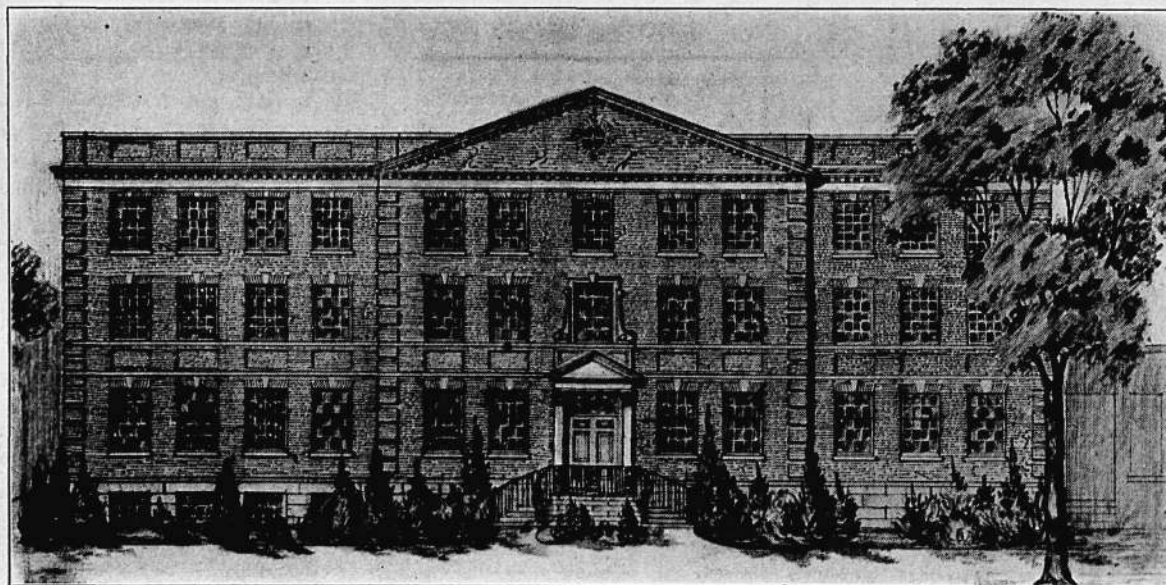




THE STATE EMPLOYEE

OFFICIAL MAGAZINE OF THE ASSOCIATION OF STATE CIVIL SERVICE EMPLOYEES OF THE STATE OF NEW YORK



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THE STATE EMPLOYEE

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

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VOL. 4.

APRIL, 1935

NO. 4.

As this issue goes to press the Legislature is still in session, and the Association is pressing for favorable action on the eight-hour day and other proposals.

State Wide Organization

By Beulah Bailey, President

The local chapters may be established at once and need not wait upon a constitutional amendment. What needs wait upon a constitutional amendment is the question of representation of the various groups on a state-wide policy-determining central committee.

At a general meeting of the Association, held April 2, 1935, the amendment to the By-Laws, a copy of which was sent to all centers in News Bulletin, No. 8 of March 27, was adopted. This new By-Law reads, "Fifty or more

members of the Association in any Department or locality may form a chapter of the Association, subject to the approval of its constitution and By-Laws by the Executive Committee of the Association." This means that a local group wishing to become a definite chapter shall draw up its own By-Laws and submit the same to the Executive Committee of the State-wide Association for approval. This local group will then become a definite chapter of the state Association, with its own officers and committees.

It will be the task of the local group to determine what officers and what committees are essential. In addition to the customary officers, it might be advisable to have a Legislative committee, a social committee, and a publicity committee. The latter could take care of sending to Albany news items and suggestions for THE STATE EMPLOYEE.

As the legislative committee of the state group is most important so would it be in the local groups.

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Right Will Not Down

Bold brutality and cunning craftiness on the one hand, and indifference and sloth on the other, are responsible for the slow progress of humanity toward better things. But, finally, in all of history, right and truth and justice have prevailed in the major struggles of mankind; just as certainly as the spirit of humanity responds to the power and beauty and love of Divine Providence, so surely shall each selfish barrier be swept away before the march of social justice.

Fiery speeches and waving of hands do not suffice. Partisan quips are useless. Neither of the great parties

in this State has been strong enough in its own time to do simple justice to the workers in the vineyard over which they exercise a measure of responsibility and for whom they profess brotherly anxiety. Neither Republicans nor Democrats during the years, have met the issue squarely as a sound moral, social and economic issue should be met. It has remained for this Association of the employees themselves and a few sincere men within and without the Legislature to stand unflinchingly for the shorter day for prison, hospital and other institution workers.

The twelve hour day in public or private service is a disgrace and an abomination. It is immoral, unsocial and uneconomic. It is a blot upon our civilization—a mark of barbarically selfish exploitation.

Where are the leaders of the Church in this fight for a day of humane length, and good home conditions for those who serve the people in our institutions? Where do the great charitable bodies of this State stand? How speak the boards of visitors of our hospitals and other institutions who surely have a measure of responsibility

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A Happy Easter

Legislative Bills to the Governor

The Legislative, Salary and Pension Committees have been active with Counsel DeGraff in legislative matters. The attention to public utilities, job insurance and reapportionment coupled with serious indifference on the part of many members of the legislature to the problems of State employees, has resulted in failure to advance the shorter day, the Nunan-Zimmerman bill or several other measures.

The following bills passed the Senate and Assembly:

Senate Intro. No. 475, Print No. 1948, by Senator Crawford, which amends Section 65, Civil Service Law, by providing no application for accidental disability retirement shall be valid unless report acceptable to Comptroller is filed in office of retirement system within 30 days following accident, except that notice shall be waived if medical board and Comptroller agree there was sufficient reason for not making it.

Senate Intro. No. 480, Print No. 509, by Senator Crawford, which amends Section 67, Civil Service Law, by providing that person claiming benefit under retirement law on account of accidental death or disability in performing duty relative to a member covered by Workmen's Compensation Law, must obtain adjudication of his case under such law before he can receive benefits under retirement system.

Senate Intro. No. 102, Print No. 102, by Senator McCall, which amends Section 52a Civil Service Law, relative to status of members of State retirement system, when employed by federal government after December 1, 1933.

