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# PROBATION OFFICER EXAM HAS TRIPILED JOB OPPORTUNITIES

## Assn. Building Fund Drive in Final Spurt for Big Success

### Tolman Appeals for Aid Climax

## NYC Employees Fight On For Full Raise of \$600

### Positions In Court Pay \$2,760 Up

ALBANY, April 26—The Civil Service Employees Association renews its drive for funds for headquarters Building is progressing, but urged increased contributions on the part of all chapters. Interesting, worthwhile suggestions have been received from members concerning the make-up of the new proposed headquarters. The drive is in its final stage and all members were urged to forth every effort to make it triumphant success. The new quarters will be planned with the primary objective of providing more service to Association members. It is hoped the proceeds of the fund will enable the purchase of a building large enough to provide revenue from rentals to meet operating costs and maintenance of the building, and room for future extension as needed. The aim is to have free headquarters from the start—and this would be possible.

The various city employee organizations, which presented a winning case for a salary increase at the recent Board of Estimate hearings, are continuing their fight for a full \$600 pay raise and incorporation of the present bonus into base pay. The pension liberalization projects of the various uniformed organizations are part of the continuing campaign. These organizations include the Patrolmen's Benevolent Association, the Uniformed Firemen's Association and the Uniformed Fire Officers Association and other line organizations.

**Legality of Funds Disputed**

The patrolmen also have a bill in the Council for top grade in three years, as exists in the Fire Department, instead of the present five-year period necessary for Patrolmen to attain top grade. Harry Sacher, general counsel to the Transport Workers Union,

made an unexpected attack on the legality of the city to use \$18,500,000 of the fare increase revenue to pay part of past and present subway operating deficits. The excess over deficits, that the increased fare would provide, would provide \$44,675,000 for pay raises and new positions, and of this amount the \$18,500,000 is a part.

Harold Riegelman, counsel to the Citizens Budget Commission, held that the financing could be accomplished legally, in the manner the City proposes.

**Prevailing Rate Cases To Be Waged Together**

Two law cases by groups of Maintenance Men seeking to void a prevailing rate of pay determination by Comptroller Lazarus Joseph have been consolidated and Special Term of the Supreme Court has referred them to the Appellate Division.

**Preference Is Limited By Appeals Court**

ALBANY, April 26. — By a vote of 4 to 3 the Court of Appeals reversed the Appellate Division, First Department, and held that a war veteran, to be entitled to primary preference, in appointment or promotion, must have a disability rating from the U.S. Veterans Administration of at least 10 per cent. This ends a two-year controversy.

Opportunity to obtain a permanent position as Probation Officer in NYC will be provided when the examination, held in abeyance for some months, is opened for receipt of applications, either late in May or early in June. Instead of being held to fill vacancies in only one court, the examination will provide job opportunities in three courts—Domestic Relations, Special Sessions and City Magistrate's. There are provisional incumbents in some Probation Officer positions.

**Move to Raise Pay**

The position will be filled at Grade 1, for which the base pay is \$1,800 to \$2,700. In addition, the old cost-of-living bonus is \$600, total \$3,300. Besides, the new increase is applicable and an effort is being made to have even the base pay raised to \$2,150 minimum, the same as that of Patrolman.

## Whalen Fails to Answer 'Tough' Questions About Jubilee As Opposition Grows

### WORLD-TELEGRAM IN EDITORIAL OBJECTS TO THE FROLIC

Grover Whalen, director of New York City's Golden Jubilee, invited a group of civic organizations to meet with him this week, so he could "explain" the event. He has aroused so much opposition among civic and civil service groups. However, several civic groups had expressed strong interest—and opposition to — the

event, had not received invitations to attend. At press-time, the Commerce and Industry Association of New York had not been invited. The United Parents Associations had not been invited. No civil service employee organization, so far as The LEADER could learn, was on the invited list. Yet these groups had evinced

strong citizen interest in the project, inquiring just why it was necessary in a time of stringent budget. **Why Weren't They Invited?** Why, the uninvited organizations were asking this week, had their names been left off the list? One official of a large prestige organization of businessmen made this comment:

"Does Grover want only those organizations whom he can induce to believe that the Jubilee is a good thing for the city—when it's of doubtful value to the city? Does he want a group of Yes-men who will issue a statement that they are for his extravagant, unnecessary celebration?"

