

# TRUMAN SETS NEW POLICY ON U. S. JOBS

## State Assn. Bills Put in To Broaden Pensions

By C. J. FENTON  
Special to The LEADER

ALBANY, Feb. 5—Some of the most important bills provided by the State Association of Civil Service Employees has been introduced in the Legislature, including the minimum retirement allowance bill and for the vesting of retirement benefits.

Senator Seymour Halpern (R., Queens), introduced the minimum allowance bill, while the vesting bill was a Wachtel-Knauf measure.

### Other Bills Introduced

Other bills of the Association, and which were introduced, were: By Senator Frederic Bonteou, (R., Poughkeepsie), measure to cover up the employees of Danemora and Matteawan into the competitive class, and providing that they shall have the same pay as Prison Guards. All employees who, on October 15, 1946, have been working for at least one year, be covered in.

By Senator Stokes and Assemblyman Lawrence a bill to extend the Feld-Hamilton Law to Forest Rangers in the Conservation Department.

The Anderson-VanDuzer bill transferring nurses from the sub-professional to the professional

(Continued on Page 2)

## 15,000 A MONTH FIRED BY U. S.

WASHINGTON, Feb. 5—The impression is widespread that Federal employees are almost never fired for cause. But take a look at the record:

According to a recent report to Congress, 124,900 government employees were fired for cause from April 1 through November 30 of last year. That's an average of 15,000 per month. And these employees received disciplinary action and were not merely laid off.

## Pay Raise 9.5 Million

Special to The LEADER

ALBANY, Feb. 5—A total of \$20,000,000 is the cost of "emergency" salary adjustments in the past few years, according to Governor Dewey's budget message to the Legislature.

The Governor explained that the current "emergency" increases to employees amount to \$13.5 million; proposed increases of 4 to 10 per cent for 1946-47 would add another \$9.5 million to the budget, but economies would save about 3 million, bringing the actual increase to 20 million.

In his message, increases were asked for the State Civil Service Commission "to meet the heavy load of examinations which must be held in the coming year," and for the Salary Board, "which should be increased so that it can review the present basic salary scales for permanent changes."

## Preference Still Halts Job-Filling

The first month of operation under the veteran preference amendment has caused woes to the State and NYC Civil Service Commissions.

During the first three weeks of January, appointments were practically at a standstill while the Commissions were revising their lists to meet the new non-disabled veterans preference. Since then day-to-day changes in the lists have complicated and delayed certifications. For example, eight NYC Patrolmen were scheduled to be promoted to Sergeant, but the promotions had to be deferred at the last moment to untangle the veterans' status on the eligible list.

The State has revised all its lists to carry out the veteran preference provisions, but daily changes must be made, on the basis of certification of new claims. The NYC board has completed several lists and is making headway. Its task is larger.

## MINIMUM PAY UP IN MORE JOBS

Special to The LEADER

ALBANY, Feb. 5—Announcement was made today by John E. Burton, Director of the Budget, that persons holding non-statutory jobs will receive a minimum of \$1,200 as of April 1, 1946.

This means that the positions of Domestic, Dining Room Attendant and Assistant House-mother have been raised to \$1,200.

## NYC to Hold 350 Exams

That the Municipal Civil Service Commission is planning to hold 350 examinations between July 1, 1946, and June 30, 1947, was revealed today by the President of the Commission, Harry W. Marsh, who requested a budget increase of \$240,000 to hire additional Commission employees.

In his request to the Budget Bureau, Mr. Marsh indicated the need to fill 13,000 vacancies through civil service examinations and estimated that 238,000 applications would be filed for these tests.

## Security To Depend On Passing An Exam

By CHARLES SULLIVAN  
Special to The LEADER

WASHINGTON, Feb. 5—The forthcoming executive order by President Truman, which will convert the civil service system back to a peacetime basis, will provide that every "war service indefinite" employee who wants to hold his U. S. job will be required, sooner or later, to pass a standard civil service examination, with a mark of at least 70. Otherwise he very quickly will find himself forced out of his job, to make way for some one who has passed.

Once the candidates have been

(Continued on Page 7)

## Exam for Sanitation Man, NYC's Biggest, Due Soon

An open-competitive examination for Sanitation Man is expected to be opened within the next few months. This has been the largest exam that the City holds. Last time 90,000 applied and the eligible list contained 10,700 names.

While the Municipal Civil Service Commission has taken no official action yet, the need for the recruitment is admitted.

The last examination was given in 1940. The list was promulgated on December 5, 1940. It expired on December 4, 1944. However, many of the men on the list entered military service. The

men in service, when reached for certification, became eligible for the special military list which would be good for two years from the date of discharge. By now, a great many of the men on this list are out of service and about 800 appointments are expected within the next few months. This will about exhaust the military list and make it necessary to start working on an examination to

provide a new eligible list for future vacancies.

The maximum age for the test was 35 years and the physical requirements were so high that passing the Sanitation test meant a physical condition which would almost assure a 1-A draft classification.

In 1940 the salary for the job was listed as \$1,860 a year, but during the war provisional appointments have been made at \$2,040 plus a \$240 bonus, a total of \$2,280 a year. It is believed that this will be the future starting salary for the Sanitation jobs.

Progress on the examination, once it starts moving, will be reported weekly in The LEADER.

## Patrolman Test Still Open to Vets

With 23,314 applications on hand for the Patrolman (P.D.), examination, the NYC Civil Service Commission is still accepting applications from veterans who have been discharged or separated from military service since Jan. 16. These veterans should apply at the office of the Commission at 98 Duane Street, Manhattan (near

Chambers Street and Broadway) in person.

### Notice to Veterans

The Commission's notice to such veterans follows:

"Any person who is in the military service during the regular filing period for this examination may receive an application and

(Continued on Page 12)

### More State News

PP. 2, 3, 4, 5, 6, 8, 9, 13, 15, 16.

### NEWS ABOUT STATE EMPLOYEES

#### CHAMPLAIN

At a meeting of the Champlain Unit Barge Canal Employees, held at Schuylerville, the following officers were elected: President, George W. Perkins, Thomson; Vice-president, Charles Neilson, Stillwater; Secretary-Treasurer, R. C. Bailey, Hudson Falls.

Delegates, R. C. Bailey, Hudson Falls, and Charles Dyer, Stillwater; Alternate, George A. Rock, Whitehall.

It was decided to hold the annual banquet at Schuylerville early in April.

#### INDUSTRY

Mr. and Mrs. Edward Sweeney and Mr. and Mrs. Floyd Wemett will retire from State service soon. They plan to leave in February.

Miss Catherine C. Carroll, formerly of Industry, died at Geneseo.

Charles Butsch's father died.

Mrs. Milford Wells doesn't work here any more. She is with her husband, who returned from overseas after serving in the ETO. They plan to make their home in Livonia.

Many of us are helping to fight infantile paralysis by contributing to the March of Dimes.

#### ATTICA

At Cass Hall a complete report was given of the position of the Western New York Civil Service Conference on legislative action. An up-to-date report of the Correction Conference meeting in Albany was read.

Joe Young, one of our gun and key men, says that it sure is nice to be able to walk into a store and buy new tires (if they have them).

According to our membership chairman there are still a few employees at Attica Prison who do

not have their 1946 State membership cards. Chairman R. Zinke said they would be contacted during the next few days.

In the near future, perhaps in the next two or three weeks, we plan to announce the names of our Attica Chapter paid-up members for 1946. We are off to a good start and expect to be well ahead of last year's collections during the various months of this year. March 1st is the date when the first instalment must be in and we expect the payments in full to exceed the partial payments.

It is good to see so many of our service men back to work at the Prison and also to see the interest they are showing about the local chapter and the State Association.

We have become convinced that Bowling can be classed with Hunting and Fishing in the number of alibis that are forthcoming after one of those nights. . . . A team representing the Prison dropped one match to the Auburn Prison, but we don't hear much about it, except remarks like, "Oh, I was terrible."

#### COXSACKIE

Our former President, Ray Marohn, has pulled another "Cantor" on us. The Marohns christened their fourth daughter, Ray is boasting that he has a girl in every corner.

Congratulations to our Super-  
(Continued on Page 13)



At the Executive Council meeting of Letchworth Village Chapter, are: seated, left to right, Mary Hackett, Administration; Jean Slinn, Service Buildings; Marion Manduka, Treasurer; Laurence J. Hollister; Lela Leonard, Girls' Group; Mina Hardt, Secretary; Emilienne Ellsworth, School; Lyda Blanton, Women's Group. Standing, Leslie Ware, Farm; Roy Roby, Vice-president; Hiram Phillips, President; John Harris, Delegate, and Rudolf Hommel, Shops.

## State Assn. Pension Bills Put Before Legislature

(Continued from Page 1)

service, applicable to all the State departments and institutions.

Senator Macy introduced the companion to the Barrett bill providing for additional increments for 5-10-15 years of service at the maximum of the Feld-Hamilton grade.

A bill increasing the death benefit from 6 months to one year was introduced by Senator Hulst and Assemblyman Sellmayer.

A bill for 25-year retirement for Prison Guards was introduced by Assemblyman Ryan. The provisions of this bill are the same as those now applicable for State Troopers.

Bills providing for a death benefit for the widows of Guards who were members of the old Correction Retirement System were introduced by Assemblyman Ryan.

The bill creating a 2-year statute of limitations in removal cases, so that no employee could be removed, by reason of facts which took place more than 2 years before the charges were served, was introduced by Senator Wicks and Assemblyman Furey.

The pension provisions of the Budget Bill are considered extremely favorable. They were worked out as a result of several conferences between the Association and the Administration. Renewal of the present overtime law for overtime pay for unused vacations and holidays are provided in bills to accompany the budget bill.

#### This Week's Offerings

Among the bills to be introduced this week are:

Emergency compensation for employees of Judiciary and Legislature. (A bill was introduced this week seeking to give Teachers throughout the State the same emergency bonus now provided for State employees in the Governor's budget.)

Several other pension bills, including the 55-year retirement bill for Mental Hygiene employ-

ees and others, are under preparation and will be introduced soon.

Arrangements have been made for the introduction of a bill which extends the date within which employees on leave of absence for war work may make the necessary contributions. Some employees neglected to serve the notice that was required to be served within one year from the date the leave of absence was granted. The time within which to give the notice and to make the payments will be extended by this bill.

Another important bill would give veterans seniority, for the

purpose of seniority and layoff, dating from the time they were reached for appointment on the original list. Many employees who were in military service, were passed over for original appointment because of their absence and this bill would date back their seniority so that they would have the required period of service to take promotion examinations and would receive added protection in the event of layoffs.

Extended discussions are being continued in relation to the Association's proposal to wipe the slate clean by paying for all accumulated overtime.

(Other bills on page 16)

## Mental Hygiene Bowling League

Special to The LEADER

ALBANY, Feb. 5—The second half schedule of the Mental Hygiene Bowling League is well under way, with inter-institution matches playing a prominent part to the enjoyment of all the bowlers. The two men's teams from Willard were entertained by the Binghamton men at Binghamton. Binghamton No. 1 defeated Willard No. 2 two games while the Willard No. 2 white-washed Binghamton No. 2 for three games. According to Ralph Salzer, the Binghamton boys, headed by J. R. Barnes, did a grand job in entertaining the Willard outfit.

On Saturday the two Willard teams journeyed to Marcy to match their skill against the Marcy pinsters. Arrangements to entertain the visitors are under the direction of Carl Blue.

Further down the State, Harlem Valley has been on the road. Thirty-six employees of Harlem Valley chartered a bus for Creedmoor, where the two men's teams of Harlem Valley and the women's team made a clean sweep of the match. After the games, Creedmoor outdid itself by providing an orchestra for dancing, a floor show, buffet luncheon and the

night's accommodation. Sunday afternoon, Harlem Valley journeyed to Central Islip. The Harlem Valley bowlers were beaten on the alleys, but royally entertained by Central Islip. After luncheon, Harlem Valley journeyed back up the river arriving at Wingdale, half frozen—according to Lew Thurston.

Central Islip is to play a return match at Harlem Valley on March 23.

Harlem Valley entertained Frank Osborn's team from Albany, also Roy Bonville's outfit from Rockland and a team from Hudson River.

According to Leo F. Gurry, President of the league, these inter-institutional matches were one of the primary motives in formation of the league. He urges all captains to endeavor to arrange more of these meets during the balance of the season.

#### FIREMEN ELIGIBLES

on Special Military List are notified to get in touch with the office of the Uniformed Firemen's Association, 63 Park Row, New York 7, N.Y., at once.

Kindly send in your name and address on a postal card.

John P. Crane,  
President

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## SENATOR HALPERN APPOINTS MCGAHAN AND REYNOLDS

Special to The LEADER

ALBANY, Feb. 5—State Senator Seymour Halpern has announced the appointment of Walter G. McGahan of Bayside as his Legislative Counsel.

Mr. McGahan was a Republican candidate for the City Council in the last campaign. He is President of the Bayside Civic Association and a member of the Bayside Republican Club, Queens Bar Asso-

ciation, Kiwanis Club of Bayside, and he is also a member of the Queens County Republican Committee.

Senator Halpern also announced the appointment of Henry C. Reynolds of Springfield Gardens as Clerk of the Committee on Motor Vehicles and Transportation of which Senator Halpern was appointed Chairman last week. Mr. Reynolds has recently been discharged from military service, having served as a Sergeant in the Air Force. He was with the Twentieth Air Force and served overseas in the China-Burma-India theater, and later in the Marianas Islands. He has been active in Queens Young Republican circles for several years and is a member of the County Committee of the Ninth Assembly District and of the Queens Village Republican Club.

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# The State Employee

By FRANK L. TOLMAN

President, The Association of State Civil Service Employees



## Teeth for Equal Pay Law

IT IS one thing to pass a law requiring equal pay for equal work. It is quite another thing to enforce the law.

The Todd Law requiring equal pay for women was not specifically directed against abuses in the State Service. The reason probably was that the Feld Hamilton Law had long required equal pay for equal work.

However, abuses of the equal pay principle continued to exist. All that was required was to create special titles for women's jobs. The Salary Board and the Budget Division could be relied upon to fix a salary scale for these women's jobs lower than that paid to men under similar titles. If justification were needed, the Civil Service Commission would probably be willing to write lower specifications for the women's jobs or place them in the labor or non-competitive class of the civil service with uncertain requirements as to training and experience.

### ATTORNEY GENERAL'S OPINION

The condition today was made plain in the opinion of the Attorney General to the Temporary Salary Standardization Board:

Does L. 1944, 4c, 793, prohibiting pay discrimination because of sex (Labor Law, Sections 198, 199-a), apply to State employees? And if it does not, does the provision of L. 1937, c. 859, Section 4, which provides that your Board shall follow "the principle of fair and equal pay for similar work" in making allocations therein authorized, accomplish the same result as to State employees? It appears, as an illustrative case, that your Board has before it appeals from prison matrons at certain prisons and reformatories for women, and they claim that they should receive the same wage scale as is paid to prison guards in men's prisons. Another case is that of women parole agents, who apparently are paid less than male parole officers.

"I advise you that the 1944 statute first referred to, although some sentences of it express in very broad terms the principle of non-discrimination in wages because of sex, was not intended to be and is not enforceable against the State. This conclusion is based, not only upon its definition of "employment," but more particularly upon its enforcement provisions. If the Legislature had intended that it be enforced against the State or its municipalities it seems apparent that some enforcement procedure would have been provided other than recovery by the Labor Commissioner from the offending employer of fifty dollars civil penalty for each violation.