Senate Intro. No. 473, Print No. 493, by Senator Byrne, which amends Sections 52-c, 53, Civil Service Law, by providing any person now a member or hereafter becoming a member of State employees' retirement system shall receive credit for service in civil service of U. S. government if performed in State prior to date of

eligibility and relative to contributions.

Senate Intro. No. 1373, Print No. 1577, by Senator Crawford, which amends Section 68-a, Civil Service Law, relative to optional retirement before age of 60, by providing member shall be permitted to withdraw his election after it has been filed for not less than one year and such member shall thereafter contribute on basis of retirement at 60.

Assembly Intro. No. 1746, Print No. 2733, by Assemblyman Falk, which amends Section 31, Civil Service Law, relative to certification of civil service employees removed through no fault or delinquency on their part.

Assembly Intro. No. 1815, Print No. 2699, by Assemblyman Neustein, which amends section 472, Correction Law, by providing before death or disability benefits under retirement system are awarded to person also covered by Workmen's Compensation Law, there shall be adjudication of his case under such law by State industrial board, amounts paid thereunder to apply as offset against pension benefits.

Governor Lehman has signed the following bills:

Senate Intro. No. 478, Print No. 507, by Senator Crawford. This bill simply eliminates obsolete sections of the law relating to retirement.

Senate Intro. No. 481, Print No. 510, by Senator Crawford, which adds new section 75a, Civil Service Law, giving employees of public or quasi-public organizations right to membership in State retirement system.

Governor Lehman vetoed Senate Intro. No. 910, Print No. 998, by Senator Crawford, which would have amended section 61, Civil Service Law, relative to payments to member of state retirement fund who when discontinued from service, had attained age of 45, and was employed for 20 years or more continuously as a legislative employee.

Organization

Continued from Page 3

The Governor and the state legislature are the source for all salaries, pensions and policies governing state employees. It is the Legislature alone which may introduce bills determining such policies. The Association's part in the picture is showing the Governor and the Legislature as intelligently and as forcefully as possible what we as an Association think is right. It is also our duty to go one step further and prove to the taxpayers that we are an efficient group whose primary aim is service to the state, and not a "privileged group". The work of the state legislative committee could be greatly strengthened by having behind it the opinion and contact of all the local legislative committees. Next year I hope it will be possible to issue from Albany a weekly bulletin of Legislative bills, not only those dealing with civil service and pensions, but also some of those dealing with the financial and social problems. Such a review of legislation will be issued at the close of this session.

It would seem advisable if the officers and possibly the chairmen of the committees could comprise a local personnel committee. Many questions dealing with local personnel problems come into Albany, questions which should be first taken up with the executive in charge of the work in the locality, or with the superintendent in charge of the institution. When the questions reach Albany it is customary to take them up directly with the Commissioners or Deputy Commissioners of the respective departments. In many cases it would be more expedient for a local group to handle the matter in the locality. If this fails, then send the request on to Albany.

In the last issue of THE STATE EMPLOYEE it was urged that all with suggestions as to constitutional amendments and organization, especially in regard to representation of the local groups in a central policy determining committee, to send them to the Albany Headquarters. Many suggestions have come in, more will be welcomed.

Legality of Present Titles

As previously pointed out by the Association, there is distinct need for legislation which will make for orderly and efficient action by the Civil Service Department in dealing with the classification of positions within all branches of the service. Just and adequate salaries and promotions depend almost entirely upon the safeguarding of each employee's title and status in the position for which he qualified by open competitive examination or by regular promotion test. The title and its permanency mean much to every employee.

The State service is manned at the minimum. Many former employees of the Public Works and some other departments are awaiting return to normal expenditures and reemployment; others who were demoted look for reinstatement under their rightful titles. The message of the Governor sent to the Legislature on April 1st, appeals for legislative action. The Association has also appealed for action. State employees will find the facts well stated in Commissioner Rice's letter quoted by the Governor.

Check action by your representatives in the Senate and Assembly.

The message of the Governor to the Legislature follows:

April 1, 1935.

To the Legislature:

"I am in receipt of the following letter from the President of the State Civil Service Commission:

State Civil Service Commission
Albany, N. Y.

April 1, 1935.

Dear Governor Lehman:

"The Supreme Court, in a decision in the case of Shepherd vs. Greene, recently affirmed by the Appellate Division, has held that the new classification titles in the State service in effect since July 1, 1932, are simply and solely to allocate appropriations and that employees must be deemed to be holding positions which they held prior to that date.

"Until this decision, the State Civil Service Commission believed that Section 12 of the Appropriation Act of 1932, and subsequent similar legislation each year, leg-

ally established the civil service status of employees under the new titles. This the Commission felt was the intent of that section and for nearly three years the Commission has acted accordingly.

"The decision of the Courts leaves the civil service status of hundreds of State employees in doubt and may raise a question of the right of the Commission to certify payrolls under new appropriation titles which, in many instances, indicate the performance of duties decidedly different from the duties indicated by the old titles.

"To reestablish the situation as it existed three years ago would be extremely difficult and would severely disrupt the administration of every department of the government. Activities of government constantly change, new ones being added and others curtailed or eliminated. Administrative heads have to adjust their personnel to meet these changes. The Civil Service Commission has a definite function to help them within the Civil Service Law and Rules.

"Suitable legislation in respect to this decision of the Courts is imperative to definitely establish the civil service status of employees under the existing budget titles and to remove any doubt of the legality of certifying payrolls.

"The Commission respectfully urges your consideration of this very definite need for amendment of the Civil Service Law at the present time.

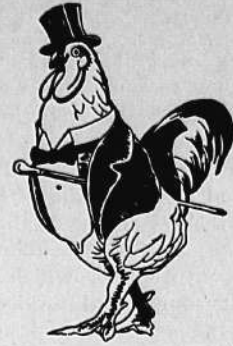
"Let me add that the proposed reclassification does not involve in any way employees of the city of New York or employees of any other city or civil division of the State. It relates solely to employees in the State departments."

Very respectfully yours,
(Signed) W. G. RICE,
President,

State Civil Service Commission.

"I recommend to your Honorable Bodies the enactment during this session of appropriate legislation to meet the situation outlined by the State Civil Service Commission in the letter just quoted."

(Signed) Herbert H. Lehman.



