said were most responsible for the proposal.

"The utter disregard of the consequences that might occur, should upwards of 3,000 mentally unstable patients be forced into communities totally unprepared for them, is deplorable," Mr. McGowan said.

"We have figures to prove conclusively that professional care within the centers is much less expensive per-patient per-day than that offered by the private sector," Mr. McGowan continued. "Where will the money come from to support these extra costs? From you, the taxpayer."

During the hour-long news conference, advocates of anti-closing and anti-merger groups



OSWEGO BIKE-A-THON — Thomas Restuccio, 9, of Oswego, was sponsored by the City of Oswego Civil Service Employees Assn., Inc., as a contestant in the recent Fight Cancer Bike-a-Thon, in which he peddled a total of 10 miles. From left are unit vice-president Michael Carrol and cyclist Tommy receiving a \$25 check for the Cancer Society from unit president George Clark.

Current Employees Keep Pension Rights

(Continued from Page 1)

salary and will receive a pension reduced by an amount equal to one half their Social Security benefit.

While the coordinated escalator retirement plan, as it is officially known, is viewed by public sector unions as regressive in that it is contributory and offers reduced benefits, it also includes a few new features. One is an escalator provision for a 3 percent annual pension increase at age 65 or whenever a person becomes eligible through disability or death.

A spokesman for the Civil Service Employees Assn. described the pension reform as "a bitter pill for all public employee unions to swallow," but noted that its enactment seemed inevitable.

cited their views.

Following the session, a group of employees and area residents called Concerned Citizens for Humane Care pledged to continue the fight to prevent the PC's closing or merger by forming political action teams, telephone committees, and distributing flyers denouncing the proposed action.

Before closing the conference, Mr. McGowan announced that a CSEA Mental Hygiene white paper on the subject has been prepared and will be presented to the public through all news media in the very near future.

Pass your copy of
The Leader
on to a non-member.

Air Local Problems At County Meeting

(Continued from Page 9)

they put on the retirement rolls. In wrapping up the general discussion on CETA problems, Ms. Karowe warned that it is not enough to "sit around and complain about it, you've got to document it."

In other business at the County Delegates Meeting, County Division chairman Salvatore Mogavero, of Erie Educational Employees chapter 868, moved to recommend that the legal department immediately draw up documents asking amendment of the Taylor Law.

While it was not specifically stated what the amendments should be, it was generally understood that the Taylor Law should be revised to provide more equitable treatment of employees in contract disputes.

At present, employees have the right to negotiate, but no recourse—other than a violation of the law—if the administration and/or legislative bodies refuse to bargain fairly, too.

Binding Arbitration

One of the major changes in the Taylor Law that the Civil Service Employees Assn. has

given priority to is the Last Offer Binding Arbitration Bill, now considered dead in this legislative session. Under LOBA, an arbitrator would choose one side's final offer in negotiations in an all-or-nothing gamble. The thinking behind this view is that both sides would be inclined to bargain more fairly, since a totally unreasonable final offer would most likely be rejected by the arbitrator in favor of the other side's final offer.

County Officers

In other action, CSEA vice-president Irving Flaumenbaum called for more county representation among the top CSEA officers. Mr. Flaumenbaum, president of Nassau chapter 830, noted that he was the only one of the ten statewide CSEA officers who comes from the County Division. He recommended that the matter be referred to a committee to devise a more equitable system.

Chief counsel James Roemer reviewed the strike situations in Columbia and Orange counties. The Columbia strike, then in a crisis stage due to the county threat to replace employees, has since been resolved.

Local Problems

The Orange County strike, on the other hand, continues to deeply involve the CSEA hierarchy, because of the unprecedented \$200,000 fine levied against the statewide organization, as well as the \$2,000 fine against the county chapter concerned.

Mr. Roemer pointed out that, in addition to wages not paid to the strikers, the county also reaps the benefits of the two-for-one fine for every day which an individual may be penalized for strike participation.

Adding the \$202,000 accumulated fine to this, Orange County receives quite a financial windfall, he said.

"I'm sure that when this is better realized," Mr. Roemer continued, "there should be some changes made."

Utica delegates also had local problems to lay before the delegate body. They were told that the only way to beat Utica Mayor Edward Hanna in his anti-civil service actions is to file law suits.

The controversial shirtsleeves mayor has been drawing national attention with his efforts to revamp his city's government by executive fiat.

"All the unions stuck together on this," the spokesman said. "We put a united front and fought it all the way, but it passed nevertheless. It's another product of the great economic changes of this period."

In other legislative action, the CSEA was successful in winning approval of necessary appropriations to implement its recently negotiated two-year contract for 150,000 employees in the four

Madison Increment Fight

(Continued from Page 1)

to honor salary step increments in the 1974-75 contract. County officials said they felt they were under no obligation to honor the salary schedule, since the contract had terminated. The CSEA, believing this was a unilateral action on the part of the county and a contract violation, filed a grievance that eventually led to the binding decision by Mr. Dennis.

The decision, Mr. Kane noted, carries a potential statewide implication in similar situations in the future.

The following is Mr. Dennis' award decision: "Since the county has consented, by its participation in this arbitration hearing and by its agreeing to keep

in force all elements of the old agreement (except the increments) to the fact that obligations under the old contract do survive the termination of the agreement, it is the opinion of the arbitrator that the county cannot be selective in which terms and conditions it chooses to enforce.