"However, the 1944 statute is an expression of public policy which may well be read together with the more general expression of the 1937 statute when your Board is acting upon cases under the authorization therein contained. The specific cases you mention, of Prison Matrons and Women Parole Agents, necessarily depend upon facts not yet in evidence, and it will be for your Board to decide if and when these cases are properly presented."

### PENALTIES MUST BE PROVIDED

It need hardly be added that the Temporary Salary Standardization Board under this advice did not grant the appeal of the Prison Matrons for the same rates as paid the Prison Guards.

The problem now is plain. Teeth must be inserted into the law. Penalties must be provided for discrimination against women in State jobs.

I suggest consideration of the following:

Any official who pays or offers to pay a lower salary rate to women than to men may be removed by the Civil Service Commission and the Governor.

Any board or authority authorized to determine or to accept recommendations of salary scales that discriminate against women may be removed on evidence of discrimination unless the discrimination has been eliminated prior to the appeal for removal.

Any Commission or Board that shall set requirements for appointment or promotion for fairly equivalent jobs lower for women than for men may be removed or suspended.

The Civil Service Commission and the Salary Standardization Board shall be required promptly to review all specifications, classifications and salary allocations for jobs held exclusively or predominantly by women to determine if the principle of equal pay is observed.

Appeals shall be made to and considered by the heads of departments, the Civil Service Commission and the Governor.

The Commissioner of Labor shall sit with any body conducting any hearing or investigation under the Anti-Discrimination Law.

Let's make certain that the salary policy of the State as expressed in law is observed in fact.

## Text of Proposed Amendment to State Assn. Code

Special to The LEADER

ALBANY, Feb. 5.—The proposed amendments to the constitution of the Association of State Civil Service Employees, voted at the Oct. 16 annual meeting, must be approved again by delegates, to become effective:

### Extended Right to Vote

RESOLVED, That Article III of the constitution of the Association be revised to give the right of membership to employees of the civil divisions of the State, and this article be changed to read as follows:

#### ARTICLE III

##### Membership

"All employees in the civil service of the State of New York and its civil divisions including cities and villages, shall be eligible for membership."

##### Membership

RESOLVED, That Article III of the constitution of the Association be revised to give the right to vote to labor and exempt class employees, and this article be changed to read as follows:

"All employees in the civil service of the State of New York shall be eligible for membership."

## State Eligible Lists

### INTERMEDIATE TYPIST, WEST-CHESTER CO., OPEN-COMP.

- 1 John McGuire, Elmsford. 78480
- 2 Jane Jack, Tarrytown. 90170
- 3 Bette Cunitz, Tarrytown. 70550
- 4 D. Topping, White Plains. 76590

### JUNIOR STENO., WEST-CHESTER COUNTY, OPEN-COMP.

- 1 G. Briotte, Harrison. 80214
- 2 Elso Dahl, White Plains. 77212

### BUILDING INSPECTOR, WEST CO., OPEN-COMP.

- 1 J. Fitzpatrick, Tarrytown. 88600

### CLERK STENOGRAPHER, ERIE COUNTY, PROM.

- 1 N. Huntzinger, Buffalo. 91518
- 2 A. Leatherbarrow, Bu'lo. 90770
- 3 M. F. Burke, Buffalo. 89790
- 4 M. Kuelling, Buffalo. 89082
- 5 C. Goslin, Kenmore. 88332
- 6 M. Butler, Buffalo. 87453
- 7 Anna Cryan, Buffalo. 86590
- 8 Anne Hartl, Buffalo. 85664
- 9 Marian Moseicki, Buffalo. 83980
- 10 Hazel Galloway, Buffalo. 81230
- 11 Eileen Piske, Buffalo. 76977

### INTERMEDIATE STENO., NO. CASTLE, WEST COUNTY, OPEN-COMP.

- 1 Sheelagh Boyd, Armonk. 83723
- 2 M. Stipo, White Plains. 79060

### INTERMEDIATE STENO., WEST-CHESTER COUNTY, OPEN-COMP.

- 1 R. McMahon, P. Chester. 94310
- 2 Jane Jask, Tarrytown. 87860
- 3 Mary Friend, Tarrytown. 82738
- 4 E. Puccini, Tuckahoe. 81822
- 5 L. Lockwood, Pt. Chester. 79126
- 6 D. Topping, White Plains. 75772

# State Association Votes on Change In Constitution

## Feb. 28 Meeting to Act on Broadening Membership Eligibility—Tolman Urges Chapter Delegates to Explore Sentiment on Two Proposals

Special to The LEADER

ALBANY, Feb. 5.—The question of revision of the Constitution of the Association of State Civil Service Employees, to extend voting membership beyond the competitive and non-competitive classes of the civil service to all employees in the civil service of the State of New York, will be presented to the delegates at the special meeting of the Association to be held at Albany on Feb. 28.

The question of further revision of the Constitution to include "all employees in the civil service of the State of New York and its civil divisions, including cities and villages" will also be discussed.

Both of the above proposals have already been approved at one meeting of Association delegates and, therefore, approval at the meeting on Feb. 28 would make them effective immediately.

All signs indicate that the resolution extending voting membership to all State civil service employees will be approved by a large vote.

### Civil Division Problem

There is much more involved in the second resolution, extending membership to workers in the civil divisions of the State including cities and villages.

Numerous city and county groups of civil service employees have sought membership in the State Association. Hundreds of individual applications for membership have been received throughout the years. To all such the Association has pointed to its constitution, which limits membership to State employees only. The hope has been held out to all such individuals and groups that the Association might some day be in a position to invite civil service employees throughout the municipal services to active support of a program dedicated to the improvement of municipal services and of working conditions of municipal employees, similar to the Association's successful planning and accomplishment on behalf of State civil service employees.

### Statement by Dr. Tolman

In connection with the business session of the State Association meeting on Feb. 28, President Frank L. Tolman said today:

"I trust that members of the Association throughout the State will impress upon their delegates their wishes with reference to the constitutional proposals as published following the annual meeting in October of last year and approved at that meeting, and

which must be approved at the forthcoming meeting or at another meeting of delegates before they become effective.

### Effect of Enlargement

"The proposal to extend our membership to municipal civil service workers is of tremendous importance. The approval of this proposal would increase the already great prestige and influence of the State Association in State affairs, and at the same time open up to thousands of presently unorganized civil workers in the civil divisions of the State an opportunity to ally themselves with a successfully functioning, progressive workers organization. It would, however, bring immense additional responsibility to the officers and headquarters staff, and the decision must be made upon the basis of careful consideration of all of the factors involved.

### Regional Chapter Conferences

"Another matter which will be considered in full, and which may become the basis for further amendment of the constitution, is that of the formation of regional chapter conferences. Regional chapter conference groups have been proposed by different leaders in Association activity.

"It is urged that such regional groups of chapters formed into conference groups would (1) encourage communication and cooperation among the chapters within the region, (2) develop thought and discussion of State work and ideas and devices for improvement, (3) establish closer contact of individual chapters and State Association headquarters, and (4) increase area influence for good through supplying a single voice for the total membership of various chapters.

### Exploration Urged

"The changes in the constitution to meet the needs of regional conference expression would involve the according of representation on the executive committee and otherwise to regional representatives. A difficulty to regional conference grouping is sacrifices involved in traveling long distances in some areas. Also efficiency of present chapter organization and of present representation is noted.

"I urge all chapters to explore the wishes of their membership and to have their delegates prepared for a complete discussion of this subject. I trust this advance notice of the various proposals relating to Association organization will result in a true expression of delegates on each of the important subjects."

## WHAT EVERY STATE EMPLOYEE SHOULD KNOW

By THEODORE BECKER

### Law Prohibiting Removal on Political Grounds Found Lacking

IF ANY legislator had the temerity to introduce a bill repealing the provisions of Section 25 of the Civil Service Law, which purport to prohibit the removal of classified civil service employees from their positions because of their political affiliations, he would undoubtedly be reviled as an arch-foe of the civil service. Yet the courts have indicated that for all practical purposes these provisions might just as well be written off the books.

#### Law Appears to Cover All

The provisions in question are east in the following language in Section 25 of the Civil Service law:

"No recommendation or question under the authority of this chapter shall relate to the political opinions or affiliations of any person whatever; and no appointment or selection to or removal from an office or employment within the scope of the rules established as aforesaid, shall be in any manner affected or influenced by such opinions or affiliations."

Under the State civil service rules there are three classes—the competitive class, the non-competitive class, and the exempt class. Do the above-quoted provisions afford any aid or comfort to State employees in any one of these classes? Let's see what the

highest court in this State—the Court of Appeals—has to offer in the way of an answer.

#### No Value to Exempt Employees

The Court of Appeals has approved the reasoning of a lower court, in a case involving an exempt employee, to the effect that the protection of Section 25 was not intended by the Legislature to be extended to employees who may be appointed without reference to civil service rules. In that case a distinction was made between exempt positions on the one hand and competitive and non-competitive positions on the other. The court then concluded: "Section 25 does not apply to positions in the exempt class and, even if it did, the relator (the employee) would not be entitled to the remedy (reinstatement) sought in this proceeding" (People ex rel. Garvey v. Prendergast).

#### Not Needed By Competitives

In a subsequent case, involving a non-competitive class employee, the Court of Appeals, in a 4 to 3 decision, showed clearly that it did not believe that Section 25 could be used by either a competitive, non-competitive, or labor class employee to obtain reinstatement after removal for political reasons.

As to competitive class employees, the Court stated:

"A employee in the competitive

class would seldom be called upon to invoke the remedy . . . available under Section 25. If the fact of dismissal by reasons of political opinions or affiliations were to appear from the charges filed, the remedy by mandamus prescribed by Section 22 would be ample."

Hence, Section 25 is of no special value to competitive employees who are protected by another section of the Civil Service law, and Section 25 cannot be invoked by exempt employees.

#### Denied to Non-Competitives

That leaves for consideration only the non-competitive class. (Labor positions in the State service are in the exempt class.)

The Court of Appeals noted the fact that non-competitive employees are, like exempt employees, selected without competitive examination, and said, "The courts have definitely decided that Section 25 does not apply to the exempt class. The same reasoning requires a holding that it does not apply to the non-competitive class." (Merriweather v. Roberts.)

It is clear from the foregoing that Section 25 neither applies to exempt or non-competitive employees nor offers any special benefit to competitive employees,

## Full Committee Named For State Association Dinner On Feb. 28

Special to The LEADER

ALBANY, Feb. 5.—The full membership of the committee in charge of the annual dinner of the Association of State Civil Service Employees was announced today. The committee chairman, as announced last week, is Janet Macfarlane, Secretary of the Association. The other members are: Hazel Ford, Taxation and Finance; Charles Poster, Executive (Budget); John Herring, Education; John Joyce, Audit and Control; Jesse MacFarland, Social Welfare; Ann Quirk, Health; Betty Schifferdecker, Public Works, and Thomas Stowell, Commerce.

The dinner will be held at the DeWitt Clinton Hotel in Albany on Thursday night, Feb. 28. The seating capacity is limited to 400. Those who are not Representatives but who desire to attend are encouraged to get in touch with the Association at once, at its head-

quarters, Room 156, State Capitol, Albany 1, N. Y.

### Entertainment Being Arranged

It is expected that Representatives from all Chapters will attend, and as to these, ticket information will be obtainable directly from Chapter presidents. It is believed, however, that there will be an overflow demand, so that those anxious to attend, and for whom tickets may not be obtainable locally, can best serve their interests by communicating then with the Association headquarters.

There will be business sessions in the morning and afternoon. One feature will be an exhaustive legislative report by the Association's counsel, John T. DeGraff. In the evening, at the dinner, there will be special entertainment at which the diners may sit back, relax and enjoy fun and frolic.

# Promotion Exams Open to Veterans

Following is a continuation of the listing of State Civil Service Commission promotion examinations which have been given during the war. Veterans who would have been eligible for any of these tests if they had not been in service are entitled to a special military examination. They should apply to the Civil Service Commission within 60 days of their return to their job.

The first portion of this list appeared in the Jan. 8 LEADER. The second instalment was published in the issue of Jan. 22; the third, last week. Publication will be continued next week.

These exams are open ONLY to veterans who were on military leave from State jobs.

No. Exam.	Title	Division or Bureau	Held Date
<b>DEPARTMENT OF LAW</b>			
5234	Title Attorney—Open to whole department.....		12-19-42
7144	Clerk (3-1b)—New York Office.....		9-18-43
7152	Clerk—Albany Office.....		9-18-43
7193	Sr. Administrative Asst.—Open to whole department..		9-24-43
7206	Sr. Stenographer (Law)—Albany Office.....		11-13-43
7218	Sr. Stenographer (Law)—New York Office.....		11-13-43
7225	Sr. Law Clerk—Albany Office.....		Cancelled
7245	Stenographer (3-1b)—Albany Office.....		1-22-44
7249	Sr. Accountant—New York Office.....		2-26-44
7288	Investigator—Albany Office.....		3-25-44
9001	Sr. Stenographer (Law)—New York Office.....		4-22-44
9035	Sr. Clerk—Albany Office.....		6-10-44
9073	Sr. Law Clerk—New York Office.....		8-26-44
1018	Inspector of Supplies—Open to whole County.....		5-26-45
1028	Receptionist—Dept. Family & Child Welfare.....		5-26-45
1029	Administrative Asst.—Dept. Finance.....		5-26-45
1064	Index and Recording Clerk—Devl. of Land Recording.		7-21-45
1069	Lieutenant—West Co. Park Commission.....		10-6-45
1109	Asst. Chief Dietitian—Grasslands Hospital.....		10-6-45
1138	Steam Fireman—Union Free School Dist. No. 1, Pelham Manor.....		10-27-45
1148	Senior Audit Clerk—Dept. Finance.....		10-27-45
1153	Bookkeeper—Village of Scarsdale.....		11-27-45
3038	Intermediate Social Case Worker—Div. Public Assist- ance, Dept. Family and Child Welfare, Dept. Public Welfare.....		3-22-41
3039	Administrative Assistant—Dept. Family and Child Welfare, Dept. Public Welfare.....		3-22-41
3040	Asst. Supervisor of Case Work—Div. Public Assistance, Dept. Family and Child Welfare, Dept. Pub. Welf.		3-22-41
3041	Case Supervisor, Grade A—Social Service Div., Dept. Public Welfare.....		3-22-41
5079	Supervising Public Health Nurse—Dept. of Health.....		5-23-42
5214	Head Custodian—Dist. No. 3, Eastchester.....		10-31-42
7012	Sergeant—Dept. Police, New Castle.....		2-27-43
7020	Sergeant—Dept. Police, Pelham.....		2-27-43

No. Exam.	Title	Division or Bureau	Held Date
7021	Lieutenant—Dept. Police, Pelham.....		2-27-43
7025	Chief—Dept. Police, New Castle.....		7-27-43
7026	Lieutenant—Dept. Police, New Castle.....		2-27-43
7256	Supt. of Buildings—School Dist. No. 1, Ossining Public Schools, Ossining.....		2-26-44
1026	Sergeant—Police Dept., Village Pelham Manor.....		5-26-45
1065	Intermediate Court Clerk—Countywide.....		7-21-45