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Foul Blows

During several weeks of the Legislative session, the Constitution of this State and the Civil Service Department of State Government were struck several severe blows and all below the belt. The vote of the Assembly of the State upon the Burke Alcoholic Beverage Control Bill, which would set aside sound civil service practice in the selection and appointment of personnel in State service, indicates the lack of information regarding the need for the constitutionally approved employment system now prevailing in State government, or a lack of sympathy with that system.

In this indifference on the part of many members of the Legislature to the preservation of the civil service system on a high plane lies a serious threat to the stability and efficiency of State service. In such a spirit lurks the establishment of a system of employment in public service which would elevate religious bigotry, racial intolerance, political partisanship, and personal prejudices, with their certain early wrecking of the whole fabric of State government. Good government rests primarily upon two fundamental considerations, namely, first, the equality of all citizenry before the law and fair competition on the common ground of merit and fitness as the sole requisites for public service, and secondly, clean, honest, efficient administration of the public offices created by the people. The preservation of the civil service system as established by the people of this State under the Governorship of Grover Cleveland over fifty years ago, is the sole and only guarantee of each man and woman, and each boy and girl, that they will enjoy a square deal in respect to selection and appointment to public service.

Why these brazen onslaughts on a system that no one dares openly to attack and for which no one has yet suggested a better substitute? Each year there appears in the Legislature bill after bill which would destroy this fair, economical and efficient civil employment plan. Last year, Governor Lehman, rising as he has so often done

to the height of great statesmanship, vetoed several such bills that had passed the Legislature. In addition to the Burke "spoils bill" of this year, had the Governor not intervened, the Mortgage Authority Bill would have thrown civil service out of the window, so to speak.

There comes a time when reactions are bound to rise. The report of the Commission of Inquiry on Public Service Personnel appointed by the Social Science Research Council, a body representing seven of the leading national professional societies in the social science field, is an intelligent answer to those who would wish to again steep in the brew of partisanship, intolerance and bigotry, the Country's civil personnel administration. State civil service employees, citizens who are on eligible lists, and all boys and girls who hope one day for the free and decent opportunity to qualify on fair and equal ground for civil positions, have common cause in fighting loathsome attacks upon the purity of the civil service system. Special preference of any sort in public service, except it be for merit and fitness, is deadly. Not Communism, not Hitlerism, not any other organized menace to American institutions is so subtle or so dangerous as the efforts which are constantly springing up to take away stability and fair treatment in their life work from those who serve or who aspire to serve the people in public positions.

Adequate salaries, a just retirement law, fair hours of work, and good working conditions, are possible only where the fundamental principles of the employment system are sound. Therefore, more than all other things, this Association urges constant vigilance in preserving the substantial rights of the civil service system, and the arousing of a righteous resentment to unfair efforts in the Legislature or elsewhere to weaken those rights or to destroy fair play in appointment to State positions. With all the vigor drawn from the strength of its thousands of members, the Association fought against the drives within the Leg-

islature to weaken the civil service system. The passage of bills of this character, is not seriously discouraging when there is the certainty of their veto by Governor Lehman, rightly termed the most zealous exponent of civil service principles in high public office today. And no battle for clean government is ever lost with the general public. Every time state employees take a united stand through their Association for good and efficient State government they advance the cause of that kind of government, and they elevate and honor their membership.

Recently Assemblyman Cuvillier in debating a bill which would have extended the evil of special preference in civil employment by giving special privileges to the widows of war veterans, was reported to have stated that civil service is "merely a cloak for rascality and political preferment." Your Association immediately addressed the following letter to the Assemblyman, challenging this statement:

"This Association, devoted for over twenty years to the upbuilding of State service and to the development of an efficient personnel in public service, is seriously concerned over the reported charge by you that civil service is 'merely a cloak for rascality and political preferment.'

"If this news quotation of your speech is correct, and you refer to the administration of New York State civil service as it relates to State work, we respectfully ask that you submit proof of such rascality or preferment to the Association and we will bring the matter or matters to the attention of the proper State officials or the Courts through our Counsel, John T. DeGraff.

"Since the adoption of the New York State Civil Service Law, under the able leadership of Governor Cleveland, over fifty years ago, we have record of no such serious charge made by a responsible person."

No reply has been received and no proof of the charge presented. This is apparently one of those charges which however without foundation, when oft repeated, take on the credence of truth. This Association resents them heartily.

Right Will Not Down

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above the average citizen—a register of whose names would give us hope that here at least would be outspoken sympathy for abolition of the twelve hour day? Where are the educators, the doctors, the lawyers, who speak out on every other subject? Why the only passive support of the State Federation of Labor who failed to make the blotting out of this shadow upon all labor a major item of their State program?

This Association, ably aided by the leaders of the Association of Employees of the Mental Hygiene Department, has battled practically alone to win public sympathy for the proposal of the shorter day. Organized employees are conscious of checking by superior officers of their right to speak up collectively on this and other employee matters. If this is not a fact, why is it that at one of the largest State hospitals in this State, not one employee is a member of this Association, whereas at every other such institution in the State there is a good voluntary response extending to practically 100% membership in many, and over ten thousand State employees in all branches who are active members? This Association has no information that the employees of this institution have raised a united voice to anyone for this just reform. We believe that this indicates deliberate withholding by someone in authority in this institution of the citizen right of these employees to express themselves unitedly on the eight-hour day and other matters. There have been other cases reported where employees feel their expression on this great social question of hours of work would result in reprisals. This is an internal situation which shocks the sensibilities of fair people. The Legislative Survey Committee was not unmindful of it.

But thanks be to God, the questions of abolition of the long day, and better home and living conditions for State institution workers are not dead! The justice of the cause is aided by the very arrogance and the very selfishness of the enemies of fair play for these

workers, which make the issues more alive today than they have ever been since the Association began its great fight to straighten out this important snarl in our State's social and economic weaving.

If Legislative and administrative heads and hearts do not respond to social justice, there is still left to do the job the strongest and the most sympathetic power—the Executive Department and the leader of that Department, Governor Lehman. There is no mystery as to how the long day may be abolished. The Governor can do it by Executive order at any time, and since he is the public official upon whom falls the duty to plan for the financing of all State activities, he is the man to initiate the action. He has stated in no uncertain words that he understands the problem and that he will meet it when the means of the State permit. This may well be on July 1st, 1936, if not before. We are to have a new State planning board. Surely their first duties will comprehend this important question. It is lack of planning, lack of intelligent, coordinated, comprehensive planning that is responsible for the present situation. Millions are being spent for unemployment relief and yet none are available for the abolition of the long day in State service although the solution of this problem of State employment fits in completely in a practical way with the solution of the general relief problem. Of course, it is lack of

planning, pathetic lack of planning that has left the question so long unsettled.

