



STATE OF NEW YORK  
DEPARTMENT OF LAW

ALBANY, N.Y. 12224  
(518) 474-5481

ROBERT ABRAMS  
ATTORNEY GENERAL

ROBERT J. BUCHNER  
ASSISTANT ATTORNEY GENERAL  
CONSUMER FRAUDS & PROTECTION BUREAU

September 19, 1983

Security and Law Enforcement  
Employees Council 82  
63 Colvin Avenue  
Albany, New York 12206

Attention: Mr. John W. Burke,  
Executive Director

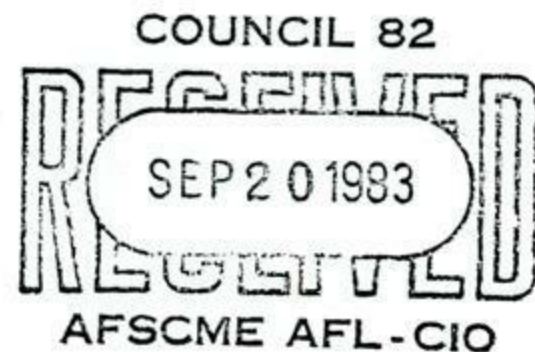
Dear Mr. Burke:

I am in receipt of your letters of September 6 and September 8, 1983 in connection with the alleged misuse of the State's coat-of-arms by the United Federation of Correction Officers, Inc.

I have referred your complaint to Philip Sparkes, Esq. at the Department of State, 162 Washington Avenue, Albany, who will be handling this matter.

Very truly yours,

ROBERT J. BUCHNER  
Assistant Attorney General







GREAT MEADOW CORRECTIONAL FACILITY

COMSTOCK, NEW YORK 12821-0051

TELEPHONE 518 639-5516



THOMAS A. COUGHLIN, III  
Commissioner

DEPT. OF E. W. JONES  
CORRECTIONAL SERVICES Superintendent

RECEIVED

SEP 28 1983

DEPUTY COMMISSIONER  
ADMINISTRATION

September 23, 1983

Hon. Russell DiBello  
Assistant Deputy Commissioner  
Department of Correctional Services  
Albany, New York 12226

Dear Sir:

In response to your telephone call pertaining to TUFCCO literature being posted in the facility, Lt. Carl Taylor toured the facility immediately and reported back that there was no TUFCCO literature posted anywhere in the facility.

Deputy Superintendent Eisenschmidt was advised that the bulletin boards were to be monitored to ensure that TUFCCO literature was not being posted. A meeting was held with Don Hall, Local 1279 President as well as Sgt. Fitzpatrick, Supervisors Representative, and they were advised that TUFCCO literature could not be posted within the facility. Both individuals advised me that they have not, nor have any other members, been posting literature since I advised them they could not post literature or represent employees, at the initial meeting when the organization was first formed.

The areas will continue to be monitored by Supervisors and if any material is posted, it will be removed and forwarded to your office under letter.

Very truly yours,

*E. W. Jones*  
E. W. Jones  
Superintendent

EWJ:ka

cc - *Jack Burke*

10/7/83 cc *H Chase*  
*D Bischoff*





STATE OF NEW YORK  
DEPARTMENT OF CORRECTIONAL SERVICES

HUDSON CORRECTIONAL FACILITY

HUDSON, N.Y. 12534

DEPT. OF  
CORRECTIONAL SERVICES  
RECEIVED

SEP 19 1983 -1

DEPUTY COMMISSIONER  
ADMINISTRATION

Dr. WIM VAN EEKEREN  
SUPERINTENDENT

THOMAS A. COUGHLIN III  
COMMISSIONER

M E M O R A N D U M

TO: Russell O. DiBello, Deputy Commissioner  
FROM: Dr. Wim van Eekeren, Superintendent  
DATE: September 14, 1983  
SUBJECT: TUFACO

Pursuant to your telephone call of yesterday, pleased be advised as follows:

1. The attached folder was posted in the locked bulletin board case of Local 738, belonging to Council 82.
2. The vice-president of the local (C.O. Sal Floria) was requested to remove the folder, which he subsequently did.
3. Further information received from the local's treasurer, C.O. R. Chiulli, indicated the folders were handed out during the regular local union's meeting recently held in the VFW Building in Hudson. As a result the folders seem to be all over the facility in the possession of Correction Officers.
4. Mr. Dan Fitzpatrick and a number of other TUFACO representatives had requested and were granted permission from the local's officers to attend the meeting and to explain the objectives of TUFACO.

In conclusion, facility's administration had nothing to do with the posting of the material, as it does not control the local union's bulletin case.

It might have been better for the IG representative to have communicated on the spot with either the Deputy Superintendent for Security or a union's representative about the posting. The implication that the administration allowed TUFACO material on the facility's bulletin board would then not have occurred.

albre?  
cc - Jack Burke

9/27/83  
cc. R. Bischoff  
H. Chase  
S. Pageau  
(P)



**ACT NOW  
AND RECEIVE  
THESE OTHER  
VALUABLE BENEFITS...**

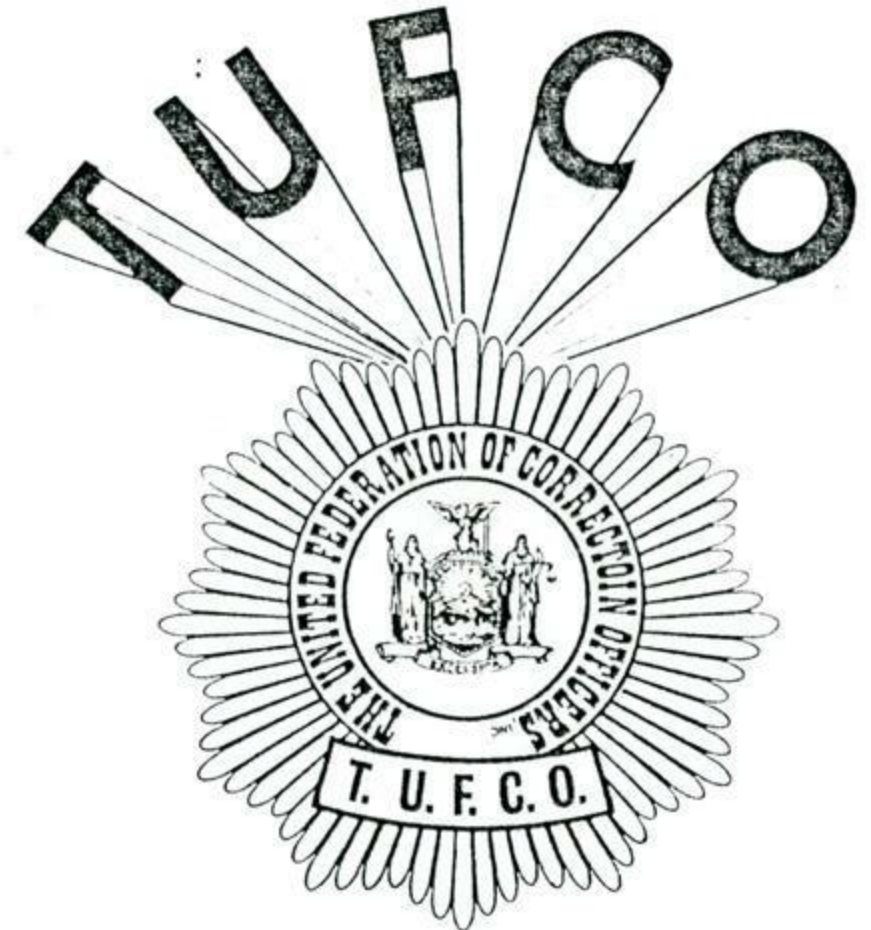
- *TUFCO, Inc. offers permanent, not temporary insurance, to protect you and your family.*
- *Disability Insurance both on and off the job, at lower rates.*
- *Protection against automobile related accidents and breakdowns through a unique motor club.*
- *Participating members of the TUFCO, Inc. program who retire are still eligible for group rates.*

**MAKE  
YOUR  
DECISIONS  
TODAY**

**FOR  
A  
BETTER  
TOMORROW**

*For more information and to enroll contact*

The United Federation  
of Correction Officers  
TUFCO, Inc.  
P.O. Box 72  
Hudson Falls, N.Y. 12839





### Why support TUFACO, Inc.?

This question must be answered by each individual based on personal experience and need. However, take a moment and ask yourself the following questions:

- Can additional benefits be provided if I decide to retire after 25 years of service?
- Can I establish an affordable means of subsidizing my children's college education?
- Can TUFACO, Inc. provide me with extra funds for emergency expenses?

*The answers to the above questions are yes, based on the length of participation in the TUFACO, Inc. program.*

*See your TUFACO, Inc. representative now for further details.*

### Who are we?

The United Federation of Correction Officers, Inc. (TUFACO, Inc.) was originally chartered in December of 1982 as a not-for-profit organization developed exclusively for the benefit of its members and their families.

### What are our goals?

To provide tangible assets to correction officers above and beyond what is available to them now through conventional means. TUFACO, Inc.'s responsibility is to its members and *only* to its members.

### Why should I join TUFACO, Inc.?

By utilizing the full concepts TUFACO, Inc. offers through a program that will qualify under special tax code provisions, you and your family obtain services that can be used and enjoyed now, while at the same time providing protection and security for the future.

### How can I join TUFACO, Inc.?

If you now hold the rank of Correction Officer, Correction Sergeant, or Correction Lieutenant, you are eligible. Simply fill out the TUFACO, Inc. membership card and pay the current \$10.00 annual membership fee.

# THE UNITED FEDERATION OF CORRECTION OFFICERS, INC.

MEMBERSHIP



APPLICATION

I hereby apply for membership in the United Federation of Correction Officers, Inc., and agree to conform to the Bylaws or any amendments thereof in the United Federation of Correction Officers, Inc. I agree to pay an annual membership fee of \$10.00.

Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Middle Initial \_\_\_\_\_

Street Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

Place of Employment \_\_\_\_\_ Home Phone \_\_\_\_\_

Signature \_\_\_\_\_





STATE OF NEW YORK  
 DEPARTMENT OF CORRECTIONAL SERVICES  
 WATERTOWN CORRECTIONAL FACILITY  
 DRY HILL

WATERTOWN, NEW YORK 13601

DEPT. OF  
 CORRECTIONAL SERVICES  
 RECEIVED

OCT 5 - 1983

DEPUTY COMMISSIONER  
 ADMINISTRATION

THOMAS A. COUGHLIN III  
 COMMISSIONER

MEMORANDUM

EDWARD F. REYNOLDS  
 DIRECTOR

*cc - Burke  
 + file*

TO: Russell O. DiBello, Deputy Commissioner  
John J. Cassidy, Director, Bureau of Labor Relations

FROM: Edward F. Reynolds, Director

RE: ATTACHED STATUS OF OPERATIONS REPORT - WEEK OF SEPTEMBER 23, 1983

DATE: October 3, 1983

Please review section VI and VIII of the attached weekly report as they relate to some labor relations problems which have developed at our facility since the recent election of Council 82 local officials.

We will work with the local as much as possible to resolve the issues of concern.

Until such time as I feel comfortable with the labor relations at our facility, I will continue to send you copies of this weekly report. Once the situation is brought under control and things are back to normal, I will cease sending you copies.

Of course, if there are any questions which you have concerning any of the matters cited in this report or future reports, we would be glad to discuss them with you.

*Copies: Bischoff  
 Pageau  
 to be marked  
 CONFIDENTIAL*

*Edward F. Reynolds*  
 EDWARD F. REYNOLDS  
 Director

EFR:sjb  
 Attachment

*for their info only*

cc: Peter Lacy, Assistant Deputy Commissioner.

*10/13/83*

*cc: R. Bischoff  
 J. Pageau*



WATERTOWN CORRECTIONAL FACILITY  
Status of Operations Report

Week of September 23, 1983

I. INMATE CAPACITY: 245

A. Actual Count

Date: 09/23/83 = 241  
 Date: 09/24/83 = 239  
 Date: 09/25/83 = 239  
 Date: 09/26/83 = 239  
 Date: 09/27/83 = 239  
 Date: 09/28/83 = 239  
 Date: 09/29/83 = 239

B. Final Count This Period: 239

C. Arrivals This Period: 0

D. Discharges This Period: 2

E. Beds Available: 6

II. TOTAL APPROVED TARGET

Security: 141

<u>Title</u>	<u>Total</u>	<u>Filled</u>	<u>Vacant</u>
Capt	1	1	0
Lt	7	7	0
Sgt	11	11	0
CO			
Clerical	122	121	1
Totals	143	142	1

Programs: 28

<u>Title</u>	<u>Total</u>	<u>Filled</u>	<u>Vacant</u>
Teacher	4	4	0
Voc Ins	4	4	0
Chaplain	2	2	0
Svc Unit	5	5	0
IGRC	1	1	0
Rec/Mail	5	5	0
Vol Svc	2	2	0
Library	1	1	0
Recreation	1	1	0
Education	2	2	0
TRC	2	1	1
Totals	29	28	1

\*Support Services: 69

<u>Title</u>	<u>Total</u>	<u>Filled</u>	<u>Vacant</u>
Direction	12	11	1
Bus Ofc	13	13	0
Medical	11	10	1
Maint	20	14	6
Plant Oper	16	16	0
Food Svc	5	5	0
Totals	77	69	8

\*Non-Employee:

<u>Title</u>	<u>Total</u>	<u>Filled</u>	<u>Vacant</u>
Teacher	2	2	0
Recreation	3	3	0
Medical	1	1	0
Totals	6	6	0

\*Part-time positions are counted as one position under Total.



III. TOTAL VACANCIES: 10

Attach completed Vacancy Report Form, listing specific item numbers, position title, and reason for vacancy.

Support Services Total:	8
Supervision of Inmates Total:	1
Program Services Total:	1
Non-Employee:	0

IV. TOTAL OVERTIME USED: 1091.75

Support Services Total: 223.50

Reason: 141.50 Facility Direction; 10.50 Plant Operations; 71.50 Plant Maintenance.

Supervision of Inmates Total: 862.00

Reason: 117.50 Correction Lieutenant; 81.50 Correction Sergeant; 663.00 Correction Officer.

Program Services Total: 6.25

Reason: 6.25 Correspondence

V. ESSENTIAL SERVICES NOT BEING PROVIDED (brief narrative)

Efforts are still under way to replace the old drug rehabilitation program which ceased to operate at our facility several weeks ago. We are not having much luck in acquiring a new program. Mr. Joseph E. McCoy, Program Coordinator, is currently looking into the possibility of running an in-house program utilizing correction counselors.

VI. LABOR RELATIONS (brief narrative)

With the election of a new union leadership, our relations have gotten off to a very poor start. Two representatives of the local (the Vice-President and an Executive Board Member) made several allegations in a recent meeting in Albany with State union officials concerning a multitude of problems which exist at this facility.

Some of the accusations which were reported to me via Commissioner DiBello's office are out-and-out lies. Others form the basis for labor management discussions. As of this date, the new union leadership has not presented us with an agenda. However, I have called a together a group consisting of the President, Vice-President, two Executive Board members, Ernest B. D'Alessandro, Frederick N. Richardson, and me to discuss perceived problems.

The union discussed many items, the majority of which concern incidents between supervisors and officers which occurred anywhere from two to six months ago. These incidents were never reported to the administration in any way, shape, or form. In most cases, if they were, it appears that the officers deserved the verbal reprimands which they received.



This is not true in all cases. If they had been brought to our attention, corrective action would have been taken. We advised the new leadership to bring such instances to our attention so that we may take corrective action.

I will keep you advised on a weekly basis via this report on this critical area and of the progress we make or do not make.

Staff shortages remain, in my estimation, our number one problem. Construction is now upon us, yet we have not received staff (security or civilian) to deal with the construction or the expansion other than a few maintenance items which have been very helpful in upgrading some of our buildings.

VII. PROGRAM SERVICES:

1. In Place: All that have been budgeted.
2. Additions This Period: None.

VIII. REMARKS (major problems this period, actions in motion to resolve, problems alleviated that were previously reported)

A shortage of staff is our number one problem. Facility personnel and Central Office are working with the Division of Budget to establish additional positions. Additional staff is crucial to the security of our facility as construction will be beginning shortly. If additional staff is not received, mandatory overtime will become an ever-increasing problem.

Major problems in the labor relations area are being dealt with by the administration by trying to be fair with the new local, discussing the issues they bring to our attention, and attempting to reach a reasonable understanding.

The union requested that we look at a couple of areas of concern. One deals with employee frisks. We have entered into a labor management agreement on this subject. Another area dealt with hats; the union requested that we violate the Commissioner's policy, citing that other facilities do not comply with the Commissioner's directive. We advised the union that we would not knowingly violate any of the Commissioner's rules or regulations. This did not sit well with the local; however, I will not violate the directions I receive from my superiors.

I will continue dialogue with the union as much as possible. We will hold, at least for a period of time, more than one labor management meeting each month until we can get some kind of understanding on a majority of concerns. The union advised me at a meeting held on the morning of September 29, 1983, that they have approximately 17 issues that they would like to discuss.

On a positive note, we passed the audit by the Commission on Accreditation for Corrections. Watertown Correctional Facility will be the second facility accredited in New York State.



WATERTOWN CORRECTIONAL FACILITY

Vacancy Report

09/30/83

00105	Deputy Supt. for Security Svcs.	Temporary Pending Canvass
01103	Pharmacist	Temporary Pending Canvass
02161	Electrician	Temporary Pending Canvass
02162	Mason and Plasterer	Temporary Pending Canvass
02163	Roofer and Tinsmith	Temporary Pending Canvass
02164	General Mechanic	Temporary Pending Canvass
02165	Maintenance Assistant	Temporary Pending Canvass
02166	Maintenance Assistant	Temporary Pending Canvass
10693	Correction Officer	Temporary Pending Canvass
50001	Temp. Release Interviewer	Temporary Pending Canvass



# The United Federation of Correction Officers, Inc.

## BOARD OF DIRECTORS

DENNIS J. FITZPATRICK  
JAMES P. MORRISEY  
KEVIN W. CASEY  
BRUCE J. FARRELL  
MARION L. DANTZLER



DB

P. O. BOX 72.  
HUDSON FALLS, NEW YORK  
12839  
(518) 792-3535

*more coming out this*

*mere*

Dear Member

One of the valuable benefits that membership in TUFCO, Inc. offers is Disability Insurance both ON and OFF the job.

Many of you are presently covered for Disability Insurance in a plan that has limited benefits and are paying, in many cases, more for it than what is now available to you.

As an example under your present coverage the following is paid:

IF AN ACCIDENT ON THE JOB: benefits are payable for only 12 months

IF SICKNESS RELATED : benefits are payable for only 2 years

Under the new available policy ACCIDENT & SICKNESS would be payable to AGE 65.

Under your present coverage there is a minimum elimination ( waiting ) period before you can begin to collect disability if ACCIDENT related of 14 days.

Under the new available policy this period is available with NO elimination ( waiting ) period.

There are other major differences but we believe those that we have listed above should give you good reason to fill out the enclosed post card and be pleasantly surprised at what is now available for you.

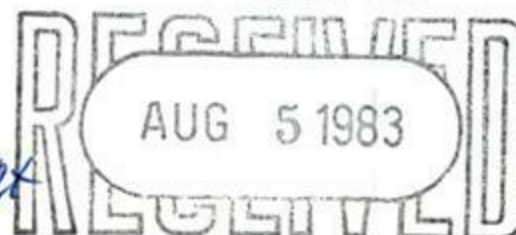
The post card is pre-addressed and post paid so fill it out and you will be contacted just as soon as is possible.

Fraternally,

*Dennis J. Fitzpatrick*  
Dennis J Fitzpatrick

Chairman of The Board

COUNCIL 82



AFSCME AFL-CIO

8/15/83

cc file

Original to D. Bischoff



TUFCO

8/5/83

The United Federation of C.O.'s, Inc.

John Herzog - an insurance agency representative  
TUFCO a fraternal org. For security only  
Benefits: 1. lessens a sense of isolation  
2. insurance discount rates  
3. pension - trusts  
4. disability prog.  
5. vacation pkgs.  
6. building a "club" house "home",  
co-op type - a retreat w/ a  
restaurant

Once a year convention  
\$10.00 yearly membership  
\$40.00 membership for auto club prog.

"\* Over 1,000 members organized since Dec. '83.  
"Going to be the biggest thing in N.Y.S." Herzog.

Board: Chairman Danny Fitzpatrick  
Kevin Casey (Sgt. Great  
Meadow)  
↓ strong union person

8/22/83 cc file

Original to D. Bischoff





Dieck - File  
Bischoff

TUFCO

Constitution Of  
The Union Of Federated Correction Officers

ARTICLE I

-Name-

The name of this union shall be The Union of Federated Correction Officers, herein referred to as the "union."

ARTICLE II

-Jurisdiction-

The jurisdiction of the union shall embrace the entire "Security Services Unit" (law enforcement and security personnel) personnel employed by the State of New York including but not limited to, correction officers under the rank of Captain, Capital Police, Park Police, building guards, environmental conservation officers, forest rangers, security staff at State University and mental hygiene facilities as well as such other public employees employed in the State of New York as the Executive Board of Directors may determine.



ARTICLE III

-Objects-

The objects of this union shall be:

(a) To unite into one labor organization all workers eligible for membership, regardless of religion, race, creed, color, national origin, sex, or age.

(b) To engage in organizing workers and to provide services and benefits to those who are organized.

(c) To secure as its primary purpose improved wages, hours, working conditions and other economic advantages through lawful organization, negotiation, and collective action.

(d) To provide educational advancement and training for workers.

(e) To receive, manage, invest, expend, or otherwise use the funds and property of this organization to carry out the duties and to achieve the objectives set forth in this constitution and for such additional purposes and objectives not inconsistent therewith as will further the interests of this local and its members, directly or indirectly.



ARTICLE IV

-Principal Office-

(a) The principal office of this union shall be located in the City of Hudson Falls, County of Washington, State of New York, or at such other place as the Executive Board of Directors may designate. The Union may have such other suboffices either within or without the State of New York as the Executive Board of Directors may require from time to time.

(b) All books, records, and financial documents shall be kept at the principal office of the union.

ARTICLE V

-Government-

The structure of authority of the union shall be as follows and in the order listed:

- (a) The convention.
- (b) The Executive Board of Directors (a/k/a the Executive Board).
- (c) The Regional Executives.
- (d) The Union Board.
- (e) The Regional Boards and Associate Regional Board.
- (f) The Business Agents.
- (g) The locals.



ARTICLE VI

-Conventions-

(a) Authority. The convention of the union shall be its highest governing body. It shall have full power to make all decisions affecting the union, its members, and its locals.

(b) Time of meeting. The union shall meet in regular convention every two years in the month of December. At least three months in advance, the Executive Board of Directors shall determine where and when the convention shall meet.

(c) Composition of convention. The convention shall consist of delegates elected in accordance with this constitution.

(d) Eligibility of the local. A local is entitled to send delegates to the convention if it has been chartered by the union for at least three months before the convention opens, and if it has paid in full all its per capita taxes, assessments, loans, and other liabilities owing to the union on the first day of the month preceding the convention, unless any such payment has been waived for good cause for this purpose by a convention of the Executive Board of Directors.



(e) Number of delegates. Each local shall have two delegates and one additional delegate for every 100 members or major fraction thereof. The average numbers of members in good standing in the local during the last six months of the calendar year immediately preceding the convention shall be the basis for determining the number of delegates for each local.

(f) Alternate delegates. If a delegate fails to serve, dies, resigns, becomes disabled, or is otherwise disqualified as a delegate, his place shall be taken by the elected alternate.

(g) Credential committee. A credential committee shall be appointed by the Executive Board of Directors at its last meeting before the convention opens but not less than 90 days before it opens. The committee shall have at least three members. Each delegate must present to the committee his credentials signed by the chief steward of his local and under seal of the union. The committee shall meet at least 60 days before the convention opens. It shall examine each delegate's credentials and membership standing. It shall report to the convention its findings on the right of each delegate to be seated at the convention under this constitution. The convention shall by a majority vote pass on the right of each delegate to a seat at the convention.



(h) Rules or procedure. Each convention may adopt rules for the conduct of its business not in conflict with this constitution.

(i) Quorum. A quorum for the transaction of business at a convention shall be 50% of the delegates accredited to the convention.

(j) The first convention shall be in December, 1985 and every second year thereafter. The convention shall, by majority vote of those members present, have the power to do the following:

(1) pass resolutions which are not inconsistent with the structure of this Charter and By-laws.

(2) Approve amendments to this Constitution.

(3) Set matters of union policy which shall be carried out by the officers of the union.

(k) The convention shall not elect officers or any other union office holders. The election of officers will be a power retained by the members themselves as detailed in other sections of this Constitution.

(1) The president of the union, or if he be absent, the secretary-treasurer shall preside over the convention. The president shall have the power to appoint committees and chairman of such committees.



(m) Special conventions. A special convention of the union may be called by a majority vote of the Executive Board of Directors or by a referendum vote of the membership. Such referendum vote must be initiated by the written request of at least two-thirds of the locals in good standing. In the case of such a referendum vote, if at least two-thirds of the total membership of the union votes in such referendum and a majority of those voting are in favor of calling a special convention, the Executive Board of Directors shall, no later than 90 days after all the votes are counted, issue a call for a special convention.