### NEW YORK COUNTY

1212	Assistant Guardian Clerk—Surrogate's Court.....		10-26-40
1214	Clerk—Surrogate's Court.....		10-26-40
1216	Auditor of Accounts—Surrogate's Court.....		11-16-40
1221	Assistant Deputy Chief Clerk—Surrogate's Court.....		12-7-40
3025	Stenographer and Typist, Grade 6—Surrogate's Court(3-1-41		
3258	Foreman of Bindery—Commission Records.....		Unwritten
5008	Attendant to Chief Clerk—Surrogate's Court.....		3-28-42
5009	Third Admin. Asst. Clerk—Surrogate's Court.....		3-28-42
5095	Recording Clerk—Surrogate's Court.....		5-23-42
5203	Assistant Calendar Clerk—Surrogate's Court.....		10-31-42
7002	Clerk Additional Part of Court—Surrogate's Court..		2-11-43
7073	Third Assistant Probate Clerk—Surrogate's Court.....		6-12-43
9021	Deputy Chief Prob. Officer—Court of Gen. Sessions..		6-10-44
9044	Process Service, Grade 6—Dist. Attorney's Office.....		6-10-44
9050	Clerk or General Clerk, Grade 4—Co. Clerk's Office.....		6-10-44
9051	Clerk or General Clerk, Grade 5—Co. Clerk's Office.....		6-10-44
9052	Clerk or General Clerk, Grade 6—Co. Clerk's Office.....		6-10-44
9052	Clerk or General Clerk, Grade 7—Co. Clerk's Office.....		6-10-44
9168	Clerk, Grade 5—Office of District Attorney.....		12-9-44
9169	Clerk, Grade 6—Office of District Attorney.....		12-9-44
9170	Clerk—Grade 7—Office of District Attorney.....		12-9-44
9212	Court Crier—Court of General Sessions.....		1-20-45
9274	Record Clerk—Surrogate's Court.....		3-24-45
1054	Information Clerk—Probation Dept.....		10-27-45
1057	Recording Clerk—Surrogate's Court.....		6-23-45
1060	Librarian—Court of General Sessions.....		6-24-45

### ERIE COUNTY

1156	Principal Clerk—Dept. Social Welfare.....		11-16-40
1204	Assistant Auditor—Auditor's Office.....		10-26-40
1215	Senior Stenographer—Office of County Clerk.....		11-16-40
1217	Senior Clerk—Office of County Clerk.....		11-16-40
1228	Index Clerk—Office of County Clerk.....		11-16-40
1239	Senior Clerk—County Auditor's Office.....		12-7-40
3032	Senior Case Worker—Dept. Social Welfare.....		3-1-41
3033	Chief Accountant—Dept. Social Welfare.....		Cancelled
3036	Chief (Police)—Dept. of Police, W. Seneca.....		5-24-41
3090	Legal Stenographer—Supervisor's Office.....		3-28-42
3240	Maintenance Div. Engr.—Highway Department.....		3-28-42
3242	Index Clerk—County Clerk's Office.....		3-28-42
5006	Senior Clerk—County Clerk's Office.....		3-28-42
5062	Chief Clerk—Dept. Highways.....		5-23-42
5078	Principal Clerk—Treasurer's Office.....		4-18-42
5115	Supervising Accountant—Dept. Social Welfare.....		5-23-42
5118	Principal Clerk—Highway Department.....		5-23-42
5150	Senior Clerk—Auditor's Office.....		7-18-42
5222	Lieutenant (Police)—Dept. of Police.....		11-21-42
5223	Maintenance Div. Engr.—Highway Department.....		10-31-42
7015	Cashier—Treasurer's Office.....		3-27-43
7222	Chief Clerk—Dept. Social Welfare.....		1-22-44
7246	Captain (Police)—Dept. of Police, Vill. Lancaster.....		2-26-44
7278	Index Clerk—County Clerk's Office.....		3-25-44
7279	Chief Steam Engineer—Dept. Buildings.....		3-25-44
7292	Senior Case Worker, Child Welfare Services—Dept. Social Welfare.....		3-25-44
7293	Social Case Supervisor (Unit), Child Welfare—Dept. Child Welfare.....		3-25-44
7296	Clerk—Stenographer—Open to whole County.....		5-6-44
9018	Senior Stenographer—Open to whole County.....		5-6-44
9033	Asst. Supt. of Records—County Clerk's Office.....		6-10-44
9146	Chief—Dept. of Police, Village of Hamburg.....		9-23-44
9279	Principal Clerk—County Auditor's Office.....		3-24-54
9299	Chief Steam Engineer—Dept. Charities & Correction.		4-21-45
1045	Payroll & Roster Clerk—Personnel Office.....		6-23-45
1080	Examiner of Accounts—Comptroller's Office.....		Cancelled
1106	Chief (Police)—Dept. of Police, Village of Depew.....		10-6-45
1107	Lieutenant (Police)—Dept. of Police, Village of Depew.		10-6-45
1108	Senior Stenographer—Dept. Social Welfare.....		10-6-45
1155	Supervisor of Investigations—Probation Dept.....		10-30-45
5111	Cashier—Probation Department.....		5-23-42
7069	Social Case Supervisor, Child Welfare—Dept. Social Welfare.....		5-29-43
7128	Asst. to the Auditor—Auditor's Office.....		10-16-43
1139	Senior Stenographer—Union Free School Dist. No. 1, Town of Tonawanda.....		10-27-45
3057	Head Keeper—Dept. Charities & Correction.....		6-21-41
3078	Asst. Bookkeeper—County Treasurer's Office.....		5-24-41
5022	Chief Account Clerk—Dept. Highways.....		5-23-42
5067	Medical Worker—Dept. Social Welfare.....		4-18-42
5111	Cashier—Probation Department.....		5-23-42
5201	Cashier—Dept. Social Welfare.....		9-19-42
7023	Supervisor of Case Work—Juvenile Division.....		2-27-43
7108	Asst. Bookkeeper—Treasurer's Office.....		6-26-43
9054	Principal Clerk—Countywide.....		6-24-44
9175	Principal Stenog.—School Dist. No. 1, Tonawanda.....		10-28-44
1139	Senior Stenographer—Union Free School, Dist. No. 1, Town of Tonawanda.....		10-27-45

### DEPARTMENT OF STATE

1164	Senior Stenographer—Open to whole Department.....		11-16-40
1256	Assistant Clerk—Open to whole Department.....		12-7-40
3005	Assistant Audit Clerk—Open to whole Department.....		1-18-41
3103	Sr. Auditor, Div. of Racing Com.—Open to whole Dept.		6-7-41
5042	License Investigator—Open to whole Department.....		3-28-42
5054	Assistant Stenographer—Open to whole Department..		3-28-42
5058	Harness Racing Supervisor—Open to Main Div.....		4-18-42
5104	Sr. Corporation Search Clerk—Open to Main Div.....		5-23-42
5197	Asst. Account Clerk—Main Div., Albany Office.....		9-19-42
3082	Asst. Stenographer—Albany & Buffalo Offices.....		5-24-41
7070	Sr. Mail & Supply Clerk—Main Div., Albany.....		5-29-43
7078	Prin. Stenographer—Main Div., Albany.....		6-26-43
7117	Typist (3-1b)—Albany and Buffalo Offices.....		7-31-43
7119	Senior Stenographer—New York Office.....		7-31-43
7221	Sr. License Invest.—Open to whole Department.....		12-11-43
9079	Clerk—Albany or Buffalo.....		9-9-44
9123	Prin. Hearing Stenographer—Open to whole Dept.....		9-26-44
9303	Sr. Clerk—Albany Office (Main or License).....		See 1033
1033	Sr. Clerk—Albany Office (Main or License).....		6-23-45
1058	Head Clerk (Corp.)—Albany Office, Main Div.....		7-21-45
1062	Sr. Stenographer—Albany Main & License.....		7-28-45
1096	Head Editorial Clerk—Albany Office, Main Div.....		9-13-45

## Blabey Is Named As Classification Board Member

Special to The LEADER

ALBANY, Feb. 5—The State Civil Service Commission has appointed Mr. Robert G. Blabey as a member of the Classification Board.

Mr. Blabey was born in Albany in 1904. He was graduated in 1925. He entered Union College at Schenectady, where he took a pre-law course, transferring to Albany Law School from which he was graduated with an LL.B. He was admitted to State practice in 1930 term.

In November, 1930 he was admitted to practice before the United States District Court for the northern district of New York. On November 5, 1934 he was admitted to practice before the Bar of the Supreme Court of the United States, and on February 7, 1936 he was admitted to practice before the Interstate Commerce Commission at Washington.

In April, 1933 he was appointed Assistant Counsel to the New York State Milk Control Board. The functions of this Board were transferred to a Division of Milk Control in the Department of Agriculture and Markets, and he has been associated with this department as Assistant Counsel ever since. During his service with the department he has been associated with Commissioners Baldwin, Ten Eyck, Noyes and present Commissioner DuMond.

He is a member of the New York State Bar Association and the Albany County Bar Association.

## Return of USES To States June 30 Voted by House

Special to The LEADER

WASHINGTON, Feb. 5—The return of the United States Employment Service to the States came closer when the House of Representatives by a vote of 254 to 125 passed a bill which would provide for the return by June 30.

A similar bill, which would have returned the USES to the States by April 1, was vetoed by President Truman in December. President Truman has expressed himself as feeling that the USES should be retained by the Federal Government until July 1, 1947, to provide service for returning veterans. However, a coalition of Republicans and Southern Democrats is striving for the earlier return.

## Additional Postal Pay Asked in Resolution

Special to The LEADER

ALBANY, Feb. 5—Assemblyman Angelo Graci of Queens has introduced a resolution asking Congress to enact legislation providing additional compensation for postal employees. The resolution was referred to the Rules Committee.

This action was taken upon the request of the New York State Federation of Post Office Clerks. Assemblyman Graci expressed the hope that early and favorable action will be taken upon this resolution by the Legislature.

## How Veterans Should Protect Their Insurance

State employees returning from military duty to active State service can have their Group Life Insurance Policy, obtained through the Association of State Civil Service Employees, which was in force when they entered military service, reinstated without medical examination.

All that is necessary is to apply to the Association within 90 days of return to State service.

Any New York State employee whose accident and sickness policy in the Group Plan of the State Association was in force when he entered military service may have his policy reinstated by applying, in writing, within 30 days of release from military service.

Address the Association of State Civil Service Employees, Room 156, State Capitol, Albany 1, N. Y.



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DAILY MASSES—7, 7:30, 8, 8:30, 9, 12:15, 12:45  
SUNDAY MASSES—2:30, 4, 7, 8, 9, 10, 11, 12, 12:30  
DAILY SERVICES—11:30, 1:15, 3, 6:15, 6:45, 7:30  
SUNDAY SERVICES (P. M.)—3:30 and 7:30  
CONFESSIONS—At all times.

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NEW YORK CITY

SUNDAY MASSES—2:30, 3:45, 5, 6, 7, 8, 9, 10, 11, 11:30,  
12, 12:30, 12:45  
(For Members of Armed Forces Only: 3 P.M.)  
DAILY MASSES—5, 6, 4:30, 7, 8, 9:30, 9, 10, 11:30  
(11 Tuesday), 12:15  
CONFESSIONS—Every day of the year from 6:30 A.M.  
to 10 P.M.

# Goldstein's Opinion On Vet Preference Given In Summary

The opinion of Attorney-General Nathaniel L. Goldstein, rendered to the State Civil Service Commission, and covering stated aspects of the veteran preference amendment, holds that World War I veterans, as well as World War II veterans, are entitled to preference.

In a communication addressed to the Commission, attention of Joseph Schechter, counsel, Mr. Goldstein said that the preference attaches to "any list."

**Summary of Opinion**  
An abstract of the opinion follows:

The amendment of the Constitution in 1945 granting preference in civil service appointments and promotions from any list, first to disabled war veterans, and secondly to non-disabled veterans until Dec. 31, 1950, and at least for a period of five years after discharge or release from war service, became operative on Jan. 1, 1946, its effective date, without the necessity of legislative action, although the Legislature is not deprived of its power and duty to safeguard and regulate the rights granted by the Constitution.

The amendment applies to all lists from which appointments and promotions are made on and after Jan. 1, 1946, including those already in existence.

The preference as granted by the amended provision extends to both disabled and non-disabled veterans of any war, including World War I, being limited as to non-disabled veterans to the period of five years from any discharge or release thereafter.

**When Right Arises**  
The right to the preference does not arise until honorable discharge or release under honorable circumstances, which does not occur until the expiration of any period of terminal leave.

A release from active duty in the case of reserve personnel determines the period of eligibility, even though the member of the armed forces is not discharged from inactive reserve status.

World War I commenced on April 6, 1917, and ended on November 11, 1918, for purpose of determining war service in applying veterans' preference under judicial decisions based on the circumstances of that war. World War II commenced on December 7, 1941, but in view of the formulation of the amendment before hostilities ceased, existing circumstances in which there has been no formal termination of the state of war, and the lack of opportunity for legislative action, no definite conclusion as to termination is now possible.

The term "armed forces" is now broadly applied to all organized parts of our military forces and does not require that an in-



NATHANIEL L. GOLDSTEIN

dividual or his unit must be one who or which actually employs weapons against the enemy.

The reserves of the United States Army, Navy, Marine Corps and Coast Guard are permanent components of the armed forces, but an individual member must have been ordered to active duty in order to have performed service therein in time of war.

**Inclusion and Exclusion**  
Temporary members of the Coast Guard reserve, whose duty was on a gratuitous part-time basis, are not to be considered.

Members of the WAAC, before its reorganization as the Woman's Army Corps, were in the armed forces.

A member of the former United States Naval Auxiliary reserve called to active duty served in the armed forces.

Members of the Army Specialist Corps were uniformed civilians and not members of the armed forces.

The Commissioned Corps of the United States Public Health Service did not become part of the armed forces until so ordered by the President, pursuant to statutory authority.

Conscientious objectors who were actually inducted for non-combatant services were members of the armed forces, but not those who were opposed to any military service and were assigned to civilian camps without induction.

The women's reserves of the Navy, Marine Corps and Coast Guard were parts of the armed forces.

Service in the Merchant Marine or as a member of the United States Maritime Service was not in the armed forces.

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# Service in Armed Forces During Period of War State's Key to Preference

Special to The LEADER  
ALBANY, Feb. 5.—The opinion rendered by Attorney-General Nathaniel L. Goldstein on veteran preference answers many questions that have puzzled veterans. One of them is whether a given service is covered by preference because the terms of the constitutional amendment ratified at the polls on Nov. 6 last.

The opinion sets forth that service must be in the armed forces "in time of war" and defines both phrases, except that defining the time of the termination of World War II for civil service purposes is not attempted, since future legislative or even executive action could possibly determine this.

By the terms of the opinion, although not specifically resolved, those who were members of the National Guard when it was Federalized in 1920 are not benefited by the amendment, because preference applies only to service "in time of war," and World War I ended by civil service purposes, as courts have held, on Nov. 11, 1918. However, those who did serve in the armed forces during the period of that war would be covered, and if they were also in the National Guard when it was Federalized in 1920, that fact would not operate as a denial of preference.

Mr. Goldstein did specifically state that those who served in the Merchant Marine and the U. S. Maritime Commission during World War II do not get preference.