This abolition of long hours for large groups of workers of America is fundamental to the overcoming of the depression and the establishment of sound social conditions. However, the number of people involved is not so vital as the principle involved.

One does not have to be a seer to know that the twelve hour day is doomed in this State and that within the year 1936. Your Association predicts this without reservations.

Employees of the State of New York, wherever you may be employed, you have a call that is distinct and clear, to organized effort to bring about the abolition of the long day in institutional work—a martial call to assert yourselves as citizens who resent unfair discrimination in labor policies regardless of where such policies prevail. Begin now to call again upon Church leaders, leaders of the press, political leaders, social leaders, fraternal leaders, and all citizens, to the end that they may uphold the hands of the Governor of this State and that he may establish the maximum eight hour day by executive planning at the latest by July 1, 1936! Your Association stands today as always the leader in this fight for fair play for institutional workers, it calls upon you to help it extend its efforts along this way.

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Report of Joint Legislative Committee to Study

The Joint Legislative Committee to Make a Study of the Working Conditions, Et Cetera, of State Employees in Institutions, created by resolution adopted by the Legislature in April, 1934, copy of which has been printed in a previous issue of this magazine, has presented its report to the Legislature.

This committee was instructed by the original resolution to make its report to the Legislature by February 1, 1935, however, on January 22, 1935, a resolution was adopted by the Legislature extending the time for this committee to report to March 1st.

This Association does not believe that facts warrant any large expenditure for housing of employees on the grounds, and very earnestly urges that where housing construction is deemed desirable it be of the home or family style of house. Any dormitory or general building type, where family life is impossible as in the case with present construction is plainly at variance with a decent consideration for the health or social welfare of the workers. Very thorough thought should be given to any building program to house employees and employees should be consulted as well as all authorities conversant with modern planning for good community life.

The recommendation as to the abolition of the long day is sufficiently definite to leave no doubt as to the committee's viewpoint. The long day is unsocial, uneconomic, and unfair to humanity.

The Committee Report, known as Legislative Document (1935) No. 78, reads as follows:

The Committee has visited and conducted hearings at the following named State Institutions:

Harlem Valley State Hospital, Hudson River State Hospital, Wassaic State School, Matteawan State Hospital, Brooklyn State Hospital, Brooklyn State Hospital (Creedmoor Division), House of Correction, Manhattan State Hospital, Sing Sing Prison, Central Islip State Hospital, Rochester State Hospital, State School at Industry, Utica State Hospital, Marcy State Hospital, Rome State

School, Syracuse Psychopathic Hospital, Willard State Hospital, Auburn State Hospital, Psychiatric Institute and Hospital, N. Y. City, Middletown State Hospital, Buffalo State Hospital, Attica State Prison.

The committee, at the outset of its investigation and to the end that detailed information be made immediately available, caused a questionnaire to be sent to each institution. The response to these requests supplied a wealth of data which the Committee deemed essential to its study. The Committee, in addition visited twenty-two institutions and held hearings therein with the staff and representatives of employees. In each institution opportunity was granted employees to be heard separately. Such data, together with additional facts adduced upon personal visits to institutions, hearings and inspections are herein summarized.

At the time of the completion of the tabulation of figures by the committee the total number of wards of the state housed in forty-eight institutions was eighty-nine thousand forty-four, and the total number of state employees directly engaged in their care was seventeen thousand three hundred ninety-one.

The seventeen thousand three hundred ninety-one state employees do not represent the aggregate labor and services performed by any means as thirty-six thousand seven hundred forty-three inmates are required to perform certain services in connection with operation of the institutions, while nine thousand one hundred eighty-six inmates are engaged in productive shop work.

Nearly two-thirds of the seventeen thousand three hundred ninety-one employees are males.

The number of state employees in institutions who are not citizens of the United States is six hundred ninety-nine. The number of male employees not residents of New York state being given as forty while the number of such female employees is forty-one.

The number of married male employees is six thousand six hundred sixty-four and of married fe-

male employees three thousand one hundred. The number of single male employees is three thousand four hundred twenty and of female is four thousand two hundred seven. No less than five thousand seven hundred thirty of the employees are heads of families.

Nearly sixty per cent or five thousand nine hundred eighty out of ten thousand eighty-four male employees are compelled to labor more than eight hours a day, while three thousand three hundred sixty-eight, almost a third, must work at least twelve hours and four hundred thirty-five are obliged to work more than twelve hours a day.

This undesirable situation applies to the female employees as well as to the men. A state which is in the forefront in its humanitarian laws for women in industry and mercantile establishments should not require five thousand eighty-four out of seven thousand three hundred seven of its institutional female employees to labor more than eight hours a day; no less than three thousand one hundred forty-two at least twelve hours and two hundred thirteen over twelve hours daily. Only one hundred seventy-two female employees work less than eight hours, while one thousand nine hundred ninety-three work at least eight hours, three hundred sixty-one at least nine hours, six hundred forty-three at least ten hours, seven hundred twenty-five at least eleven hours a day.

A striking circumstance adduced was the lack of facilities afforded at the various institutions to employees who may wish to improve their own conditions by study. In twenty-four state institutions such facilities exist, while one institution reports "some" facilities; twenty-two institutions, however, report "no facilities."

In thirty-three institutions opportunities are available for recreation, in two institutions "not much" is reported, while in twelve institutions no recreation facilities are provided.

Nearly thirteen thousand of the institution employees are in the non-competitive class of the civil

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Working Conditions, etc., in State Institutions

service (males six thousand eight hundred sixty-two, females six thousand one hundred fourteen). The total number of employees in the competitive class of the civil service is three thousand four hundred seventy-nine of which two thousand five hundred fifteen are males and nine hundred sixty-four females. The number of male employees in the exempt class is four hundred twenty-nine and female employees in such class four hundred ninety-four.

All employees are granted annual vacations with pay averaging fourteen days.

In thirty-one institutions employees are granted sick leave without restriction, in five in line of duty only and in eleven no sick leave is granted.