(1) At least 30 days before a special convention opens, the Executive Board of Directors shall announce where and when it will meet.

(2) The delegates to the last regular convention who are still eligible to be delegates under this Constitution shall be the delegates to the special convention.

(3) The members of the credential committee of the last regular convention who are still eligible to be delegates shall function as the credential committee of the special convention.



(4) Unless otherwise provided in this article, each of the provisions of this constitution dealing with regular conventions shall apply to special conventions.

#### ARTICLE VII

##### -Executive Board of Directors-

(a) Composition. There shall be an Executive Board of Directors composed of six members. Membership shall include the union president, secretary-treasurer, three vice-presidents, and an additional associate vice-president who shall not be a corrections officer.

(b) Powers and duties. The Executive Board of Directors shall have general supervision over the affairs and properties of the union. Between conventions it shall be the supreme governing body of the union. It shall have all powers necessary or appropriate to effectuate the powers granted to it by the constitution.

(1) The Executive Board of Directors shall have the power to authorize the expenditure of the funds or the use of the property of the union for the effectuation of any of the objects of the union: the borrowing of money and the pledging of property or securities of the union as security therefor; the making of guarantees; the buying, selling, exchanging, renting, leasing or otherwise acquiring or disposing of real or personal property; and the investment of the funds or properties of the union.



(2) A majority of the members of the Executive Board of Directors shall constitute a quorum for the transaction of business at any meeting and all decisions of the board shall be by the concurring vote of a majority of all its members. The Executive Board of Directors may take action, without meeting, by the written approval of a majority of its members, after notice to all its members of the question to be decided.

(3) By majority vote the Executive Board of Directors shall elect a successor to any officer who is unable to complete his term of office due to resignation, death, or disability. Said successor shall serve out the term of the departing officer.

(4) The Executive Board of Directors may elect or authorize the president to appoint from among its members such committees, and delegate to them such functions and powers, as it deems desirable.

(5) The Executive Board of Directors shall present a report of its activities to each convention for approval.

#### ARTICLE VIII

##### -Officers-

(a) Union officers. The officers of the union shall be the president, secretary-treasurer, three vice-presidents, and the associate vice-president. The original officers shall be elected




★ by the original members, and shall serve until the election to  
be held in December, 1988. All subsequent terms of office shall  
be of thirty-six months in duration, and until their successors  
are elected and assume office. Any officer may run for reelection  
to his office. ★


(b) Qualifications. Except in the case of the original  
officers, no person shall be eligible for nomination or election  
as an officer or vice-president unless, for not less than one year  
immediately preceding the date of his nomination, he has been a  
member of the union in good standing or employed by it, by one of  
its locals, by an organization with which it is affiliated, or in  
its jurisdiction; provided that the Executive Board of Directors  
may suspend these requirements in the case of any candidate who was  
a member of another labor organization that has affiliated itself  
with and become a part of the union within such one year period. ?

(c) Election. The president, secretary-treasurer, and three  
vice-presidents shall be elected by plurality vote of the members  
who are eligible to vote in the officer election. The associate vice-  
president shall be elected by the Associate Regional Board. ?





(1) The first regular election shall be held on December 1, 1988 before the union convention.



(2) Any incumbent office holder, (whether elected or appointed), shall have his name on the ballot automatically. He must give notice to the union's certified public accountant if he should seek reelection at least 60 days before the election. Any member who meets the qualifications specified herein may run for union office if he first presents a petition with the valid signatures of two hundred union members in good standing at least 90 days prior to the election date. The petitions shall be reviewed and validated or rejected by the union's certified public accountant within 10 days of the petitions presentation at union headquarters.

(3) Not less than 60 days before the election, the union's certified public accountant shall post the names of the candidates for each office.

(4) A list of eligible voters will be sent to each local by the union's Executive Board of Directors at least 20 days prior to the election. A member will be eligible to vote if he was a member in good standing in the union 90 days prior to the election.



(5) On the appointed election date, the local's chief steward will supervise the collection of secret ballots. He shall request the signature of each voting member, collect the ballots and deposit them in a sealed container for transport to union headquarters within 48 hours of the end of voting hours.

(6) The ballots will be counted at union headquarters by the union's certified public accountant. The results of the election will be posted by the certified public accountant not less than 3 days after all ballot containers have been received at union headquarters.

(d) The associate vice-president will not be elected by the membership as specified under the procedure outlined in this article. He will be elected by a plurality vote of those members of the Associate Regional Board who are present and voting. The Associate Regional Board consists of the chief stewards of all locals other than corrections. A meeting of the Associate Regional Board will be called one week prior to the general election. The Associate Regional Board members shall nominate candidates (said nominations must be seconded by at least three Associate Regional Board members) and the Associate Regional Board members will then elect the associate vice-president by plurality vote.



(e) The Executive Board of Directors may provide a procedure for members to vote by mail on official voting forms. Balloting by mail may be utilized in addition to polling at a facility, or instead of onsite polling at the Boards discretion. If both methods are used, a common counting date must be utilized.

(f) Vacancies. A vacancy in the office of any officer or vice-president may be filled by a qualified person elected by the Executive Board of Directors who shall hold office until his successor is elected at the next regular election and assumes office.

(g) Powers and duties of president. The president shall be the principal executive officer of the union. His powers and duties shall include the following:

(1) The president shall preside at conventions and at meetings of the Executive Board of Directors. He shall convene meetings of the Executive Board of Directors at least four times a year, and at any time on the request of not less than 50% of the members of the Executive Board of Directors.

(2) The president may call and attend meetings of locals and their boards and committees.

(3) The president may employ and discharge such representatives (subject to the approval of the Executive Board of Directors) organizers, attorneys, lobbyists, administrative, technical and other employees as may be required. He shall fix the salaries of all persons employed by him.



(4) The president shall appoint committees where empowered to do so by the Executive Board of Directors, or where otherwise provided for by this constitution.

(5) The president shall have such further powers, in addition to those herein enumerated, as are usual to his office. He may delegate any of his powers and duties under this constitution, subject to disapproval by the Executive Board of Directors.

(6) The president shall make a report of his activities to each convention and to each meeting of the Executive Board of Directors for approval.

(7) The president shall receive such compensation as shall be set by the Executive Board of Directors.

(h) Powers and duties of secretary-treasurer. The secretary-treasurer shall have the following powers and duties:

(1) The secretary-treasurer shall act as secretary of conventions and of meetings of the Executive Board of Directors and shall keep a record of their proceedings. He shall have custody of the seal of the union and of all its books, records, and papers.

(2) The secretary-treasurer shall keep accurate accounts of all financial transactions of the union, receive all funds due it, and deposit such funds in its name in depositories or invest them in securities authorized by the Executive Board of Directors. He shall cause such accounts to be audited annually by an independent certified public accountant approved by the Executive Board of Directors and a



report thereof to be made to the membership annually. He shall submit a financial report to the Executive Board of Directors at each meeting thereof and to each convention. He shall instruct locals as to the manner in which they shall keep accounts of their financial transactions, and may require them to submit to him written reports containing such information in such form as he may prescribe.

(3) The secretary-treasurer may issue charters to locals when signed by the president and countersigned by him, subject to the disapproval of the Executive Board of Directors. He shall report to each meeting of the Executive Board of Directors the applications for charters received by him since its last meeting and the action, if any, taken thereon.

(4) The secretary-treasurer, with the approval of the Executive Board of Directors, shall make appropriate regulations relating to the reimbursement of expenses or other obligations incurred by officers or representatives of the union in the performance of their duties.

(5) The secretary-treasurer shall have such further powers, in addition to those herein enumerated, as are usual to his office, and may delegate any of his powers and duties under this constitution, subject to disapproval by the Executive Board of Directors. He may also serve as a Regional Executive and will exercise the powers and authority of that office as described elsewhere in this document.



(6) The secretary-treasurer may give bond in such amount and executed by such surety company as may be determined by the Executive Board of Directors. The premium on the bond shall be paid by the union.

(7) The secretary-treasurer shall receive such compensation as shall be set by the Executive Board of Directors.

(i) Powers and duties of the vice-presidents. The powers and duties of the vice-presidents shall be as follows:

(1) The vice-presidents may serve as Regional Executives as specified by the Executive Board of Directors. They will regulate the activities of the business agents in their region.

(2) They will preside over the Regional Boards, and will have the power to appoint committees and their chairman on their Regional Board.

(3) They will have such further powers as are usual to the office of vice-president and may delegate such powers and duties subject to the disapproval of the Executive Board of Directors.

(4) Their compensation shall be set by the Executive Board of Directors.



(j) The powers and duties of the associate vice-president.  
The powers and duties of the associate vice-president shall be as follows:

(1) He may serve as Regional Executive for the region comprising all employee locals other than corrections, and shall have all the powers and responsibilities of a Regional Executive as discussed elsewhere in this document.

(2) He will preside over the Associate Regional Board, and will have the power to appoint committees and their chairman on the Associate Regional Board.

(3) He will have such further powers as are usual to the office of vice-president and may delegate such powers and duties subject to the disapproval of the Executive Board of Directors.

(4) His compensation shall be set by the Executive Board of Directors.

#### ARTICLE IX

##### -The Regional Executives-

(a) Composition. The Executive Board of Directors shall divide the State into five geographic regions. Each region shall have a Regional Executive appointed by the Executive Board of Directors by majority vote of the Board. A member of the Executive Board of Directors may also serve as a Regional Executive.



(b) Powers and duties. The Regional Executive shall supervise the Regional Board of his geographic region, the Business Agents in his region, and the locals in his region.

(1) The Business Agent of that region will report directly to the Regional Executive.

(2) The Regional Executive will preside over the Regional Board and will have the power to appoint committees and their chairman on the Regional Board.

(3) Prior to its submission to the Regional Board, the Regional Executive will review the proposed regional budget prepared by the Business Agent.

(4) The Regional Executive shall have such other powers and responsibilities as may be determined by the Executive Board of Directors.

#### ARTICLE X

##### -Business Agents-

(a) Powers of the Business Agents. The powers of the business agents will be as follows:

(1) The business agent will represent the union on local matters which are not within the scope of the local stewards. He will be directly responsible to his Regional Executive. Each local's chief steward in that region will be responsible to the business agent in that region.



(2) There will be one business agent in each region, and as many assistant business agents as the Executive Board of Directors may decide. The business agent need not be a member of the union. Each business agent shall be hired or fired by the majority vote of the Executive Board of Directors.

(3) The business agent will propose a regional budget and present it to the Regional Board for approval.

(4) The business agent will attend all Regional Board meetings as a non-voting member.

(5) He will have such further powers as are usual to the office of business agent and may delegate such powers and duties subject to the disapproval of the Executive Board of Directors.

(6) His compensation shall be set by the Executive Board of Directors.

## ARTICLE XI

### -Locals-

(a) Formation. The membership of the union shall be organized into locals as certified by the Executive Board of Directors. One hundred or more workers who are members, of, or eligible for membership in the union may apply for a charter as a local and on receipt of a charter shall constitute a local. There will be no more than one local at each corrections facility. Correction sergeants and lieutenants shall each have their own state wide local. Capital police, park police,



building guards, environmental conservation officers, forest rangers, state university security staff, mental hygiene security staff, and any other non-correction employee group shall each have their own state wide locals.

(b) Application and fee. Applications for charters shall be made to the secretary-treasurer. They shall be accompanied by the share of the initiation fee of each new member provided elsewhere in this constitution. On approval of the application by the general officers, a duly executed charter, containing such provisions as the Executive Board of Directors may prescribe, shall be delivered to the applicants, together with such other initial supplies as may be necessary.

(c) Powers and duties. A local shall carry out objectives, policies, and decisions of the union. A local shall organize and recruit members for it and the union, publicize benefits offered by the union and do other acts consistent with this constitution.

(d) Local bylaws. Subject to the continuing approval of the Executive Board of Directors, each local shall adopt bylaws for its government. These bylaws shall not be inconsistent with the provisions of this constitution. Such bylaws for each local subject to the continuing approval of the Executive Board of Directors, shall provide, among other things, for regular periodic meetings. In the event of a



conflict between the bylaws of the local and this constitution,  
this constitution shall be controlling.

(e) Dissolution, merger, or reorganization of local. The  
Executive Board of Directors may consolidate two or more locals or  
may reorganize or dissolve any local or may amend the charter or  
jurisdiction of any local.

(f) Local officers. Each local shall elect the following  
officers once a year by plurality vote except for the assistant  
stewards who shall be appointed:

- (1) a chief steward
- (2) a shift steward for each shift  
(at least three in number)
- (3) a steward at large
- (4) assistants to serve in the absence of  
each officer listed above  
(one assistant per office)

The chief steward will be the chief union representative  
at the local level. He will be responsible for coordinating the  
activities of the other stewards, and assistant stewards. He will  
be the primary spokesman for the local and will coordinate the  
grievances of his local in their initial phases. The chief steward  
shall serve as a member of the Regional Board and the Union Board.  
He will be the liaison between the local and that region's business  
agent. He will preside at the meetings of the local.



The shift stewards shall be available for membership contact, and shall bring grievances to the attention of the chief steward, and shall perform such other services as the chief steward shall dictate.

The steward at large will have the same rights and responsibilities as shift stewards. He shall be available to members for consultation in addition to the shift stewards. His presence will help to ensure adequate representation for the members at all times.

Each steward shall have an assistant steward appointed to serve in his absence. (If a steward is present at the facility, he must serve in his capacity as steward.) The chief steward shall appoint the assistant chief steward. Nominations for the other assistant steward positions will be made by the chief steward. The assistant stewards will then be elected by majority vote of the chief steward, shift stewards and steward at large. In the event of a tie vote, the chief steward shall appoint the assistant steward in question.

No person shall be eligible for office in any local unless he has been a member in good standing of such local for at least one year; provided that a member of a local that has been chartered by or affiliated with the union for less than one year shall be eligible for office if he has been a member in good standing of such local from the date of its charter or affiliation and for at least one year pre-



ceding the date of his nomination he has been employed in a trade or industry within the jurisdiction of the union or is employed by the union or one of its locals or by an organization with which it is affiliated.

The other powers and duties of the officers of the local shall be as provided in local bylaws.

## ARTICLE XII

### -The Union Board-

The Union Board will be comprised of the chief stewards of each local. The Union Board will meet at least once a year at such time and place as designated by the Executive Board of Directors.

(1) The president of the union will preside over the meetings of the Union Board. He shall cast the deciding vote in event of a tie vote on any matter. He shall appoint committees and committee chairman. He may appoint another union officer to preside over the meetings of the Union Board in his absence.

(2) The Union Board's primary purpose is to review and ratify a budget for the union. The secretary-treasurer of the union shall present a proposed budget to the Executive Board of Directors for their approval by majority vote. The adopted proposed budget will then be submitted to the Union Board for ratification. Amendments may be allowed on the floor. The final version of the budget shall be adopted by majority vote of the Union Board who are present and



voting. The business agent in each region will be sent a notification of the money allocated to his region so that he can prepare his proposed regional budget for his region.

If for some reason a new annual budget is not approved on time, the previous year's budget shall be operative until the new budget is finally adopted.

(3) The Union Board may pass nonbinding resolutions on any other union issue for consideration by the Executive Board of Directors. These resolutions will be advisory only.

#### ARTICLE XIII

##### -The Regional Board-

The Regional Board will be comprised of the chief stewards of each local. The Regional Board will meet at least once a year at such time and place as designated by the Regional Executive of that region.



(1) The Regional Executive of the Region will preside over the meetings of the Regional Board. He shall cast the deciding vote in event of a tie vote on any matter. He shall appoint committees and committee chairman. He may appoint another union officer to preside over the meetings of the Regional Board in his absence.

(2) The Regional Board's primary purpose is to review and ratify a budget for the Region. The secretary-treasurer of the union shall present a proposed budget to the Executive Board of Directors for their approval by majority vote. The adopted proposed budget will then be submitted to the Union Board for ratification. Amendments may be allowed on the floor. The final version of the budget shall be adopted by majority vote of the Union Board who are present and voting. The business agent in each region will be sent a notification of the money allocated to his region so that he can prepare his proposed regional budget for his Regional Board. The Regional Board will then consider the proposed Regional budget and accept or amend it by majority vote. The final Regional Budget may not exceed the total dollar allocation made to that region in the Union Budget.

If for some reason a new annual Regional Budget is not approved on time, the previous year's Regional Budget shall be operative until the new budget is finally adopted.



(3) The Regional Board may pass nonbinding resolutions on any other union issue for consideration by the Regional Executive. These resolutions will be advisory only.

(4) The Associate Regional Board shall consist of all chief stewards other than corrections, and shall have all the powers and responsibilities of a Regional Board except that the Associate Regional Board will concern itself exclusively with the affairs of the noncorrection's personnel within the Securities Unit. In addition, the Associate Regional Board shall nominate and elect the Associate Vice President of the union by plurality vote.

#### ARTICLE XIV

##### -Membership-

(a) Eligibility. Any person of good character shall be eligible for membership in the union and its locals provided he is employed within the jurisdiction thereof. Also, any employee of the union itself may become a member of the union. No member or applicant for membership in the union or in any local thereof shall be in any manner discriminated against because of race, creed, color, national origin, sex, or age.

(b) Application. Any person meeting the eligibility requirements set forth above may obtain membership by the signing of the membership application, the payment of the local's initiation fee, and taking the membership oath as administered by an officer or signing the membership oath in writing. Candidates must join the local having jurisdiction over them. Where the number of employees in any locality is insufficient to form a local, they must belong to the nearest local in which their dues and assessments then become payable, and their membership rights and privileges shall be the same as the other members of that local.



(c) Oath. After having successfully met the application requirements, candidates shall be required to assume the following obligation either in writing or by repeating it when read to them by the presiding officer of the meeting in which they are initiated:

"I, (name), solemnly promise to maintain the constitution of The Union Of Federated Correction Officers and the bylaws of this local or any other local with which I may become affiliated, as they are now constituted or may later be changed. I promise to maintain the dignity of this organization and to further its objectives."

(d) Duties. Membership in the union constitutes an acceptance by each member to be bound by the provisions of the constitution, the oath of membership, and the law, policies and directives of the union and the locals. Membership in the union constitutes a designation of the union by each member to engage in collective bargaining on his behalf, and an undertaking to be bound by all the sessions of the union affecting his status and duties as a union member.

(e) Dues obligations. Dues shall be paid commencing with the month in which application for membership is made. Dues and assessments for each calendar month must be paid on or before the first day of the calendar month in order to avoid delinquency. When payable only at meetings, members shall be in arrears a full month if payment is not made at the last meeting of the month. No dues shall be accepted by locals unless all outstanding assessments uniformly required have first been paid in full by the member.



(f) Suspension, expulsion, and other penalties for dues delinquency. As soon as a member becomes delinquent in his duties, he becomes immediately subject to the following:

(1) Members in arrears with dues and/or assessments more than two months shall be suspended by the local to which they belong as well as by the union. Suspension shall mean loss of all local and union privileges and benefits and of all rights to participate in local proceedings.

(2) Members may be expelled for being in arrears with their regular dues or any assessment more than four months, provided that they shall have received notice of their delinquency at least ten days prior to the expulsion.

(g) Reinstatement of expelled members. Any member who has permitted his membership in the union or any local to terminate for any reason or who has been expelled shall, on rejoining, comply with all conditions set forth in this constitution covering admissions of new members and shall pay a new initiation fee and in addition thereto a readmission fee to be set by the Executive Board of Directors to be remitted by the local to the union together with the application and registration fees. Nothing contained in this subparagraph (g) shall be deemed to require the local or the union to forgive any dues, fines, or assessments arising out of his previous period of membership.



In any case, for cause shown and with the approval of the local and the president of the union, any of the requirements of this article may be waived.

(h) Withdrawal cards. Any member who has been in good standing for the preceding six months may apply to the Executive Board of Directors of his local for a withdrawal card. On establishing to its satisfaction that he has ceased to be employed within the jurisdiction of the union, a withdrawal card shall be issued to him on surrender of his membership book or card. The withdrawing member shall thereupon lose all the rights and privileges of membership and shall be exempt from the payment of dues and assessments falling due during the period of his withdrawal. A member so withdrawing, if eligible for membership, may apply for readmission within one year from the date of his withdrawal and, if readmitted, shall not be required to pay an initiation fee. A member so withdrawing who applies for readmission after one year from the date of his withdrawal shall be considered as a new applicant.

(i) A member may be expelled from the union for Dual Unionism, for taking actions which are contrary to the welfare of the union or if he be convicted of a Felony. Such proceedings will be conducted by the Executive Board of Directors.



ARTICLE XV

-Revenue-

(a) Initiation fees. The initiation fee for membership in the union shall be such sum as may be fixed by the Executive Board of Directors and the Union Budget. Each local shall pay to the union an annual fee as specified by the Executive Board of Directors and the Union Budget.

(b) Dues. Subject to the approval of the officers and the Executive Board of Directors, each local shall have the power to fix the dues of its members, which shall be payable in advance or more often.

(c) Per capita tax. Each local shall pay to the secretary-treasurer of the union an annual per capita tax to be set by the Executive Board of Directors and the Union Budget.

(d) Assessments. The Executive Board of Directors shall have the power to require special assessments in addition to per capita payments.

The Executive Board of Directors of any local shall also have the power to provide assessments' on the members within its jurisdiction, provided that the purpose, amount, and methods of payment of such assessments receive the prior approval of the general officers and provided further that such assessments are then approved by a majority of the members voting, in the manner required by law, among the members subject to such assessments in a meeting or meetings called pursuant to notice for such purpose.



(e) Application of revenue. Moneys received by the union in payment of assessments or per capita tax shall be credited first to the payment of any assessment then due and unpaid, and the balance to the payment of per capita taxes.

(f) Stamps and receipts; dues books and cards. The payment of dues and assessments by members shall be evidenced by appropriate stamps, issued by the secretary-treasurer, which shall be affixed to the dues book or card of each member. No local shall collect dues or assessments without issuing stamps as receipts therefor. No local shall have the power to print or use its own stamps for such purpose.

(g) Suspension or expulsion of local for nonpayment. The Executive Board of Directors may suspend any local union that fails to pay any per capita tax or assessment to the union within two months after the same is due. In the event that any local fails to pay such per capita tax or assessment within four months after it is due, the general Executive Board of Directors may expel such local from the union. No local shall be entitled to representation or other rights or benefits in the union during the period of its suspension.

(h) Inspection of books and records. On demand therefor by an officer or the Executive Board of Directors of the union, the officers of a local shall produce or cause to be produced forthwith at a place designated by him or it, all the books and records of such local, or



subject to the control of such local, before such general officer, the Executive Board of Directors, or such other person as he or it may designate, for examination and audit.

(i) The budget process. At least 90 days prior to the end of each fiscal year of the union, the business agent in each region will prepare a proposed regional budget to the secretary-treasurer dealing with the next fiscal year.

(1) The secretary-treasurer shall prepare a proposed budget for the entire union for the next fiscal year at least 30 days before the beginning of the new fiscal year. The proposed budget shall be submitted to the Executive Board of Directors who shall review the budget. A final proposed budget shall be adopted by majority vote of the Executive Board of Directors, and submitted to the union board for ratification, at least 15 days before the end of the next fiscal year.

(2) The secretary-treasurer shall present the final proposed budget to the union board. Amendments shall be allowed on the floor. The final proposed budget (as originally offered or as amended) shall become the budget for the next fiscal year upon the approval of the majority of the union board who are present and voting.

(3) The business agent in each region will be sent a copy of the union budget, as well as the basic budget for his region. The business agent will then present his proposed regional budget which



adds any additional detail or specifics that the regional board may adopt but only within the framework of the union budget. The proposed regional budget (as originally submitted or as amended) will become the regional budget for the next fiscal year upon the approval of the majority of the members of the regional board who are present and voting.

(4) As the locals incur bills, the bills will be forwarded to the business agent in that region. The business agent and regional executive of that region will forward the bills to the secretary-treasurer with a recommendation as to payment. The secretary-treasurer will make the final decision on payment, and will authorize payment to be made directly from the union headquarters.

(5) In the event of impasse on any budget vote, the previous year's budget shall be operative until a new budget is passed.

(6) The secretary-treasurer may sign checks as well as any other officer as designated by the Executive Board of Directors.

(7) Regardless of any other provision in this constitution, the union dues and other fees associated with union membership may be adjusted each fiscal year as part of the union budget without the requirements of a formal amendment to this constitution.



ARTICLE XVI

-Referendum Elections-

Whenever a referendum election is permitted or required under the provisions of this constitution, it shall be held in the manner provided by this article.

(a) Supervision. All referendum elections shall be held under the general supervision of the Executive Board of Directors.

(b) Notice; election. The secretary-treasurer of the union, shall prepare referendum ballots and transmit them, in appropriate number, to each local together with a notice of the referendum election. He shall also give notice of referendum elections to the membership. Within three days from the date of the notice of a referendum election, each local shall, after written notice sent by it to its members three days prior to the election, take a secret vote among its members at such place or places as the local in its discretion may determine. The vote shall be by ballot on the ballots prepared by the secretary-treasurer. Before any member is permitted to vote, he shall be required to identify himself as a member in good standing.