**Quotation from Opinion**  
That part of the opinion dealing with service in time of war, which involves dates of beginning and ending of both World War I and World War II, follows:

"For the purpose of determining those who come within the phrase, 'a member of the armed forces of the United States who served therein in time of war,' you ask what are the commencement and termination dates of World War I and World War II. There seems to be no doubt that the former began on April 6, 1917, upon declaration by Congress, nor that the latter commenced on December 7, 1941, by the Japanese attack and simultaneous declaration of war, recognized as an existing state of war by Congress on December 8, 1941 (1942 Atty. Gen. 299). The coincidence of the dates of the commencement of hostilities and the formal declarations and recognition of a state of war in those instances raises none of the questions involved in actual hostilities without declaration, sometimes called 'imperfect' or 'limited' war (see 1930 Atty. Gen. 426).

"A question does arise, however, with respect to the termination of a war within the meaning of a civil service preference provision based on war service. A formal state of war may continue to exist for a long period after actual hostilities have ceased because of the failure for any reason of Congress, or of the President under delegated power, to terminate it or because of delays in the treaty of peace. (See Act of July 6, 1945—Chap. 275; Public Law 135, 79th Cong. 1st Sess.—authorizing medals for members of armed forces serving on active duty between Dec. 7, 1941, and the 'date of the termination of hostilities in the present war'; also Servicemen's Readjustment Act of 1944, 38 U.S.C.A. 697b, defining 'termination of the present war' for the purposes of that Act as the ter-

mination as declared by Presidential proclamation or concurrent resolution of Congress.)

"This was so in the first World War when the treaty of peace was not ratified by the Senate until July 2, 1921. Hostilities had, of course, ceased by reason of the armistice on November 11, 1918.

**Court Cases Cited**  
"Two decisions by New York courts have squarely held that entry into military service after the latter date but before July 2, 1921, did not entitle a civil service employee to protection against removal given to veterans of the 'World War' by Section 22 of the Civil Service Law (Matter of Baade v. City of Glen Cove, 263 App. Div. 99; Zinno v. Marsh, 36 N.Y.S. (2d) 866).

"The Zinno case takes notice of the different dates fixed for varying purposes of Federal pension statutes ranging from November 11, 1918, to July 21, 1921, but held that the Legislature used the words 'world war' in the sense in which they were commonly employed and universally understood to mean the conflict during the period ended by the armistice of November 11, 1918, citing Scott v. Commissioner of Civil Service, 272 Mass. 237; 172 N.E. 218. The Scott case reviewed public statements by the President and the Governor of Massachusetts, which treated the armistice as ending the war, and held that a 1919 amendment of Massachusetts civil service provisions, defining a veteran as one who 'served in time of war', must be construed in reference thereto and, consequently, did not include one who enlisted on November 13, 1918.

**End of World War I**

"Section 22 of our Civil Service Law was amended to include 'world war' veterans by Laws of 1920, Chapter 833, and the original constitutional amendment granting preference to disabled veterans of 'any war' was not adopted until 1929. These were both initiated after the armistice. The Legislature in enacting Section 21 of the Civil Service Law (Laws of 1930, Chap. 374) to implement the 1929 veterans' preference amendment of Constitution Article V, Section 6, used the phrase 'any war' but did not specify by dates the period of any war and cannot be deemed to have used that phrase as including the World War with any different meaning than it used the words 'world war' in 1920. The courts have determined that that conflict ended on November 11, 1918, for the purposes of the 1920 provision of the Civil Service Law. While these determinations were not made until 1942 and the cases were not taken to the Court of Appeals, I cannot now advise you to the contrary in the absence of any intervening action by the Legislature or of any factor which does not appear to have been considered by the courts and in view of your own long standing administrative interpretation.

"By analogy to the basis upon which the end of World War I was determined, the end of World War II, for purposes of civil service preference, occurred upon the signing of the surrender documents by the Japanese in Tokyo Bay when all hostilities ceased. I am clearly of the opinion that the German surrender cannot be deemed the end of the war as to a portion of the armed forces any more than two events which eliminated Italy as an active combatant. Inductions thereafter were not for service in particular

places. We were still engaged in actual fighting until the surrender of Japan, and transfers from the European to the Pacific theatre were still in progress.

**Different Situation in 1945**  
"It is to be observed, however, that the present amendment of the Constitution was initiated in the Legislature in 1944 while the struggle was still being waged and before the manner of its end could be known. It was a providential eventuality that the vote of the people was not cast until after the guns were silenced. There was not available, therefore, prior to the formulation of the amendment either the official or popular attitude or understanding of events bringing hostilities to a close of the kind which governed the determination of the end of the first World War."

[More excerpts from Attorney-General Goldstein's opinion next week, issue of Feb. 12.]

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# GROUP LIFE POLICY WAIVES MEDICAL TEST THIS MONTH

Special to The LEADER  
ALBANY, Feb. 5.—During February, any State employee may obtain coverage under the Group Life Insurance Plan sponsored by The Association of State Civil Service Employees of the State of New York, Inc., without medical examination. The only exceptions are that the employees must be under age 50, and not have been previously rejected for this group life insurance on the basis of a medical examination.

The application for this insurance protection must be signed while the State worker is actually at work. Employees must apply during the month of February, otherwise the insurance company's regular medical examination will be required.

There are many interesting features of this plan. Free additional insurance coverage in the amount of \$250 has been given each insured member of the plan for the policy year beginning November 1, 1945, at no additional cost to the insured member.

**Cost Is Low**  
Since the plan started on June 1, 1939, more than \$1,400,000 in claims has been paid to the beneficiaries of deceased members. Claims have arisen in every State department and institution, in every age grouping, and have been usually paid within twenty-four hours after the Association or the Insurance Company is notified of the death. Many highly commendable letters have been received from beneficiaries attesting to the prompt and efficient service rendered in settlement of claims.

The cost of this insurance is low. Any member, age 39 or younger, for example, may secure this coverage at 60 cents per month per \$1,000 of insurance. Payment is made easy through payroll deductions. The same rates apply regardless of whether the insured is an office worker, a prison guard, or a State trooper, which is an important feature for employees engaging in hazardous occupations.

**Broad Coverage**  
Coverage under the plan is broad as it pays for death due to any cause whatever. The unpaid officers of the Association expended much time and effort in using the tremendous purchasing power of the Association's 28,000 members as a group to arrange this low-cost insurance for members. Any State employee may take advantage of this good work.

Any State employee who is not now insured under this Group Life Insurance Plan should examine the advantages carefully.

Applications for the insurance, or additional information, may be obtained from any local Association representative, from the local Chapter, or by writing to the Association's Headquarters, Room 156, State Capitol, P. O. Box 124, Capitol Station, Albany 1, N. Y.

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# Civil Service LEADER

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Maxwell Lehman, Editor H. J. Bernard, Executive Editor

Brig. Gen. John J. Bradley (Ret.), Military Editor

N. H. Mager, Business Manager

TUESDAY, FEBRUARY 5, 1946

## All Government Levels Move To Regularize Civil Service

THE broad aspects of both the decision of President Truman to stabilize the Federal job situation, and of Governor Dewey's intention to hold many examinations after April 1 to fill thousands of State jobs, are very heartening.

The President's decision, yet to become a formal executive order, is fraught with many complications that drive to the very roots of job security. The Governor's project is far simpler and deals largely with a sufficient appropriation for holding the examinations. The President, however, has to deal with situations immediately affecting the livelihood of Federal employees and their families.

### Difficult Federal Situation

The larger task therefore is one of trying to do justice to about a million Federal employees, past and present, who were hired under "war service duration" regulations. Their jobs are called permanent in a strictly technical sense, only to distinguish them from random or day-to-day employment, or hiring for a fixed period. Actually, they are as insecure as the jobs of provisionals, who are those employees hired without examination, when the number of jobs exceeds the number of eligibles. Eventually the lists must be created. Also, eventually the war service employees will have to pass an examination and get high marks, too. With that nobody can quarrel seriously. Dispensing with examinations works mischief in civil service.

### President Faces Problem Boldly

The President is acting boldly, as circumstances require, for the Federal service must not continue in its present hamstrung condition, nor must the uncertainties that attend much of present Federal employment be permitted to congeal. A peacetime basis for Federal jobs will require still further reductions in force; also, those already separated are to be left with no benefit other than that of rating for training and experience in Federal employ, which may help them to get the higher marks they will need, to exceed the disabled veterans with 10-point preference and the non-disabled veterans with 5-point preference.

There will be many objections to the small recognition given to war service in Government war jobs, but it can not be said that there was any secrecy about the tenuous type of employment from the start. Neither is there any easy solution, when there are many thousand more bidders than jobs, and all bidders with at least an equitable claim.

The President is in a spot. The Governor is not. During the war the State's activities were curtailed while the Federal activities were greatly increased. The State hiring will no doubt act as a cushion for the Federal job loss in this region, though will by no means accomplish a balance.

With Federal and State regulations of its civil service, the restoration of security to public these public jobs, and the hiring of needed employees, what about the City of New York? It is planning 350 exams to fill 13,000 jobs, so government is on the move at all 3 levels.

## The Moment For Action On Past-Overtime Pay

IT has been possible for government to wring a little more out of its employees than private industry could. If government is to set the total example for private industry of fairness, equality and impartiality, as many hope it will do without too much loss of time in Federal, State and city, it can scarcely indicate any intention in that direction without first redressing just grievances. Pay scales must be upgraded generally, and next just claims, whether legal or equitable, must be satisfied, for work done. The only possible feeling that could be produced by any defensive reliance on stiff technicalities for avoiding a just debt would be one of disappointment.

The proposal for a clean slate, offered by the Association of State Civil Service Employees' counsel, John T. De Graff, has received enthusiastic support from leaders of the Association, as well as from the membership, and has been submitted to the Administration. The hope is the Governor Dewey will give very serious consideration to supporting a bill for equitable payment for past-performed overtime, not now within the statute, and for working during one's vacation period.

The State can not plead poverty. It must not plead expediency. The Administration should give the proposal such an enthusiastic backing that the bill would be swept to swift enactment. The proposal is a "natural." It must not be permitted to be snagged in a mesh of artificialities. The real merits are obvious. The need exists now. The moment for action has come.

## Merit Man



WILLIAM H. STEINMAN

"I'VE BEEN with NYC long enough to realize that the civil service classification is a hodgepodge of contradictions and inequalities that should be cleared up. What the city needs is something similar to the Feld-Hamilton Law to arrange salary schedules in accordance with an orderly plan."

That's William H. Steinman speaking. A former state employee, he's just recently been appointed the exempt position of Confidential Clerk by NYC Comptroller Lazarus Josephs.

"Another thing I've noticed about the municipal employees," he added "is that there isn't any uniformity in their labor activities. The different groups of city employees seem more concerned over their differences with one another than in getting together and working for changes which would be to their mutual advantage."

### Cites State Association

He contrasted that with the State Association of Civil Service Employees, in which he has been extremely active, having been a delegate from the NYC Chapter of the Association. "There," he said, "we have one large organization which represents the employees and meets with Executive and Legislative officials and can point to many accomplishments."

As to changing over to the city he says that he was selected for the job by the Comptroller.

In his work as a Field Auditor for the State, he became intimate with every phase of governmental financing. He audited the books of cities, towns, villages and school and fire districts. In his new post he'll be a trouble-shooter for the Comptroller.

Tracing his civil service career, he says that being in an exempt position now just completes the cycle. From 1934 to 1937, he served with the State T.E.R.A. on a temporary basis; then from '37 to '39 he worked for the Comptroller as a field auditor on a provisional basis; then May, '41, he received a regular civil service appointment as field auditor. Friday the 13th was a fortunate day for him, because on that date in August, 1943, he was appointed Examiner of Municipal Affairs, the job which logically led to his present assignment.

He's a native New Yorker, and studied in the city schools. He finished a course at the NYC Chapter of the American Institute of Banking and took special courses in municipal auditing at N.Y.U. His membership in Municipal Finance Officers' associations takes up much of his own time and keeps him up with the latest developments in that field.

In addition to his City work, he's often called in by towns and villages in the vicinity of New York who need a bit of help in solving their financial problems.

## Service Rating In NYC Goes On Without Change

This is a good time of year for NYC employees to look busy when the supervisor is around. The service rating period ends on March 31, and the Service Rating Bureau of the Civil Service Commission is preparing forms which will be sent to the departments and given to supervisors to fill out.

Despite the lengthy survey and reports of the Mayor's Committee on the Simplification of Procedures, which spent months in analyzing the service rating methods of the City, no major changes in the rating process are expected at this time.

Don't Repeat This!

### Wrong Number

A SMALL group of disgruntled veterans, seeking some one in official position to whom they might state their housing grievances, found a willing ear in Lieutenant Governor Joe R. Hanley. So he gave them an immediate informal hearing in his office.

Several speakers held forth at considerable length. Suddenly a veteran, who had not been heard from previously, pushed his way forward, and, staring at Mr. Hanley, charged:

"The reason we can't get action is fellows like you, who sat in their chairs and collected fat salaries while we fought the war."

The former national President of the Spanish-American War Veterans, the former officer who had spent 126 consecutive days under heavy fire in World War I, said simply:

"My dear fellow, I was wounded twice in battle before you were even born. By the way, where did you serve?"

The deliverer of the outburst dropped his head slightly, his voice markedly, and replied with mitigating frankness:

"Galveston, Texas."

### How Far to Follow

There's been considerable talk in jollitic circles as to how far NYC Mayor O'Dwyer should or should not follow Mayor LaGuardia's practices. Certainly Mr. O'Dwyer has gone along a little distance in that direction at least, taking over, in a distant sense, Bob Moses, and also a few other LaGuardia commissioners, and some LaGuardia practices. The degree of divergence is increasing, especially as Mr. O'Dwyer is finding the city up against it financially for its current expenses to a degree he never suspected until after he took office. Tom Patterson, who was Mr. LaGuardia's Budget Director and is Mr. O'Dwyer's, told him the sad story in full, but with complete objectivity. Positively.

### Doctors Spoke Up

However, there was one fact about Mayor O'Dwyer that was more important than the budget, and that was his health (still splendid, thank you). Public dinners and other events kept him out late at night. During the Mayoralty campaign he was out late, too, but slept late. As Mayor he has to get up early. Mr. O'Dwyer has a splendid physique, and bubbles with health, but doctors told friends of the Mayor to advise him to let up on those night tasks. It is known that both Hospitals Commissioners Berner and Health Commissioner Stebbins, both of whom served under Mr. LaGuardia, thought that the LaGuardia method of cutting out the night tours was necessary to avert an ultimate crackup of Mayoralty physical condition. And, so the combination of events led to a resolve in that direction by Mr. O'Dwyer, with exercise in a gymnasium re-

fitted in the basement of City Hall, directly under his own office. Rubbing table, sun lamp, electric horse and shower bath are among the fittings.

### Eyes Give Clue

Mr. O'Dwyer likes exercise and fresh air. The gymnasium gives him the exercise opportunities. The outdoors will no doubt capture much more of his attention when spring draws around. He's never gone in for horseback riding, but doesn't have an allergy toward horses, such as that which afflicted President Coolidge, who therefore had to choose reluctantly an electric horse substitute. The electric type may encourage the Mayor to go in for the real thing.

Passing by a store window on Broadway the other day, Mr. O'Dwyer did glance back to note a pair of riding boots.

### That Fireman Exam

"No action yet on the Fireman examination," is still the latest word at the NYC Civil Service Commission. Although the test was ordered by the Commission last Fall, applications were never issued. Hundreds of men, mostly veterans, have inquired at the Commission Information Office. A sign has been pasted on the door of the Information Office at 96 Duane St., Manhattan, reading: "No Fireman Applications Today."