**Questions Unanswered**

Meanwhile, by LEADER press-

time, Mr. Whalen had answered none of the pertinent questions which the Citizens Union asked him last week. He had not even acknowledged receipt of the letter. The CU had written that it is "very much concerned that large sums of money shall not be spent on non-essentials at a time when

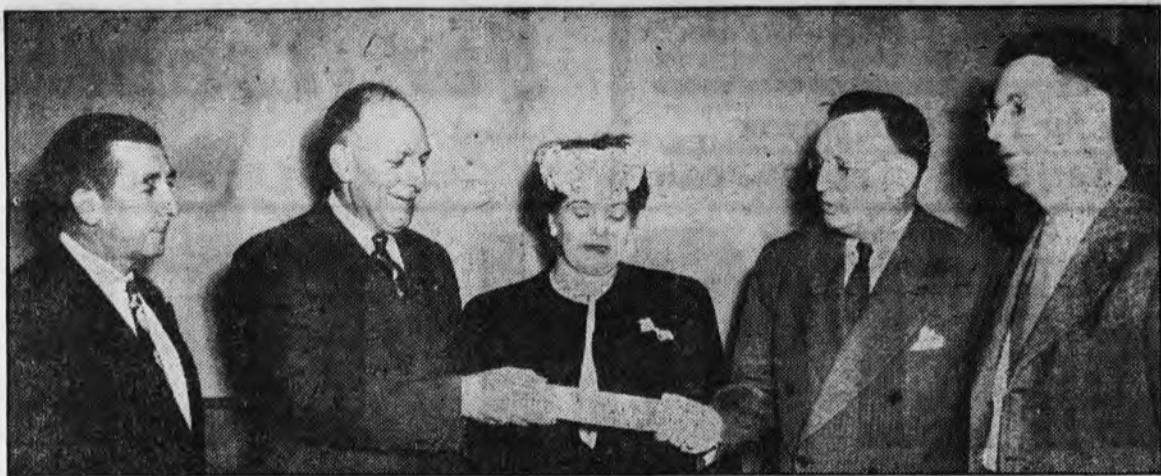
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# STATE AND COUNTY NEWS

## Pay Checks Speeded Up By Moore

ALBANY, April 26.—Comptroller Frank C. Moore, following discussions held with Dr. Frank L. Tolman and John T. DeGraff, President and Counsel of The Civil Service Employees Association, respectively, issued an order to break bottlenecks that had been delaying institutional employee salary checks.



At the presentation of the Charter to the Niagara Chapter by Charles R. Culyer, Field Representative of The Civil Service Employees Association, were (left to right) 1st Vice-president William Leyden, Welfare Department; President Howard L. Kayner, Treasurer's Office; Secretary Anne Ziehn, County Clerk's Office; Mr. Culyer and 3rd Vice-president Charles Daboll, Sanatorium

## Shoro Resigns From State's Merit Board

ALBANY, April 26. — Clifford C. Shoro, Director of Bureau of Administration of the State Department of Health and former President of The Civil Service Employees Association, has resigned from the State Merit Award Board. Mr. Shoro stated that because of the increased amount of time required of him in the Health Department resulting from the ever-expanding "Public Health Program" he found it difficult to give the amount of time required to the functions of the Merit Award Board. Governor Thomas E. Dewey, in accepting the resignation, thanked Mr. Shoro:

Sorry, Says Dewey

"I am so sorry to have you resign as the head of the Merit Award Board but I realize that your duties are heavy in the Health Department. You have done a wonderful job and I thank you personally and on behalf of all the people of the State."

## Retirement System Chapter to Meet

The annual meeting of the Retirement System Chapter, Albany, will be held in June, nominating committee consists of Joseph Osborn, Chairman; James Keefe and Mary Ryan. Thomas Wehmeyer is Chapter President.