(c) Count of ballots. A board of election designated by each local shall count the ballots and forward to the secretary-treasurer of the union within two days after the election has been held, a certificate executed by it recording the result of the election, together with



all original ballots, shall be made available to the tellers' committee approved by the convention last preceding the election. The secretary-treasurer of the union shall cause the results of the election, as certified by the tellers' committee, to be published for each local separately. The secretary-treasurer shall retain the certificates recording the result of the election together with all original ballots, for the period required by law.

(d) Deciding vote. Except as otherwise provided by this constitution, all referendum elections shall be determined by a majority of the votes cast.

(d) Announcement of result. The results of each referendum election, including the vote of each local, shall be announced by the secretary-treasurer of the union within three days from the date on which the notice therefore was issued by him.

#### ARTICLE XVII

##### -Amendments-

The union's Executive Board of Directors may propose amendments to this constitution at any regular or special convention, and such proposed amendments shall become effective when adopted by the affirmative vote of a majority of the delegates seated at the convention. The Executive Board of Directors may also propose amendments to this constitution between conventions and submit them to a general



referendum election, and such proposed amendments shall become effective when approved by a majority of those voting in such referendum election.

#### ARTICLE XVIII

-Creation of the Organization and Original Members and Officers-

The original members of the organization met on October 1, 1983 in order to create this organization and elect the original officers. The original members of the organization are listed on Schedule A of this document. By unanimous vote, the original members elected the original officers as listed on Schedule B of this document.

All future members of the organization shall enjoy equal privileges with the original members except that only the original members were empowered to elect the original officers of the organization.

The original officers shall serve until December 1, 1988 or until new officers are elected. They may run for reelection.

The original members may adopt a Union Budget effective for October 1, 1983-September 30, 1984 by majority vote. If the original members are the only members of the union as of September, 1984, the original members may adopt a Union Budget effective for October 1, 1984-September 30, 1985. After that the standard budget adoption process will be utilized for subsequent fiscal years.



The Executive Board of Directors may by majority vote, designate a date upon which new members may be added to the original members. In no event will such date be later than the date the union is certified as Bargaining Agent under the Taylor Law. On such date, the union is automatically open to new membership.

The language of this Article shall supercede any inconsistent language, if any, in any other article.

#### ARTICLE XIX

##### -Severability-

If any provision of this constitution or the application of such provision to any officer, member, person, or circumstances shall be held invalid, the remainder of this constitution or the application of such provision to the officers, members, persons, or circumstances, other than those as to which it is held invalid, shall not be affected thereby.

#### ARTICLE XX

##### -Effective Date-

This constitution shall take effect on October 1, 1983.



Signed this 1<sup>st</sup> day of October, 1983.

Dennis Fitzgerald

Marie L. Daffin

Ann Jarrell

Kevin D. Casey

James P. Morrissey

\_\_\_\_\_

Original Officers:

Dennis Fitzgerald

Marie L. Daffin

Ann Jarrell

Kevin D. Casey

James P. Morrissey

\_\_\_\_\_



SCHEDULE A  
Original Members

Dennis Fitzpatrick

Bruce Farrell

Kevin Casey

Marion Dantzler

James Morrissey



SCHEDULE B

Original Officers and  
Executive Board of Directors

Dennis Fitzpatrick	President
Bruce Farrell	Vice President
Kevin Casey	Vice President
Marion Dantzler	Vice President
James Morrissey	Secretary-Treasurer
	Associate Vice President



AMENDMENTS TO THE CONSTITUTION OF  
THE UNION OF FEDERATED CORRECTION OFFICERS

AMENDMENT I

Regardless of any other language in Article VIII of this Constitution, the audited annual report of the union may be performed by the union's certified public accountant at the discretion of the Executive Board of Directors.

AMENDEMNT II

The "steward at large" in each local (described in Article XI of this Constitution) shall also function as the Secretary-Treasurer of that local. He shall be primarilly responsible for keeping the books, records and accounts of the local and shall make this information available to the Executive Board of Directors upon request and to any employees of the union as the Executive Board of Directors shall specify.

AMENDMENT III

The governing documents of any local may provide for the creation of a Board of Directors elected by the members of the local who shall exercise the rights and obligations normally assigned to the directors of a Not-For-Profit Corporation under the laws of the State of New York. If such a local Board of Directors is created, it shall have no less than three members and no more than nine members. In any case, all elected officers of the local shall continue to be elected by the members of the



locals on a one man-one vote system. Elected officers shall ~~not~~ be elected by the Board of Directors.

AMENDMENT IV

Each local may establish a petty cash account for its convenience.  
The size of this account shall be regulated by the Executive Board of  
Directors pursuant to the annual budget.

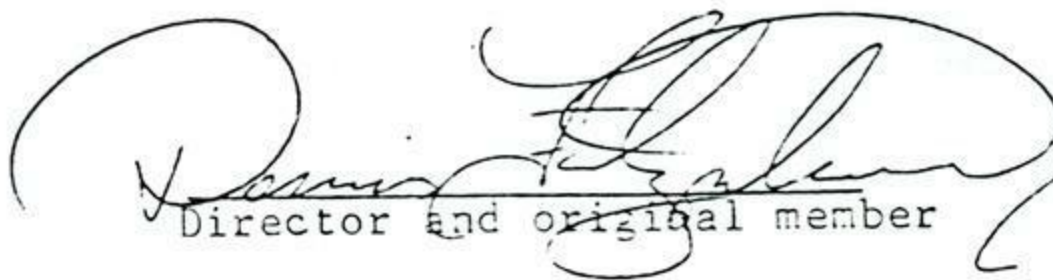
AMENDMENT V

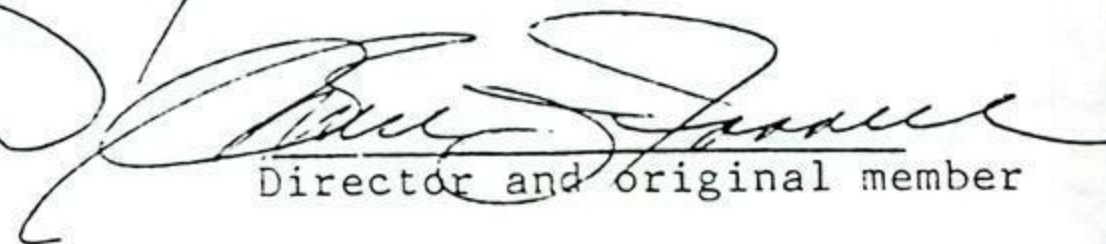
At the time that the union is certified as a collective bargaining  
agent for any bargaining unit by the Public Employees Relation Board, the  
Executive Board of Directors may appoint a temporary slate of local  
officers to serve each local until such time as the local can be  
certified by the Executive Board of Directors and a regular officer  
election is held by the local on a one man-one vote basis. In no event  
may this temporary slate of officers serve more than 90 days after the  
later of the date that The Union of Federated Correction Officers is  
certified as a bargaining agent by the Public Employee Relations Board or  
the date that said certification has reached a final judicial  
determination.



These amendments to the Constitution of The Union of Federated  
Correction Officers are hereby adopted on this 17th day of June, 1984,  
by unanimous vote of the Executive Board of Directors and by the  
original members whose signatures appear below.

  
Director and original member

  
Director and original member

  
Director and original member

  
Director and original member

  
Director and original member





# Security and Law Enforcement Employees Council 82

AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES AFL-CIO

63 COLVIN AVENUE, ALBANY, N.Y. 12206

PHONE 518/489-8424

December 9, 1985

Mr. Brian O'Donnell  
Rowley, Forest & O'Donnell  
Suite 729  
National Savings Bank Building  
90 State Street  
Albany, New York 12207

Dear Brian:

This will confirm my recent telephone conversation with you in which I advised you the following officers at Woodbourne Correctional Facility would be willing to testify in the Roth and Catalbo TUFCO charges.

Chris Forestback - no home phone number available	3 - 11 shift
Terry Bivins (914) 439-3915 (home)	3 - 11 shift
Frank Wells (914) 439-5263 (home)	3 - 11 shift
Ralph Hornbeck (914) 985-7296 (home)	3 - 11 shift

The facility phone number is (914) 434-7730 if you cannot reach them at home.

Sincerely,

*Patricia Jacobs*

Patricia Jacobs  
Office Staff Administrator

pj  
cc: Richard Bischert



TUFCO

(gs)

# Local guards favoring TUFCO

Hudson Register-Star  
1/29

HUDSON - The consensus of Hudson Correctional Facility's 149 corrections officers is that TUFCO would be a better representative than Council 82, says Richard Bitel, president of Local 738, which represents the prison's officers.

TUFCO is trying to unseat Council 82 in a representation election that is under way. Ballots on who will represent the statewide, 16,500-man bargaining unit were mailed to corrections officers Monday. Votes received by Feb. 20 will be counted and the winner will be announced Feb. 22.

Mr. Bitel had declined comment on the election last week when contacted by The Register-Star.

Although the local's executive board has not taken a stand on the race, Mr. Bitel says the prison has been a "TUFCO jail for a long time."

He said he recommended the local's executive board not take a position to protect it against retribution from the winner.

He said Council 82, which he accused of passive representation, has not spoken with the membership about negotiations for a new contract, but TUFCO has outlined over 90 points it wants to raise with the state. The current contract expires March 31.

Albany NY 12206

% Chris Gardner



ROBERT T. SECOVNI  
4 SPRUCE STREET  
VALATIE, NEW YORK 12184

COUNCIL 82  
**RECEIVED**  
JAN 31 1985  
**RECEIVED**  
AFSCME AFL-CIO

1/31/85 cc file  
Original to C. Gardner





# AFSCME®

COUNCIL 82  
**RECEIVED**  
MAR 10 1986  
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TVFCO

**American Federation of State, County and Municipal Employees**

1625 L Street, N.W., Washington, D.C. 20036  
Telephone (202) 429-1000

Gerald W. McEntee  
International President

March 5, 1986

William Lucy  
International Secretary-  
Treasurer

Re: Judicial Panel Case No. 86-54-A  
Bischert, et al. v. Rooney, et  
Judicial Panel Case No. 86-55-A  
Puma v. Wild, et al.

**JOHN SEFERIAN**  
Chairperson  
Judicial Panel

## DECISION ON THE APPEAL OF THE FULL PANEL

*Judicial Panel Members*

Constance Brown  
St. Albans, NY

Al Church  
Hibbing, MN

Howard N. Jorgenson  
Medical Lake, WA

Jeanie Lambie  
Little Rock, AR

Dwight Newman  
Ypsilanti, MI

Aretha Payne  
Memphis, TN

Linda Chavez Thompson  
San Antonio, TX

Wanda Weaver  
Harrisburg, PA

### GREETINGS:

Enclosed is the decision of the full Judicial Panel on the appeals filed by Herbert Wild, Robert VanHouten, Philip Dobie and Bruce Farrell on behalf of 19 others, from the decision issued by Trial Officer John Seferian in the above case.

By a vote of 7-0, the full Panel has sustained the decision of the Investigating Officer.

Fraternally,

Wanda Weaver  
Judicial Panel Vice-Chairperson

JS/ms

### Enclosure

- cc: Gerald W. McEntee, International President  
William Lucy, International Secretary-Treasurer  
Council 82 Executive Board  
Steve Fantauzzo, IUAD  
Gary Frank, Field Services Representative  
Brian O'Donnell, Esq., Attorney  
Herb Koeper, President, Local 613  
Lurleen M. Montekone, Recording Secretary, Local 613  
William West, Appellant  
Kathleen Weeks, Recording Secretary, Local 738  
Salvatore Floria  
James T. Mann, President, Local 1040  
John Kerr, Recording Secretary, Local 1040  
Herb Wild, Appellant



**in the public service**



March 6, 1986

Page 2

Ronald Edwards, President, Local 1255  
Ernest Gueriero, Recording Secretary, Local 1255  
John VanHouten, Appellant  
Terry McKinney, Appellant  
Gary Stephens, Appellant  
Robert Farrell, Appellant  
Robert slattery, President, Local 1413  
Khratee Morris, Appellant  
Michael Graney, President, Local 1447  
Fay E. Barker, Recording Secretary, Local 1447  
Robert Meinhold, Appellant  
William Brahney, Appellant  
James Morrissey, Appellant  
Paul Tirado, Appellant  
Robert LaClair, Appellant  
Robert VanHouten, Appellant  
Dennis Fitzpatrick, Appellant  
Bruce Farrell, Appellant  
Kevin Casey, Appellant  
Philip Dobie, Appellant  
F. Hanlon, President, Local 2982  
Preston Gilroy, Recording Secretary, Local 2982  
John McNamara, Appellant  
Marvin Epstein, Appellant  
Judicial Panel Members



JUDICIAL PANEL CASE NO. 84-54-A  
BISCHERT, ET AL. V. ROONEY, ET AL.  
JUDICIAL PANEL CASE NO. 84-55-A  
PUMA V. WILD, ET AL.

DECISION ON THE APPEAL OF THE FULL PANEL

The full Judicial Panel at its meeting of February 27, 1986, pursuant to Article XI, Section 13 of the International Constitution, heard and decided the appeals filed by Herbert Wild, Robert VanHouten, Philip Dobie and Bruce Farrell on behalf of 19 others, from the decision of the Trial Officer in the above case.

After reviewing the record and discussing the issues presented by the appeal, the full Judicial Panel voted to sustain the decision of the Trial Officer.

Dated: March 5, 1986

BY THE FULL JUDICIAL PANEL

Panel Members voting aye: Albert Church, Howard Jorgenson, Jeane Lambie, Dwight Newman, Linda Chavez-Thompson, Wanda Weaver and Aretha Payne.

Panel Members voting no: None

Panel Members not participating: John Seferian (Trial Officer) and Constance Brown (New York).





# AFSCME®

**American Federation of State, County and Municipal Employees**

1625 L Street, N.W., Washington, D.C. 20036  
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Fraternally,

Wanda Weaver  
Judicial Panel Vice-Chairperson

JS/ms

Enclosure

cc: Gerald W. McEntee, International President  
William Lucy, International Secretary-Treasurer  
Council 82 Executive Board  
Steve Fantauzzo, IUAD  
Gary Frank, Field Services Representative  
Brian O'Donnell, Esq., Attorney  
Kathleen Weeks, Recording Secretary, Local 738  
Richard Bitel, Appellant  
Judicial Panel Members

**in the public service**



JUDICIAL PANEL CASE NO. 84-54-A  
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JEFFREY H. BROZYNA

ATTORNEY AT LAW

313 WASHINGTON AVE.

ALBANY, NEW YORK 12206

PHONE 518-465-3352

March 2, 1984

State Of New York  
Office Of The Attorney General  
Charitable Foundations Division  
Two World Trade Center  
New York, New York 10047

Re: The Union Of Ferderated Correction Officers  
Filing of Form NYCF-1

Gentlemen:

Please find enclosed Form NYCF-1 as well as a conformed  
copy of our Union Constitution for your records.

Very truly yours,

*Jeffrey H. Brozyna*

Jeffrey H. Brozyna, Esq.

JHB/ns  
Encs.

Exhibit D



Marttila & Kiley, Inc.

84 State Street, Boston, MA 02109

(617) 523-1525

Kiley

Dear Frank —



Tom King is reluctant to go forward on this without knowing for sure there will be an election. You may want to talk to him. We're ready to go whenever AFSCME is.

Best regards,

Tom

P.S. Attached is revised draft, as we discussed.

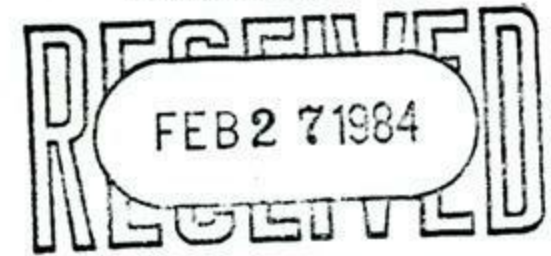
11/13/84 cc file  
Original to Benedetto



# The Union of Federated Correction Officers Association

COUNCIL 82

## WHO ARE WE AND WHAT ARE WE DOING



AFSCME AFL-CIO

TUFCO Union, (The Union of Federated Correction Officers) is an independent association formed for the purpose of unseating Council 82 as the bargaining agent for the New York State Securities Services Bargaining Unit including State Correction Officers.

The reason we have formed a new union to challenge Council 82 is because Council 82 cannot be challenged from within. It is ruled by an elite, and controlled by a relatively small group of people. The average member does not have a direct vote as to who runs Council 82. This decision is made by a select few. The challenge is being made through TUFCO Union, an independent union, because that is the only way that a member can effectuate meaningful change.

And let us speak for a moment about union solidarity and loyalty. Ask yourself this question "should you be loyal to a union that has been disloyal to you?" Lets not put the cart before the horse. A union is established for the benefit of its members. Members do not exist for the benefit of the union. If a union cannot serve its members, then it has been disloyal to them. Council 82 has broken its covenant with its membership. And now those who would seek meaningful change are characterized as "a misguided clique of malcontents".

By supporting TUFCO Union, you are not being disloyal to Council 82. You are being loyal to yourself.

This challenge is being made for the following reasons:

1. Council 82 has lost touch with its members.
2. Council 82 dues, are excessive, \$224.00 a year, what do you really get for your money?
3. Council 82 is controlled by a chosen few, thus excluding the rank and file from meaningful input into the workings of the Union.

2/27/84

cc file

Original to D Bischoff



4. Council 82 has proven itself to be a passive Union which has not delivered the specialized representation that is required for the specialized needs of the correction officers and Securities Personnel.
5. The representation provided by Council 82 on the local level has been inconsistent and passive.
6. Council 82 has failed to deliver the best possible package of benefits for its members.
7. Council 82 has failed to provide adequate wages and benefits for those correction officers with less service.

#### WHY DO WE KNOW WE CAN DO A BETTER JOB?

Just consider the following facts:

1. TUFECO Union is led by a dedicated group of correction officers with many years of union service.
2. TUFECO Union can serve you better within its dues structure because it is an independent union which does not have to send vast sums of money to a national or international union.
3. TUFECO Union has established a streamlined legal structure which will improve the quality service on the local level, and will guarantee a democratic one man - one vote system of union government. The system will be an open system controlled by the members themselves, not a chosen elite.
4. TUFECO Union is structured as a specialized union, a union which can provide for the specialized needs of a specialized group such as security and correction personnel. It is not controlled by a distant bureaucracy which must consider the interest of many other unions all over the country.



5. TUFECO Union provides (in its union charter) a comprehensive system of local representation to be staffed by professional business agents. In addition, TUFECO's union format is such that there will be frequent access and communication between the locals and Union Headquarters in Albany.
6. TUFECO Union can provide, thanks to its professional staff of tax attorneys, certified public accountants, and pension consultants, a comprehensive program of insurance coverage and other benefits at great savings to the membership.
7. TUFECO Union's will be sensitive to the needs of all of its members, regardless of length of service or rank.

In this publication, and in other publications to follow, we will explore these facts in detail. Council 82 obviously is uncomfortable as this challenge period approaches. You can tell by the savage nature in which our organization, and those dedicated people who serve it were attacked in the November issue of Council 82's newspaper, The Review. This will not stop us from making our position known, and setting the record straight. We are up to the challenge.

#### ADDITIONAL BENEFITS TO BE PROVIDED BY TUFECO UNION

A union has a duty to negotiate the best possible contract with the employer. However, the union's responsibility does not stop there. Much more can be done, and it can be done independently from any restrictions imposed by an employer.

TUFECO Union has developed a detailed program of benefits which will be provided in addition to those benefits provided by the State contract. Specifically, we will establish the following programs independent of the contract once we have unseated Council 82:

1. TUFECO Union will provide you with an attorney to represent you at all major disciplinary proceedings. In the past, it has been the correction officer who has been at a disadvantage. It seems there is no limit to the legal



representation that the State can provide itself, nor is there a shortage of attorneys to represent inmates. By providing you legal counsel, we will even the odds, and we will get the word out that we are not to be taken lightly.

2. TUFECO Union will provide a professional outside negotiator at contract time in order to present the most comprehensive negotiating package possible. All too often in the past Council 82 has been outgunned and outmanned by experts who have provided service to the State. It is time that professional expertise is provided on our side for a change. A professional negotiator cannot only offer a strong proposal for negotiations but he can formulate a specific and constructive plan as to where the State can find the money to fund our contract.

3. TUFECO Union will establish a statewide "disaster fund" in order to assist correction officers and their families who are in need. It is high time that your Union stand behind its members in the event of medical emergency, financial stress and personal tragedy. A committee will be established to review potential recipients and it will be their job to see to it that you and your families will never stand alone in your hour of need.

4. TUFECO Union will establish a system of Educational Scholarships so as to assist your children in gaining a college education. Several annual scholarships will be made available on both a need basis and achievement basis all over the state. A committee will be formed in order to evaluate applicants and to supervise the scholarship procedure.

5. TUFECO Union will provide its members with a statewide prepaid legal program. This program will provide group rates for legal representation on a wide range of legal services. Such a program will guarantee you legal representation by a competent attorney practicing in your area at reasonable rates. This representation will include real estate transactions, family law issues, traffic law, civil matters, etc. All attorneys participating in the program will be answerable to TUFECO Union so as to assure first rate representation and good service for members.



6. TUFCO Union will provide a comprehensive program of tax and retirement planning services. This service will provide you with information regarding your employee benefits, income tax reduction through careful planning, insurance, wills and trusts, inheritances, investments, and retirement planning. This confidential service will help you keep more of your hard earned money now and will help you plan for your future retirement by utilizing legitimate tax planning techniques. It will also help to guarantee your family's financial security.

7. TUFCO Union will provide lower rates for life insurance and disability insurance. This will be accomplished by constantly monitoring the ever changing insurance market, and by providing the best coverage possible at any given point in time.

8. TUFCO Union will undertake a comprehensive public relations campaign designed to enhance the status of correction officers and security personnel. This will be done not only through the media, but our locals will be active in community programs as well. Such Union public relations campaigns have been successful for other professions (most notably school teachers in 1983). It is time your Union took an active role in broadcasting your dedicated work and achievements to the community.

9. Our Computer System

The grievance system with Council 82 is a complete disaster. The same grievances at two different facilities are given opposite answers, and the same grievance at still another facility is given still another answer.

Labor Management agreements that are agreed to at one facility are refused at another.

Examples such as these are widespread throughout the State. Under our system everything will be computerized. This will allow for uniform application of the contract and all agreements.

Our system will also allow us a vast bank of information to be used during negotiations.



Computerizing will allow your local union representative all and any pertinent information needed in grievances, discipline, and local labor management meetings.

#### 10. Elections

Over the last 14 years, the membership of Council 82 has had very little control over who runs their union. With The Union Of Federated Correction Officers, you the member will determine who will run your Union. There will be no doubt who controls your Union under The Union Of Federated Correction Officers, because our by-laws call for a one man one vote State-wide election for our State-wide leadership.

You may well say that these programs sound good, but where will the money come from to pay for them? The answer is simple. Because TUFCA Union is an independent union, it does not have to charge its members high fees which are destined for the AFL-CIO or any other national organization. Almost \$500,000.00 of your dollars are spent in this fashion every year. This \$500,000.00 can be utilized for the programs which we propose, and there will be money to spare.

During the next several months, representatives from the Union Of Federated Correction Officers, will be visiting your facility holding informational meetings, and asking you to sign petition cards.

We urge you to talk with our representatives and attend our informational meetings to satisfy any of the questions you may have.

You can also write:

The Union of Federated Correction Officers  
Box 310  
Hudson Falls, NY 12839

The petition cards will be used to secure an election to determine who will be your bargaining agent.

All the Union Of Federated Correction Officers representatives will have petition cards, just ask them for one!

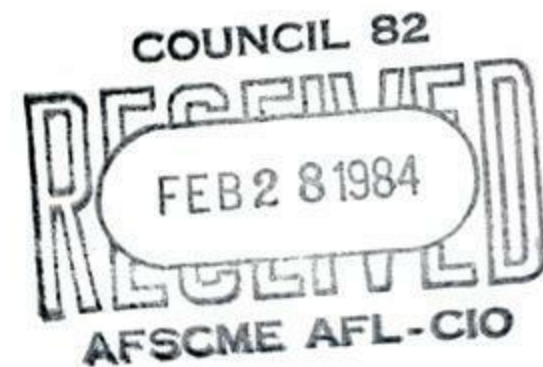


February 25, 1984

Council 82  
63 Colvin Avenue  
Albany, New York 12206

Attention: Richard J. Bischert, President

Dear Mr. President:



I am writing to you as a member and official of Local 1255 here at Fishkill Correctional Facility. I am sure you are aware of our rivals attempting to form a union called T.U.F.C.O.

On Wednesday evening at 11:00 p.m. a T.U.F.C.O. meeting was held at the Fishkill Holiday Inn. This meeting was set up by Sergeant Bruce Farrell of Downstate. Also present was Sergeant Dennis Fitzpatrick of Great Meadow and possibly Officer James Morrissey of Auburn. Approximately twenty (20) people showed up for the meeting. This information was supplied to me through some of our members and parts verified by the Holiday Inn.