There is no eligible list for Fireman, and the only men available for appointment are returned veterans on the Special Military list of men who were reached for appointment on previous lists when they were on military duty.

### Many a True Word

Ray F. Ryan, Deputy Collector of U. S. Internal Revenue (income taxes to you), advised that taxpayers should always enclose that bill with their remittance. To avoid trouble, however, we suggest that taxpayers should always enclose their remittance with the bill.

Radar waves have reached the moon and been reflected back in 2 and a fraction seconds. Now candidates may be led to expect answers to queries sent to Civil Service Commissions, less remote bodies.

## Farmingdale Plans Country Life Exhibit

The annual program of exhibits and demonstrations of farming and country life activities is scheduled for Feb. 28 and March 1 and 2, at the State Institute of Agriculture, Farmingdale, L. I. This 27th annual event concerns gardening, farming and rural life.

The Long Island Baby Chick and Egg Show will be held again this year, having been suspended for a few years as a wartime casualty.

## Question, Please

Readers should address letters to Editor, The LEADER, 97 Duane Street, New York 7, N. Y.

### Previous State Exams

I recently applied for employment at the Buffalo State Hospital. I was informed I was to take a civil service examination. To better prepare myself for this examination I would appreciate it if you would send me previous State civil service examinations.—E. V. B.

Previous State examinations are not available. Your public library

could probably recommend study material to prepare you for the examination.

### Wants to Be G-Man

As an ex-M.P. with experience in C.I.D. work, I would like to know if I am qualified to be a G-man and where to apply.

CONCHITO MARTINEZ.

Write to the Federal Bureau of Investigation, Washington, D. C.

## Fine's Bill Broadens Employee Protection In Cases Involving Dismissal

### Special to The LEADER

ALBANY, Feb. 5—Competitive employees of the State and of local governments would enjoy the same protection against dismissal as is now held by exempt firemen and veterans, under the terms of a bill introduced into the State Assembly by Sidney Fine (D., Bronx).

Under present law, competitive employees, in cases of removal, are entitled to charges in writing and are granted a reasonable time to answer in writing. Pending determination of the charges, they may be suspended without pay up to 30 days.

The change proposed by Assemblyman Fine would call for a formal hearing, with the right of appeal to the courts. The hearing would require a written transcript and proof of misconduct or incompetency would have to be submitted by the person alleging it.

### ST. GEORGE TO MEET

The St. George Association, headed by president Archie Chestnut, will hold a regular meeting and social hour on Feb. 9, 8 p.m., at Masonic Hall, 771 West 23rd Street, Manhattan.

# New U. S. Policy Set for Filling Permanent Jobs

(Continued from Page 1) graded, the U. S. Civil Service Commission will make up eligible lists. From these registers eligibles will be certified to Federal agencies for permanent civil service appointments.

**Method of Application**  
How will candidates be selected from the list? It will work this way:

Because veterans get 5 or 10 points extra credit, the top of the list, in practice, will be made up largely of veterans.

When the Commission gets down to the part of the list that is made up partly of veterans, partly of "war service indefinite" appointees, and partly of non-veterans trying to enter the Government for the first time, this is what will happen:

The Commission will block off the group of candidates whose grades cover the top 5 points of this second portion of the list. Let's suppose the spread is from 91 points down to 86. Then, from within this 5-point block, it will appoint veterans, first; war service workers next, and non-veteran, non-war service workers last.

In other words, the war service appointee will get a small amount of preference as against the non-veteran non-war service worker.

When it has placed all the persons from one 5-point block, the Commission will move down into the next 5-point block. And eventually, in that manner, will cover the entire list.

This plan, incidentally, will apply only to war service employees actually on the job. Those who have been laid off will have to compete on exactly the same basis as non-veteran, non-war service candidates.

In practice, this means that war service appointees are going to get very little extra help toward winning Federal appointments. However, one hopeful factor is the fact that their actual experience in Government will count in helping them to get better grades in the examinations.

On some examinations experience counts 60 or 70 per cent or more.

For most war service appointees, it boils down to this: Your chances of winning a permanent Federal job are going to depend very largely on passing the civil service exam with a high mark. If you can do that, you should have no trouble. But if you fail to take the exam, or flunk, or pass with a low mark, then sooner or later there's a strong probability you will lose your Government job.

# HOUSE GROUP FAVORS 16 TO 20 P.C. RAISE

Special to The LEADER

WASHINGTON, Feb. 5—Government pay raise prospects have brightened perceptibly.

A poll showed that members of the House Civil Service Committee strongly favor raises averaging 16 to 20 per cent—instead of only 11 per cent, as approved by the Senate.

Specifically, 10 out of the 20 members of the committee said flatly that they favored raises of 16 per cent or more.

And out of 3 members who could not be reached, at least two—Representatives Charles LaFollette (R., Ind.) and Christian Herter (R., Mass.) are known to consider the 11 per cent Senate raise as inadequate.

Only one Committee member said flatly that he will vote for the Senate formula.

**What Poll Shows**

For 20 per cent raise—William T. Granahan (D., Pa.).

For 16 to 20 per cent raise—Chairman Jennings Randolph (D., W. Va.), Henry M. Jackson (D., Wash.), James H. Morrison (D., La.), Frank E. Hook (D., Mich.), Leo P. Rayfield (D., N. Y.), James

G. Fulton (R., Pa.), George P. Miller (D., Calif.), Augustus W. Bennett (D., N. Y.), Walter B. Huber (D., O.).

For less than 16 per cent but more than 11 per cent—Carter Manasco (D., Ala.).

For 11 per cent—Charles W. Vursell (R., Ill.).

For raise but undecided on amount—John W. Byrnes (R., Wis.), Edward R. Rees (R., Kan.), Clifford P. Case (R., N. J.), George H. Fallon (D., Md.).

Wouldn't comment — J. M. Combs (D., Tex.).

Unavailable—Charles LaFollette (R., Ind.), Christian A. Herter (R., Mass.), Graham H. Barden (D., N. C.).

Should the House—and the rest of Congress—go along with the Committee on its 16 to 20 per cent raise plan, the dollars-and-cents difference to Federal employees would be substantial.

No one can foresee, of course, just how the Senate might apply a formula granting raises that averaged 16 to 20 per cent. But by way of a guide, there's the 17.3 per cent (average) raise which

Senator Sheridan F. Downey (D., Cal.) proposed in the Senate.

**Comparison Table**

The following table shows how the Downey raise would compare with the 11 per cent Senate raise:

Present Rate	11% Raise	17.3% Raise	Difference
\$1440	\$1632	\$1680	\$48
1566	1702.80	1708	65.20
1572	1773.60	1836	62.40
1704	1915.20	1992	76.80
1704	1915.20	1992	76.80
1770	1986	2070	84
1902	2127.60	2226	98.40
1966	2198.40	2304	105.60
2100	2340	2460	120
2166	2410.80	2538	127.20
2320	2576	2720	144
2364	2623.20	2772	148.80
2540	2812	2980	168
2650	2930	3110	180
2980	3284	3500	216
3310	3638	3890	252
3640	3992	4280	288
3970	4346	4670	324
4300	4700	5060	360
5180	5644	6100	456
6230	6734	7405	671
7175	7715	8570	755
8750	9350	10,520	1170
9275	9895	11,170	1275

# Official Order Limits Reopening of Exams For Non-Disabled Vets

Although veterans may have Federal examinations reopened, if there are enough disabled veterans on an existing register, applications from non-disabled veterans will not be accepted by the Second United States Civil Service Region, Christopher Street, NYC. The official announcement, made public today, follows:

"The Civil Service Commission is no longer accepting applications or reopening examinations for 5-point preference veterans for any positions where there is an existing register of 10-point preference eligibles sufficient to take care of the needs of the service for several months.

"Inasmuch as there are a sufficient number of 10-point preference eligibles on the register for

the position for which you are applying and numerous vacancies being filled by reinstatement of returning veterans to their former positions, your application for Federal employment is returned herewith.

"You may apply for any position for which there is an announcement of examination posted in first and second-class Post Offices or at the Federal Building, Christopher Street, New York 14, N. Y. "Second U. S. Civil Service Region.

"If you are a disabled veteran resubmit your application form together with your discharge and a letter from the Veterans Administration, dated within the past six months, certifying to the present existence of a service-connected disability."



PHILIP M. LIGHT is the new leader of the peacetime drive for the sale of war bonds in N.Y. State. He was recently appointed State Director of the Savings Bond Division which has taken over the duties of the wartime War Finance Committee.

# V.A. Day by Day

Promotions are still the vogue. Three names are given for each job to the Chief of the Section in charge. If that Chief gets an unfavorable report about one of those candidates, that person doesn't get the job. Of course, the employee may receive his in-grade promotional increment.

Many Veterans at the V.A. are raising the question "Just how were recent promotions made throughout Vets?" One answer they receive is that promotions depend much on time spent in service, which some veterans claim is unfair. One veteran may have been in service one year, overseas and wounded, while another might have been here in the States for 2 or 3 years.

Insiders at 346 Broadway are talking about several changes that are due soon in the entire NYC setup.

The newly chartered post of the American Legion in the Veterans' Administration, NYC, will have a number of high V.A. officials as members.

The Contact Office at 346 sees about 300 to 400 veterans per day.

The two former Contact Clerks (CAF-5) in that division were made Contact Representatives (CAF-7).

Several Chiefs are bringing in their relatives (keeping vets in the family). One former Chief in Direct has a son working at 346 Broadway. Another Chief in Premium Accounts has a sister working in another Section of Premium Accounts.

# HOUSE GROUP BACKS SURVIVOR INSURANCE, OTHER PENSION AIDS

Special to The LEADER

WASHINGTON, Feb. 5—The investigating staff of the House Ways and Means Committee went on record in favor of Social Security Survivors Insurance for Federal employees.

The proposal—outlined last week in The LEADER—stopped short of recommending actual merger of the Social Security System and the Federal Retirement System.

However, it strongly urged that survivors of Federal employees who die should get the same benefits which go to survivors of workers covered by Social Security.

Social Security survivors' benefits can run as high as \$85 a month.

**Financing Plan**

To finance the plan, the House Committee's staff would set aside part of each Federal employee's retirement reduction for the Social Security System. At present, each employee pays five per cent of his salary into the Federal Retirement System. The new proposal would give three and one-half per cent to the Federal System, and one and one-half per cent to Social Security.

However, the report said that "administration of the Civil Service pension plan should never be delegated to the Social Security Board."

**Plan Called Essential**

It added: "The Civil Service retirement plan is generally regarded as an essential factor in maintaining governmental efficiency. It must be preserved, and it should be improved in every way possible. Whatever is done, the Civil Service

plan must not be weakened as a staff pension plan."

Nevertheless, Federal employee unions can be expected to battle against the plan proposed by the Committee's staff.

And, for the long run, it's a good bet that Federal employees will get survivors insurance not through a link-up with Social Security—but through their own Civil Service Retirement System. Such a plan is now afoot. And very probably will go to Congress this year.

**Other Recommendations**

The committee staff also recommended:

1. That Federal employees be permitted voluntary retirement at 50 on a reduced annuity.
2. That the dollar-a-month tontine charge against each Federal worker's retirement payments should be abandoned.
3. That the beneficiary of a person who dies in Federal service be given a half year's salary, or the employee's contribution to the retirement fund—which ever is larger.

**Silent on Jobless Pay**

On the subject of unemployment insurance for U. S. workers—this was recommended by President Truman in his recent budget message—the report took no stand.

**VETS SEEK MEMBERS**

All employees of the Brooklyn Navy Yard who are veterans of World War II and are interested in finding out about or joining the American Veterans Committee Navy Yard Branch are asked to communicate with Bernard Moed at 117 No. Oxford Walk, Brooklyn 1, N. Y., or phone Main 5-0219.

# Best Selection of Jobs for Vets

The following list of best selections of U. S. jobs for vets is official: SECOND UNITED STATES CIVIL SERVICE REGION Federal Building, Christopher Street, New York 14, N. Y.

## 5-POINT VETERANS BULLETIN

Best Federal job opportunities for non-disabled veterans of World War II.

(Issued monthly)

Listed below are registers maintained in this office, examinations for which may be reopened for honorably separated non-disabled World War II veterans. Application may also be made for any open examinations, announcements for which are posted in First and Second Class Post Offices (or in the Federal Building, Christopher Street, New York, N.Y.).

### MECHANICAL TRADES AND SKILLED OCCUPATIONS AND CUSTODIAL POSITIONS

Ann. No.	Register	Basic Salary	Agency	Area
2-33	Attendant	\$1440-1572	Veterans Adm.	Canandaigua, N. Y.
2-34	Attendant	1440-1572	Veterans Adm.	Northport, N. Y.
2-35	Attendant	1440-1572	Veterans Adm.	Lions, N. J.
2-38	Attendant	1440	Veterans Adm.	Datavia, N. Y.
2-39	Attendant	1440	Veterans Adm.	Bath, N. Y.
2-40	Attendant	1440-1572	Veterans Adm.	New York, N. Y.
2-41	Attendant	1440	Veterans Adm.	Castle Point, N. Y.
2-42	Attendant	1440	Veterans Adm.	Sunmount, N. Y.
Operators, Miscellaneous				
	Devices	1704	Various	New York, N. Y.
	Radio Technicians	2650	C.A.A.	Region 1, N.E. Sea Board
	Maintenance Technician	2650	C.A.A.	Region 1, N.E. Sea Board
	General Mechanic (Carpentry, Painting & Steel Erection)	2650	C.A.A.	Region 1, N.E. Sea Board
	Fireman (Low & High Pressure)	.86 & .07 hr. War		Camp Shanks

### CLERICAL

2R-2	Meteorological Aide	1704	Weather Bur.	Region 1
2-37	Telephone Operator	1500-1794	Various	Second Region

### SUBPROFESSIONAL

	Conservation Aid	2100	Dept. of Agric.	Second Region
	Engineering Craftsmen	1572-2980	Various	Second Region
U-276	Asst. Lab Inspector (Decor.)	1903	Dept. of Agric.	Region 1 of W.F.A.
	Aircraft Communicator	2350	C.A.A.	Region 1 of C.A.A.

### PROFESSIONAL, SCIENTIFIC, TECHNICAL & ADMINISTRATIVE

2-64	Engineer, Radio	2320-2330	Various	Second Region
	Architect	2380-2390	Various	Second Region
	Chemist	2320-2180	Various	Second Region
	Civil Engineer	2320-2330	Various	Second Region
	Aero Engineer	2640	Various	Second Region
	Mechanical Engineer	2320-2330	Various	Second Region
	Pharmacist	2320	Various	Second Region
	Agricultural Specialist	2320-2980	Dept. of Agr.	Second Region
	Veterinarian	2320-2980	Dept. of Agr.	Reg. 1 (Boston) W.F.A.

# DOINGS AT ODB

A nest egg of more than eleven and a quarter million dollars has been saved by thrifty employees of the ODB through purchases of war bonds to date, according to Brig. Gen. Leonard H. Sims, USA, Director of that activity of the Office of the Fiscal Director, Headquarters, Army Service Forces.

In announcing that aggregate purchases now total \$11,380,850, the Director expressed his gratification at the fine record achieved by the large force, not only in all drives in which they participated, but also in regular savings through payroll reservations.