"I now, therefore, make the following award: The County is directed to pay the salary increments due and owing to the members of the White Collar Unit retroactive to Jan. 1, 1976."

Approve Chautauqua Pact

(Continued from Page 1)

threatened to walk out when the County Legislature in March turned down a wage recommendation by both sides, and county officials had girded for a possible strike by the employees.

Negotiations in the wage reopener of a three-year CSEA County pact had been going on for nearly a year.

The County's offer, an immediate \$150 bonus, a 3 percent hike July 1 and another 5 percent raise Jan. 1 was contingent on the CSEA extending the agreement for another year.

The agreement worked out in March by bargainers for the CSEA and the County provided

for a one-year, 5 percent pay hike. It was rejected by the County Legislature, after legislators said the County was unable to afford the \$600,000 price tag of the agreement.

Prepared To Strike

The lawmakers also informally rejected a fact-finder's proposal for a 4 percent pay hike retroactive to Jan. 1 and a 2 percent raise effective July 1.

The CSEA, meanwhile, had prepared to strike.

CSEA officials warned the group planned to "Take any action necessary" to settle the dispute, and statewide CSEA officials sanctioned a work stoppage by the county unit.

Western Region To Bake Clams

GENESEO—Western Region VI (Buffalo) of the Civil Service Employees Assn. is planning a clam bake Saturday, July 24, at Groveland Firemans Grounds, near Geneseo.

The clam bake, sponsored by the Geneseo, Brockport and Rochester University chapters, features an all-you-can-eat lunch at 12:30 p.m. and an all-you-can-eat dinner at 3:30 p.m. Tickets are \$9 each.

County Delegates Meeting



CSEA director of education Edward Diamond, left, seems pleased by report from Joel Douglas, who conducted seminar on "Negotiating for Reality." Mr. Douglas is from Cornell University's School of Industrial and Labor Relations.



CSEA vice-president James Lennon, of Southern Region III, makes emphatic point to his New York City Region II counterpart Solomon Bendet.



Nassau chapter 830's Rita Wallace made motion for increased funding for CETA committee to deal with violations by various governing bodies throughout state.



CSEA directors John Famelette (Educational Employees, Southern Region III) and Harry Arthur (Essex County) get explanation of insurance procedures from Ter Bush & Powell's Ronald Lacey, right.



It was long session, so Yates County chapter 862's Dale Axtelo put his feet up, in best executive style, and settled down to listen to debate on various issues facing county employees.



Saratoga chapter 846 president Edward Wilcox, left, listens to views of Tomkins chapter 855 president Claude Colleyacme as the two men discuss responsibilities of chapter leadership.

(Leader photos by Ted Kaplan)



James Terry, director of information services for NYS Employees Retirement System, answers questions from delegates.



Kingston School District unit president Tony Fattarino, left, gets advice from CSEA directors Fred Gurtowski, of Montgomery chapter 829, and Judy Murray, of Ulster County chapter 856.



Western Region's top leaders seem glad to have arrived at meeting. Left is CSEA vice-president and Region VI president Robert Lattimer with Region VI supervisor Lee Frank.



Niagara County chapter 832 president and CSEA director William Doyle can always be counted on to speak forthrightly.



Suffolk chapter 852 president and statewide insurance committee chairman James Corbin confers with collective bargaining specialist Nels Carlson on outside threats to contract negotiations.



Sign-Up

'76

CSEA STRENGTH IN UNITY MEMBERSHIP DRIVE

JUNE 1-NOVEMBER 30

Never in the history of our union has it been so vital to stick together — grow together and share the load to keep us strong. In these tough times, the greater the percentage of membership of any county unit or chapter, the greater the strength at the bargaining table. The greater the percentage of state employees belonging to CSEA, the greater the strength of the state bargaining units.

Therefore, we are offering members in good standing a cash incentive to recruit new members. There is no limit to the number of new members you may sign up. And while the cash incentive is nice to receive, the most important factor is the strength you will be helping to build for you and your fellow worker.

**ONE (Member) WILL GET
YOU FIVE (\$5)**

For each new member you sign up between June 1 and November 30, CSEA will award you \$5.00. After you have signed up the new member he must be on the payroll for four bi-weekly pay periods or the equivalent thereof. Many members are planning their Christmas shopping around this membership drive. The Christmas Club bonuses for all members signed up before September 15 will be paid on December 15th. The second payoff, for new members signed between September 16 and November 30, will take place on February 15.

**CHAPTER OR UNIT PRESIDENT
HAS CONVENIENT SIGN-UP
CARDS**

Ready to go? See your Chapter or Unit president for special sign-up cards which have a place to rec-

ord all the necessary information. Send your cards in as soon as you sign up a new member — and we'll credit your account with \$5.00 for each member signed up.

We'll keep your account up to date and will return to you, in writing, a receipt for each new member you've signed up.

Only CSEA members in good standing as of June 1, 1976, may recruit new members during this drive. New members must work in a unit of government represented by CSEA. So we urge you CSEA members — go to it — start signing up non-members for cash in your pocket and security in your future.

**NON-MEMBERS SHOULD
HELP SHARE THE LOAD**

If you're a non-member, we ask you to think of this: sharing the load in these tough times is important. Legally, we represent you — at the bargaining table — and even in processing grievances. And we need your support — morally and financially — to fight the battles ahead. Our dues are most reasonable for the services provided... services which benefit you in many ways.

So help us share the load by signing up with us. CSEA — the most powerful force in New York State working for public employees.