## Unemployment Insurance in Local Govt. Now Law

ALBANY, April 26.—One of the important measures signed by Governor Thomas E. Dewey permits the protection of local employees who lose their jobs, by providing local option for unemployment insurance coverage. The bill (Gugino, Assembly Int. 899) is "permissive" — that is, counties, cities and other units may put it in effect if they wish; they are not compelled to. Nevertheless, it is bound to be an important factor, and it is expected

that more and more communities will avail themselves of it. The bill was drafted by the Civil Service Employees Association with the cooperation of the Division of Unemployment Insurance. It became Chapter 844 of the Laws of 1948 and extends the provisions of the Unemployment Insurance Law to local employees. While public employment is reputed to be relatively stable, employees who lose their jobs have

the same need of unemployment insurance to tide them over until they have a new job, as do employees in private industry. This law gives them the same protection as private employees under the same procedure and upon the same terms.

**State Employees Have It**  
Last year, the Unemployment Insurance Law was extended to the employees of the State. The new law extends it to employees of local governmental units on the same plan that has operated successfully in the State during the past year.

Employees of local governmental units who lose their jobs are entitled to apply for unemployment insurance benefits on the same basis as private employees. The awards to which they may be entitled will, in the first instance, be paid from the Unemployment Insurance Fund. The Division of Unemployment Insurance will then bill the local governmental unit at appropriate intervals for the amounts actually paid out in benefits during a given period and the local governmental unit would then reimburse the Division for

such expenditures. In this way needed coverage would be extended to local employees with a minimum of expense to local governmental units.

The State requires private employers to provide unemployment insurance. Public employees have the same economic needs as private employees. The adoption of the Gugino bill permits local units of government to voluntarily adopt this program and thereby enable Government to practice what it preaches.

### DREXLER TAKES NEW JOB

ALBANY, April 26.—Louis Drexler, Personnel Director, State Health Department, is leaving to become Personnel Director of the National Tuberculosis Association in NYC. Faced with the problem of finding a place to live, he solved it by renting a large room in a hot spot with shower and service.

## Assn. Building Fund Honor Roll

Chapter	P. C. Rating
1. New Hampton Chapter	519
2. Orange County Public Works Chapter	343
3. Coxsackie Chapter	177
4. Central Unit, Barge Canal Chapter	176
5. Division of Veterans Affairs, Albany	153
6. Westfield State Farm Chapter	139
7. Banking Department, Albany	132
8. N. Y. State School for Blind Chapter	124
9. Herkimer County Chapter	118
10. Montgomery County group	118
11. State Teachers College, New Palta	114
12. Albion Chapter	112
13. Napanoch Chapter	106
14. Great Meadows Chapter	105
15. Oneonta Chapter	101

This report is based on Building Fund Donations received at Association Headquarters through April 15, 1948. The rating given each chapter or group is determined by the amount of donations

received and the size of the chapter or group.

The FOURTH REPORT will be issued on May 1, based on donations received through that date. The HONOR ROLL includes

chapters with 100% or better rating.

See WHAT Rating YOUR Chapter or Group can attain on the FOURTH REPORT.

GET YOUR CHAPTER ON THE BALL — AND ON THE HONOR ROLL.

Chapter	P. C. Rating
Listings 16 to 35 follow:	
16. Agriculture and Markets, Albany	95
17. Otsego	94
18. Hudson Valley Armory	92
19. Hamburg	92
20. Dist. 10 Babylon Pub. Wks.	87
21. Southwestern	80
22. Ithaca	74
23. State Training School	74
24. Motor Vehicle Albany	70
25. Geneva	70
26. Rehabilitation Hosp.	70
27. Onondaga	59
28. State, Albany	57
29. Orange	57
30. Mt. Morris	57
31. Mattawan	54
32. Letchworth Village	54
33. Ulster	53
34. Gratiwick	52
35. Columbia Co. P. W.	52

## Interviewer Promotions Argued Before Board

ALBANY, April 26. — The State Civil Service Commission heard argument on the application of Senior Employment Counselors, DPUI, to have their promotions, made when they were in the Federal service, validated by the State. H. Elliot Kaplan appeared as their counsel.