Mrs. Ruby C. Norgaard of 43 Hill Street, Bloomfield, N. J., chief of the Information Section of the War Department Office of Dependency Benefits in Newark, N. J., received a cash award of \$10 for a suggestion to improve operations at that agency. Mrs. Norgaard suggested an improvement

in the method of handling sick leave records of the thousands of civilian employees of the ODB.

The ODB's theater group, Our Dramatic Best, presented Philip Moeller's one-act comedy, "Helena's Husband." The Helena in question is Helen of Troy, whose famous face "launched a thousand ships" and inspired the Trojan war with Sparta in 1200 B. C.

Miss Emily Leonhart, Secretary-Treasurer of the Philadelphia Local of the National Federation of Federal Employees, was the chief speaker on the first NIFFY'S FORUM held by members of Local 810, N.F.F.E. in the recreation hall of the ODB building on Washington Street. Other speakers at the round table discussion were President Gertrude E. Coyle, Grace E. Reardon, Pearl Cooper, L. Pearl Herring, Ira Herman, Wm. F. Kayser, Joyce Harrington, and Velma W. Smith, Chief Clerk of the ODB.





# List of Council Bills

Following is a summary of the bills of interest to NYC employees which have been introduced at the Council and referred to committees:

By Mr. DiGiovanna, Int. No. 6.

Any person who has served as a provisional or special officer in the police department, shall have the time served by him as such provisional or special officer counted as served in the police department in determining his compensation, promotion, retirement and pension in such police department.

By Mr. DiGiovanna, Int. No. 7.

Employees shall have a right to join organizations of their own choosing. No head of any agency shall directly or indirectly attempt to dominate or interfere with the formation and administration of any organization. No policy shall be adopted or action taken by the head of any agency, which is designed directly or indirectly to intimidate or discriminate against or keep under surveillance any employee because of membership or activity in such organization.

By Mr. Isaacs, Int. No. 9.

All officers and employees of the city, elective or appointive, are hereby brought within the coverage of the workmen's compensation law, pursuant to authorization contained in section three of

said law. The city shall be a self-insurer.

By Mr. J. Phillips, Int. No. 11.

An employee, whose employment was interrupted by service with the armed forces of the United States, shall be deemed to fully comply with the provisions of this section regarding residence, if such residence, upon his re-entry into the city service, shall be no farther distant than fifteen miles from the city.

The waiver provided in this subdivision shall become ineffective and cease to operate after December thirty-first, nineteen hundred forty-eight.

By Mr. Quill, Int. No. 13.

Whenever it shall be necessary, because of any existing emergency, to require the members of the uniformed force of the fire department to work tours of duty in excess of the total number of hours per week which is required of them under the three-platoon system, such members of the uniformed force shall be entitled to receive overtime pay at the rate of one- and one-half times the regular rate of pay.

By Mr. Quill, Int. No. 14.

No person shall be denied the right to apply for civil service examination for patrolman, or denied an appointment as a patrolman because of the age restric-

tion, who has been doing regular police duty as a temporary patrolman for one or more years.

By Mr. Quill, Int. No. 15.

Per annum employees in the competitive, non-competitive and labor class of the municipal classified civil service who are required to work in excess of eight hours a day or forty hours per week or on legal holidays, shall be compensated for such work at the rate of one- and one-half time their regular rate of pay.

Per diem employees or employees for whom there is provided in the annual expense budget an annual compensation computed on a minimum number of working days, who are required to work in excess of eight hours per day or forty hours per week or on legal holidays, shall be compensated for such work at the rate of time and one-half their regular rate of pay.

This local law shall not apply to members of the uniformed forces of the police and fire department or to student dietitians, student nurses or internes.

By Mr. Quill, Int. No. 16.

Whenever the rules or regulations of any city department requires any of its employees to wear a uniform, the department shall furnish to each employee the necessary required uniform, and to replenish them as needed.

# 16 PRIZES OFFERED FOR ECONOMY IDEAS

With the blessing of Mayor O'Dwyer a contest now open to present and retired NYC employees, offers 16 prizes for the best suggestions for economy in the city service without sacrificing essential public needs. The closing date of the contest is March 15.

The prizes are to be awarded by a committee chosen by the Good Government Civil Service Committee, a private organization, sponsor of the contest.

First prize is a \$200 U. S. war bond. Two second prizes are a \$100 bond each; 3 third prizes, \$50 bonds; 4 fourth prizes, \$25 bonds, and 6 fifth prizes, \$5 cash, each.

In addition, Mayor O'Dwyer said that efforts will be made to advance employees whose contest entries show that they merit such consideration.

The committee's headquarters are at 51 East 42nd Street (Telephone, Vanderbilt 6-1390).

### Here Are the Rules

The rules:

- Entrants must be NYC civil service employees or retired city-paid civil service employees.
- Entries will consist of one or more proposals for saving money in any item or operation currently provided for or required to be provided for in the Annual Expense Budget, or special schedules for assessable improvements.
- Proposals for economy must be clearly and concisely stated in typewriting or handwriting. They should describe:

- The present item or practice;
- How it is to be changed or eliminated; and
- In what way and estimated amount economy will result without impairing any essential public service.

4. Proposals must be delivered to the Contest Committee by noon, March 15, 1946, at Room 516, 51 East 42nd Street, New York 17, N. Y.

### Contest Committee

The Contest Committee consists of Major General Dennis E. Nolan, chairman; Charles Gilman, Auditor, Bureau of Finance, Board of Education; Lewis F. Lang, First Deputy Comptroller; James A. Sherry, Chief Clerk, Park Department; Lester B. Stone, former Assistant Director of the Budget; Albert Williams, Deputy Police Commissioner; Peter Grimm, William Church Osborn and Harold Riegelman.

## Mondell Opens Brooklyn Branch

Mondell Institute announces the opening of a downtown Brooklyn branch at 129 Montague Street, Brooklyn (near Borough Hall). This 30-year-old institute specializes in Civil Service Coaching and all branches of Mathematics and Drafting. Courses for License Examinations as Engineers, Electricians, Architects and Surveyors are also offered. Veterans may enroll under the GI Bill of Rights. The Manhattan Branch of Mondell Institute is located at 230 West 41st St., New York.

## Fire Dept. Pension Bills Introduced In Council

Changes in the officer membership of the Board of Trustees of the NYC Fire Department Pension Fund to reflect present-day conditions in the department are included in bills now before the Council's Finance Committee.

The measures would drop from membership on the Board the Presidents of the old-line officers'

associations, 3 of which organizations are in liquidation, and one of which, the Chief Officers' Association, was ordered dissolved by the Superintendent of Insurance by June 1 next.

The bills would replace these representatives with a Chief, a Captain and a Lieutenant from the Uniformed Fire Officers' Association and with the President of the Pilots and Marine Engineers Association.

While the number of votes on the Board would be doubled, the relative representation of the men and officers would be unchanged.

These bills were introduced by Councilman Samuel S. DiPalco. They were drawn by Albert De Roode, attorney for the UFOA.

The Uniformed Firemen's Association, the UFOA and the Pilots and Marine Engineers Association appeared and all are in favor of the proposed changes. Some disagreement over a similar previous bill resulted in its failure of enactment. The present measures are expected to be adopted and signed by Mayor O'Dwyer.

### How Many Applied In 6 NYC Exams

Besides the Patrolman examination which has attracted 23,314 applicants, other NYC examinations open during January attracted only 329 candidates.

Official filing figures at the Municipal Civil Service Commission show: Dental Hygienist, 12; Horseshoer, 53; Senior Maintainer (Bookkeeping Machines), 4; X-Ray Technician, 70; Low Pressure Fireman, 190.

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PHILIP S. KANTOR

Employee for 22 Years Loses Suit to Hold Job

Because his position as Chief Auditor was "abolished for reasons of economy," Philip S. Kantor's petition for reinstatement to the NYC Tunnel Authority was denied by Supreme Court Justice Null.

Mr. Kantor will not appeal, but is seeking some reinstatement opening in the city service. He is now on a preferred eligible list.

What made Mr. Kantor's case of unusual interest was the fact that he had been a city employee continuously for 22 years.

He asserted that he lost out through a proposed merger of the Tunnel Authority with the Triboro Bridge Authority and that his duties were taken over by an employee junior to him in point of service.

### Court's Opinion

Justice Null's opinion follows: "The recently appointed commissioners of the New York City Tunnel Authority are permitted to serve as such under the provisions of sections 531 and 895 of the New York City Charter. These sections were enacted subsequent to section 628 of the Public Authorities Law, and the conflict between the provisions of these laws is resolved in favor of the provisions last adopted by the Legislature.

"The petitioner makes no allegation that any employee of the New York City Tunnel Authority is performing his former functions in violation of section 31 of the Civil Service Law.

"It is clear from the papers submitted with this application that some or all of the petitioner's

former duties are now being performed by an employee of the Triborough Bridge Authority, in addition to his duties with the latter organization.

"However, no consolidation of the two Authorities has taken place, although some form of merger is contemplated in the future. Petitioner's position has been abolished for reasons of economy and not as a result of a consolidation of two agencies. In view of these circumstances, the application is denied."

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# PATROLMAN Study Material

Following is The LEADER'S 8th weekly selection of study material to prepare candidates for the coming NYC Patrolman examination. Answers to these questions appear below.

### QUESTIONS

1. In law a corporation is (a) a corpulent person (b) an artificial person (c) any business not incorporated (d) a natural person (e) a labor union.
2. The territory within the police jurisdiction of the City of New York is divided into (a) precincts (b) posts (c) divisions (d) boroughs (e) squads.
3. Generally, mental capacity may be found by measuring ability or (a) performance (b) age (c) height (d) the size of the head (e) lack of performance.
4. Three young men are fighting in the street. The only "weapons" evident are the fists of the participants. A small crowd has begun to gather. The patrolman who happens upon this situation should first (a) wade into the

fighting, swinging his club in order to end the matters as quickly as possible (b) attempt to separate the men without recourse to violent force (c) disperse the crowd, then draw his gun and command the fighters to stop (d) fire a shot in the air, a single act which has the triple virtue of dispersing the crowd, stop the fight, and summoning assistance (e) summon assistance, then attempt to stop the fight.

5. A policeman, while walking on his post, notices a man who is having difficulty in inserting a key into the lock on the door of a parked car. The best procedure for him to follow would be to (a) offer his assistance in opening the door (b) continue to observe the man's actions (c) attract the man's attention so that he will attempt escape if his activities are illegal (d) engage the man in conversation in order to give the rightful owner of the car an opportunity to appear on the scene (e) take the license number and

call the station house to ascertain if the car has been reported as stolen.

### ANSWERS

1. (b) For the purpose of business, responsibility, litigation, etc., a corporation is considered an artificial person. Criminal punishment as well as civil punishment may be inflicted in most cases.
  - (a) A corpulent person is a stout person.
  - (c) and (e) Many businesses and unions do not incorporate.
  - (d) A natural person is a human being. (In paternity proceedings a natural person is one born out of wedlock).
2. (d) Rule 7 provides for such jurisdictional responsibility.
  - (a) Divisions are divided into precincts.
  - (b) Posts are part of precincts.
  - (c) Borough are divided into divisions.
  - (e) Squads are special units.
3. (a) Persons taking tests should have equal opportunity, such as experience or non-experience on the matter; and this matter must be common to all people. Upon this parallel performance the mental capacity of the subject may be found.
  - (b) Age is wrong because the mental capacity of the various persons at various ages widely differ.
  - (c) and (d) Height and size of the head have nothing to do with measuring mental ability.
  - (e) is wrong because of (a).
4. (b) A breach of the peace is occasioned and it is the duty of the patrolman to prevent crime and preserve the peace, and to use only sufficient force in so doing.
  - (a) is wrong because he would be committing an unlawful assault.
  - (c) is wrong because no weapons were being used and the situation should be handled without the use of a gun unless further developments require it. To disperse the crowd would be to dispense with possible assistance in case it is required.
  - (d) The small crowd should be assistance enough. The firing of the shot may result in injury to someone. Under Sec. 1848 P.L. it is a misdemeanor for a person who, after having been commanded to aid an officer in arresting any person, wilfully neglects or refuses to give such aid.
  - (e) is wrong because the assistance was already present in the persons of the crowd.
5. (b) In continuing to observe the man's actions the patrolman is in a position to take any sub-

sequent police action, if necessary.

- In (a) the patrolman may be assisting a criminal or intoxicated person.
- In (c) such action may result in having a fleeing felon.
- (d) is wrong because the facts do not state that he is not the rightful owner.
- (e) is wrong because if it were a stolen car it would give the person plenty of time to remove it while the patrolman was telephoning for information. Then again, it is seldom that a stolen car is parked or abandoned and then made use of again.

## Vets May Apply For Police Jobs

(Continued from Page 1) file therefor after the regular filing period, provided he appears at the offices of this Commission in person and files an application not later than 3 p.m. on the tenth calendar day prior to the date of the written test, bringing with him at that time proof of his identity and military service together with the prescribed filing and notarial fees. Such applications will be issued and received at the offices of the Commission from 9 a.m. to 3 p.m. on weekdays, and from 9 a.m. to 12 noon on Saturdays.

### Age Waiver Law

Veterans who meet the January 16 discharge requirement, even if they are over the 29-year age limit, may subtract their period of military service from their actual age, under a new Local Law which provides:

"When the qualifications for any examination or test for, or appointment or election to any office, position or employment in the city, includes a maximum age limit, any person who heretofore and subsequent to July 1st, 1940, entered or hereafter, in time of war, shall enter the active military or naval service of the United States, or the active service of the women's army corps, the women's reserve of the naval reserve or any similar organization authorized by the United States to serve with the army or navy, shall be deemed to meet such maximum age requirement if his actual age, less the period of such service, would meet such maximum age requirement."

No date for the written test has been set yet.

## Correctional Officer Exam Is Awaited

The examination for Correctional Officer, formerly designated Junior Custodial Officer, is now held by the United States Civil Service Regional Offices for the States in which penal institutions are located, rather than by the Commission's central office.

Such examination, if one were to become necessary, would be under the jurisdiction of the Second Regional Office, Federal Building, Christopher Street, New York 14, N. Y. The time of announcing another examination for Correctional Officer has not yet been determined.

## Mrs. Underhill Guest At Farrell Party

The women of the Bureau of Administration in the Department of Water Supply, Gas and Electricity honored Mrs. Helen Underhill at a luncheon. She resigned recently as Stenographer to the Deputy and Acting Commissioner.

Mrs. Underhill, whose late husband served in the Submarine Service, is a former member of the WASPS and is continuing her interest in aviation in her new position with the Piper Aircraft Corporation at Lockhaven, Pa.

Rita Casey, former Councilwoman and new Secretary to the department, presented Mrs. Underhill with a gift as a remembrance from former co-workers.

Among the guests were Marion Gleason, Mary Indelicato, M. Josephine Egan, Helen Rudden, Mary O'Neill, Celia Heyman, Grace Pletscher and Mary Morgenthaler.

### 2 MORE NYC EXAMS

The following two NYC examinations have been submitted to the Budget Bureau for approval by the Municipal Civil Service Commission. If approved, applications may be opened in March. The tests are: Promotion to Attendant, Grade 3, Office of the President of the Borough of the Bronx, and Senior Storekeeper (Knowledge of Automotive Parts), open-competitive.