Enclosed you will find a hand-out given by T.U.F.C.O. at this meeting. This is where my complaint begins. On Thursday and Friday evenings, these hand-outs were folded and placed in each time card slot at our facility and placed on the bulletin boards. We have approximately 723 Officers here at Fishkill.

Again, through information supplied to me by our members, I was told that Officer Robert Farrell placed them on Thursday evening and Officer John VanHouten placed them on Friday evening.

First, I would like to refer to Article 2.1 - Recognition and Article 5.1, subdivision c which prohibits this type of activity. Second, I would like to know how any Officer has the time on his hands to fold a three (3) part, six (6) page hand-out, four (4) times and stand there placing them in approximately 723 time card slots. I would also like to know, where the Supervisors are during this period of time and why it is being allowed.

We, as an Executive Board, have every intention of bringing this matter to the attention of our Superintendent and Deputy Superintendent for Security first thing Monday morning.

On February 2, 1984, we found other literature regarding T.U.F.C.O. in the lobby of our Administration Building, which I immediately brought to the attention of our Deputy Superintendent for Security, and sent via Postal Express to the Correction Policy Chairman.



Now I would like to give you a little background on one of the Officers involved in this organization. His name is John VanHouten. He shares an apartment with James Shannon, who was found guilty of Union charges and expelled from our membership as well as being a strong advocate of T.U.F.C.O.

At a local membership meeting on September 13, 1983, this same Officer sat at the bar and chanted T.U.F.C.O. to a Council 82 and A.F.S.C.M.E. Representative.

He has also circulated petitions in our facility that were turned over to me, and on January 31, 1984 he was removed from his bid job at the facility which was a housing unit because approximately twenty (20) individuals wrote to the Deputy Superintendent for Security and Affirmative Action complaining of his racist behavior. (See attached grievance that he just filed). Some of the behavior they refer to is placing two rulers together and burning them like a cross. A chair which was confiscated containing the words Florida and Georgia Justice on it. Turning the light switch on and off rapidly to simulate an electrocution.

This type of person should not only be taken out of his bid, but out of his uniform, as he is not fit to wear the title of a professional.

This letter is being sent to you as a formal complaint, requesting that something be done about future conduct of this nature.

Our local executive board has developed a good negotiating relationship with the Superintendent and his Deputy Superintendents, but something has to be done about the Officers who are doing this as well as the Supervisors who are allowing this to go on during the 2:30 p.m. to 10:30 p.m. shift.

Thank you for taking the time to read this letter and I hope there will be no further need to write a letter of this type.

Sincerely and fraternally,

  
Cindy Marie Trimble  
Old Albany Post Road  
Cold Spring, New York 10516

/cmt

cc: Jack Burke, Executive Director/Council 82  
Joseph Puma, Correction Policy Chairman/Council 82  
Ed Dean, Area Representative/Council 82



File

pg 542

May 16 83

TWA 3 Lollar Day

funding, she added.

# TUFCO denies challenge to Council 82

By LORI VAN AUKEN

A fraternal organization of corrections officers has denied speculation that it is trying to undermine the officers' current contract with Council 82.

However, Council 82 Policy Chairman Richard Bischert said The United Federation of Corrections Officers (TUFCO) was organizing with the chief goal of "de-certifying" Council 82.

"Perhaps that is wishful thinking on someone's part," TUFCO organizer Dennis Fitzpatrick said.

"TUFCO, Inc. is and will always be a fraternal organization," Fitzpatrick emphasized, likening the fraternity to the Policemen's Benevolent Association.

TUFCO developed 15 months ago in an effort to supplement the benefits and programs currently offered by Council 82, according to Auburn Union President James Morrissey.

TUFCO offers a Visa Trust insurance policy, Fitzpatrick said. According to Bischert, this alternative insurance policy is about \$5 less than the policy offered to Council 82 by Mang Associates Agency of Albany.

"We don't feel threatened by TUFCO," Bischert said, but he added its development shows that Council 82 must discover better insurance and benefits packages.

The corrections officers are bound by contract to Council 82 as their bargaining agent until 1985. No organization can legally challenge the contract until

six months before the contract with Council 82 expires.

According to Coxsackie Union President Joseph Puma, TUFCO is accumulating membership and money to challenge Council 82 in 1985.

Puma criticized TUFCO for its attempts to splinter corrections officers into two factions.

"Council 82 is a pretty good organization, but it is

only as strong as its members make it. Any challenges only make us weaker," Puma said.

But according to Fitzpatrick, TUFCO's intention is to unite corrections officers in an organization they alone can identify with.

Council 82 represents all security and law enforcement officers in New York, which includes Environmental Conservation safety officers, police officers and

even lifeguards.

"Because corrections officers constitute the majority of the Council's membership," Fitzpatrick said, "we need to generate a large, unified lobbying organization which will concentrate on our special interest."

"Corrections officers need to feel more of a common bond than they do with simply a monthly newsletter

Continued on Page 12

## ... Council 82 challenge denied

Continued from Page 6  
or a gold pin" they now receive from Council 82, Fitzpatrick added.

According to Bischert, the council has recently tried to open communications with its members by hiring public relations coordinator Chuck Booth and publishing a monthly newsletter.

While current membership in TUFCO is approximately 10 per cent of all corrections officers,

Fitzpatrick said they hoped to provide additional dental and medical centers as well as lodges and vacation sites for members and their families.

But other corrections officers are reluctant to join. Greenhaven Union President Robert Zeller said TUFCO sent Greenhaven guards flyers and membership forms a couple of months ago.

"The majority of people did nothing with it," he said, "because the application said we had to abide by the by-laws. But we didn't get to see any of the by-laws."

"I'm not 100 per cent satisfied with Council 82 and the people there," Coxsackie union leader Puma said. "But we are not going to turn around and join a 'Mickey Mouse' organization."

- or Ala Carte
- Different Cuts of Steaks Please Your Palate
- Big Dessert Cart

Plus 125 Complete Dinner Selections At Affordable Prices

WHERE GREAT FOOD IS OUR PRIME CONCERN

1553 Central Ave., Colonie

For Reservations

869-0634



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# Guard's goal is overthrow of AFSCME

By MARY HEDGLON  
Auburn

A self-styled labor organizer, Jim Morrissey is out to boldly impeach a union he thinks works against prison guards.

"I want to restore some of the good old unionism, when the union took care of the people and the people didn't take care of the union," he said.

Morrissey quit as president of the Auburn Correctional Facility local the day he came back from the annual convention of District 82 of the American Federation of State, County and Municipal Employees in October.

"Not one resolution was passed," he said, noting 12 sergeants-at-arms stood by to control the internal fighting.

The United Federation of Correc-

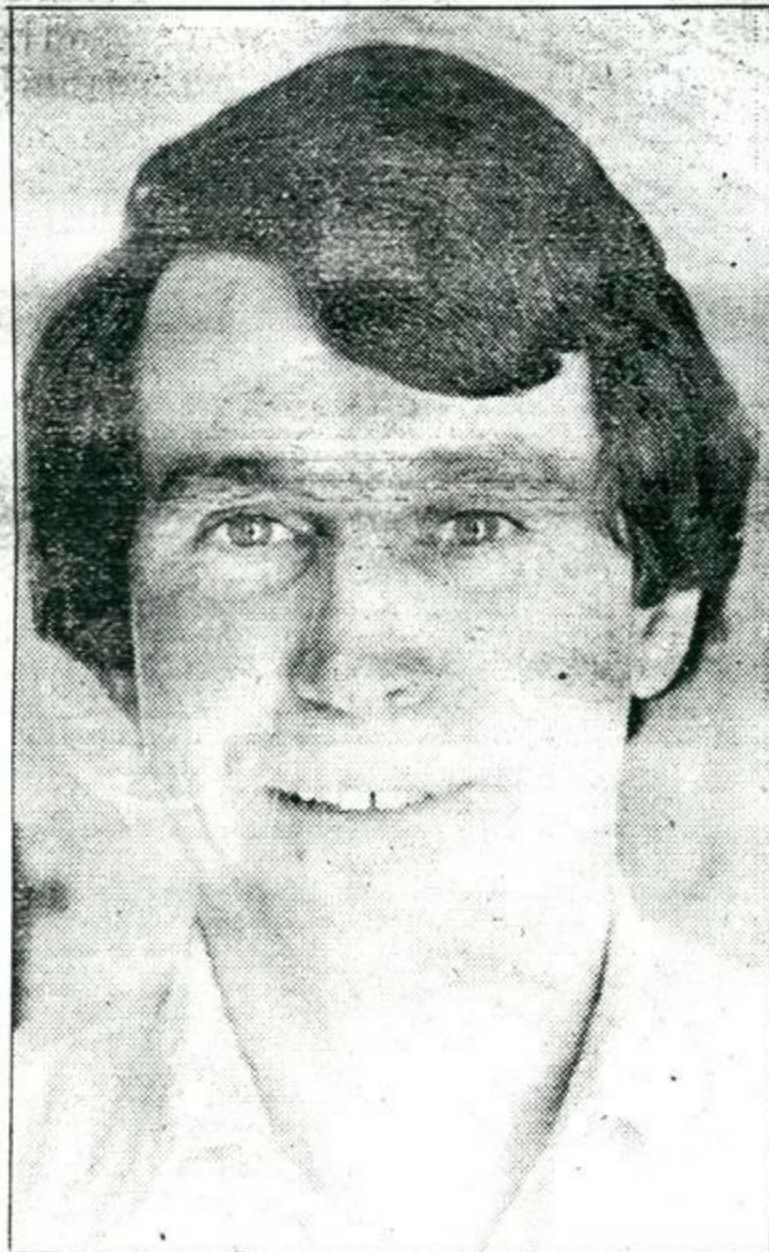
## CLOSE-UP

tion Officers Inc. was born when Morrissey and four other disgruntled guards working at other prisons banded together shortly after the convention. Before the union becomes official, the old union has to be decertified by the membership, which also would vote whether to form TUFCO.

Gearing up for the fall decertification vote, Morrissey, an Auburn High School graduate, has been traveling statewide on his days off to stump his case against AFSCME.

He stresses that guard safety within the walls of their workplaces

Concluded on page 7



**'I want to restore some of the good old unionism, when the union took care of the people and the people didn't take care of the union.'**

— Jim Morrissey

Photo by Debbie Leone



# He aims to oust guard union

From page 1

is threatened by what he considers an ineffective, lackadaisical union.

"There's more violence than ever before in prisons and more rights and freedoms for prisoners. Somewhere, someone has to stop," he said. "Each time there's a new ruling by a judge, it limits our authority."

TUFCO would hire top-notch lawyers to litigate for stricter laws, the 34-year-old Morrissey said.

"Council 82 has lost almost every court case," he said, adding that the poor quality of AFSCME lawyers eased passage of a new law which halted some prisoner friskings.

Previously, prisoners transported between prisons were searched before leaving, then at the end of the trip, he explained. Now, they cannot be searched a second time.

Under the new law, it is possible for inmates to pass and conceal contraband on trips, said Morrissey, who became a guard at age 20 because he needed a job.

TUFCO also would give the state's 10,000 prison guards an identity, he said, and arrange for a separate union for state park lifeguards, sheriff's deputies and capital police officers.

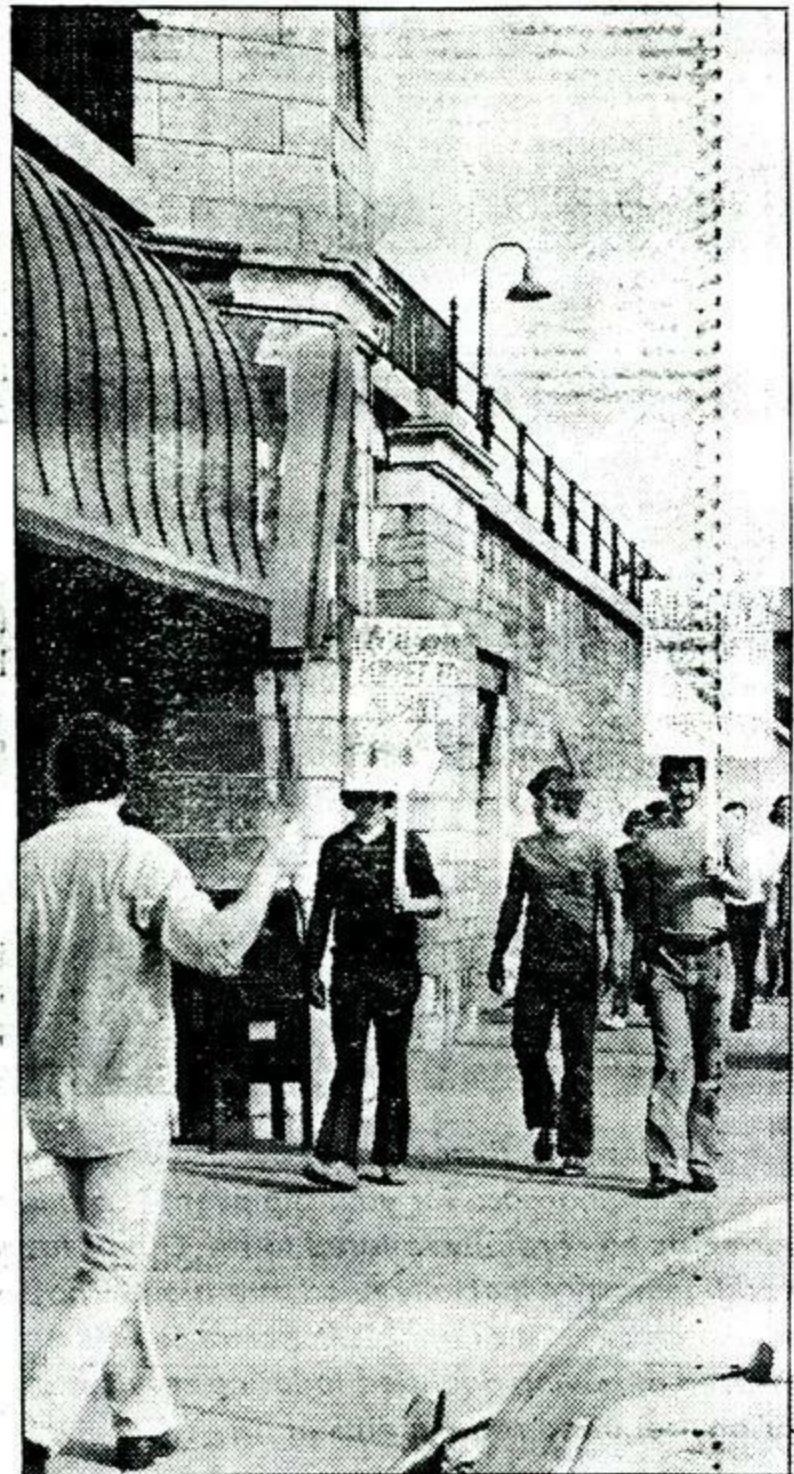
Thousands of those employees are mixed into Council 82, which cannot negotiate well for any its factions because it is too diversified, Morrissey said.

"We want the union to wear one hat. Now, our image is diluted," said Morrissey, who would become a union executive in Albany if TUFCO is voted in.

The new bargaining unit would push for a work schedule of four days on, two days off for all guards to relieve tension buildup, he said. Now, Auburn Correctional Facility guards work a schedule of four days on, two days off, followed by five days on and one day off.

Although he never has been injured by an inmate, Morrissey said he always is concerned about the potential for an incident while on the job. But, to him, working with prisoners is a way of life. He grew up around the prison talk of four guards, his father and three uncles.

Another reason to oust Council 82, which defeated a similar decertification challenge in 1977, is to negotiate the 1985 contract under TUFCO, he said.



**Auburn Correctional Facility guards went on strike in both 1974 and 1979.**

File photo

Morrissey promises to hold a hard line for wage increases. Now, guards' salaries start at \$14,200 yearly. Top pay for a guard is \$24,000 annually.

In 1979, Morrissey helped negotiate the end of a 15-day strike by the prison guards. National Guardsmen took over when the union walked out.

Morrissey, who says running and racquetball help him work off work tension, said most union members were shocked when he resigned.

"You can't say a union is good, though, when you don't believe it yourself," he said.

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# New prison guards union to form

By Gary Kane  
Staff Writer

AUBURN — A statewide prison guards' association announced Saturday it is forming a new union to represent the state's 10,000 corrections officers because of rank and file dissatisfaction with existing representation.

The United Federation of Correction Officers Inc. (TUFCO) will challenge District 82 of the American Federation of State, County and Municipal Employees for the right to represent the state's corrections officers, said Dennis Fitzpatrick, a leader of the new union movement and an officer at the Great Meadow Correctional Facility in Comstock.

"In our opinion, there is widespread dissatisfaction with Council 82 AFSCME," said Fitzpatrick Saturday. "The rank and file have no way to control their destiny."

Fitzpatrick charged that the existing union has taken a passive approach to such critical issues as prison overcrowding and AIDS (ac-

quired immune deficiency syndrome). He complained that Council 82 has deserted retired correction officers. He said union members get little for their \$224 annual dues.

"People don't like paying dues to an organization that doesn't represent them," said Fitzpatrick.

Newly elected Council 82 President Richard Bischert said he was not surprised by the announcement of the union challenge and attributed it to TUFCO's failure to elect its candidates to Council 82 offices during the union's convention last month in Albany.

"TUFCO had a slate of candidates to run, but the delegates who came didn't support their positions," said Bischert. "I'm not really worried about this challenge."

About 131 delegates and 47 alternates from across the state attended the recent union convention, he said.

Auburn corrections officer James Morrissey said Saturday he has re-

signed from his position as head of the Local 1447 of Council 82. He charged that Council 82 leaders are elected by delegates and not by the union membership.

"They've lost sight of the individual member," he said. "That's the reason I resigned. Things need to be done that aren't being attended to."

Morrissey charged that the existing union is failing to ensure that assaults against guards are being prosecuted. He complained that the union is slow to act on guards' grievances against management.

TUFCO intends to petition the state Public Employees Relations Board for an election among corrections officers to decide which union shall represent the prison guards, said Morrissey.

The new Council 82 president denied the charge that the union has lost touch with its members. He said he has conducted training seminars on grievances and state leg-

islation affecting guards at facilities across the state during the past year. The sessions are forums for the concerns of union members, he said.

Bischert said that as president he intends to conduct monthly or bi-monthly meetings of local presidents to improve communications within the union. Council 82 is made of 63 locals, he said.

Council 82, which was established more than a decade ago, will survive the challenge from TUFCO, he predicted.

"The only problem I see is that it may create a split within the union that will not go away," he said.

Bischert said that virtually nothing can be done to speed the grievance problem.

"If we had good labor-management relations, the grievance procedures wouldn't be overloaded," he said. "What has to be done is improve labor-management relations."

## Prison guards adopt TUFCO representation

AUBURN — State correction personnel, including workers at Auburn Correctional Facility, are joining a new union.

The union is The Union of Federated Correction Officers (TUFCO). Dennis J. Fitzpatrick, TUFCO head, stated in a press release provided to The Citizen: "TUFCO is formed with the intent and purpose to challenge District Council No. 82 of the American Federation of State, County, and Municipal Employees union, as the exclusive bargaining agent."

AFSCME spokespeople, when contacted by The Citizen today and this past weekend, were unavailable for comment.

The formation of the union has led to the resignation of a local president. James Morrissey, formerly president of the Corrections Local 1447, resigned last week and now is with TUFCO.

"The majority of the correction personnel in Auburn now are members of TUFCO," Morrissey said. He said he believes the AFSCME council has "lost

touch" with its members. He said about 250 people now are associated with TUFCO.

Fitzpatrick stated TUFCO intends to petition the Public Employees Relations Board for a representation election that will allow rank and file members the opportunity to decide which union will represent them in collective bargaining with the state of New York. Fitzpatrick said TUFCO members are not pleased with AFSCME's previous collective

bargaining efforts.

Morrissey said the union also has a fraternal organization, The United Federation of Correction Officers.

Morrissey said the fraternal organization is committed to helping correction officers with insurance premiums, and with legal matters pertaining to work at correction facilities. The not-for-profit organization originally was chartered in 1982 and is exclusively for the benefit of its members and their families.



*Orig  
cc of Handout  
to Deane*

TO: Jack Burke, Executive Director  
Dick Bischert, President  
Joe Puma, Correction Policy Chairman

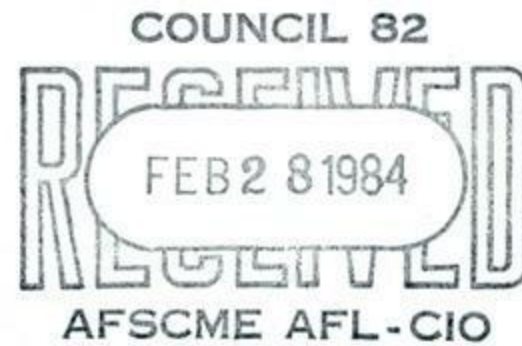
FROM: Cindy Trimble, Local 1255

DATE: February 25, 1984

Attached, please find a bulletin we have made up here at Fishkill to be placed in each time card slot and also to be placed in glass enclosed locked bulletin boards.

Hope it meets your approval!

Take care,





2/13/84

W. VAN HOUTEN

GRIEVANCE - Council 82

ON JANUARY 31, 1983, I WAS TO TO REPORT TO CAPTAIN G. BARTLETT. UPON REPORTING TO CAPTAIN BARTLETT, I WAS INFORMED BY HIM THAT I WAS BEING REMOVED FROM INMATE POPULATION PENDING AN INVESTIGATION OF COMPLAINTS FROM INMATES ON HOUSING UNIT 12/1.

MY JOB AT FISHKILL CORRECTIONAL FACILITY IS RDO RELIEF #80, WHICH CONSISTS OF RELIEVING THE PHONE HOME PROGRAM OFFICER, HOUSING UNIT 12/1 OFFICER, AND ONE DAY OF THE GATE TWO OFFICER ON THEIR DAYS OFF.

DUE TO BEING BANNED FROM INMATE POPULATION, THE ONLY PART OF MY BID THAT I CAN WORK IS THE RELIEF OF GATE TWO.

IT HAS BEEN APPROX. TWO WEEKS SINCE I HAVE BEEN TAKEN FROM INMATE POPULATION, AND I STILL HAVEN'T HEARD ANYTHING ABOUT WHAT IS GOING ON WITH THIS SITUATION, OR WHEN I CAN RESUME MY BID.

I HAVE NOT WORKED ON HOUSING UNIT 12/1 OR IN THE PHONE ROOM ON MY RELIEF DAYS, BUT INSTEAD THESE RELIEFS WERE DONE BY SOMEBODY ELSE SINCE FEBRUARY 1, 1983.

THUS I HAVE BEEN PULLED FROM MY BID.

John W. Van Houten



## TUFCO QUESTIONS

If an Association, who are you associated with?

How will your Union be governed?

How soon after your challenge can I run for president?

How do I get nominated?

How will TUFCO people be appointed?

What members (direct or otherwise) have input to this elite selection process of TUFCO?

When you sign a TUFCO card, how do you know you are not joining their Union organization?

Why didn't TUFCO people bring their ideas to Council 82?

Why aren't the TUFCO people still part of Council 82?

Why are TUFCO people self-appointed for 5 year terms?

Why won't the TUFCO people provide members with copies of bylaws and the constitution?

Why don't the TUFCO people comply with the will of the majority (voted out) of Council?

Why does TUFCO want to keep the same dues structure?

Why staff with outside business agents?

Why does TUFCO only express concern for correction officers?

Why does the TUFCO information not have a Union label - Union made?

Why does the TUFCO people want to get rid of local unions?

How can workers be represented by non-working business agents?

Why is TUFCO run by Sergeants?

How will each member have 1 vote?

How will the Director and Associate Director be selected?



Would TUFCO support legislation for non-correction groups?

Would TUFCO be responsible for the loss of dues check-off?

Would TUFCO call for a strike to save contract benefits (i.e., Seniority, Job Bidding, Transfers, Worker's Comp., New Hires Personal Leave and Sick Leave)?

Why did Fitzpatrick as a Staff Rep of Council 82 settle a Discipline (Ford) Loss of Peace Officer Status for 2 years?

Why did Fitzpatrick and Meehan refuse to return \$150 each to the Sergeants Local after the Council 82 convention when the Vice President and Treasurer of the Sergeants Local complied with the vote of the Executive Board?

Why did Fitzpatrick quit as a Council 82 Staff Rep?

Why did Farrell quit the Negotiating Committee in 1982?

Why did Morrissey quit as Local President of Auburn?

Why did Morrissey quit as a Representative of Q.W.L.?

Why did Fitzpatrick quit as a Representative of Q.W.L.?



# THE UNION OF FEDERATED CORRECTION OFFICERS — THE ALTERNATIVE HAS ARRIVED!!

## The Legal Procedure For Electing a New Bargaining Agent

The State enacted the Taylor Law in order to regulate the activities of public employers and labor unions in the public sector. Council 82 has generated a large amount of propaganda in which they alleged that you will lose certain contractual and legal rights if TUFACO Union is elected to replace them as bargaining agent for the Securities Services Unit. Nothing is further from the truth and the purpose of this article is to give you the straight story.