The application was opposed by The Civil Service Employees Association, the American Legion and Senior Employment Interviewer eligibles. The eligibles opposing the application are vitally affected, since no more promotions to the Senior Employment Counselor title are intended, and the promotion opportunities would therefore be left intact for their list.

Robert H. Schaffer, former Acting Corporation Counsel of NYC, and D. Cady Herrick, representing the Legion, sided with John E. Holt-Harris, Jr., Assistant Counsel to the Association, in opposing the application of the Senior Employment Counselor group.

### Three-fold Argument

The arguments made by Mr. Holt-Harris were principally these:

1. No examination, written or oral, had been held, on the basis of which the Federal promotions

were made, and therefore the promotions did not conform to the standards of the State of New York required for promotion, even under the special provisions of the Condon law relating to the transfer of employees from the U.S. Employment Service back to the N.Y. State Employment Service of the DPUI.

2. The Senior Employment Counselors had been given the same opportunity as others to compete in the examination held May 24, 1947, for promotion to Senior Employment Interviewer, and if they failed to take the examination, it was nobody's fault but theirs, while if they did take it, and failed to get on the list, they had no remedy, and if they passed the test, they would have to await their promotion according to the laws affecting eligible lists.

3. As the examination was held nearly a year ago, the application is tardy and is made only after those Federally promoted to Senior Employment Counselor found out how they made out on the Senior Employment Interviewer promotion examination.

**Decision Expected This Week**  
The eligible list for Senior Employment Interviewer consists of 466 names, 98 being those of veterans.

President J. Edward Conway and Commissioner Alexander A. Falk sat at the hearing. Commissioner Louise Gerry was absent. Joseph Schechter, Commission Counsel, and Charles L. Campbell, Administrative Director, were present. The Commission listened to all the arguments, including Mr. Kaplan's plea that the validation was in accordance with the law and equity to transferees.

## Porta Is Re-nominated For NYC Chapter President

The nominating committee of the NYC Chapter, The Civil Service Employees Association, recommended as candidates the present officers, after having obtained the consent of each of them separately. The slate is headed by President Michael L. Porta. A nominating petition containing more than 400 names was submitted independently on behalf of Kenneth A. Valentine for the First Vice-Presidency. Mr. Valentine, who is employed in an engineering capacity in the Public Service Commission, would contest with William K. Hopkins, a lawyer in the Attorney General's office, for the Vice-presidency. The election will be held on May 11.

Martin Duignan, as Chairman, reported for the nominating committee.

The present officers up for reelection, besides Messrs. Porta and Hopkins, are: Victor J. Paltsits, Second Vice-president; William Teitelbaum, Third Vice-president; Joseph J. Byrnes, Treasurer; Edith Fruchthender, Recording Secretary;

Mrs. Marie S. Lauro, Financial Secretary; and Mrs. Ed Hart, Corresponding Secretary.

**Dues Question Discussed**  
The meeting was held in State Office Building last Thursday night. One of the topics discussed was the proposed increase in dues, another the outing of the Chapter plans for June 22 at Jones Beach, in conjunction with the meeting of the Metropolitan Conference, of which Mr. Porta is Chairman.

The dues question will be brought up at a special meeting to be called by Mr. Porta, as budget data are received from Albany headquarters. The question will come up at a special Association meeting at Albany May 22.

Mr. Porta said that the chapter's returns in the building drive would show up well, with returns that had just been handed to Laurence J. Hollister, Association Field Representative. Hollister addressed the meeting.

## Parole Division Employees Attend Retreat



At the Parole Division religious retreat were (left to right, front row) Parole Officer James M. O'Parole Officer Vincent P. Kelly, the Rev. Stephen Meany, Parole Officer Joseph Skelly, the Rev. Lawrence Atherton, Parole District Supervisor William F. Dollard and Parole Officer Arthur A. W. Finkell. (Back row) Senior Parole Officer John T. Slattery, Senior Typist John E. Tidings, Senior Parole Officer P. Halligan, Warrant Officer Joseph Fellows, Warrant Officer Patrick G. Rogers, Principal stenographer Robert A. Liscome, Senior Parole Officer William J. Baker, Parole Officer Sylvester F. Monahan, Parole Officer Clarence V. Lemke.