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## What NYC Employees Should Know

### Examination Waived for Certain Experts

Typical civil service rules permit commissions to exempt from examination any person who renders professional, scientific, or other expert service of an occasional character. Perhaps the best example of a situation to which such rules should be applied is where a Department of Public Works employs a Consulting Engineer to design a new building. The case of a Civil Service Commission employing an expert to write and rate a Hospital Superintendent examination is also a good example.

Positions such as Radio Repairman, Dental Technician, Fire Alarm Electrician and Public Health Nurse do not fall in this category; these positions must be filled in accordance with regular civil service examination procedures.

Although the positions of Radio Repairman, Dental Technician, and Fire Alarm Electrician require the use of highly developed skills, none of them can be classified as "professional or scientific." These positions also fall short on the second requirement; they are usually full-time positions and not "occasional or exceptional" in character.

### Termination Factor

In some instances it may at first appear that the position of Public Health Nurse could be exempted from examination on the basis of

being a professional service; however, a closer study of the facts will reveal otherwise. It is true that the position of Public Health Nurse meets the test of being a professional service, but it is also true that this position is not of an occasional or exceptional character. Thus, the second condition imposed by the rule is not met, and no exception to the examination process may be made.

In order to strengthen the meaning of "occasional or exceptional," a figure as to allowable yearly compensation is included in rules which permit exempting experts from competitive examination. This means that even those positions rightfully classed as "professional, scientific, or technical" must be terminated when the compensation exceeds the allowable amount. This limitation, of course, does not apply to positions filled on a permanent basis by means of competitive examination. In a case where there is good and sufficient reason to exceed the established compensation limit and continue a position on an "occasional or exceptional" basis, approval may be requested from the State Civil Service Commission. Inasmuch as salary payments beyond the fixed maximum are not legal until such approval is obtained, prompt action in requesting State Commission authorization is necessary.



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# Follow The Leader

## News About State Employees

(Continued from Page 2)  
 intendent, W. E. Cashin, who celebrated his 41st birthday.  
 "Bob" Liscoom has returned from service and is working in the Parole Office. We are glad also to have Officers Gavin, Flood, Dollard and Fritz back with us again.

Any one finding any brass buttons please give them to Walter Murphy. He has another son. Captain George Cochran is probably more pleased than any one else with the pool and billiard tables the Association has placed in the Officers' Quarters. Whenever he needs a man or two for those odd jobs that are always popping up he now knows where they are.

**BINGHAMTON**  
 One of the outstanding events of the Binghamton winter season was the fifth annual dinner dance of the Binghamton Chapter of the Association of State Civil Service Employees held at the Elk's Roof Garden.

An address was given at that time by William F. McDonough, Executive Representative of the State Association, who described this organization as the best type of labor union. Said Mr. McDonough: "We are in close touch with the Governor and the legislators and we are working continually to improve the working conditions of New York State employees."

Leo F. Gurry, Second Vice-President of the Association, and President of the Mental Hygiene Association, exhorted the State workers to "put pressure on State legislators" to pass needed legislation beneficial to the civil service.

Daniel J. Shea dwelt on the need for maintaining the American virtue of self-reliance. Mr. Shea said: "There is discernible in this country a certain decay in the spirit of liberty, of self-reliance and of respect for natural human rights."

"Hardly a day passes, without the approval by some group or association or lodge of the transfer to the control of the State or Congress, of some activity which by right belongs to the individual." Albert E. Launt acted as toastmaster. Mr. Launt is President of the Empire State Civil Service Club, which took care of all arrangements for the dinner dance.

Among the other guests were Assemblyman Richard H. Knauf, Daniel E. Foley, past president of the chapter, Laurence J. Hollister, Field Representative for the Association, Mrs. Daniel J. Shea, Emmett J. Durr, president of Ray Brook Chapter, Walter Vadney, superintendent of the Women's Relief Corps Home at Oxford, Mrs. Walter Vadney and Miss Rita McGlenn, stenographer to the Ray Brook Chapter.

Clarence W. F. Stott was again elected president of Binghamton

Chapter. Other new officers are: First vice-president, Frank M. Harris; second vice-president, Ernest L. Conlon; executive secretary, Curtis P. Gardner; secretary, Miss Frances Reilly; treasurer, Stuart H. Anderson.

Delegates to represent Binghamton Chapter are: Mr. Launt, Mrs. Florence Drew, Edward R. Brown. Alternates: Roger T. Bennett, Mrs. Margaret Moran and Omer C. Wood.

Prior to this event, Mr. and Mrs. Launt entertained officers and out-of-town guests at a cocktail party at their home.

**LETCHWORTH**  
 Laurence J. Hollister, Field Representative of the Association of State Civil Service Employees, was guest speaker at the Executive Council dinner meeting of the Letchworth Village Chapter at Del Bello Inn, Stony Point. Matters of interest to Association members were discussed. Mr. Hollister cleared up some points under debate, and made some helpful suggestions so that the Chapter may better serve the members. A steak dinner was enjoyed.

Mr. Hollister also addressed a gathering of Letchworth Village employees at Vanderlip Hall, Letchworth, the following evening. He made a tour of inspection of the institution, meeting the employees.

**GENEVA**  
 Bobby Traphagen, 11, son of P. V. Traphagan, is recovering in Geneva General Hospital from an accident that occurred when his sled coasted in front of a car. Jeanne Smith and Kathryn Fuller attended the meeting of the Western Conference in Buffalo.

**GOWANDA**  
 The members of the Gowanda State Hospital Chapter held their first annual dinner at the Moose Home, Gowanda.

The gathering was addressed by Leo F. Gurry, President of Mental Hygiene Association and vice-president of the Association of State Civil Service Employees, and also by Laurence J. Hollister, Field Representative of the State Association. Mr. Hollister, who had been working among the Gowanda employees for several days, gave a very impressive discourse on the work of the Association. He discussed at length the value of a strong unified body of employees with headquarters at Albany. The importance of the proper preparation of bills affecting the employees and securing support for them he explained in detail.

Mr. Gurry spoke on the extensive legislative program this year. Lack of uniform hours for institutional employees and the bonus as proposed by the Association were the high points of Gurry's remarks. He urged the employees to support the efforts being made to secure a 40 hour week and the permanent retention of their present bonus. Revision of the

## Westchester Group Elects Officers

Following are newly-elected officers of the Westchester County Competitive Civil Service Employees Association. Five-term president Allyn J. Stearns requested the nominating committee not to rename him.

President, Charles B. Cranford, Recreation Commission; First President, Annie H. McCabe, Health; Second Vice-President, Reed Ferris, Public Welfare; Secretary, Nellie L. Weeks, County Clerk; Financial Secretary, Lester A. Conkling, County Court; Treasurer, Walter M. Bogle, Public Welfare; Sergeant-at-Arms, Delos J. McKinstry, Public Welfare.

Directors for three years: Dorothy M. Baker, Probation; John T. Donegan, Budget; Ivan S. Flood, Law Library; Katherine P. Reilly, Public Welfare.

\* Indicates present incumbent.

Retirement System was also explained.

The present group of officers were re-elected as follows: President, Frederick Millman; vice-president, Frank Nyhart; Secretary, Pricilla Harvey, and Treasurer, Twila J. Kniese.

More than 200 employees were present and enjoyed dancing after the business session.

**HORNELL**  
 Hornell District suffered a loss in the death of John W. Gould, retired Chief Clerk. Mr. Gould had been confined to the hospital with a heart ailment for several months. He was born in Starkey on December 29, 1894. He came into the department on Aug. 8, 1912, and into the Hornell District in 1914 as clerk. Mr. Gould was appointed Chief Clerk on July 1, 1931, and Head Account Clerk on July 1, 1932, which title he held until his retirement on Sept. 1, 1945.

L. L. Champlin's appointment as Assistant Land and Claims Adjuster took effect Feb. 1.

Miss Louise Brumm, daughter of District Engineer H. F. Brumm, was married to Major Anthony Zanner.

Bill Quackenbush, Cy Driscoll, Jim Clancy, Chief Bailey and Jack Jones are back in the department after prolonged absences.

The Credit Union voted no dividend at their annual meeting. Officers elected were as follows: Board of Directors, Maher, Murdock, Ehrenrich, Stevens and McClellan; Credit Committee, Arnold, S. Barone, M. Keating; Supervisory Committee, LaShure, L. Smith and K. Austin.

**RAY BROOK**  
 The Ray Brook Chapter will meet tonight (Feb. 5) at 7:30 in the Main Dining Room. Congratulations to Mr. and Mrs. George Rottner on their marriage. Mrs. Rottner is the former Margaret H. Drisbow of Brooklyn. Mr. Rottner was recently discharged from the Army. Clara Holt and John Fogarty were among those who attended the wedding.

Emmett Durr, President of the Ray Brook Chapter, and Rita McGlynn attended a dinner of the Binghamton Chapter. Mr. Durr stayed at Albany on his way and visited the Association Headquarters and also met State officials.

By the way, Emmett—did SMOKE get in your eyes when you mailed Dr. Joseph Gordon that Christmas card—wishing "Merry Christmas to My Husband Overseas!" Tish-Tish.

We are glad to see Helen Anderson back with our nursing staff. Helen has recently been discharged from the Army Nursing Corps.

The proudest and happiest dad around Ray Brook is that jolly and grand fella, Leonard Pelkey, whose son, Louis, has just returned from the South Pacific, where he was stationed for 3 years with the Army. Leonard has another son, Francis, serving with the Marines.

Tena McGillis returns from a two weeks' vacation in New York City. (Golly—seems as though some one is always going off to NYC—so—Maggie Oriss, of your publicity department is going to (Continued on Page 15)

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 Thomas J. Curran, Secretary of State. By Walter J. Going, Deputy Secretary of State.



# NEWS ABOUT STATE EMPLOYEES

(Continued from Page 13)

be different and shuffle off to Buffalo for a week—so there!

One hears so many stories about "Black Eyes"—but Tessie Murray tops the mall—by tripping on a manhole. It's a good story, Tessie. Too bad he got away.

### CRAIG COLONY

Mr. and Mrs. Charles Casney are the parents of a boy.

Dorothy Preble has been ill.

Frank Duffy, who has been confined in the hospital for many weeks, is up and around again.

An American Legion Post has been organized here. It will be known as the Hally-Allen Post, No. 1341. The following officers have been elected: Commander, Morgan Hargather; Vice-presidents, Willab Terpestra, James Alexander and George Carr; Adjutant, J. Fred Chichester; Treasurer, Dr. Eugene Donovan; Chaplain, the Rev. Ralph Webb, and Historian, Dr. Eugene Davidoff. George Carr was named Chairman of the Baseball Committee.

Mrs. Howard Williams has returned to duty after a very long absence.

Mr. and Mrs. Walter Lathrop are the parents of a girl.

Bill Story and Patricia Carr have been ill.

Supervisor E. J. Hally, who has been ill for several weeks, is on duty again.

Mrs. E. J. Hally and Mrs. C. A. Palmer were called to Albany recently due to the death of their brother, Frank Whaley.

A card party will be held in Shanhan Hall, Feb. 19th, for the benefit of the Catholic Chapel organ fund. Mrs. Agnes Storey is General Chairman.

Rev. Ralph Webb, Protestant Chaplain, secretary of the Mt. Morris Rotary Club, has been chosen delegate to the Rotary International Convention at Atlantic City, June 2 to 7th.

### ST. LAWRENCE

The St. Lawrence Chapter will hold its annual banquet on Mar. 4. Membership in the State Association totals 415 out of 550 employees.

### NYC CHAPTER

The Representatives of the NYC Chapter, meeting in Room 5 of the State Office Building, expressed satisfaction with the Town Hall meeting and open forum conducted by the Chapter in Washington Irving High School the week before. William Hopkins of the Law Department, chairman of the rally committee, received a vote of thanks for his fine work. He had been unable to attend the rally, due to illness in the family. Also, his wife sprained her ankle. Subsequently his mother took sick. Thus he was compelled to be absent also from the monthly meeting of the Representatives. The resolution thanking him for splendid services rendered was introduced by James C. Deuchar of the Armory Employees and seconded by Michael L. Porta of the Workmen's Compensation Board.

Thanks were voted also to Deputy Comptroller Edwin B. Kennigott and Joseph Schechter, Counsel to the State Civil Service Commission, for having come down from Albany especially to address the rally. The Representatives voted to send them a letter of thanks. Similarly Charles Carlisle was thanked for the way he entertained Representatives at dinner preceding the rally. In addition, thanks were voted to The LEADER for "splendid co-operation" in helping to make the affair a success. President R. Culyer of the Chapter added that The LEADER had given a detailed account of the event (Jan. 29 issue) and "hadn't omitted a single item or fact." Mr. Culyer had presided at the rally, in the absence of Mr. Hopkins.

The second or resolution of combined thanks was moved by James V. Puccio of Public Service and seconded by James F. Rowley of DPUL.

All resolutions of thanks were adopted unanimously.

There was talk of holding another Town Hall meeting in April. Hope was expressed that the weather would be better. There was a snowstorm on the night of the rally. Though attendance was good, it was conceded that it would have been very large had weather conditions been better.

### 2 New Representatives

William J. Hart of Agriculture and Markets and Charles O'Boyle of SLA were appointed Representatives to fill vacancies pending the next ballot by the membership.

The Representatives decided to send a group of officers to the special meeting and resumed an-

nual dinner of the State Association, to be held at the Hotel De Witt Clinton, Albany, on Thursday, Feb. 28.

President Culyer spoke highly of the sickness and accident policy which is obtainable by Association members. An information kit has been mailed out by Ter Bush and Powell, the insurance agents, and President Culyer recommended that those who do not have this policy should make arrangements to become insured under it. He praised its merits.

Raymond R. Corry of the N. Y. County Surrogate's Court initiated a move to study the desirability of having the Surrogates' offices included in the Feld-Hamilton schedules. The employees are paid by NYC, but passed State examinations.

Mr. Porta spoke about the proposal for a 5-day, 40-hour week, in terms of a floor to the number of days and a ceiling to the number of hours. He pointed out that any other interpretation would render a disservice to certain employees. The policy he outlined was consistent with the one which the State Association officials are following, so that 40 hours will be the maximum, not a flat number of working hours a week, nor the minimum.

### 4-Week Vacation

The 4-week vacation plan, also brought up on the floor, was discussed by President Culyer. He said that restoration of this benefit was a part of the Association program, but that various considerations made it advisable for the Association, in the opinion of its officials, to apply for remedies in various steps. Thus certain bills take precedence over others, in point of time of introduction. He stressed the importance of liberalization of the retirement system, and intimated that such bills were at the top of the Association agenda. The salary proposals already have been ironed out in conference, he said, but the retirement features might require considerable attention.

"At the proper time the Association will take up the 4-week vacation proposal, but retirement comes first," he said, adding that no statute was necessary concerning restoration of the full-vacation period.

"Retirement affect the very lives of the employees," he commented. "Vacations don't. Also, since vacations can be settled by executive order, within the power of the State Civil Service Commission, we have more time on to act on that question. First things must come first."

The next meeting of the Representatives will be held at 5:30 p.m. in the State Office Building on Tuesday, Feb. 19.

Others present at the Representatives' meeting were Joseph J. Byrnes, Lillian Marcus, Mae A. Frazee, Sarah L. Oram, Anna A. Little, Harry Kisner, Marie Bond, Carmelo Ingegnerio, Nora F. McAuley, Edith Fruchthender, Vera Burchnall and Ed. Bozek. Louis Fortgang and H. J. Bernard, Executive Editor of The LEADER, were guests.