The Taylor Law requires that any union that is to be a bargaining agent for a unit of State employees must be an "employee organization." TUFACO Union qualifies as such an "employee organization" by virtue of its written constitution.

If a challenging union such as TUFACO Union can demonstrate a sufficient interest in its program, PERB (Public Employee Relations Board) will call for a representative election in order to determine whether you want a new bargaining agent. Under the Taylor Law, this showing of interest can be met if 30% of the bargaining unit sign petition cards designated for this purpose. These cards must be signed within six months of August, 1984 in order to be valid. TUFACO Union is in the process of complying with this requirement.

These signature cards are confidential material. They cannot be legally seized by Council 82 or by the State or by anyone else for that matter.

Once TUFACO Union has delivered their required 30% in the form of signature cards, PERB will declare that a secret ballot election will be held between TUFACO Union and Council 82. This election would probably be held sometime in September or October of 1984. Once TUFACO Union obtains a majority of the votes cast in that election, TUFACO Union will replace Council 82 as the bargaining agent for your unit. It will then be TUFACO Union's responsibility to negotiate the collective bargaining agreement and contract with the State of New York.

Council 82, through its propaganda, has completely misstated the Taylor Law. When TUFACO Union is victorious, you will **not** lose your benefits under the existing contract. TUFACO Union, as your bargaining agent, takes over the existing contract. The existing contract expires on March 31, 1985. Even if no new contract is negotiated at that point in time, the Taylor Law, the Triborough Amendment, and certain court decisions provide that the State of New York is bound by the terms and conditions of the expired contract until a new contract is signed.

In the Triborough Amendment (Section 209-a(1) (e) of the Taylor Law) it states very clearly that the existing contract continues with the State if a new bargaining agent takes over the unit or if the contract date (March 31, 1985) passes without a new contract being signed. The law reads in part as follows:

**"Improper practices.** It shall be an improper practice for a public employer or its agents to deliberately . . . .

e) to refuse to continue all the terms of the expired agreement until a new agreement is negotiated . . . ."

In short, **none** of your rights are lost when TUFACO Union replaces Council 82 as your bargaining Agent.

Quite the contrary to Council 82's propaganda.



## Additional Benefits Provided by TUFCO Union

A union has a duty to negotiate the best possible contract with the employer. However, the union's responsibility does not stop there. Much more can be done, and it can be done independently from any restrictions imposed by the employer. Once TUFCO Union is certified as bargaining agent, we will provide benefits for you which Council 82 never dreamed of. We can do this without raising your dues. Because TUFCO Union is an independent union, the membership will save hundreds of thousands of dollars a year in monies that would otherwise have been paid to national and international organizations. This money can be redirected into new programs designed for the benefit of the membership. Specifically, we will establish the following programs independent of the contract once we have unseated Council 82.:

1. **What should you do if you face a disciplinary proceeding?** In the past it has been the correction officer who has been at a disadvantage. It seems there is no limit to the legal representation that the State can provide itself, nor is there any shortage of attorneys to represent inmates. By providing you legal counsel, we will even the odds, and we will get the word out that we are not to be taken lightly.

A toll free telephone number will be provided directly to the office of our general counsel in Albany. You will have an opportunity to explain your predicament to our legal staff. Legal representation will be provided for you at no cost.

2. **What should you do if you have a legal problem of a personal nature?** TUFCO Union will establish a prepaid legal services program. Such programs are authorized by the Internal Revenue Code and many progressive unions across the country utilize this. Such a program provides legal representation to you. Certain legal services are provided at no cost. For other legal services, attorneys can be provided at a reasonable fee which is set by TUFCO Union.

Examples of free services would be: initial telephone consultations with attorneys, initial conference with an attorney, representation in workman's compensation proceedings, and other services as our program develops.

Special group rates will be provided for such services as real estate closings, family law and matrimonial situations, civil lawsuits, traffic violations, etc. A union member will be responsible for the legal services of this type which he obtains, however, the services will be provided at special agreed to rates which have been negotiated between the Union and participating attorneys. If you have an attorney already, and if he is willing to meet the requirements of the program, you may utilize his services if you wish.

3. **What do I do in event of a health or financial disaster?** TUFCO Union will establish a state-wide disaster fund in order to assist correction officers and their families who are in need. It is high time that your union stand behind you in the event of medical emergency, financial stress, and personal tragedy. A committee will be established to review potential recipients and it will be their job to see to it that you and your family never stand alone in your hour of need.

A toll free telephone number will be provided so that you can get prompt service. Committees will be established at the regional level in order to evaluate your situation and provide financial help if necessary.

4. **How do I pay for my children's college education?** TUFCO Union will establish a system of educational scholarships to assist your children in gaining a college

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education. TUF CO Union will establish a fund which will generate sufficient earnings to assist all dependent children of union members who wish to attend college. Each year a certain amount of money will be allocated in the budget for assistant scholarships, and those funds will be divided equally among all college bound dependents.

Scholarship  
Fund  
AW

There will be larger scholarships available on a scholastic basis, a need basis, and athletic scholarships as well.

All the earnings on the educational funds will be allocated for your college bound children. The scholarship per pupil will be determined by the earnings of the educational fund, and the number of children who attend college in that given year.

5. **Who will help me in finding lower rates in life insurance and disability insurance?** There is strength in numbers. TUF CO Union will provide lower rates for life insurance and disability insurance through its bargaining position. This will be accomplished by constantly monitoring the ever changing insurance market and by negotiating group rates where possible with insurance carriers. Council 82 has shown that it has lacked the expertise or the willpower to provide these services in the past. It will be an important service provided by TUF CO Union.

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6. **Who will help me at income tax time?** TUF CO Union recognizes that correction officers and their families frequently have unique income tax problems. In some instances, disability income is partially non-taxable. Also, workman's compensation awards can also be non-taxable. It is vital for correction officers to have access to top-notch income tax counselling and preparation services. Why spend more money on income taxes than is legally necessary?

TUF CO Union will establish a comprehensive program of confidential income tax counselling and income tax preparation. This service will be provided exclusively for members of our bargaining unit.

7. **Where can I get retirement planning?** TUF CO Union will provide a comprehensive program of tax and retirement planning services. This will be an important departure from the attitude that Council 82 has exhibited in the past. In the past a retiree has been left to wade through the employees benefit selections and bear the tax consequences on his own without professional assistance. TUF CO Union will provide you with information and planning regarding your employee benefits, income tax reductions through careful planning, insurance planning, wills and trusts, inheritances, investments, and retirement planning. This confidential service will help you keep more of your hard earned money now and will help you plan for your future retirement utilizing legitimate tax planning techniques. It will also help guarantee your family financial security.

AW  
Retirement  
Planning

This service will be provided by highly trained tax attorneys and accountants. New programs instituted by TUF CO Union can go far beyond the items which we have just mentioned.

8. TUF CO Union will undertake a comprehensive public relations campaign designed to enhance the status of Correction Officers and security personnel in the community. This will be done not only through the media, but our locals will be active in community programs as well. Such union public relations campaigns have been successful for other professions (most notably school teachers in 1983), it is time your union took an active role in broadcasting your dedicated work and achievements to the community.

of Booth



You may say to yourself, haven't I seen AFSCME run television commercials designed to show the public that public employees do a good job? While it is true that AFSCME has run such commercials, to the best of our knowledge, New York State Correction Officers have never appeared in any of those commercials. This demonstrates quite clearly where you stand as far as AFSCME is concerned. AFSCME is designed for the average state employee. AFSCME cannot meet the specialized needs of Correction Officers and other members of the Security Services Unit.

TUFCO Union will provide professional outside negotiators at contract time in order to present the most comprehensive negotiating package possible. All too often in the past, Council 82 has been outgunned and outmanned by experts who have provided service to the State. It is time that professional expertise is provided on our side for a change. A professional negotiator cannot only offer strong proposals for the negotiations, but can formulate a specific and constructive plan as to where the State can find the money to fund our contract.

### Our Professional Staff

By virtue of their expertise and their experience, our staff will be able to provide the professional guidance that is so important in today's day and age. These people are all hard workers, they are self-made and throughout their careers have shown a dedication to individuals and working people.

Our general counsel: JEFFREY H. BROZYNA. Jeff's legal practice in Albany, New York, is concentrated in tax law, business law, real estate, retirement planning, pensions, and other employee benefits. He is a graduate of Hobart College and Albany Law School. At one time he was a senior attorney with a national tax and financial consulting firm which provided tax and financial planning for individuals, family businesses, and others in over 35 states, and several foreign countries.

In addition to business law and tax law, he has done legal work for various not-for-profit organizations.

Since he has been in private practice, his primary goal has been to help individuals (at all levels) to achieve income tax savings and financial security through adequate tax and retirement planning. In addition he has guided many individuals through very tough IRS tax audits. In 1977 he was a recipient of the National Commercial Bank and Trust Company (now Key Bank) Estate Planning Award.

His community work includes works with the Schalmont High School, Mohonasset High School and Draper High School Adult Education Programs, and he is well known in the Albany, New York area for his seminar work on tax and retirement planning.

Our certified public accountants: ARTHUR PLACE & COMPANY. Art Place maintains an accounting firm of fourteen professionals in Albany, New York. His firm has a blend of highly trained professionals and sophisticated computer hardware and software. This combination provides efficient and modern service.

Currently, Art Place does accounting work for the Electrical Worker's Pension and Welfare Fund as well as the Apprentice Training Fund. In the past he has done accounting work for the Telephone Traffic Union, the Telephone Commercial Union and the Operating Engineers and Structural Iron Workers. Art's father was a member of the Seamen's Union.



Art Place is a graduate of Bucknell University. He completed a program in labor relations and management accounting. Art was lieutenant in the military police in Germany in 1960. He was assigned to NATO Security. He was also a graduate of the NATO Security CBR Warfare School.

Art Place is a self-made man who understands the personal and accounting needs of working people.

The firm of Axelrod, Cornachio, Famighetti and Capetola, Attorneys & Counselors at Law offers a wide range of legal expertise including criminal law, civil matters, workman's compensation and social security matters.

Michael C. Axelrod, a 1969 graduate from the University of Miami in Coral Gables, Florida, was admitted to the New York State Bar in March of 1974 as well as the Florida Bar in December of 1973. He attended the New England School of Law in Boston, Massachusetts, graduating at the top of his class, having received numerous awards and being an editor on the New England Law Review. His first years in practice were spent as a criminal defense attorney with the Legal Aid Society of Nassau County before joining the Law Offices of Richard Hartman in the spring of 1976. He served as managing attorney for Richard Hartman through 1980 and 1981 and received his Masters in labor law from New York University in June, 1981. In addition to being admitted to the New York and Florida Bars, he is licensed to practice before the Supreme Court of the United States, U.S. Circuit Court of Appeals, Second Circuit, and The Eastern and Southern Districts of the Federal District Court in New York. Mr. Axelrod engages primarily in labor relations for police unions in Nassau and Suffolk Counties as well as the New York State Police and the Metropolitan Police Conference.

Mike is one of the recognized authorities in collective bargaining between police and law enforcement organizations and State and local governments. Over the years he has an impressive list of accomplishments in this regard, and he is well known for getting the job done for his clients. He has the technical expertise to dissect a budget and determine exactly what the employer can afford in the way of contract concessions.

Anthony W. Cornachio was admitted to practice law in the State of New York and all Federal Courts after attending law school at St. John's University, after having previously received his Bachelor of Arts Degree from Fordham University and a Masters Degree at Adelphi, as well as a Masters in Labor and Industrial Relations from New York Institute of Technology. His first job was as an Assistant District Attorney for Nassau County District Attorney's Office. He served as a law secretary to Nassau County Court Judge Richard Delin. In between terms with Judge Delin, he worked private practice. Before joining the firm, he was Commissioner of Occupational Resources of the Town of Hempstead;

Joseph P. Famighetti, a former police officer and detective with the Long Island Sound Parkway Police was also Vice President of that union. While a policeman, he attended St. John's University, where he received his Juris Doctor and was admitted to the Bar of the State of New York. He received his Bachelor of Arts Degree from Adelphi University. He also worked as a Nassau County Assistant District Attorney. He was the secretary to Nassau County Court Judge Edward Baker for six (6) years. In addition to being a member of various civil associations and fraternal orders, he also ran for the State Legislature in the 16th Assembly District in 1980;

Anthony A. Capetola, attended Wagner College where he was a football star and graduated there in 1967. He received his law degree from New York Law School in



and immediately went to work with the Nassau County District Attorney's Office until going into private practice in 1973. Known as an outstanding trial lawyer, he specializes in difficult litigation, and sophisticated criminal and civil law.

Francis X. Casale, Jr., received his Bachelor of Arts Degree in Political Science Cum Laude from the State University of New York at Albany. He attended Hofstra University School of Law and received his Juris Doctor degree in May, 1980. Mr. Casale engages primarily in the area of public sector pension litigation, workmen's compensation, Social Security work and civil litigation.

Robert M. Schaufeld attended Brandeis University in Waltham, Massachusetts, and received his B.A. in History and was an honors candidate in legal studies. He attended Hofstra University School of Law and received his Juris Doctor in May, 1981. From 1979 until joining this firm, he was the chief legal researcher for the Law Offices of Richard Hartman, dealing extensively in New York State Public Employment Relations Board Law and New York State Retirement System cases.

Frank A. Doddato, a graduate of Fordham College in 1970, passed the New York state Bar in 1974 after graduating from Brooklyn Law School in 1973. He served in the Nassau County District Attorney's office from 1974 to 1981, the last several as a trial attorney and Deputy Bureau Chief in the Rackets Bureau of that office. He has been in private practice for the last several years, specializing in complicated criminal and civil litigation.

Judith P. Dugan, a South Carolina native, graduated from the University of South Carolina. She then attended New York State Law School graduating in 1980. After serving with distinction in the Nassau County District Attorney's office for three years, she entered private practice, specializing in criminal and civil litigation.

James S. Paar, recently of the Suffolk County District Attorney's office, Rackets Bureau, is a graduate of New York Law School. He also attended Dartmouth College, graduating in 1976. He specializes in law enforcement matters as well as complicated criminal litigation.

A large staff of clerks, researchers and secretaries service the firm on a night and day basis, seven days a week. In addition to civil and criminal cases, the firm presently represents the Metropolitan Police Conference of New York State, Inc., the Nassau County Patrolmen's Benevolent Association, Yonkers Police Benevolent Association, Suffolk County Police Conference and several Village and City Departments on Long Island, as well as the Port Authority of New York and New Jersey Police Benevolent Association.

We are extremely proud of our professional staff and are happy to have their technical expertise available to us for negotiations and for monitoring the contract during its existence in addition to legal, tax and accounting matters, etc.

Working together as a team, TUFCO will provide the expert services that you the member need today more than ever before.

Professionalism and technical expertise is an integral cornerstone of TUFCO's program.



## The Highlights of the TUFCO Union Constitution

In drafting our union constitution, we felt it our utmost importance to provide for the following:

- (1) A more streamlined and efficient union organization
- (2) A one-man one-vote election of state-wide union officers by the members themselves.
- (3) Tightly regulated and professional financial and budget system.
- (4) Close contact between union officials and their members at the local levels
- (5) Greater regional input into union activities.

In drafting the constitution, we have kept these guiding principals in mind.

The constitution provides for a strong system of locals. The membership, on one-man one-vote basis elects the chief steward and assistant stewards to represent them. Not only does the chief steward fulfill his traditional functions on the local level, he will also represent the local in a legislative body which we call the regional board. The regional boards deal with the specialized problems of each geographic area in the State as well as structure the proposed budget for locals in that region. In this way, the uniqueness of each region in the State and each local within it can be provided for.

Each geographic region in the State will have a professional business agent. The business agent will assist the locals and will coordinate the activities of the local in each geographic region. The business agent in each region will work closely with a regional executive. The regional executive will be one of the executive board of directors which is the highest executive body in the union. Because of the close cooperation between the chief steward of each local, the regional business agent, and the regional executive, the important concerns of each local in each geographic area can be expressed directly to the union leadership in Albany. In this way, the state wide union leaders can maintain close contact with the members that they serve, and the members will have easy access to their regional and state wide representatives.

The state wide union officers such as President, Secretary-Treasurer and union Vice-Presidents, are elected **directly** by the membership on a one-man one-vote system. They are **not** elected by an elite group of delegates. The union officers are responsible to the membership and are answerable to the membership for their actions. Union officers are elected every three years.

The union convention will be held every two years. At the convention, each local will send delegates who will discuss union policies, and vote on various resolutions for the benefit of the union at large. It will then be up to the state wide union officers, (who also serve on the executive board) to implement the policies of the union. This includes collecting financial information and proposed budgets from the various regions each year, and preparing the annual union wide and regional budgets for approval by the union board.

The union board is the chief legislative body of the union. It is composed of the chief steward of all the locals in the State. The union board approves a union budget, as well as regional budgets. The regional board in each region will allocate a dollar amount for each local. Each local can then determine how it will spend its own money.



The dues that you pay will remain the same as the dues that you paid Council 82. However, because TUFACO Union is independent, vast sums of money need not be paid out of the members pocket directly to national and international organizations. The actual dollars saved will be directed to fund TUFACO's innovative programs. Programs that will result in tangible benefits for you, the member.

Ask yourself, why is it that just now, since TUFACO's challenge has Council 82 made any attempt at change. No matter how feeble or transparent the change may be. It's obvious, Council 82 specializes in playing follow the leader.

In the near future TUFACO will be scheduling information meetings in your area. TUFACO representatives will be on hand to explain TUFACO's comprehensive programs and answer questions. You owe it to yourself to attend, refreshments to follow.

If you haven't signed a challenge card yet, please, take the opportunity to do so today.

Fraternally yours,

Dennis J. Fitzpatrick, *President*  
Kevin W. Casey, *Vice-President*  
Bruce J. Farrell, *Vice-President*  
James Morrissey, *Secretary-Treasurer*  
Marion Dantzler, *Assistant Secretary-Treasurer*



NYS DEPARTMENT OF STATE

MISC FILING RECEIPT COPY

CORPORATION NAME

THE UNITED FEDERATION OF CORRECTION OFFICERS, INC.

DATE FILED 09/07/83	DURATION & COUNTY CODE	FILM NUMBER	CASH NUMBER 230856
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NUMBER AND KIND OF SHARES	LOCATION OF PRINCIPAL OFFICE
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COMMENTS:

ADDRESS FOR PROCESS	REGISTERED AGENT
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FEES AND/OR TAX PAID AS FOLLOWS:  
 AMOUNT OF CHECK \$ 00003.00  
 AMOUNT OF MONEY ORDER \$ \_\_\_\_\_  
 AMOUNT OF CASH \$ \_\_\_\_\_

\$ \_\_\_\_\_ DOLLAR FEE TO COUNTY

\$	FILING
\$	TAX
\$	CERTIFIED COPY
\$	CERTIFICATE
	003.00 MISCELLANEOUS
	0000003.00

FILER NAME AND ADDRESS  
 SECURITY & LAW ENFORCEMENT COUNCIL 82  
 53 COLVIN AVENUE  
 KATHY MCCORMACK  
 ALBANY NY 12206

TOTAL PAYMENT \$ \_\_\_\_\_  
 REFUND OF \$ \_\_\_\_\_

TO FOLLOW

380604-003 (1/83) GAIL S SHAFFER - SECRETARY OF STATE



Certificate of Incorporation

Of

The United Federation of Correction Officers, Inc.

Under Section 402 of the Not-For-Profit Corporation Law

The undersigned, for the purpose of forming a corporation under Section 402 of the Not-For-Profit Corporation Law of the State of New York do hereby adopt the following certificate of incorporation for such corporation.

ARTICLE I

The name of the corporation is The United Federation of Correction Officers, Inc. The corporation is a corporation as defined in Subparagraph (a) (5) of Section 102 (definitions) of the Not-For-Profit Corporation Law.

ARTICLE II

The corporation has not been formed for pecuniary profit or financial gain, and no part of the assets, income or profit of the corporation is distributable to, or inures to the benefit, of its directors or officers, members, or any private individual, except that reasonable compensation may be paid for services rendered to or for the corporation affecting one or more of its purposes, and except to the extent permitted under the Not-For-Profit Corporation Law.

ARTICLE III

The purposes for which the corporation is to be formed are to provide for the mutual fraternal, social, cultural moral and

926000



intellectual and other forms of benefit, advancement and welfare of its members, and to do any and all things necessary and proper to further the foregoing purposes, but not for the pecuniary profit or financial gain of its members, directors or officers, except that reasonable compensation may be paid for services rendered to or for the corporation affecting one or more of its purposes, and except as permitted by the Not-For-Profit Corporation Law.

#### ARTICLE IV

In addition to the foregoing corporate purposes, the corporation shall have the power to operate a system of local lodges, and shall have all of the general powers set forth in Section 202 of the Not-For-Profit Corporation Law.

#### ARTICLE V

The corporation is a "Type A" corporation as defined by Section 201 of the Not-For-Profit Corporation Law.

#### ARTICLE VI

The office of the corporation is to be located in the village of Hudson Falls, in Washington County, New York.

#### ARTICLE VII

The territory in which the corporation's activities are principally to be conducted is the State of New York.

#### ARTICLE VIII

There shall be five individuals on the Board of Directors, each of whom is of the age of eighteen (18) years of age, or older.



Said directors shall serve for terms of five (5) years, and their successors shall be selected and shall serve as provided in the bylaws.

#### ARTICLE IX

The New York Secretary of State is hereby designated as an agent of the corporation upon whom process against it may be served. The Secretary of State shall mail a copy of any such process, ] to Dennis J. Fitzpatrick, 10 First Street, Hudson Falls, New York 12839.

#### ARTICLE X

In the event of dissolution, all of the remaining assets and property of the corporation shall, after payment of any contractual and trust obligations, be distributed to such organizations as may qualify under Section 501 (c) (3) of the Internal Revenue Code of 1954, as amended, subject to an order of a Justice of the Supreme Court of the State of New York.

#### ARTICLE XI

No approvals or consents are required by law.



IN WITNESS WHEREOF, this certificate has been signed by  
the subscriber (as incorporator) this 2<sup>nd</sup> day of December, 1982.

Signed: Jeffrey H. Brozyna  
Jeffrey H. Brozyna

Address: Box 306 R.D. #5 Currybush Road  
Schenectady, New York 12306

STATE OF NEW YORK  
COUNTY OF ALBANY SS:

On this 2<sup>nd</sup> day of December, 1982, before me personally  
came Jeffrey H. Brozyna to me known and known to me to be the  
person described in and who executed the foregoing certificate  
of incorporation and he duly acknowledged to me that he executed  
the same.

Michael Better  
Notary Public

J. MICHAEL BETTER  
Notary Public, State of New York  
Certified in Albany County  
My Commission Expires March 30, 1983



STATE OF NEW YORK  
COUNTY OF ALBANY

SS: VERIFICATION

Jeffrey H. Brozyna, being duly sworn, deposes and says that he is the incorporator of the within Not-For-Profit Corporation, that he has read the foregoing certificate of incorporation, and knows the contents thereof; that the same is true to his own knowledge, except as to matters based on information and belief.

Jeffrey H. Brozyna  
Jeffrey H. Brozyna

Sworn to before me this  
2nd day of November, 1982.

Michael Better  
Notary Public

I MICHAEL BETTER  
Notary Public, State of New York  
Certified in Albany County  
My Commission Expires March 30, 1983

5







STATE OF NEW YORK  
DEPARTMENT OF CORRECTIONAL SERVICES

---

In the Matter

of

the Arbitration between the American  
Federation of State, County and Municipal  
Employees of America (AFSCME), AFL-CIO  
Council 82,

-against-

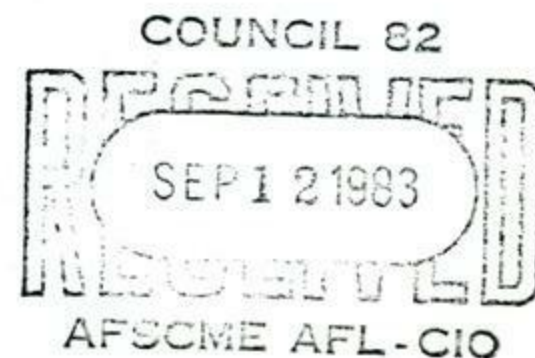
State of New York Department of  
Correctional Services

---

Continuation of Proceedings in the  
above-entitled matter held at the County Office  
Building, 22 Market Street, Poughkeepsie, New York  
on the 17th day of August, 1983 commencing at 11:30 a.m.;  
before MARY ELLEN BAKER, Shorthand Reporter and Notary  
Public in and for the State of New York.

BEFORE: JONATHAN S. LIEBOWITZ, ESQ.,  
Arbitrator

175 Main Street  
White Plains, New York 10601





**VEBA TRUST REACHES 6 MILLION:** The death benefit of the Veba Trust has reached the 6 million plateau. Many of our members have enrolled in the Veba Trust and enrollment continues to grow at a rapid rate. We anticipate the death benefit to reach 10 million in our first year. Many members who are drawing near to retirement have looked into the advantages of the Veba Trust and have saved a considerable amount of money. Money becomes precious when you are on a fixed income and the more you can free up to use now the better off you are in the future. Our younger members have certainly taken advantage of the Veba Trust. If you haven't looked into it, take the time to do so. Call collect for an appointment: 518-792-3535.