Sick leave is granted with pay in nineteen institutions, in line of duty in ten, and is optional in thirteen. In this connection the absence of any uniform standard is noteworthy.

The general living conditions of employees may be summarized: In the more modern institutions they are adequately housed with modern conveniences, but in some institutions the visits showed employees were assigned antiquated quarters. The committee's survey reveals, however, that there are one thousand twenty-six female and nine hundred forty-two male employees housed in buildings with patients. This situation in some cases is not conducive to a proper morale and health standard and should be corrected as rapidly as possible.

According to institution figures, the number of male family heads living in rented homes outside the grounds is three thousand two hundred fifty-one and of female heads of families three hundred sixty-two.

The committee finds a complete absence of uniformity in the administration of the institutions of the state especially concerning regulations regarding sick leave and commutation. Employees entitled to the privilege but not receiving commutation is given as fourteen hundred fifty. So widely at variance, one with the other, is the

management and direction of many of the institutions investigated, that, to a substantial extent each may be said to be operated under laws of its own. This situation does not make for efficiency and not infrequently results in unsatisfactory conditions for the large number of loyal, hardworking officials and employees of the institutions.

Many of the institutions are distant from cities and villages and only two furnish employees transportation.

It is interesting to note out of the total number of employees, nine thousand three hundred fifty-one receive salary or wages, lodging and three meals; two thousand twelve receive salary or wages without lodging or meals; one thousand six hundred and seventy-one employees receive salary or wages and no lodging and three meals; one hundred seventy employees receive salary or wages and lodging only; two hundred thirteen receive salary or wages and lodging and two meals; fifty-five receive salary or wages and lodging and one meal; five hundred thirty-four receive salary or wages and no lodging and two meals; thirteen hundred ninety employees receive salary or wages and no lodging and one meal a day.

In twenty-eight institutions employees are required to take meals at institutions in lieu of cash maintenance, in two it is optional and in seventeen institutions the maintenance allowance prevails.

Based on the institutional population, as of July first, nineteen hundred thirty-four, the number of additional employees needed to establish a maximum forty-eight hour week, according to institutional figures, in all institutions would be five thousand two hundred and nineteen. The cost of this additional personnel would be four million two hundred and forty-five thousand five hundred and twenty-six dollars and sixty cents for salary and wages, nine hundred and eight thousand one hundred and fifty-three dollars and sixty cents for commutation and time service allowance and six hundred ninety-six thousand five

hundred and forty-six dollars for maintenance.

If and when the necessary personnel is added, it will be necessary to provide additional living quarters for twenty of the institutions as in the territory adjacent to only twenty-seven institutions are living quarters available for rental purposes.

The survey reveals a surplus of single rooms available for employees on July first, nineteen hundred thirty-four at which time seven thousand nine hundred sixty-six rooms available out of which seven thousand eighty-one were occupied but seven thousand one hundred forty-nine were actually needed. Unfortunately the single rooms were not available to the institutions where they were most needed.

And the number of family apartments available is far short of the actual need. While eight hundred and ninety-five out of nine hundred and thirty-eight available family apartments were occupied on July first, nineteen hundred thirty-four, the number needed at that time was one thousand one hundred and forty-five apartments.

It is estimated from institution figures that ultimately thirty-five hundred additional single rooms to cost seven million six hundred and thirty thousand two hundred and fifty-three dollars and one thousand and thirty-eight family apartments to cost three million eight hundred and fifty-three thousand nine hundred dollars would be needed to adequately house additional employees.

From evidence adduced at the various hearings conducted by the committee it is evident that present arrangements for employees regarding working hours, commutation, sick leave, salary increments and time service allowance are generally unsatisfactory. The last two mentioned, we are glad to say, have been restored this year and remove a condition that proved unsatisfactory to the employees.

The hours and working conditions in the institutions of the state of New York, as hereinbe-

Continued on Page 12

One of Proposed Bills to Legalize Titles

This bill was introduced on April 12 by Assemblyman P. R. Taylor. It reviews the reclassification efforts of 1930-32.

The Association will aid with its counsel, John T. DeGraff, the outstanding civil service lawyer of the state, to safeguard the status of employees regardless of the shortcomings of any bill. Civil Service rights are well grounded in the Constitution and the provisions established in this bill could not well be set aside.

Assembly Intro. No. 2508, Print No. 3129.

An act validating the titles of the officers and employees in the classified service of the State of New York excluding the civil divisions or cities thereof and declaring the existence of a public emergency.

The people of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Declaration of emergency. The legislature by joint resolution adopted April 11th, 1930, authorized the creation of a special committee on classification of positions in the civil service of the state. The committee was authorized to "investigate into the civil service of the state with particular reference to salaries, grades and duties of officers and employees and their respective titles with a view toward ascertaining what changes if any should be made in such salaries and grades of such employees and titles of position." The committee was continued by joint resolution adopted February 12th, 1931.

The committee held many meetings and examined numerous witnesses. On January 11th, 1932, a report was submitted to the legislature. The committee recommended among other things, the adoption of a plan allocating or assigning to each of the thirty-five thousand odd employees in the classified service of the state, not including the civil divisions or cities thereof, an appropriate title based on the duties, responsibilities

and qualification requirements for such position.

The plan was subsequently approved by the director of the budget and the new titles included in the budget for the fiscal year beginning July 1st, 1932, and ending June 30th, 1933, in so far as such positions effected were included in the budget under distinctive line items. The budget was subsequently duly adopted by the legislature and became chapter twenty-five of the laws of 1932.

Under date of April 15th, 1932, the state civil service commission after due and proper consideration of the recommendations of the joint legislative committee, duly approved the changes in title effected by the committee's plan and adopted a resolution suspending all rules of the commission requiring promotion or other competitive examination to effectuate the changes in title. The resolution was duly approved by the governor of the State of New York as required by section ten of the civil service law on April 16th, 1932.

From time to time, since the adoption of the aforesaid resolution, the state civil service commission on the basis of the plan proposed by the joint legislative committee and duly adopted by the commission, has classified hundreds of new positions. Many of the officers and employees of the state under the new titles assigned to them by the commission, have successfully passed promotion examinations and been appointed to new positions in lines of promotion not open to them under their old titles. The new titles have been successively included in the annual appropriation bills adopted by the legislature. Payrolls have been certified on the basis of such new titles.