### BROOKLYN STATE HOSPITAL

William F. McDonough, Executive Representative of the State Association, and Leo F. Gurry, President, Mental Hygiene Association, were the guests of the Brooklyn State Chapter. They were greeted by a large group of employees who were most enthusiastic about the Association's 1946 program. Both speakers explained

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in detail the bills which are of great interest to all employees. Other guests were Biaggio Romeo, Sidney Alexander and James Carroll, officers of the Psychiatric Institute Chapter, and Patrick Geraghty, John B. Martyn and Dennis Shea of the Manhattan State Chapter.

James M. Mohan, Maintenance Supervisor, has been installed as Senior Vice-Commander of Manhattan Camp No. 1, Spanish-American War Vets of New York, for 1946.

Congratulations to Mr. and Mrs. John Drogue, who celebrated their 26th wedding anniversary with a mass at St. Catherine's.

Catherine Sullivan is the recipient of a crate of oranges from Frances Rubin who is spending her annual vacation in Florida.

Congratulations to Mr. and Mrs. Ed. Hand—a girl.

Helen O'Donnell is confined to her home by illness.

Robert Parkinfi R.N., has resigned to pursue a course in physiotherapy.

Dr. Leonard S. Gold has opened an office for private practice. Best of luck!

Agnes Searson, R.N., who has been absent due to illness, has returned to duty.

The following are confined to the infirmary: Patrick Kilroy, Jennie Powell, Betty Kenny, John Cashin, Ben Carswell, Martha Martin and Oliver Morris.

Vacations are being enjoyed by the following: Susan Marancelli, Harriet Moore, Clarice Washington, Irving Cohen, Herbert Brown, David Graham, Rita Jacobs, Wilfred DePeyster, Frances Barnard, R.N., Irene Aikens, Edna Lara, Nellie Robers, Dorothy Bryant and Betty Boyer.

We welcome back from military duty Edward Souglos, Dominick Aloia, Paul Goldstein, Frank Landsman and Roland Stephenson.

### Navy Yard Employees Seek Pay Increases

Special to The LEADER

WASHINGTON, Feb. 5—About 200 representatives of Navy Yard employees, on both the East and West Coast, were here for conferences with Navy Department officials, to seek pay increases comparable to the rise in the cost of living since 1941.

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# Amusement

By J. RICHARD BURSTIN

Man with a baton, Orrin Tucker, is the stage attraction at the Strand Theatre. It is his first appearance in three years—he was only recently discharged from the Navy.

"Stork Club" is the sixth film to achieve the distinction of being held for 7 weeks at the Paramount Theatre. This includes the entire twenty-year history of the movie house.

"Because of Him," Deanna Durbin's new vehicle, is being held over at Loew's Criterion and a touching featurette accompanies it. Entitled "Fala at Hyde Park" it gives a good picture of the late President Roosevelt's canine companion and dutiful servant.

MGM is constructing a new FM radio station to cover the Los Angeles area and in addition has purchased a television license. Time marches on and this progressive movie-making company will not be lost in the race.

Hope for a better future should not be lacking if the type of material now being used in the the-

atre is any indication of trends in current thought. Take "Deep Are The Roots" at the Fulton Theatre and you have an excellent example of the kind of play which is thought-provoking matter, to say the very least. Aside from getting across a message the play is "good theatre."

At the Hollywood Theatre, in addition to the smash success "Saratoga Trunk" you can see an unusual short called "Hitler Lives."

Mark well the movie man of the moment. It's Dana Andrews and he is to be seen not only in the superb film "A Walk in the Sun" but also in the murder melodrama "Fallen Angel" coming into the Roxy. And by the way, Alice Faye is the co-star in this and it's nice to see her back again even if the role is not a singing, romantic-comedy one.

### TELEPHONE TEST WIDENED

The Municipal Civil Service Commission has extended the coming promotion examination to Telephone Operator, Grade 2, to all Departments. It had originally been ordered for Public Works.

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# Bills In Legislature

## SENATE

256. Mr. STOKES—Member of NY State police who has not voluntarily left service and withdrawn contributions to retirement system, may become member of system on or before Jan. 1, 1947, and receive credit for allowable service rendered prior to Jan. 1, 1921.

276. Mr. CORROU—Policeman in municipality or special police district who is disabled as result of performance of police duty, to receive regular pay, medical treatment and hospital care.

290. Mr. HULTS—Eliminates provision which limits medical examination of member of state employees' retirement system for accidental disability retirement to those under 60 years.

292. Mr. KIRNAN—Payment of benefits upon death of member of State retirement system to a beneficiary after ten years of service.

293. Mr. KIRNAN—Member of State retirement system may contribute on basis of minimum retirement age 55.

295. Mr. MORITT—Appointment from eligible lists of regular teachers in N. Y. to fill temporary vacancies.

297. Mr. NOVOD—Sets salaries of teachers for adults in English and citizenship and teachers in charge of evening elementary schools in N. Y. County.

324. Mr. ERWIN—Increases stenographer of Alleghany County from \$1,500 to \$2,200 pay for Surrogate's court.

325. Mr. HAMMER—Allows payment of claims of health officers by municipalities, for services rendered investigating cases of death.

330. Mr. MORITT—Establishes

a new service of investigators in Labor Dept., minimum annual salary of \$2,400 with increments and maximum salary of \$8,200.

351. Mr. COUDERT—Sick leave remaining unused by Transportation employees at end of cumulative two year period shall be added to next regular vacation allowance.

352. Mr. MORITT—Workmen's compensation coverage to NYC employees.

361. Mr. W. J. MAHONEY—Hearing upon charges for incompetency or misconduct of civil service employee in competitive class, shall be held; employee may be represented by counsel with witnesses sworn.

379. Mr. FINO—Prohibits removal of civil service employee in any class, other than exempt, except for incompetency or misconduct and after hearing.

382. Mr. FINO—NYC Transportation Board to prescribe conditions under which employees may apply for and receive one day leave of absence in event of death or burial of member of family or for blood donation.

38. Mr. FINO—Employee of NYC Transportation Board whose service is terminated without fault, to receive an additional one day vacation with pay for each month he has worked in year prior to termination.

385. Mr. HAMMER—Civil service employee in one of services or occupational groups with salary grades shall receive, after ten years' state service, one annual increment above maximum and after 15 years' service a second increment, and after 20 years a third increment.

401. Mr. HALPERN—Changes hospital nurses employed by State

from junior professional service to professional service.

402. Mr. HALPERN—Allow employees of Mental Hygiene Dept. who are members of State employee's retirement system to retire after 25 years' service in institution or after age 60.

403. Mr. YOUNG—On and after July 1, 1946, salaries of supervisors and teachers in cities of not more than 150,000, in union free school districts, in central school districts and in common school districts shall be not less than \$1,600 for first year with at least eight annual increments of \$100 each except where less than eight teachers are employed.

407. Mr. Di COSTANZO—Person holding position in civil service class shall not be barred from promotion examination by failure to meet educational requirements, except in positions of technical or scientific nature.

408. Mr. HALPERN—Provides no disability, physical or otherwise, incurred by civil service employee while on military duty shall disqualify him for position; if unable to perform duties, he shall be assigned to vacant position with same rights as if he had remained in position.

409. Mr. BROWN—To NYC Transportation Board employees within one year of restoration to position after absence in military service, accrued vacation allowance.

410. Mr. DESMOND—\$35,000 to Education Dept. for school lunch supervisors, necessary stenographers and clerks and traveling expenses.

414. Mr. HALPERN—Additional compensation for overtime employment of State employees shall be at rate of time and a half hourly rate.

415. Mr. HOLLOWELL—Lowers from 10 to 7 consecutive days, minimum period required for veterans to perform active service in aid for federal or civil authorities, to be entitled to retirement and pension.

462. Mr. OLIVER—Municipalities to provide for sick leave with pay to employees on per diem or hourly basis.

528. Mr. GREENBERG—Temporary commission to study need of prescribing course of instructions for social service; appropriates \$25,000.

535. Mr. WACHTEL—Member of NYC retirement system may elect that if he dies before receiving present value of annuity as of time of retirement, balance shall be paid to such person as beneficiary, husband or wife or committee employee so electing has nominated.

537. Mr. WACHTEL—Teacher, teacher-clerk or clerical assistant in NYC who was employed as teacher, teacher-clerk or clerical assistant in public day schools on June 2, 1919, and who at any time prior to May 4, 1935, was classified as present-teacher shall be defined as present-teacher for retirement purposes.

504. Mr. WICKS—Allows NYC transportation employees sick leave with pay; sick leave may be cumulative for not more than five consecutive years.

505. Mr. WICKS—Transportation Board to employ employees on legal holiday with pay at rate of time and a half usual pay.

510. Mr. MAHONEY—Prohibits removal of prison officer, prison guard, correction officer, policeman or fireman from competitive civil service position, except for incompetency or misconduct.

511. Mr. W. J. MAHONEY—Person appointed from special eligible list after military service shall be entitled to credit for seniority dating from time when he would have reached on original eligible list.

521. Mr. HAMMER—Any person in service of NYC on April 30, instead of April 7, 1930, who becomes member of city retirement system may receive credit for all service on transfer to Port of N. Y. Authority.

523. Mr. MORITT—Alters amount member of State retirement system may elect to receive as annuity and allows member who discontinues service after five or more years of service to receive amount of accumulated contributions or an annuity at age 60 and a pension based on final average salary.

524. Mr. COUDERT—Sets minimum salary for principal junior grade of day elementary schools for holding supervisory license, at not less than \$3,900 with annual increment.

525. Mr. COUDERT—Directs Mental Hygiene Dept. within fifteen years after April 7, 1933, to remove inmates from buildings of Manhattan State Hospital located on part of Ward's island and provides for development by NYC of park on Ward's and Randall's islands.

## ASSEMBLY

169. Mr. GITTLESON—(Same as S. 290.)

170. Mr. GITTLESON—(Same as S. 293.)

173. Mr. JACK—Extends unemployment insurance coverage to employees of State, municipal corporations and other governmental subdivisions.

188. Mr. RAPP—(Same as S. 167.)

203. Mr. AUSTIN—Allows employee of State, civil division or city earning less than \$5,000 a year, pay of time and a half for overtime.

204. Mr. AUSTIN—(Same as S. 137.)

227. Mr. AUSTIN—(Same as S. 330.)

229. Mr. CHASE—(Same as S. 325.)

243. Mr. DWYER—Sets minimum salary for principal junior grade of day elementary schools holding supervisory license, at not less than \$3,900.

250. Mr. FINE—(Same as S. 361.)

254. Mr. GANS—Employees appointed from city civil service list to NYC Transportation Board shall receive all rights, privileges, salaries and benefits as granted to city employees.

255. Mr. LASHIN—Contribution by state or civil division of amount which employee who was absent on military duty was required to contribute to pension or retirement system.

258. Mr. RADIGAN—Increases maximum pay for employees in state armories.

259. Mr. RADIGAN—Laborers in armories and arsenals shall not exceed one for each 15,000, instead of 20,000, square feet of floor space.

267. Mr. BOWE—State employees additional war emergency pay for fiscal year commencing April 1, 1946, of 25 per cent of pay with minimum increase of \$500 and maximum of \$1,000.

269. Mr. DALZELL—Civil service employee restored to position by supreme court order after removal shall receive reasonable costs and counsel fees.

278. Mr. EMMA—(Same as S. 276.)

284. Mr. FUREY—Removal or disciplinary proceedings against civil service employees must be instituted within two years after incompetency or misconduct.

285. Mr. ISACSON—(Same as S. 383.)

287. Mr. ISACSON—(Same as S. 382.)

293. Mr. McMULLEN—(Same as S. 231.)

300. Mr. QUINN—Additional compensation for overtime employment of state employees shall be at rate of time and a half hourly rate.

301. Mr. QUINN—(Same as S. 385.)

304. Mr. TALBOT—(Same as S. 256.)

312. Mr. JACK—(Same as S. 139.)

319. Mr. CRISONA—(Same as A. 355.)

330. Mr. PRELLER—(Same as S. 401.)

332. Mr. QUINN—Unskilled and skilled laborers added to exempt class in provisions for specified salaries and grades.

351. Mr. T. HILL—Veterans of present war are entitled to retire on pension from police force in certain counties adjoining NYC, after reaching age 60 or after 20 years' service.

357. Mr. OLLIFFE—Permits new entrants of NYC teachers' retirement system to retire after 30 years of service.

358. Mr. RABIN—(Same as S. 402.)

359. Mr. SCHUPLER—Provides absence on military duty of member of NYC teachers' retirement system shall not constitute interruption of employment.

369. Mr. BARRETT—When State employee is transferred from one part of State to another, allowance not to exceed \$150 for transportation shall be paid.

376. Mr. ISACSON—Increases rates of pay of State employees; on April 1, 1946, salaries are increased \$700.

386. Mr. WASHBURN—Double compensation, death benefits and awards in workmen's compensation cases when minor is employed by State or municipal corporation or in manner which would be violation if employment were by other employer.

396. Mr. CREWS—(Same as S. 295.)

397. Mr. CREWS—Person appointed to supervising and teaching staffs in city schools after Jan. 1, 1940, under schedule with annual increments shall be credited with one annual increment for each year of substitute service prior to appointment and for each year of prior business, trade or professional experience.

398. Mr. CREWS—Provides NYC shall employ in elementary and secondary schools, additional teacher for each 30 classes or major fraction to help backward and maladjusted pupils.

399. Mr. CREWS—Employee who is member of pension or retirement system while on military duty same right to membership as if present and continuously employed.

407. Mr. RABIN—Reduces from 6 per cent to 4 per cent interest rate on loans to members of State retirement system, permits member absent on military duty to borrow prior to July 1, 1947, all except \$1.

411. Mr. VAN DUZER—Honorably discharged veteran of World War II who is or was member of State or municipal retirement or pension system shall be forgiven payment of contributions.

418. Mr. QUINN—Grants employees of State and of agencies paid in whole or in part by State and subject to its authority, except uniformed police force, right to join organizations of their own choosing.

431. Mr. McGOWAN—Where qualifications for appointment or election to civil service position includes maximum age limit, the time of service with U. S. armed forces shall not be considered in determining maximum.

432. Mr. AUSTIN—In NYC no final report given with discontinuance of service of probationary teacher or with rating or fitness of regular teacher shall be made until hearing is given.

434. Mr. AUSTIN—(Same as S. 352.)

437. Mr. KNAUF—Optional retirement of firemen who are members of State employees' retirement system in counties, cities, towns, villages, special police districts and other subdivisions after 25 years of total service or age 60.

464. Mr. MILMOE—(Same as S. 403.)

465. Mr. CREWS—(Same as S. 222.)

466. Mr. CREWS—(Same as S. 221.)

467. Mr. CREWS—(Same as S. 219.)

483. Mr. FINE—Public employee eligible for promotion while absent on military duty and promoted thereafter to position for which he was eligible, shall receive same pay and have same rights as if he had been promoted on date name was first reached but was passed over because of absence, and as if he had been in continuous service.

487. Mr. ISACSON—State or civil division to contribute to pension or retirement system for public-employee while on military duty.

488. Mr. ISACSON—Employee of highways division in Public Works Dept. and any per diem employee of State to volunteer for overtime employment and receive time and a half.

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