**QUOTA PHONE SAVES MONEY:** TUFACO, Inc. is an independent agent of Sentinel Motor Club. One of the advantages of belonging to Sentinel is Quota Phone, a buying service that definitely saves you money. Many members have used Quota Phone and have saved many dollars on various merchandise. What they have saved in buying through Quota Phone, more than paid for their membership in Sentinel. Membership in Sentinel is \$45.00 a year. You really can't go wrong.

**WHAT'S IN A NAME?: WIN A \$100.00 SAVINGS BOND:** You tell us, our paper must have a name. We are offering a \$100.00 Savings Bond to the member who's name submitted is selected. Send your suggestion to TUFACO, Inc., P.O. Box 72 Hudson Falls, N.Y. 12839. (Members only are eligible). Directors and their families are not eligible.

**SPONSOR A BROTHER OFFICER:** Have him fill in the application below today to become a member of TUFACO, Inc.. Mail it to TUFACO, Inc. P.O. Box 72, Hudson Falls, N.Y. 12839.

**THIS IS NOT A CONTEST! EVERYONE IS A WINNER!**

**JUST JOIN T.U.F.C.O. INC.**  
**for the Unbelievable price of \$10.00**  
**AND RECEIVE A FABULOUS VACATION PACKAGE!**

THE UNITED FEDERATION



OF CORRECTION OFFICERS INC.

**MEMBERSHIP APPLICATION**

I HEREBY APPLY FOR MEMBERSHIP IN THE UNITED FEDERATION OF CORRECTION OFFICERS INC., AND AGREE TO CONFORM TO THE BYLAWS OR ANY AMENDMENTS THEREOF IN THE UNITED FEDERATION OF CORRECTION OFFICERS INC. I AGREE TO PAY AN ANNUAL MEMBERSHIP FEE OF \$10.00.

Last Name \_\_\_\_\_ First Name \_\_\_\_\_ M. I. \_\_\_\_\_

Street Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Place of Employment \_\_\_\_\_ Home Phone \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Yes I Would Like To Hear More About The Veba Trust. Age \_\_\_\_\_

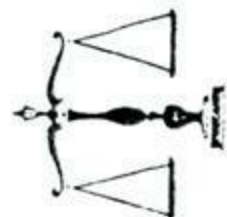
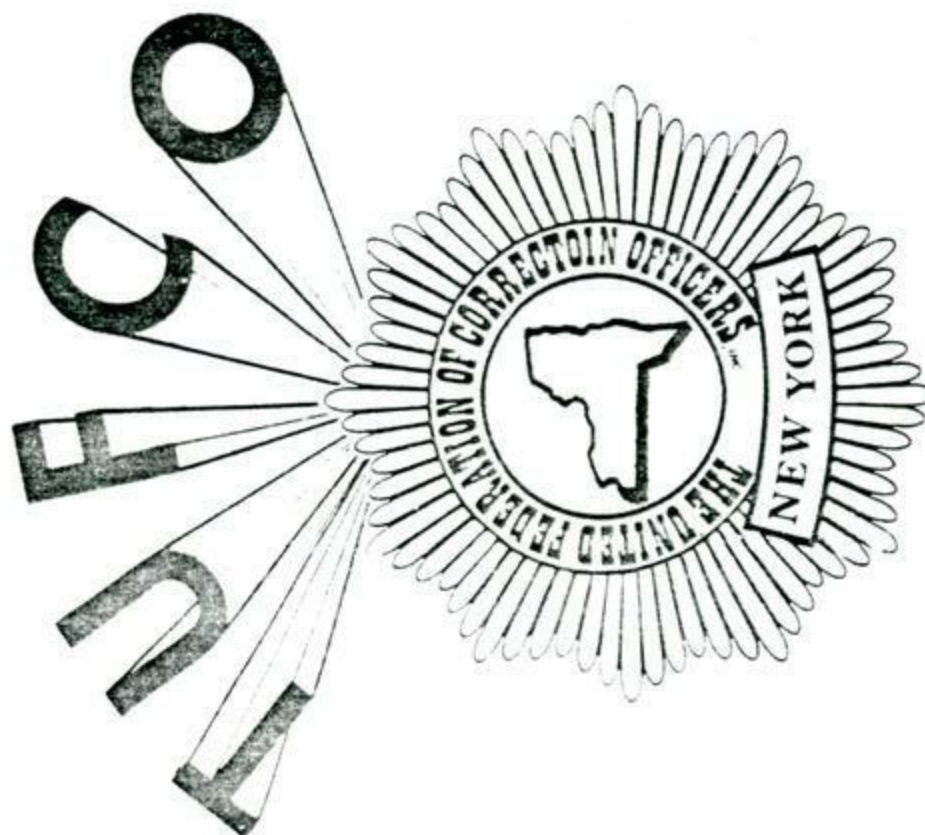
\_\_\_\_\_ Please Send Me More Details On The Motor Club.



LOCAL LODGES BEING FORMED: Local Lodges have been formed at Great Meadow, Mt. McGregor and Auburn. Elections have been held and Lodge Officers have been seated. Local Lodges will be established at Downstate, Green Haven, Mid-Orange, Adirondack, Long Island, Bedford Hills, Taconic, Hudson and Fishkill in the very near future. Lodge # 1 consisting of Great Meadow and Mt. McGregor's number one priority is to build a Lodge centrally located between the two facilities. They are putting together a package necessary to be presented to a Financial backer. The building proposed is a steel building 80 X 100 with a full cellar. The contents will consist of a lounge, banquet hall, complete nautilus, sauna, racket ball court, etc.. When completed it will be used exclusively by it's members and their families. Lodge #1 had a Christmas Dance at the Ramada Inn, Lake George, N.Y. featuring Bobby Dick and The Sundowners. Free Beer and a hot Hors D;eouvres buffet. The proceeds went directly to Lodge #1 to be used as a down payment for the property needed for their future building. Local Lodge # 2 - Auburn, recently held their first lodge meeting and there were over 100 members in attendance. President Minehold gave a brief summary of what was being proposed at Lodge #1, The membership voted to follow suit.

NEW BENEFIT ESTABLISHED: TUF'CO, Inc. has been working very hard to secure meaningful benefits for it's members. The cost of retaining an Attorney can be devastating. With that in mind, we sought out understandings with many Law Firms throughout the State. We are pleased to announce that we can now direct you to Law Firms who will offer concessions on legal Fees, on specified common legal problems. This would include consultations, House Closing, Civil Suites, Motor Veichle infractions, Wills, etc.. We will be sending you a complete list of the Firms along with their address and phone numbers. All you are required to do is show your TUF'CO, Inc. membership card to be eligible for the concessions being offered. Please retain the listings when sent, it could be quite valuable to you.

DISABILITY INSURANCE WELL RECEIVED: It took TUF'CO, Inc. about 6 months to find an Insurance Company that would write the in depth Disability Insurance coverage we wanted for our members. Fortunately we were able to find a company who could offer the comprehensive coverage needed particular in our line of work. Our members can now receive 1st day coverage for an accident both on and off the job. This benefit is payable to age 65, it does not have a one year limitation. Sickness coverage requires a 14 day waiting period but it also is payable to age 65. The cost is competitive to other programs being offered, but in our opinion there is no comparison to the coverage.





MARCH OF DIMES WALKATHON A BIG SUCCESS: In April of this year the Board of Directors were asked to help in the March of Dimes Walkathon. Our members responded with enthusiasm and generosity, pledging money and working on check points during the walk. TUFACO, Inc. publicly challenged any team of runners to a contest on what team could raise the most money based on pledges for their runners. TUFACO, Inc. supplied the Trophy to the winners. Our team fell short of winning the Trophy but the challenge proved to be profitable for the March of Dimes. TUFACO, Inc. runners ran the entire 15 miles. They were: John LaValley, Neal Sokol, Harold Austin, Jeffrey Corbin and Jerry Buell. The March of Dimes raised over \$70,000.00 in the Capital District and we are pleased we had a part in making the fund raiser for the March of Dimes a success. Doug Williams, Wayne LaFrance, Don Hall, William Gosline, Richard Rodriguez, Larry Ginter, Robert Lennox deserve a big thanks.

OFFICE ESTABLISHED: TUFACO, Inc. has established an office at 9 Pearl St. Glens Falls, N.Y. 12801. Our members can now call collect 518-792-3535 for inquires for any or all insurance needs. Homeowners, Car Ins., Disability Ins., Hospital Indemnity, Veba Trust, etc.. Hours of operation are 9:00 a.m. to 5:00 p.m., Monday thru Friday.

MEMBERSHIPS DUES DUE IN JANUARY: All members who joined TUFACO, Inc. before Oct. 1, 1983, will be required to pay their membership dues in January 1984. We will be sending you notice along with your new membership card. Your dues are only \$10.00 annually and we are working on a very tight budget, your cooperation in this matter will be appreciated.

TRIBUTE TO ANTON "BUTCH" GEERTS: One of our Brother members was recently killed in a tragic car accident. Butch was a family man, a 16 year Veteran in the U.S.N.R. SeaBees and an excellent Correction Officer. Our Hearts and Prayers are out to his family in this time of sadness. God Bless You.

NEWS WANTED: Items of interest, notable events, individual accomplishments, want to sell something, services offered.- Mail them to TUFACO, Inc. P.O. Box 72, Hudson Falls, N.Y. 12839. We will publish in our next issue.

VACATION PACKAGES ARE A BIG HIT: Many of our members utilized the V.I.P. Vacation packages we sent out, just for being a member of TUFACO, Inc.. We have received many compliments on the accommodations and treatment they received during their stay at the resort of their choice. We intend to expand this program next year for our members. The cost of providing this benefit is expensive but it is well worth the cost. When our members can take a mini-vacation where accommodations are paid in full and in some cases meals are provided free. We all need to get away from the daily routine and what better way to go, on someone else.

SOLID GOLD VOLUME II CONCERT HELD: TUFACO, Inc. entered into the world of Show Business when we sponsored an evening of Solid Gold Volume II at the Colonie Coliseum, Oct. 1st, 1983. Groups from the fifties and sixties entertained to the delight of 1700 in the audience. The groups who performed were; Street Corner Society, an Acappella group, Willie Winfield and the Harptones, who got the crowd reminiscing when they sang one of their hits: ( Gee Whiz ). The Mystics stole the show. They were scheduled to be on stage for only 30 minutes, but the crowd went wild and would not let them leave. They ended up performing for over an hour. Larry Chance and The Earls got the crowd going again when he went into the audience looking for singers, The song was appropriate: " Charlie Brown " ( why is everybody always picking on me ). We were surprised on how many talented Correction Officers there are. Herbie Cox and The Cleftones finished up a most successful show. A good time was had by all. Our hats are off to Robert Doll a Correction Officer at Mt. McGregor, who promoted the show. He did an excellent job. We are planning to sponsor another show in May or June, possibly featuring Bobby Rydell, Leslie Gore and The Shirrels. We will keep you posted.





Setting The Record Straight: As you all know, TUF CO, Inc. has come under attack in the "Review". Council 82's official publication. Everyone recognizes that there are political reasons for this attack. However, we would like to respond so as to set the record straight. The United Federation of Correction Officers, Inc. (TUF CO, Inc.) was incorporated under New York State Law as a Not-For-Profit Fraternal Benefit Corporation. The purposes of the organization, as stated in the by-laws, is to provide for the mutual fraternal, social, cultural, and moral advancement of any correction officer who wishes to join. We have also worked to provide life insurance and disability benefits for our members at a cost which was substantially lower than that offered by Council 82. Our efforts have been warmly received by the rank and file, and we currently can boast of over 150 new members, joining our ranks ( Monthly ) . Council 82 has attempted to blur the separate existence of TUF CO, Inc. in an effort to create confusion among correction officers, This is because of the pending union representation challenge being mounted by the Union of Federated Correction Officers Association. Dennis Fitzpatrick, James Morrissey, Kevin Casey, Bruce Farrell and Marion Dantzer have established a new union in order to mount the representation fight against Council 82. They have done this at the request of correction officers all over the state who believe strongly that Council 82 has lost touch with it's members and that a new independent union can provide better representation at substantially less cost to the Correction Officer. TUF CO, Inc. has been and always will be a fraternal, nonpolitical organization. It has seperate books, accounts, legal identity and accounting records. Your TUF CO, Inc. dues will not be utilized by any other organization. TUF CO, Inc. is not empowered to become a union, nor will it ever become one. TUF CO, Inc. will continue to provide service to it's members regardless of the outcome of any union representation challenge conducted by any organization. Council 82 has made a host of personal attacks against the TUF CO, Inc. directors. In the November issue of the "Review" they implied that the founders of TUF CO, Inc. have personal gain as their motive. This is totally untrue as anyone who has worked with us can attest. Council 82 has attacked our VEBA Trust Fund ( Voluntary Employee Benefit Association ) on the basis that one can do better in any IRA or retirement plan. They are not comparing apples to apples. A VEBA can provide life insurance and other benefits, and the earnings in the trust are tax deferred. Section 501c (9) of the Internal Revenue Code allows such a trust fund so that everyday people like you and me can pool our purchasing power and obtain group rates on a wide range of benefits that we don't have to wait until retirement to enjoy. A VEBA is not even designated to provide retirement benefits as a review of the Tax Law reveals. Council 82 has also attacked the vacation package we have given to our members, " That vacation package was the subject of litigation by the New York State Attorney General". It seems that someone at Council 82 goofed. The pending lawsuit is against a totally unrelated organization! Mr. Joseph DeFalco, President of V.I.P. Vacations of New York has demanded a retraction from Council 82, or he will institute a legal action for liable! On another topic, any TUF CO, Inc. member can arrange to see a copy of our by-laws with Dennis Fitzpatrick or James Morrissey. We are proud of our organization. We have nothing to hide. We also wish to point out that our accountants, Arthur Place & Co., CPA, and our tax Attorney, Jeffrey H. Brozyna, have seen to it that all necessary reports and filings have or are being made with the appropriate agencies and taxing authorities. In the months ahead, TUF CO, Inc. will no doubt be unfairly attacked by Council 82. Despite the non-political nature of TUF CO, Inc., we will respond in writing to any distortions or attacks and we will continue to set the record straight.



# The United Federation of Correction Officers, Inc.

## BOARD OF DIRECTORS

DENNIS J. FITZPATRICK  
JAMES P. MORRISEY  
KEVIN W. CASEY  
BRUCE J. FARRELL  
MARION L. DANTZLER



P. O. BOX 72  
HUDSON FALLS, NEW YORK  
12839  
(518) 792-3535

TUFCO: "WORKING FOR YOU - - ITS MEMBER"

Disability and loss of time from the job is usually unforeseen. Still the costs for living go on and these costs go up each year.

A strong DISABILITY INCOME PLAN, to meet these living expenses, is essential.

We have endorsed a DISABILITY product that covers both ACCIDENT AND SICKNESS LOST TIME TO AGE 65. NOT for one year; NOT with a decreasing percentage of benefit BUT 100% OF WHAT YOU SELECT PAYABLE TO AGE 65 IF YOUR DISABILITY CONTINUES TO THAT TIME.

NOW THAT'S THE KIND OF PROTECTION YOU NEED AND DESERVE.

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PROTECT YOUR FUTURE. Call today or drop us a note and ask for all the facts. There's no obligation.

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Fraternally Yours,

  
Dennis Fitzpatrick  
President-TUFCO

P.S. We also endorsed a \$1,000,000 medical program with a \$25,000 deductible to go with your GHI program for maximum protection and savings for you.



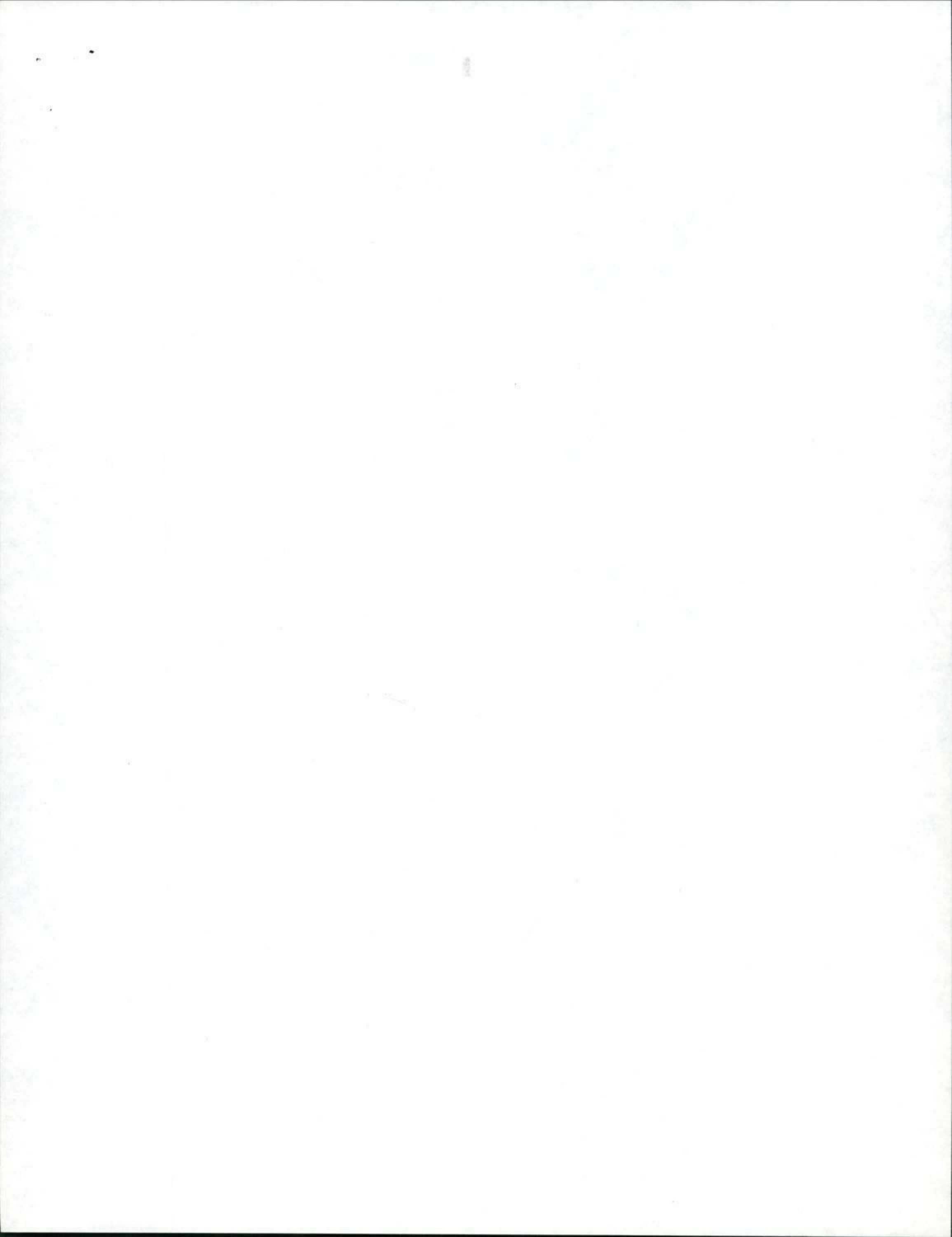
UFCO, INC.  
U. S. Country Ins. Agency  
9 Pearl Street  
Elmira Falls, N.Y. 12801  
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Jack Burke













Attach to C/82 Supreme Notes

A brief look at the positive improvements by Council 82 in the past year

- Health insurance for our members was finalized with small cost increases for our members.
- Optical plan a first to all our members.
- Training seminars for Union leaders were conducted state-wide.
- O.S.H.A. upheld Council 82 position on outdated tear gas in many correction facilities.
- Strike fines returned to 278 of our members.
- More field staff hired to lessen the work load and expand Council services (Steve Pageau, Ed Dean, Hayward Beverly)
- Legislation assistant hired on a full time basis - Kathy McCormack
- public relations specialist hired on a full time basis whos duties also include the full responsibility for the Council 82 Review - Chuck Booth
- Legal assistants hired to assist our <sup>three</sup> ~~two~~ full time attorneys
- Council 82 was the first Union to protest the actions of the state concerning AIDS inmates.
- As a result Council 82 actions on "overcrowding" the states continue to expand and has increased the funding by the legislature.
- On the legislative side, the Council did support Cuomo for Governor. The fruits of this was shown when we needed a message of necessity by the Governor, otherwise correction officers would have been left out completely by the legislature for Tier III retirement improvements
- Legislation by the Council on Long Island Correctional Facility, was not passed but with lobbying efforts and continued pressure the deadline has been extended <sup>OCT 1, 84</sup> ~~for next year~~. *Court Action possible*
- Council 82 will be expanding the legislative action committees concept state-wide to all locals. Council 82 through negotiations with O.E.R. reduced the impact of lay-offs within our units.



- Council 82's negotiations with O.E.R. also upgraded the starting salary and six month salary for trainees in D.O.C.S. *From 12,580 to 14,200.00 6 months 15,000*
- Many more improvements are forth coming in the future, the Council ~~will~~ <sup>was</sup> be expanding their office space, putting in a computer operation, <sup>APR 1 84</sup> retiree chapter for former employees, and several other concepts are being discussed for further improvements to our members. *Scholarship Fund, Death Benefit : Insurance, Awards Program - phone book system for legislative committees*
- Deferred pay arbitration continues and will probably be finalized ~~this fall.~~ <sup>this summer</sup>
- A consulting firm <sup>Arthur Young Associates was</sup> ~~will probably have been selected by the time you read this,~~ <sup>FOR</sup> on our reclassification study.
- Legal action continues on the Lts. Exam, Capts. Exam, and Military Leave issues.
- The E.A.P. program and Q.W.L. continue to grow and improve.
- *establishment of a Camps Training Advisory Committee*
- *establishment of Labor/management committee for the Docs in sending.*
- *Establishment of Cash Advance for New Hires Docs.*
- *Another Request for 1984 to upgrade Co Trainers to GR 14 Hiring Rate*
- *New W.O.D Procedure for discipline*
- *Professor Peter Wickham Survey of Co Attitudes*
- *Holding Tape on Pids with a DL from Atlanta Decease Contract*
- *Workers Compensation continue Day 1 coverage*
- *Seniority & Job Bidding Remains intact*
- *5 Reasoned leave days for new hires*
- *13 Sick leave days for new hires*
- *Time & attendance cases are still processed under Article 8 of the Contract.*



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APPENDIX I  
SUMMARY OF DEPARTMENTAL SERVICES - AFSCME INTERNATIONAL

I. BUSINESS OFFICE

This department coordinates all dollar-related activities. Local treasurer training is conducted from the Business Office and Council 82 received such training during the fall of 1983. Training classes cover all aspects of IRS law, form filing, and proper expenditure/accounting. The U.S. Department of Treasury mandates locals to file extensive reports and a large portion of training is designed to prevent later problems with the IRS.

The Business Office also provides field auditors to councils and locals when there is a suspicion of misappropriations. As in the case of AFSCME Local 1255, an auditor will be assigned to investigate the financial records and determine if union dues have been properly spent. The International Union also maintains bonds for all locals. If money appears to have been misappropriated, the International Union will act on behalf of the local's members and file a bonding claim with the insurance agent. Recently, the members of AFSCME Local 826 in Binghamton, New York, received over \$11,000 based on an Internationally filed bonding claim against former officers. In addition to demonstrating that the process works, it also shows that our procedures are strict enough to detect and correct problems, internally.

The new computer system which Council 82 is in the process of installing also comes from our Business Office. When a council is determining its computer needs, a computer expert is sent in to assist with planning and design. Through the International, a council can purchase new, advanced quality computers at about 60% retail cost. More importantly, the International Union has developed all the necessary software programs and this technology is available to your members free of charge. Typically, the software will run as much as the hardware; in the case of Council 82 - \$75,000. Additionally, when the equipment is installed, training of office staff is also provided free of charge.

The Business Department is also responsible for review of constitutions and helping the president establish jurisdictions as well as issuing membership cards. The jurisdictions issued make that local the sole and exclusive agent for workers covered.

II. COMMUNITY SERVICES AND WOMEN'S ACTIVITIES

While not a critical department to the membership of Council 82, even this department is relevant. Community Services and Women's Activities (CSWA) assist councils and locals in developing or strengthening existing EAP programs. Individuals who specialize in EAP programs are available to assist your members during negotiations and labor/management meetings. This department is also concerned with increasing



## APPENDIX I (CONTINUED)

### II. COMMUNITY SERVICES AND WOMEN'S ACTIVITIES (CONTINUED)

the union's visibility and promoting its image in the community. For example, the AFSCME/COUNCIL 82 booth at the State Fair results from this department. As we move more and more into legislative lobbying and press relations, the union's image becomes increasingly important and CSWA has been created (in 1983) to meet that need.