The supreme court of the State of New York in a decision, recently unanimously affirmed by the appellate division, has held that the new titles in effect since July 1st, 1932, are simply and solely to allocate appropriations, and that employees must be deemed to be

holding positions which they held prior to that date. The decision of the courts leaves the civil service status of thousands of state employees in doubt. To re-establish the situation as it existed on June 30th, 1932 would be impossible. It would disrupt the administration of every department of state government.

The legislature has considered the aforementioned report of its committee, the successive acts of the budget director and legislature in preparing and adopting the annual appropriation act and the acts and resolutions of the state civil service commission and now finds and determines:

That the new titles assigned to the positions occupied by the officers and employees in the classified service of the state did not involve any general change in the essential character, duties, responsibilities or qualification requirements of such position. That such changes of title did not constitute appointments or promotions within the meaning of article five, section six of the constitution of the State of New York. That competitive examinations were and are entirely impracticable to effectuate such changes of title.

The legislature hereby declares the existence of an emergency requiring the ratification of the civil service status and the validation of the titles of all officers and employees in the classified service of the state, and requiring the enactment of enabling legislation authorizing and directing the state civil service commission to assign to such officers and employees the same titles now possessed by them and declaring the holding of competitive examinations to effectuate such changes in title impracticable.

§ 2. The acts and proceedings of the state civil service commission in allocating or assigning to the officers and employees in the classified service of the state, not including the civil divisions or cities thereof, the titles, positions and civil service status now possessed by them and all of such titles, po-

Continued on Page 12

The Why of Every Failure

This Association is keenly sensitive to the indifference of the Legislature and of administrative heads on occasions to the fair appeals by it for justice along all lines for employees, through progressive legislation, or regulations.

The reason for failure lies in the indifference of thousands of State workers who at this very time are menaced as to stability of their positions, as to fair promotion and as to inattention to reasonable hours of work.

We have ten thousand members, but there are ten thousand more who by their membership could evoke more than twice as much enthusiasm for their own welfare and betterment.

Let's think for just one minute as to the seriousness of our employee problems, and the wisdom of united action, and if we do we will realize at once that success of every issue rests with the size and energy of our State employee membership. You who receive this magazine are a member of the State Association of Civil Service Employees—is it not your duty to interest by your example and otherwise, other employees in membership and also in constant effort to promoting unity and energetic action with the public, with representatives in the Legislature, and with superior officers in advancing adherence to the fundamental principles and practices of sound State employment? There is very much to be done. It is your job, working through your Association. Begin thinking about this today. Ten thousand is a splendid body—twenty thousand would be irresistible!

Interest in Credit Unions

The following letter from the President of the New York State Albany Employees Federal Credit Union indicates a wide field of usefulness along this line. The Association contemplates full cooperation with all local efforts. Those interested may write Headquarters at any time.

N. Y. STATE ALBANY EMPLOYEES FEDERAL CREDIT UNION

13th Floor, State Office Building
Albany, New York.

March 23, 1935.

Mr. W. F. McDonough, Sec.,
The Association of State Civil Service,

Employees of the State of N. Y.,
Albany, N. Y.

Sir:

"The Directors of our credit union wish to thank the Association for the excellent and active support that you have given our organization. We are proud and happy to report to you that in two months active operation we have over 170 members, and already feel that we will fulfill a long needed function in releasing our fellow employees from the clutches of unscrupulous money lenders.

"Your excellent cooperation has already brought us inquiries from several State institutions and prisons as to the possibilities of using our facilities. As you probably know, our charter limits our field of activity to the territorial limits of the city of Albany, and therefore the only feasible way of serving those groups located outside of Albany, would be to assist them in organizing their own credit unions. Knowing full well the remarkable work that the Associa-

tion has done in improving the condition and welfare of the employees, and also taking cognizance of the fact that over a period of years you have built an enormous organization having ramifications throughout the State, we make bold to suggest that the Association include amongst its many activities a Credit Union Committee. The purpose of this Committee would be to actively promote credit unions in all the State institutions, prisons, and district offices, and any place where over 50 State civil service employees are located. We have consulted the Credit Union Section of the Farm Credit Administration in Washington, D. C. as to the feasibility of this plan, and their response was an enthusiastic one. Several members of our credit union, who are also members of the Association should be extremely happy to give of their time and knowledge to building up the credit union movement, and serve on such a Committee. We are ready to go to work on the plan, the minute that we receive your approval."

Yours very truly,

Lewis S. Armento,
President.

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Institutional Study

Continued from Page 9

fore indicated, is in many instances, far from satisfactory. These employees have no one, other than the legislature, to whom they may look for relief if they seek to improve their conditions.

The state by statute is providing shorter hours and higher wages for employees on public works but has not made adequate provision for the institutional employee, in whose hands rests the care of the wards of the state.

Certain it is that the present system is in rather a complex condition varying with each institution or group of institutions and steps should be taken forthwith to enact a standard.

Business conditions recently have been, and for a time may continue to be, subject to such substantial fluctuations that estimates of revenue from given tax sources cannot be relied upon with former certainty. The budget for nineteen hundred thirty-five to nineteen hundred thirty-six has been adopted. The state is gradually returning to a sounder financial position and the salary increment and time service allowances withheld during the fiscal years nineteen hundred thirty-three to nineteen hundred thirty-four and nineteen hundred thirty-five have been restored, much to the satisfaction of this committee, yet it hardly seems sufficient to adequately compensate state institution employees for the unsatisfactory long hours they are now compelled to work. However it appears unwise, at the moment, for the Committee to urge the adoption of legislation which would tend to unbalance the budget, especially in view of the fact that this Committee has actually surveyed less than one-half of all of the institutions although it has received data in answer to its questionnaire from practically all of them. Nevertheless it recommends in addition to restoration of time service allowance and salary increments to their former standing, as soon as the fiscal affairs of the state permit, the adoption of legislation that will limit the hours of work to employees in state institutions not to exceed a maximum forty-eight hour week.

It is evident that this survey and study be continued and the Committee therefore recommends that a resolution be passed extending the life of the Committee until March first, nineteen hundred thirty-six, with directions to render a preliminary report to the governor on or before October first, nineteen hundred thirty-five, that such preliminary report be released to the public press at the time it is submitted to the governor, and that the committee be provided with an appropriation of fifteen thousand dollars to continue its work.

Signed,

MICHAEL J. KERNAN,
Chairman,
HAROLD C. OSTERTAG,
Vice-Chairman,
OGDEN J. ROSS,
GEORGE B. KELLY.

Proposed Bill

Continued from Page 10

sitions, and the civil service status of each of the incumbents thereof, are hereby legalized, validated, ratified and confirmed, notwithstanding any lack of statutory authority therefor or other defect or irregularity in such acts or proceedings, or in the allocation or assignment of such titles and positions.

§ 3. The state civil service commission is hereby authorized and directed, prior to June 30th, 1935, without requiring examination, to reallocate and reassign to each officer and employee in the classified service of the state, not including the civil divisions or cities thereof, the same title now possessed by such incumbent.

§ 4. No assignment or change of title effected subsequent to June 30th, 1932, by the state civil service commission, legalized, validated, ratified and confirmed by section two of this act, or made pursuant to the authorization and direction contained in section three hereof, shall deprive any officer or employee affected thereby of any right, possessed prior to such assignment or change of title under the civil service law.

§ 5. This act shall take effect immediately.

New York Chapter

By John Ferguson, President
This Chapter is now in the process of re-organization.

In March we had two open meetings to get the ideas of the members. At these meetings it was resolved to have a newly elected representative committee, and since its formation, this body composed of delegates elected from each Bureau or Division, has been in conference three times. A set of by-laws has been drawn up, which we hope will be definitely adopted at a meeting on Thursday, April 11th, 1935.

This is a live, alert local unit, that has increased its membership approximately 300 per cent so far this year, and is still looking forward to attaining greater heights both in service and membership.

I am glad to report that there is now more appreciation of our work as is shown by much greater activity, and a realization of the great benefits to be derived from joining this State-wide organization.

We have attained 100 per cent support as to membership in the following offices in our Chapter:
Rehabilitation Division—Education Department

Representative..Elizabeth Lewis
Department of Social Welfare

Division of State Aid and Administration

Representative..Miss E. Richter
Old Age Relief

Representative.....Edward Selle
Taxation and Finance

Income Tax

Representative.....Frank Leslie
Motor Fuel

Representative.....Mr. Ramus
Stock Transfer

Representative.....Mr. J. Testa

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Legislative Procedure

Note: This clear explanation of Legislative procedure on bills will be of great value and interest to many. It is taken from Legislative Record and Index, through courtesy of the Legislative Index Co., 234 State St., Albany, N. Y.

The course followed by a bill from the time of introduction in the Legislature until it becomes a law:

In Senate

1. Introduction and reference to committee.
2. Referred to committee of the whole on report from Committee.
3. Ordered to third reading and referred to committee on revision.
4. Passed and transmitted to the Assembly for action by that house.
5. Transmitted to Governor.

In Assembly

1. Introduction and reference to committee.
2. Ordered to second reading on report from committee.
3. Ordered to third reading and referred to committee on revision.
4. Passed and transmitted to Senate for action by that house.
5. Transmitted to Governor.

When a bill is introduced in the Senate or Assembly it is referred to the standing committee appointed to consider that particular subject of legislation. It is printed before it is considered by the committee. When a bill is reported by the committee, either favorably or for the consideration of the house, it is referred to the Committee of the Whole in the Senate. After consideration by the Committee of the Whole it is advanced to a third reading, then examined as to language and form by the Revision Committee after which it is engrossed and ready for final passage. The procedure is the same in the Assembly upon the introduction of a bill except that an order of business known as "Second Reading" has been substituted for the Committee of the Whole. A bill, passing the Senate or Assembly goes to the other branch of the legislature as the case may be, and takes the same course in that branch as though it originated there, unless it is substituted for an identical bill introduced and already on the calendar of that house.

A bill may be reported by a committee either favorably, adversely or for the consideration of the house. If reported favorably or for consideration it advances to the next order of business. If reported adversely the house to which it is reported must agree to the report, which kills the bill, or it may disagree with the report and order the bill to the next order of business. A committee may be ordered by a vote of the house, to report a bill. This is done by moving to discharge a committee from further consideration of the bill. A bill usually is amended in committee, in the Committee of the Whole of the Senate or on the order of Second Reading in the Assembly. It may be amended on order of final passage in Senate. A Senate bill may be amended in the Assembly, after it has passed the Senate, and vice versa. Such amendments must be concurred in

by the house in which the bill originated, before the bill can be transmitted to the Governor. The Committee on Revision may amend a bill only as to its grammatical and legal form. A bill must be reprinted each time it is amended and it can not be passed in final form, in either house, unless it has been upon the desks of the members for three legislative days. The Governor, however, may send a message certifying to the necessity of immediate passage, as provided in the Constitution. The Legislature can not pass any bill relating to the property, affairs or government of any city, which shall be special or local in its effect unless the Governor sends an emergency message to the Legislature, in which case a two-thirds vote of each House is required. Bills may be reported by a committee with amendments, for reprinting and recommittal for further consideration.

Continued on Page 14

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Facts About Credit Unions

1. To encourage thrift by providing a safe, convenient and attractive medium for the investment of the savings of its members.

2. To promote industry, eliminate usury and increase the purchasing power of its members by enabling them to borrow for productive or for other beneficial purposes at a reasonable cost.

3. To train its members in business methods and self-government and bring them to a full realization of the value of cooperation.

4. Is a credit union among employees approved by the employers? Ans. Yes. If employees are at ease concerning their financial needs, they are more efficient workers. In our own credit union, Col. F. S. Greene, Supt. of Dept. of Public Works, and Dr. F. W. Parsons, Commissioner of Mental Hygiene are our enthusiastic supporters and also members.

5. Is it not true that anyone who needs money beyond his salary is necessarily a poor credit risk?

Ans. No, otherwise there would never have been such a thing as Installment Plan buying, which we all know is not an unsound financial policy. If that were true then all the finance companies, Morris Plan banks, etc., would be out of business, whereas we all know that they are the only institutions that have thrived during the depression.

6. For what reasons and to what extent has the N. Y. State Albany Employees F. C. U. made loans to members?

Ans. It has issued to date 62 loans aggregating \$2,400 for the following reasons: provide for medical services, consolidation of old and new bills, and to take advantage of the savings involved by making cash purchases.