### III. EDUCATION

The function of the Education Department is critical if we are to have a strong and effective union. It is this department's responsibility to ensure that training is received at the local union level. Because the responsibility is so important, especially in New York, a full time Education Coordinator (Shirley Reeder) has been assigned by the International to New York and Council 82. Beyond Sister Reeder, additional trainers and resources are available from Washington, D.C. Educational classes can be tailored to meet the specific needs of a local union or council. However, programs in the following areas are always available--Steward Training, Officer Training, How to Write a Newsletter, Grass Roots Lobbying, Safety and Health, Union History, and Grievance Handling. During 1983, the International Union, with Council 82, conducted a series of education classes statewide for both corrections and law enforcement. Every local within Council 82 was notified and most chose to take advantage. (EXCEPT ALBANY)

Through the Education Department, the Union also maintains a film library, boasting over 100 different Educational Union films. The films are available for local union meetings upon request. Also, the International Union publishes on a monthly basis the Steward's Magazine which is sent to every registered steward in the country. This magazine further fine tunes the skills learned through the educational classes.

Council 82 regularly sends its staff to the George Meany Labor Studies Center for additional training in areas such as arbitration preparation and video-techniques. The college is open to Council 82 staff and members by virtue of their affiliation with AFSCME.

### IV. FIELD SERVICES

Field Services is responsible for overall direction of all International staff operated in an area and for any new organized activity. In New York, thirteen (13) International staff presently service the five AFSCME councils (at a payroll cost of about \$1/2 million). At present, most organizing is taking place in California, Illinois, and Ohio, where AFSCME is organizing the correctional unit, among others.

In addition to overall direction and organizing, the Field Services Department acts as a funnel for all requests and services between Council 82 and the International Union.



## APPENDIX I (CONTINUED)

### IV. FIELD SERVICES (CONTINUED)

Department personnel are also responsible for resolving internal problems brought forth by members and for combatting decertification attempts.

### V. JUDICIAL PANEL

The Judicial Panel is the internal dispute resolution procedure for the entire Union. Its impartial makeup and procedural requirements have been upheld, thus preventing the various courts from intervening in Union affairs. At present, eight rank and file AFSCME members are selected to sit on the Judicial Panel, hearing cases around the country.

The Judicial Panel rules on the validity of elections, making sure that the procedure is fair and democratic. Recently, the panel was called upon to hear an election protest filed by Brother Hickey in Local 1790. This panel also presides over all charges filed by AFSCME members against other members, staff, or officers. The AFSCME constitution is the only major constitution containing a bill of rights for union members. That bill allows members to file charges and eventually have those charges heard and ruled on by this independent body. In this manner, the rights of the individual are protected against abuse of power by union officials.

### VI. LEGISLATIVE AFFAIRS

As you know, the International Union maintains two full time lobbyists on staff to assist Council 82 in Albany, New York. Additionally, as many as five temporary staff are now assigned to New York, working on the Presidential and Congressional races. The in-state staff works very closely with Council 82 and in the last five years, has achieved major legislative advances on behalf of public employees in general and correction officer's in specific. These include reform of the Tier 3 pension system, early retirement for correction officers, and binding arbitration for law enforcement. Presently, the staff is acting to keep Brentwood open. The International Union annually sponsors one or two lobbying days for Council 82, with the 1983 lobbying session being the most successful in the Council's history. With the assistance of International staff, Council 82 has become one of the most respected lobbying forces on Capitol Hill--a respect which far exceeds the Council's actual members.

In addition to the state staff, twenty lobbyists work in Washington, D.C. making sure that Congressional legislation and programs favorably affect our members around the country and in Council 82. Those lobbyists have been instrumental in passing LEAA and general revenue sharing funds which are directly used by the state and the provision of correctional services. In addition to the actual lobbying effort, the Legislative Affairs Department also maintains voting records on all New York congressmen and has the computerized ability to tell Council 82 or its members how an individual congressman voted



APPENDIX I (CONTINUED)

VI. LEGISLATIVE AFFAIRS (CONTINUED)  
on a specific issue of concern.

The Legislative Department also serves as Council 82's representative on New York's public employee conference. The Public Employee Conference is the major lobbying effort of public service unions in New York State and serves to further the programs put forth by Council 82. PEC, as well as AFSCME and Council 82 were the moving force behind the election of Governor Cuomo, which has proved generally beneficial to the Council.

VII. PEOPLE/POLITICAL ACTION

This department is responsible for determining actual dollar contributions to be made to Congressional candidates. In addition to Congressional contributions, the Political Action Department was also responsible for a major funding effort on behalf of Governor Cuomo. As you know, federal restrictions prohibit the use of general dues money for political contributions for candidates at the federal level. Therefore, the collection of people money to a voluntary mechanism is the only system which allows Council 82 to contribute to Congressional/Presidential candidates.

In addition to determining and funding political candidates the People/Political Action Department is also responsible for field workshops throughout the nation. These workshops focus on how to prepare and run an effective political campaign and include such specifics as phone banking, preparation of leaflets and palm cards, how to write a letter to your representative, and how to lobby.

VIII. PUBLIC AFFAIRS/PUBLIC EMPLOYEE

The Public Affairs/Public Employee Department is the International Union's major communications department. The monthly newspaper, which is received by every member of Council 82, is produced from this department. In addition to the Public Employee which is produced in Washington, two public affairs associates are assigned specifically to New York to meet with the needs of our councils and John Funicello was previously responsible for the production of Council 82's newsletter. Brother Funicello, as well as the other members of the Public Affairs Department, are available and have, conducted all aspects of communication from leaflet and letter writing producing to public speaking.

One of the International Union's most recent focuses has been to thrust the Union into the age of communications. This has been done in a number of significant ways, foremost with the actual production in Washington, D.C. of a television studio. The studio has been used not only by AFSCME but by other unions (we are the only union with a television studio facility) as well as councils to produce tapes dealing with specific problems that can be tailored specifically to your members. Several councils have already taken advantage of the International Union's television studio as a means of



## APPENDIX I (CONTINUED)

### VIII. PUBLIC AFFAIRS/PUBLIC EMPLOYEE (CONTINUED)

communicating more effectively with their members on issues of general concern. The Public Affairs Department has also been responsible for the production of the various AFSCME commercials which have been running on and off in New York for the past two years. The purpose of those commercials is to increase the Union's visibility to the general public who pay the taxes which produce our salaries. Overall, reaction to the commercials has been very favorable and has been beneficial. Through the studio facilities, the International Union also retains the capabilities to produce radio actualities for use by Council 82, your locals, and members. Radio actualities are produced in Washington by use of tapings which then can be relayed to all the major radio stations in a given area (i.e. upstate New York, Albany, Buffalo, etc.). The radio actualities have been used to address specific issues, such as the closing of Brentwood on Long Island, and to present the Union's views instantaneously to the public.

### IX. PUBLIC POLICY

The Public Policy Department is one of two major resource arms of the Union. Public Policy concentrates its efforts on researching various tax efforts/incentives and institutional problems. For the first time in the history of any union, the Public Policy Department recently produced a county by county analysis of the impact of Reaganomics in New York. This analysis details on a county by county basis every federal source of revenue which the state's (corrections) or local government may receive, describing the cuts which have taken place since 1980 in that specific program and county.

Through the Public Policy Department, the International Union has access to economic forecasting data which is essential during negotiations. The Public Policy Department is capable and has been used to forecast what state revenues will be over the next three years, the increase in the consumer price index, the impact of proposed tax cuts, and, the local impact of an institutional closing (such as Brentwood).

### X. RESEARCH DEPARTMENT

The Research Department is responsible for providing a number of skilled technicians in specialized fields. For example, the correction officer stress study was conducted through the Research Department by Francis Cheeks. In addition to technicians versed in the area of stress, the Research Department maintains two professional staff whose sole and exclusive function is the analysis of pension and health care programs. Typically, these individuals are called into bargaining to analyze pension proposals or health care proposals submitted across the table by the employer.

The computer system has allowed the Research Department to dramatically update and improve its wage and benefit information.



## APPENDIX I (CONTINUED)

### X. RESEARCH DEPARTMENT (CONTINUED)

At present, the Department is capable of providing information to Council 82 and your members on wages received by correctional officers or other classifications around the country. The computer is also capable of providing contractual language, (i.e. sick leave, vacation, holidays) from other contracts around the country which should prove invaluable in your upcoming negotiations. As with the pension and health benefits specialists, this information and technicians are available to assist Council 82 with onsite contract negotiations.

The Research Department also maintains information on a number of other subjects including, contracting out, safety and health, recent settlements, and new technological advances. This department of the International Union was responsible for producing the Oren's Safety and Health booklet as well as books on Passing the Buck (contracting out), and Facing the Future (new technology).

One of the most widely requested services provided by the International Union is a provision of budget analysis. These analyses are performed by experts in the Research Department and typically the provision of this single service by an outside consultant may run anywhere from \$3000 to \$20,000. The budget experts have the ability to analyze the state's budget as well as the Department of Corrections budget to determine where expenditures have been overestimated and, revenues underestimated or potential surpluses. The budget analysis in many cases proves the most valuable tool during contract negotiations. As with the other experts in the Research Department, the budget experts are available to assist Council 82 in negotiations and have been called in the past.



BACK.

TUFCU HAS TAKEN THE FOLLOWING POSITIONS.

- 1) Special Interest for CO's only
- 2) Separate Retirement System for CO's.
- 3) Differences Between Tier 1, 2, 3 Retirement systems
- 4) Change Image of a CO. A) March of Dimes
- 5) Become involved in Society. B) NYS Federal office  
C) Special Olympics  
D) Make A Wish
- 6) Organize with CO's NATIONWIDE
- 7) Legislative Interests.
- 8) VACATION PACKAGES
- 9) INSURANCE



Meeting with TUFCO:

*MORRISSEY*

They-have-only-accepted They have no conception of how these guys feel. We, as a fraternal organization for correction officers want to bring that and make a \_\_\_\_\_ of what they would amend \_\_\_\_\_ and \_\_\_\_\_ for correction officers and how their decisions change our every day life \_\_\_\_\_ . Our Tier III retirement system is a prime example. Police and fire have their own special retirement system and the correction officers don't. There is alot of \_\_\_\_\_ there. Some <sup>Some</sup> \_\_\_\_\_ down the line correction officers got left out of being considered the same as police and fire. We believe that could be changed. There is a bill pending right now that we're supporting in the legislature ~~to-change-~~ in changing the Tier III and these bills, as a matter of fact, I was down a couple of weeks ago lobbying for the social security offset. Does everyone know what the social security offset is in the Tier III system? Does everybody understand that? Do you want me to run you through that? (Someone asked a question - can't make it out) Back in the 1969 up to about then there was a contribution to correction officers and sergeants. After that I'd say 68, 69, 70, 72 they had Tier I ? 25 year 1/2 pay. From 1972 the legislature took that off the bargaining table so our Union was no longer bargaining. It was something that was done by the legislature. From then on anything that was done through the retirement had to be done legislative. And what they have done 1976 that time is they created the Tier III system. From 1973 to July 1976 was Tier II. Anybody



hear of Tier II? Do you know what ~~the~~<sup>your</sup> benefits are in Tier II? After 1976 we went to Tier III and the Tier III did you know you pay 3%? On top of the 3% you had to work until you were 62. A couple of years ago that was changed. They finally gave correction officers 25 years with the efforts from alot of correction officers throughout the state. It was done legislative. But ~~the-whole~~ they still \_\_\_\_\_ of the whole system remains is the offset of the social security. What happens when New York State takes a look at your social security check? And they reduced your State pension by 50% of the social security checks. So for example if you are earning \$600 from the State and social security has risen \$600 the State looks at your social security check and reduces 50%?. You then ~~have~~ end up with a total of \$900. The State's check would end up to be \$300. \_\_\_\_\_ . Also under the system I'm under which is Tier I I can apply my ~~comp~~<sup>top</sup> three years to my highest three years, consecutive years, and that would constitute my retirement. In Tier III \_\_\_\_\_. So average it out \_\_\_\_\_ would be lower than your \_\_\_\_\_. You can also only apply 20% of your overtime. In Tier I you can apply all of your overtime to it. So there are alot of changes needed and you know your given the fact that \_\_\_\_\_ comes short of health throughout the system times we are mandated to work overtime that we don't even want to and then you can only apply 20%, that's wrong. We should be able to apply all of it. So there's alot of work to be done in the legislative aspect. Again, All Cos are alike. We feel can be influenced in that area. \_\_\_\_\_ and this is what we intend to do

*Necessity*

*We can be All*



outside people reference to make up of c82 just what corrections are.

One other thing is that one of our purposes hopefully will be to change the image, the image of a correction officer in society to be worth it. We became very active as a Sponsor with the March of Dimes, we helped raise over \$77,000 in the Albany-Schenectady Walk-a-thon                     . We have been asked by the New York State Federal Office to reciprocate in helping them as well. We want people out there to see that correction officers did that. In order to change the public image, you got to become actively involved somehow, someway in today's society. We cannot be SMUG as we have for many years as a Association for people that we represent or we want                      as being one of the same people. We are not brutal, we are not defensive people Concerned people, we are human beings, and tax payers or what have you. We are going to become very active in the Special Olympics that is going to be held on                     , and we have also been asked now by a newly formed non-profit organization called "Make a Wish" and how many of you recall recently where a young boy where his last wish, he was dying of cancer, he wanted to go to the North Pole, and he made that wish                     , they opened up the North Pole and he                      himself Santa Claus and looked at the reindeer and so on and so forth, whatever and the very next day he died. Now "Make a Wish" again seeks any help that it can, we are going to become actively involved in that organization and we are going to be able to do that by some of the proceeds that we may receive off the insurance? or whatever as I told you we are ? through anyone except back through the organization in that particular Case that we had. We got a letter back from the March of Dimes and it says "Dear



Friends, On Saturday, April 23rd, 1983, we opened to a beautiful sunny day, it was a day to rise and shine and shine we did. Over 250 people participated in someway could guarantee that the Walk America 83 was a success in your community. From the bottom of our hearts, we would like to thank you and your members for their outstanding contribution and planning in implementing this event. We wish also to thank your organization for <sup>the</sup> ~~your~~ donation of the plaque <sup>which</sup> ~~that~~ was awarded to the team whose members pledged the most money." We got a late start on it this year, but next year we hope to double. But there are many other good organization out there with many other good things that can be done if it is controlled properly and is run properly to try to improve the image of correction officers. I do not how many people, alot of people <sup>for</sup> in some reason or will NOT say that ~~I~~ say I work for the Department of Corrections, or they are afraid to say that "yes" I am CO. You don't hear that too much, I haven't heard it for many years, and there is alot of us who HAVE more time that I have that can say the same thing. But I think that that can be changed if we put our efforts in the right perspective and I think that those efforts can be done to raise a fraternal organization as we have developed because our whole purpose is to up grade all of the people that <sup>ARE</sup> ~~is~~ in the organization as the same as the PBA or the Knights of Columbus or the Kiwanis or whatever the case may be, it is something that the people can identify with and they can identify through the association. Do you have any questions? Anything at all. Yes. <sup>(Doesn't matter)</sup> Is there an outside shot that if you were to become strong enough with the proper interest and support that TUFCO might challenge as Council 82. TUFCO ~~ain-~~ was formed has a separate Insurance Association in ~~the~~ the summer of 82, and File with the Secretary of State



FITZ PATRICK

the By laws are part of record, its record of \_\_\_\_\_

and TUFCO \_\_\_\_\_ was formed exclusively as a an internal

organization and thats what TUFCO will always remain. Is TUFCO

challenging Council 82, NO. <sup>D.O.C.S INSTRUCTOR</sup> Personally I find that ~~had happened~~

I was kind of hoping that this was ground route effort to, challenge

didn't they have ~~sense-of~~----- . You have to

understand something here, to disrupt or dislodge an incumbent

Union it could ~~cause~~- only cause Problems and make the

incumbent Union good or bad, it is very difficult to operate

under, and we are not about to do that because that would be

a dis-service to our people. When we were talking ~~about-the~~ about

the different organizations or whatever you want to call them,

you know I really am enthused that you say something and \_\_\_\_\_

of the creditor. (If you <sup>hadn't</sup> ~~had~~ to put in time and run \_\_\_\_\_

for the March of Dimes \_\_\_\_\_ New York State Corrections

rather than correction officers - the letter was addressed to

The United Federation of Correction Officers.] As long as people <sup>FITZ</sup>

know I don't \_\_\_\_\_ for anything else now \_\_\_\_\_ they also

see \_\_\_\_\_ and we <sup>MAINE OR MASS</sup> going to MA the end of this month. We

have been invited out to speak to the Commissioner of Corrections

out there on the organization is that we do not want to be

limited to just New York State. We want to be able to expand that

in the ~~continental~~ continental United States and make it one of the

largest possible. only for corrections. You talk to any

correction officers, I don't care what state you go in they are in

the same predicament we are all. We are faced with a society, we

are faced with a group of people who are all in charge to take of

and nobody wants to know about and \_\_\_\_\_ we have to hear about

the better off we are. But the problem is, we really do not have

VP of Hudson



somebody with the special interest speaking on our behalf in a congressional outlook. We really don't, we have people speaking on our behalf with the wages and working conditions, but not on a special interest level that we rightly deserve. Now if you look at-the-PBA up at the PBA For Example exam, they are a large organization one of the things that we try to copy from them, I think it was a very good idea, we discussed this to quite some length, it that the PBA formed a permanent vacation cite for its members (Florida) and how they did they bought a college, a campus that was being shut down, they bought it for a Song?, they renovated it, now everyone of the PBA members welcome NYC, Chicago, Cleveland, and what have you. You can go There and stay free of charge in their vacation home(?). That is a bonified benefit, if you stop and think about it it is a benefit that you can-have can't put a dollar figure on and they did it collectively, collectively they did it because not everybody has in this room can all go to vacation at the same time, we all cannot afford to go Florida maybe once every five years and we can go then, its when you can't go and you know that you have a place to go to and not have to fork over \$60 or \$70 bucks a night to have your family stay and yourself but that becomes a benefit that you can just cannot \_\_\_\_\_ and \_\_\_\_\_ your own, and those are the types of things we are looking into. The vacation package that we have showed you, thats only preliminary. That vacation package costed us \$4.00 thats all it cost was \$4.00. Yes, were you talking about the lobbying and legislation and things like that, wouldn't that really 9 just be way-to wasting money as far as duplicating the efforts of whatever Council 82 is doing? Not necessarily. Council-82 Not necessarily in fact in many cases it enhance the effort - like you were talking aabout the lobbying for the Tier III - I was up there too and I was



*Nonaisey*

under the impression that would be Council 82's job. It was - I  
am the President of Council 82 local office - they                       
participate in the Union, I represent people there. I feel it is  
in dying need to create a special Interest Group.  
We are part of a big organization and we actually get involved in  
the organization, but as many organizations                      which has  
special interests themselves, and I feel its time that correction  
officers had their own special Interest. I would like to  
ask one more thing - Tier III legislation as you see it today,  
in 1979 and 1980 there was correction officers through correction FITZ  
policy who initially started the ball rolling and getting rid of  
Tier III. It was not the entire Union who initially starting it  
was the people who were in that union the make of that Union which  
started the ball rolling. There was a road show that was put on  
there was discussions and Meetings all around the state, there was  
lobbying days that were intiated and that generated alot of people  
down there because they had one purpose in mind and that was to get  
rid of the Tier III or at least allow a guy in Tier III to retire  
after twenty-five years rather than have to work until he is 62  
years old, and that would have had happened by                     ? to work  
for a guy that worked everyday. ~~Ten-dollars-annually~~ How much are  
dues? Ten dollars annually, just sign this - enrollment Card *being Passed out*  
*IN A FEW*                      *historically*  
*CONTACT* ~~the minutes~~ - historically would be through this type of a meeting  
or through the mail, once the application is received with the member  
ten dollars, a membership will be given in corporation of a certificate  
notices sent out to the member and he is automatically put on the  
mailing list and he has also the ~~abilities~~- availability to any of  
the benefits that can be assigned to - a receipt will be given, if  
its a check your check is the receipt. Yes, Do you ~~know~~ *now*



with the National Council on Corrections? Not as yet, wait well wait a minute, are you talking about the ADA - National Council on Corrections No. New York Youth Services A C A we won't have any contact with that at all because they allow inmates to join. I beg your pardon. - I said we won't have any contact with that at all because they allow inmates to join. Do the people in Washington know? The ADA allows - this is the National Council on Corrections Anything else? How big is this association are you going to start making money on your members, is the staff going to grow 50 house like in the end of say 70% of the money is used up for staff allowance Administrative Costs, I will be very very blunt with you ten dollars doesn't go very far, <sup>NO</sup> anybody on staff, has to pay themselves. The lodges, once they are established will establish just like they are again ~~in-the~~ with the \_\_\_\_\_ or the \_\_\_\_\_ they become self Supporting at that point. You find the mother organization if you will, there is not enough money in a ten dollar bill with the mailings we are going to have, you can anticipate \$2.80 per member just for mailing alone, it would come out of that ten dollars. To put a meeting on such as this, yes, money had to be paid for that - no ones? salary but they are paying for the Mileage tolls ? there ~~is-no~~ <sup>it is against</sup> insurance laws in the State of New York for any kickback or anything like that ~~would~~ any insurance may be offered and we are not about to accept any kickbacks of any kind because there is no need ~~for~~ to. (Somebody came in room) <sup>RON WOOD</sup> Before we break up here I just want to say something - somebody said that he like what he was hearing and how soon can he join, right now - listen - TUFCO The United <sup>VP of Hudson (SAI)</sup> Federation of Correction Officers is probably ~~the~~ you do just about you want to do your given power to do it. It cannot be done without being a member because if you are not a member you don't have any







His vice-president Sal made it a point to sign-up at the end of the meeting and try to rally everybody else, 13 members from the Local there all were given TUFCA cards and I would say that there was about 5 that turned the cards in and gave \$10.00.

This was an average size group for a membership meeting which is exactly what this thing turned out, they had seven pizzas, beer naturally, and soda all the compliments of it.

I asked Fitzpatrick why he hasn't made a presentation to Council 82, he says he doesn't want someone else to get the credit for the good work that they are doing and that he would not ask Jack Burke for anything, he feels that the Council would take all the credit for their efforts.

Two of the members attending from the Hudson Local are instructors one is a firearms instructor and the other one had the grays with the Department patches and like that, but I do not have any idea of what kind of instructor he was. There again this is something that we have to be aware of concerning the new trainees.

Something about the reaction when we walked in there, the place went dead quiet and Joe Puma went in first, and then his vice-president and then myself, and when they saw us they really toned right down, you could hear a pin drop in there, they were really shocked to see Steve and the rest of us all together like that. We went over with nine guys, so it made quite a showing.

The presentation on the insurance, of course there are statements that they can sell insurance cheaper due to group rates and they are only looking out for correction officers, at this point I am not sure whether that one conversation was on tape when the one guy asked them about challenging Council 82, Fitzpatrick said, NO! but there was also innuendos at different times concerning that.

It should be mentioned that the guys especially from Coxsackie they are really upset about this TUFCA, they all express interest that Council 82 should be taking stronger more forceful steps towards TUFCA and they really see this as a very serious threat.



AFSCME  
Services

BUSINESS OFFICE

- Local treasurer training.
- IRS law.
- Form filing.
- Proper expenditure/accounting.
- Field auditors, Councils, Locals - suspicion of misappropriations.
- The International Union also maintains bonds for all locals.
- AFSCME Local 826 in Binghamton, New York, received over \$11,000 based on an Internationally filed bonding claim against former officers.
- Computer system - Council 82.
- Computer expert sent in.
- Council can purchase new computers at about 60% retail cost.
- International Union - necessary software programs - free.
- In the case of Council 82 - \$75,000. *was saved*
- Training of office. *Staff also FREE*

COMMUNITY SERVICES

- The AFSCME/Council 82 booth at the State Fair.

EDUCATION

- Training is received at the local union level.
- Full time Education Coordinator (Shirley Reeder) assigned to New York and Council 82.



## EDUCATION (cont'd.):

- Additional trainers and resources are available from Washington, D.C.
- Steward Training, Officer Training, Write a Newsletter, Lobbying, Safety and Health, Union History, Grievance Handling.
- During 1983, Council 82 conducted a series of education classes statewide for both corrections and law enforcement - Every local within Council 82 - except Auburn.
- Maintains a film library - Educational Union films.
- Available for local union meetings.
- Publishes a monthly Steward's Magazine.
- Council 82 regularly sends its staff to the George Meany Labor Studies Center - arbitration preparation and video-techniques.
- Open to Council 82 staff members.

## FIELD SERVICES

- In New York, thirteen (13) International staff five AFSCME councils - payroll cost of about \$1/2 million. )  
CUT

## JUDICIAL PANEL

- The Judicial Panel, disputes resolution procedure.
- Preventing the various courts from intervening in Union affairs.
- Eight rank and file AFSCME members are selected to sit on the Judicial Panel.
- Judicial Panel rules on elections, procedure is fair and democratic.



JUDICIAL PANEL (cont'd.):

- The AFSCME constitution is the only major constitution containing a bill of rights for union members.
- The rights of the individual are protected against abuse of power by union officials.