7. Why cannot the N. Y. State Albany Employees F. C. U. expand and enlarge its facilities beyond the territorial limits of Albany?

Ans. Our Charter limits the activities to the territorial limits of Albany. The reason for circumscribing territorial limits is to promote small homogeneous groups which are sensitive to their im-

mediate local needs thereby providing a splendid personal service and insuring a sound and responsible administration. This is further sustained by the fact that loans are made principally on the character of the borrower, and no doubt this requires personal knowledge. Character is such a sound credit precept that the house of J. P. Morgan lends on it alone.

8. Is the personal element in a credit union conducive to growth?

Ans. Yes. We started with twelve charter members and \$60 capital on December 18, 1934, and to date have 210 members and \$2,300 paid in capital. This growth is not phenomenal but quite natural. Once people realize the basic financial soundness of the idea, and learn of the integrity of the fellow workers whom they have chosen to administer the funds, they just "join up".

9. Assuming for the moment that no employee is indebted to any finance company, and no fellow employee will ever require any emergency financing, then of what use is the credit union?

Ans. Here then is an opportunity to pool savings with the sole object in mind to finance mass purchases and thereby effect the tremendous savings that a large order of any commodity will produce. The members will have their own bank conveniently located from which they borrow or withdraw to take advantage of cash sales. Cash purchases involve substantial savings.

10. Why is the N. Y. State Albany Employees Federal Credit Union anxious to have other state groups organize their own Federal Credit Unions?

Ans. First, to spread the benefits that our group has experienced in its short existence, both as measure of promoting the general welfare among the employees, and affording a safe place to make conservative investments. Second, the advisability of unity of effort which will permit an intelligent interchange of information, and experiences will act to the mutual benefit of all the state groups.

These questions and answers merely scratch the surface of the whys and wherefores of the Federal Credit Union movement, others are answered by the experience and satisfaction that you will derive from managing your own credit union. This serves to answer why the Association of State Civil Service Employees which is ever anxious to promote the general welfare of the state employees has given its whole-hearted support to this movement.

Legislative Procedure

Continued from Page 13

During the last ten days of the session the work of the Assembly committees is taken in charge by the Committee on Rules, which makes up the Calendars of the Assembly for the balance of the session. In the Senate the committees have charge of all bills up to the close of the session. The Committee on Rules has power to take a bill from a committee and place it immediately upon the order of final passage. It may also amend a bill in any particular.

Concurrent resolutions, proposing amendment to the Constitution, which must be submitted to popular vote are sent to the Secretary of State and do not require any action on the part of the Governor.

A bill may be progressed without regard to the regular order in either house, by unanimous consent or by a suspension of the rules, up to the point of final passage.

During the session of the Legislature the Governor has ten days in which to approve or veto a bill. If he does not take action within that time the bill becomes a law. If vetoed, the bill may be passed over his veto by a two-thirds vote of each house. All bills passed during the last ten days of the session are treated as thirty-day bills and the Governor has thirty calendar days, after the Legislature adjourns, within which to act. All bills not signed by the Governor during that period are dead.

Association Appeals to Legislature Concerning Cost of Living

On April 1st, with living costs still increasing and indications that they would continue to increase, your Association addressed the following appeal to each member of the Legislature:

"This Association, composed entirely of State civil service employees located throughout the State, is seriously concerned with the effect upon low paid employees of the constantly increasing cost of living. Over seventy-five per cent of State employees are in the low paid brackets. They were so low paid that they were not affected by the cuts, and therefore, are not benefited by the restoration of salaries which you have approved in the annual budget effective July 1, 1935. They are in the position of facing severe deprivation with the increased cost of foodstuffs and the impossibility of securing any relief through the rigid budget appropriations unless there should be made available an emergency fund which could be used by the Governor. Will you not give thought to such an appropriation?"

Since its reorganization in 1930, the Association has been seeking adjustment upward on a fair basis of salaries of State employees. It has suggested that a minimum en-

trance salary of at least \$1200 per annum for permanent employees in the lowest grades should be established, and that there should be orderly and regular increments up to fitting maximums in all of the salary grades. There are many salaries below this figure and appointments are being made at less than \$800. All salary grades up to \$3500 at least should be adjusted upwards. The fact that some young people who enter State service have no dependents and are willing to work for lesser salaries, should have no consideration in the fixing of scales of pay. Because over eighty percent of our population depend upon salaries, the salary base becomes the foundation of general prosperity. Unless the great body of citizens are able to buy services and goods in abundance, merchants and professional, scientific and skilled persons have no source of income. The salary is the crux of all of our major problems of today. When will our statesmen understand this? It is obviously a matter of education. We are asking that our State Legislators act so that there may be a humane flexibility to personnel budgeting and that living workers shall not be catalogued with miles of road, number of bridges or park improvements.

Essay Contest

Essays have come in by the hundreds—every section of the State has shown its interest in the Merit System — its advantage to the worker as well as to the State. These young people and their instructors and leaders have gone to considerable trouble to obtain authentic information about the civil service, what it means and how it works.

An eleven-year-old girl has tried her hand at telling the story of what the civil service means and succeeded in covering the important points in one syllable words—fitness for the job, freedom from racial and religious prejudice, tenure, opportunity for advancement and old age security.

How important it is to bring before the public, present as well as future taxpayers, accurate, up-to-date and complete information on the State Civil Service administration! One of the significant facts that this essay has brought out is that many—far too many—people in the State do not know about the Civil Service. They think entirely in terms of the Federal Civil Service and are apparently completely uninformed as to the State and Municipal Merit systems. The need for this education is crying and every cent the Association spends for prizes will be returned a hundredfold in better understanding and greater prestige for the public employee.

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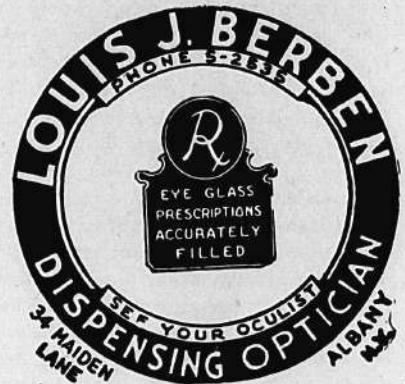
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