LEGISLATIVE AFFAIRS

- Two full time lobbyists on staff to assist Council 82 in Albany.
- Five temporary staff are now assigned to New York.
- Major legislative advances - correction officers in specific.
- Reform of Tier 3 pension.
- Presently, the staff is acting to keep Brentwood open.
- International Union annually - one or two lobbying days for Council 82.
- With the assistance of International staff, Council 82 has become one of the most respected lobbying forces on Capitol Hill.
- Twenty lobbyists work in Washington, D.C. - Congressional legislation programs favorably affect our members around the country and in Council 82.
- Passing LEAA - general revenue sharing funds directly used by correctional services.
- Maintains voting records on all New York congressmen.
- Computerized ability to tell Council 82 or its members how an individual congressman voted.
- The Public Employee Conference is the major lobbying effort of public service unions.



## POLITICAL ACTION

- Political Action field workshops throughout.
- Phone banking, preparation of leaflets and palm cards, how to write a letter to your representative, and how to lobby.

## PUBLIC AFFAIRS:

- International Union's use of a television studio.
- Councils to produce tapes dealing with specific problems, tailored specifically to your members.
- Such as the closing of Brentwood on Long Island, and to present the Union's views instantaneously to the public.

## PUBLIC POLICY

- Public Policy Department recently produced county by county analysis.
- Every federal source of revenue which the state's (corrections) local government may receive, describing the cuts which have taken place since 1980.
- Public Policy Department - access to economic forecasting data which is essential during negotiations.
- Forecast what state revenues will be over the next three years.

## RESEARCH DEPARTMENT

- The correction officer stress study was conducted through the Research Department by Francis Cheeks.



RESEARCH DEPARTMENT (cont'd.):

- Two professional staff whose sole and exclusive function is the analysis of pension and health care programs.
- Analyze pension proposals or health care proposals submitted across the table by the employer.
- Computer system update and improve its wage and benefit information.
- Information to Council 82 and your members on wages received by correction officers or other classifications around the country.
- Computer is also capable of providing contractual language, (i.e., sick leave, vacation, holidays) from other contracts around the country.
- Assist Council 82 with onsite contract negotiations.
- Oren's Safety and Health booklet.
- Services provided by the International Union, a provision of budget analysis.
- Outside consultant may run anywhere from \$3000 to \$20,000.
- Budget experts ability to analyze the state's budget, Department of Correction's budget - determine where expenditures have been over-estimated, revenues under-estimated, or potential surpluses.
- Contract negotiations.



## IMPROVEMENTS BY COUNCIL 82

A brief look at the positive improvements by Council 82 in the past year:

- Health insurance for our members was finalized with small cost increases for our members.
- Optical plan a first to all our members.
- Training seminars for Union leaders were conducted state-wide.
- O.S.H.A. upheld Council 82 position on outdated tear gas in many correction facilities.
- Council 82 was the first Union to protest the actions of the State concerning A.I.D.S. inmates.
- Council 82 filed O.S.H.A. complaints on A.I.D.S.
- Strike fines returned to 278 of our members.
- More field staff hired to lessen the work load and expand Council services (total of eight).
- Legislation assistant hired on a full time basis.
- Public relations specialist hired on a full time basis whose duties also include the full responsibility for the Council 82 Review.
- Legal assistants hired to assist our three full time attorneys.
- As a result of Council 82 actions on "overcrowding", the State continues to expand and has increased the funding by the legislature.
- On the legislative side, the Council did support Cuomo for Governor. The fruits of this was shown when we needed a message of necessity by the Governor, otherwise correction officers would have been left out completely by the legislature for Tier III retirement improvements.
- Legislation by the Council on Long Island Correctional Facility was not passed, but with lobbying efforts and continued pressure, the



- Another request for 1984 to upgrade correction officer trainees to GR 14 hiring rate.
- New N.O.D. Procedure for disciplines.
- Professor Peter Wickham's survey of correction officers' attitudes.
- Training tape on A.I.D.S. with a doctor from Atlanta Disease Control Center.
- Worker's compensation day 1 coverage.
- Seniority and job bidding provisions intact.
- Five personal leave days for new hires.
- Thirteen sick leave days for new hires.
- Time and attendance cases are still processed under Article 8 of the Contract.
- New York State/Council 82 Quality of Work Life has funded the following improvements to the members of Council 82:

1. Employee Activity Centers
2. Weight lifting equipment
3. Officers mess equipment and furnishings
4. Air conditioning and ventilation
5. Officer locker rooms
6. Showers for officers
7. Athletic equipment (teams and individuals)
8. Health and stress programs
9. Police Olympus (correction officer participation)
10. Kitchen equipment
11. Microwave ovens and refrigerators for hot meals
12. Driver training (reduces insurance rates and removes marks on license)
13. Pavilions



MAJOR 82 BILLS:

1. Omnibus peace officer bill (benefit to 85% of 82 membership)
2. 25 year half pay - no age requirement - correction officers
3. Retain Article 14 E.R.S. and eliminate social security disability requirement and own retirement section.
4. Indemnification of all State employees in State and Federal courts both criminal and civil.
5. Defeating the volunteer police bill which could forseably mean the loss of up to 75% of our city, town, and village police officers.
6. Retaining the 50,000 death benefit of our members from the Federal program.
7. Mandatory training of county correction officers for permanent and part-time officers.
8. Consecutive sentence on assault of correction officers.
9. Peace officer status for S.H.T.A. (limited)
10. Appearance tickets - University Public Safety Officers
11. Appearance tickets - Safety Officers
12. Reinstatement of funds for violent felony warrant program - Deputy Sheriffs.
13. Reinstatement of funds for statewide deputy sheriffs for navigation and snowmobile enforcement programs.
14. Soft body armor for Encon Police, Capital Police, State Park Police, and Correction Cert teams.
15. Physical screening for correction officers.
16. 21 year age limit - correction officers.
17. Political activities for police officers.
18. Budget reinstatement of 50 Forest Rangers.
19. 207C of General Municipal Law for County Correction Officers.
20. Defeating the City of Albany Police Residency Bill.
21. Defeat of the attempted implementing of correctional service hiring and rules under ex-type law.
22. Additional training for safety officers above C.P.L. requirement.
23. Police officer status - State Park Police, 25 year half pay - State Park Police and reclass of 4 grades (in 1972) for 5 regions of the Parks Office. Also reopener of 375H of P&F Retirement Plan.
24. Increase of vehicle allotment for patrol vehicles for Encon Police Park Police and University P.S.O.
25. Many changes in the Penal Law and Criminal Procedure Law on bills that aid our members in the ability to perform their duties with safety, dignity and professionalism.



The Union of Federated Correction Officers  
(TUFCO Union)

Setting The Record Straight At Fishkill

We must be getting to Council 82! Their campaign to misinform and distort our positions have hit new lows at Fishkill. We take this opportunity to rebut their propaganda and to set the record straight.

Someone at Fishkill (who apparently lacks the courage to sign his name) has alleged in propaganda hand bills that you will forfeit your contract rights if TUFCO Union unseats Council 82 as bargaining agent. This is totally false! In the matter of State of New York (petition of Council 82 of AFSCME) 1 PERB para. 301 and in the Triborough Amendment (Section 209-a (1) (e) of the Taylor Law) it states very clearly that the existing contract continues with the State if a new bargaining agent takes over the unit or if the contract date (March 31, 1985) passes without a new contract being signed. The law reads in part as follows:

"Improper practices. It shall be an improper practice for a public employer or its agents to deliberately . . . .

e) to refuse to continue all the terms of the expired agreement until a new agreement is negotiated . . . "

Perhaps the author of the Council 82 Fishkill propaganda would like to make public the case law or statutes that can prove us wrong!

The charge that TUFCO Union will abolish locals is entirely false. Our constitution provides for strong locals with chief stewards and assistant stewards elected by majority vote of the local members. The locals have input into the union budget and will decide how to spend their own budgeted funds. More importantly, Union-wide officers such as President, Treasurer, etc., will be elected by the members on a one-man, one-vote basis. Contrast this with the Council 82 coronation procedure of selecting union officers!

The bottom line is that Council 82 has lost touch with its members. It cannot provide effective nor professional representation. The off the wall allegations made in their Fishkill propaganda are ample proof of that. TUFCO Union provides experienced professional leadership, professional contract negotiators, top notch attorneys and accountants and new innovative programs designed to serve you, not the other way around!

You owe it to yourself to let us work for you! We know you won't be influenced by Council 82's tactics of distortion and intimidation.

The Officers of the TUFCO Union:

Dennis J. Fitzpatrick  
James P. Morrissey  
Kevin W. Casey  
Bruce J. Farrell  
Marion L. Dantzler



3. *Policy of Nondiscrimination Between Incumbent Organizations and Challenging Organizations.* All organizations shall have equal access to employees for campaign purposes, i.e., soliciting memberships, distributing literature, obtaining signatures on authorization cards and petitions and related activities during a campaign period. When an employee organization has been recognized or certified as the representative of the employees in a negotiating unit, the campaign period shall begin no earlier than 90 days prior to the date upon which the incumbent organization's representation status is subject to challenge under Section 208 of the Taylor Law.

4. *Use of State Facilities for Meetings.* The State will not make meeting space in buildings or areas which it owns or leases available to an employee organization for campaign purposes (as defined above in subdivision 3) except under the following conditions: (a) suitable space is not reasonably available elsewhere in the area, (b) the employee organization reimburses the State for any costs which the State incurs as a result of making such space available, and (c) the organization requests the use of such space in advance, pursuant to the rules of the department or agency concerned.

No employee shall be released from work for the purpose of attending such meetings.

5. *Organizational Activities in an Agency by Employees of That Agency.* Discussions between and among such employees concerning organizational activities, the solicitation of organizational support, and the distribution of membership and authorization cards and organizational literature during nonworking hours and in nonworking areas, such as lounges, restaurants and cafeterias, are permissible. Such activities shall not impair the safe and efficient conduct of the operation, nor shall they interfere with work duties or work performance.

6. *Organizational Activities in an Agency by Employees of Some Other Agency or Persons not Employed by the State.* Such persons shall have access to employees for the purpose of soliciting memberships, distributing literature, obtaining signatures on authorization cards, and other organizational activities in parking lots, entrances to buildings, and other areas to which members of the public are admitted, provided



2. The general standards for disposition are (a) even-handed treatment of interested employee organizations, (b) avoidance of annoyance to the public and (c) avoidance of interference with the agency's operation.



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**ACT NOW  
AND RECEIVE  
THESE OTHER  
VALUABLE BENEFITS...**

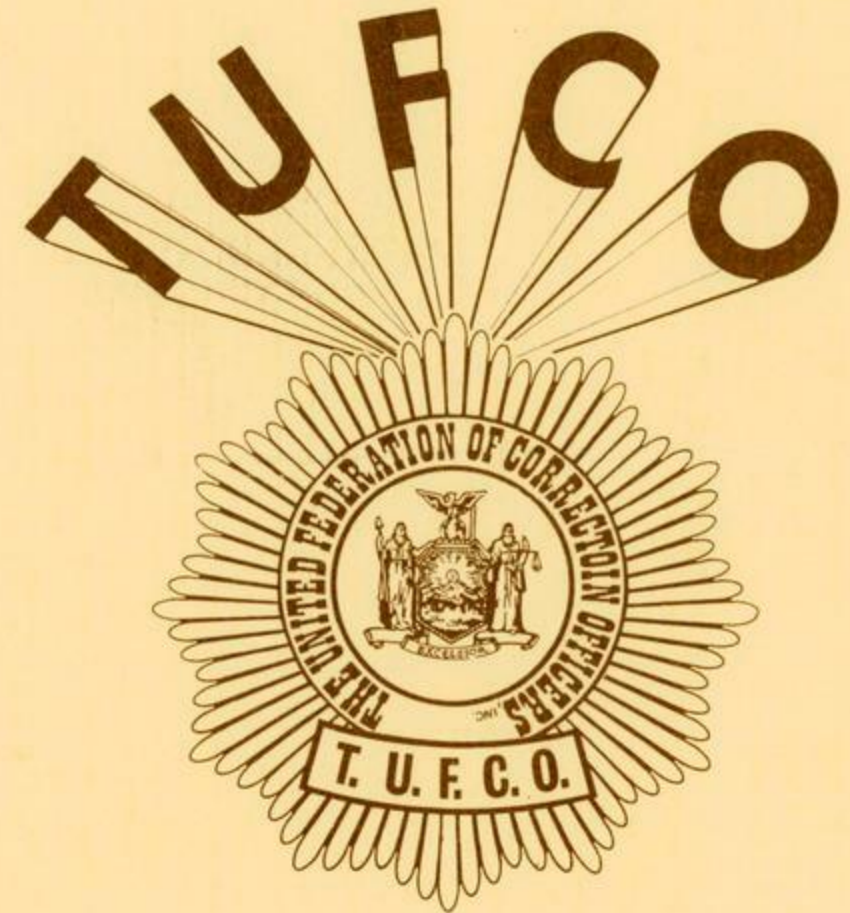
- *TUFCO, Inc. offers permanent, not temporary insurance, to protect you and your family.*
- *Disability Insurance both on and off the job, at lower rates.*
- *Protection against automobile related accidents and breakdowns through a unique motor club.*
- *Participating members of the TUFCO, Inc. program who retire are still eligible for group rates.*

**MAKE  
YOUR  
DECISIONS  
TODAY**

**FOR  
A  
BETTER  
TOMORROW**

*For more information and to enroll contact*

The United Federation  
of Correction Officers  
TUFCO, Inc.  
P.O. Box 72  
Hudson Falls, N.Y. 12839





### Why support TUFACO, Inc.?

This question must be answered by each individual based on personal experience and need. However, take a moment and ask yourself the following questions:

- Can additional benefits be provided if I decide to retire after 25 years of service?
- Can I establish an affordable means of subsidizing my children's college education?
- Can TUFACO, Inc. provide me with extra funds for emergency expenses?

*The answers to the above questions are yes, based on the length of participation in the TUFACO, Inc. program.*

*See your TUFACO, Inc. representative now for further details.*

### Who are we?

The United Federation of Correction Officers, Inc. (TUFACO, Inc.) was originally chartered in December of 1982 as a not-for-profit organization developed exclusively for the benefit of its members and their families.

### What are our goals?


To provide tangible assets to correction officers above and beyond what is available to them now through conventional means. TUFACO, Inc.'s responsibility is to its members and *only* to its members.

### Why should I join TUFACO, Inc.?

By utilizing the full concepts TUFACO, Inc. offers through a program that will qualify under special tax code provisions, you and your family obtain services that can be used and enjoyed now, while at the same time providing protection and security for the future.

### How can I join TUFACO, Inc.?

If you now hold the rank of Correction Officer, Correction Sergeant, or Correction Lieutenant, you are eligible. Simply fill out the TUFACO, Inc. membership card and pay the current \$10.00 annual membership fee.

THE UNITED FEDERATION  OF CORRECTION OFFICERS, INC.  
MEMBERSHIP APPLICATION

I hereby apply for membership in the United Federation of Correction Officers, Inc., and agree to conform to the Bylaws or any amendments thereof in the United Federation of Correction Officers, Inc. I agree to pay an annual membership fee of \$10.00.

Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Middle Initial \_\_\_\_\_

Street Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

Place of Employment \_\_\_\_\_ Home Phone \_\_\_\_\_

Signature \_\_\_\_\_



Sullivan & McMinnes

OK

TUFCO

Downstate.

LT Fields 3/11 w/ Farnell =

McMinnes Memo on NO TUFCO in FAC:

LT. Fields - Briefly Read - HAVE TO GET FARNELL who turn up in front of live up. (McMinnes knows story)

After 3pm Big Problem - Free Access to All Employees.

Downstate  
MUST  
BE  
DONE

Audit = Burke Letter  
won't do anything until Burke puts a time limit to on responding.  
Keenan & EX Board will resign  
Keenan & Co won't charge former Union officials - They are afraid and ~~are~~ friends of Farnell & T.V.F.C.O.  
DATE Time Place Full Charges = Chit. Has cc of previous documentation

Vivvie Di Angelo: Pro Council 82  
one of the few supporters.  
cover in Audit.

©

Need e/82 Staff to Tour Facilities 3=11 shifts



Respondent's Name _____
Respondent's Phone #: ( ) _____
Facility: _____
Time of First Interview _____ AM DAY/TIME PM

I.D. # 2 - \_\_\_\_\_

Attempts to contact:  
1 2 3 4 5 6  
(CIRCLE)

**INTRODUCTION:**

Hello, may I speak with Mr./Ms. \_\_\_\_\_? (IF NOT AVAILABLE, ARRANGE A CONVENIENT CALL-BACK TIME.)

Hello, Mr./Ms. \_\_\_\_\_. My name is \_\_\_\_\_, and I'm calling from Smith-Berlin, a national polling company. You were good enough to talk with us last April for a survey of Corrections employees that we were conducting. I have a much briefer followup survey and I'd like to get your opinion on some things if I could, but first, are you still employed as a Corrections officer in New York?

Yes .....PROCEED TO QUESTION 2  
No .....TERMINATE, NOTE ABOVE

1. Overall would you say you are very satisfied, mostly satisfied, less than satisfied or not at all satisfied with your job?

Very .....	1
Mostly .....	2
Less than .....	3
Not at all .....	4
(Not Sure) .....	5

2. Now I'm going to mention a few specific aspects of your job. For each one I mention please tell me if you are very satisfied, mostly satisfied, less than satisfied or not at all satisfied. (READ LIST. ALTERNATE ORDER.)

	<u>Very Satisfied</u>	<u>Mostly Satisfied</u>	<u>Less Than Satisfied</u>	<u>Not At All Satisfied</u>	<u>(Not Sure)</u>
a. Health insurance benefits .....	1	2	3	4	5
b. Grievance procedures .....	1	2	3	4	5
c. Your salary level .....	1	2	3	4	5
d. Your retirement plan .....	1	2	3	4	5

3. When you think about your wages and benefits compared to two or three years ago, would you say you are much better off, better off, worse off, or much worse off?

Much better .....	1
Better .....	2
(Same) .....	3
Worse .....	4
Much Worse .....	5
(Not Sure) .....	6

4. Now I'm going to read a list of persons and organizations. For each name I mention, please tell me whether you have a generally favorable or generally unfavorable impression of that person or group. If you've never heard of someone, or don't know enough to have an impression, just say so.

	<u>Favorable</u>	<u>Unfavorable</u>	<u>Don't Know Enough</u>	<u>Never Heard</u>
a. AFSCME (afsmee) - Council 82 .....	1	2	3	4
b. Mario Cuomo .....	1	2	3	4
c. The Teamsters .....	1	2	3	4
d. Jack Burke .....	1	2	3	4
e. TUFCO, the Union of Federated Corrections Officers .....	1	2	3	4
f. AFL-CIO .....	1	2	3	4



5. As you know, Corrections officers like yourself are currently represented by Council 82. Overall, would you say Council 82 is doing an excellent, good, not so good or poor job of representing employees?

- Excellent ..... 1
- Good ..... 2
- Not So Good ..... 3
- Poor ..... 4
- (Not Sure) ..... 5

6. Now I'm going to mention a few aspects of Council 82's performance. For each one I mention, please tell me if you feel Council 82 is performing effectively, trying but not really succeeding, or is not really trying hard enough?

ALTERNATE ORDER:

	<u>Performing Effectively</u>	<u>Trying, Not Succeeding</u>	<u>Not Trying</u>	<u>(Not Sure)</u>
a. Communicating with employees, and keeping them informed .....	1	2	3	4
b. Assisting on grievances and disciplinary matters .....	1	2	3	4
c. Bargaining for salary increases .....	1	2	3	4
d. Showing concern and understanding for employees like you .....	1	2	3	4

7. As you know, the organization known as TUFACO is challenging Council 82 for the right to represent all security-related employees now represented by Council 82. Are you currently a member of TUFACO?

- Yes ..... 1
- No ..... 2

8. Do you recall signing a petition card for TUFACO, to allow a union representation election to take place?

- Yes, signed ..... 1
- No, didn't sign ..... 2
- Don't recall ..... 3

9. Now I'm going to read several descriptions or phrases. Now regardless of whether you will support TUFACO or Council 82, for each phrase I mention, please tell me whether you feel that phrase describes Council 82 better, or TUFACO better. If you feel a certain phrase doesn't describe either group, just say so.

	<u>Council 82</u>	<u>TUFACO</u>	<u>Neither</u>	<u>(Both Equal)</u>	<u>(Not Sure)</u>
a. Would be more responsible and accessible to members .....	1	2	3	4	5
b. Is not really a labor union .....	1	2	3	4	5
c. Would be the toughest in dealing with management .....	1	2	3	4	5
d. Would do a better job of bargaining for wages and benefits .....	1	2	3	4	5
e. Would come up with some new ideas and approaches .....	1	2	3	4	5
f. Would run a more democratic union .....	1	2	3	4	5
g. Really doesn't have any background or experience representing employees .....	1	2	3	4	5
h. Would do more to improve the images of Corrections officers .....	1	2	3	4	5
i. Would have more clout and influence in Albany..	1	2	3	4	5
j. Has a better understanding of Corrections Officers and their problems .....	1	2	3	4	5
k. Would be more sensitive to the concerns of black officers .....	1	2	3	4	5
l. They make a stronger case for themselves in their mailings and leaflets .....	1	2	3	4	5



10. As you may know there may be a union election between TUF~~CO~~ and Council 82 in the next month or two, and both groups have been preparing for this election. Up until now, have you received more information and campaign material from TUF~~CO~~ or from Council 82?

More from TUF~~CO~~ ..... 1  
More from Council 82 ..... 2  
(Not Sure) ..... 3

11. If a union election between Council 82 and TUF~~CO~~ was held tomorrow, would you definitely vote for TUF~~CO~~, probably vote for TUF~~CO~~, probably vote for Council 82, or definitely vote for Council 82? (IF NOT SURE, ASK:) Well, are you leaning more toward TUF~~CO~~ or more toward Council 82? (RECORD AS PROBABLE.)

Definitely TUF~~CO~~ ..... 1  
Probably TUF~~CO~~ ..... 2  
Probably Council 82 ..... 3  
Definitely Council 82 ..... 4  
(Not Sure) ..... 5

IF TUF~~CO~~ OR COUNCIL 82:

12. And what's the major reason you would vote for (CHOICE) rather than (NON-CHOICE)?

\_\_\_\_\_

13. As you may know, there's been some questions about a separate union for Corrections officers only, rather than just one union for all security employees like we have now. Is it your impression that, if elected, TUF~~CO~~ would be a union for Corrections officers only or for other security employees as well?

Corrections officers only.. 1  
Others too ..... 2  
(Not Sure) ..... 3

14. (That's right/Actually), TUF~~CO~~ would be required to represent all security employees and would not be permitted to create a separate union for Corrections officers. Do you feel TUF~~CO~~ leaders have been honest and straightforward about this issue, or that they have tried to give the false impression they would provide Corrections officers with their own union?

Honest ..... 1  
Tried to give false ..... 2  
(Not Sure) ..... 3

"Thank you very much for your cooperation." TERMINATE

Interviewer Signature: \_\_\_\_\_

Date: November \_\_\_\_\_ 1984

Time: \_\_\_\_\_ o'clock AM  
PM

Length: \_\_\_ \_\_\_ minutes



TUCCO

STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL  
CHARITABLE FOUNDATIONS DIVISION  
TWO WORLD TRADE CENTER  
NEW YORK, NEW YORK 10047

REGISTRATION OF CHARITABLE TRUST OR CHARITABLE CORPORATION

Date: March 2, 1984

1. Name of Charitable Trust or Charitable Corporation  
The Union of Federated Correction Officers
2. Mailing Address (Principal Office in this State)  
P.O. Box 310  
Hudson Falls, New York 12839
3. Established under
  - A. Will of  
Admitted to probate by decree of the Surrogate's Court  
County on (date)  
  
Court File No.  
  
Final (intermediate) decree settling accounts of executors entered on (date)  
Last accounts of trustees settled by decree entered on (date)
  - B. Inter-vivos trust created by  
Date of instrument  
Date of any amendments  
Last accounts of trustees settled by order of the Court,  
County, on (date) Court file No.
  - C. Charitable corporation  
Date of Incorporation
  - D. Other form of organization Labor Union: Unincorporated Association
4. Names, titles and addresses of trustees or corporation officers, directors, and trustees or others  
Dennis Fitzpatrick - President  
10 First Street, Hudson Falls, NY 12839  
  
James Morrissey - Treasurer-Secretary  
24 Fleming Street, Auburn, NY 13021  
  
Kevin Casey - Vice President  
R.D. #2 Burt Road, Fort Edwards, NY 12828  
  
Bruce Farrell - Vice President  
2 Hudson View Drive, Newburgh, NY 12550  
  
Marion Dantzler - Vice President  
Apartment F, 325 East 106th Street  
New York, NY 10029
5. Documents required to be attached: (Check appropriate box showing attachment)
  - A. By executor: copies of will [ ] codicils [ ] decree admitting will to probate and decree settling last prior accounts of executors [ ].
  - B. By testamentary trustee: copies of will [ ] codicils [ ] and decree settling last prior accounts of trustees [ ].
  - C. By inter-vivos trustees: copies of trust instrument [ ] and any amendments thereto [ ] and of last prior order settling accounts of trustees [ ].
  - D. By corporate directors: copies of certificate of incorporation and amendments thereto [ ]. If corporation was created pursuant to directions in a will or other instrument, please annex a copy thereof [ ].
  - E. By other form of organization: copies of agreement or other governing instrument [ X].  
Unincorporated Association - Union Constitution attached.