ALBANY, April 26. — Fourteen members of the State Division of Parole recently enjoyed a Retreat at the Jesuit Retreat House, Glenmont. Under the spiritual

guidance of the Director, the Rev. Stephen Meany, and the Retreat Master, Father Lawrence Atherton, the men participated in religious exercises which began at

6 p.m. on Friday and ended 8 a.m. on Monday. Parole Officer Joseph Skelly was the group leader and, with others, assumed an active role in the services.

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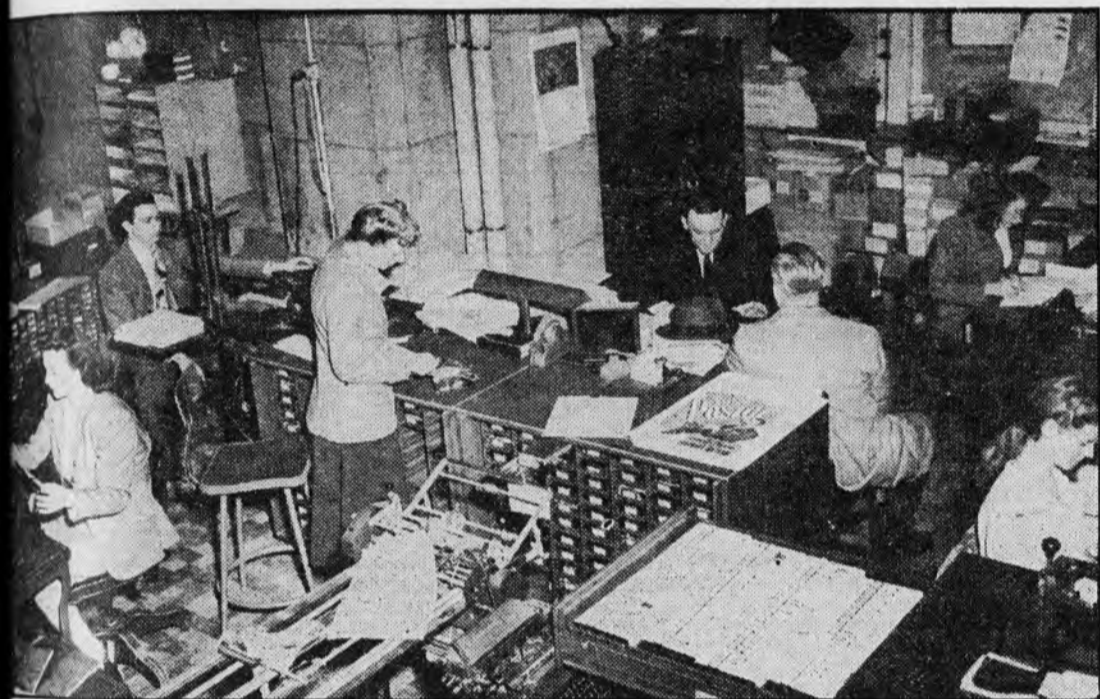


# STATE AND COUNTY NEWS

## Just Room Enough to Breathe



quarters for nine. (Left to right) President Frank L. Tolman; unidentified member seeking help; William F. McDonough, Executive Representative; Helen Gurrah (back toward camera); Laurence J. Holter, Field Representative; Jessica Napierski and, at typewriter, Ruth Baillie. In background (at right), O'Hagan and Pat DeMurio. The present Building Fund drive is aimed at curing these cramped conditions and improving service to members of The Civil Service Employees Association.



congestion in the Albany office of The Civil Service Employees Association is well illustrated by this picture, where six employees are shown in the tight quarters as an association member takes up a problem with one of them, Executive Secretary Joe Lochner, without any privacy. (Left to right) Jessica Napierski, Roy Fisher, Faustine Spencer, Mr. Lochner, unidentified member with problem; Betty Rivet and Sylvia Stevens

## Step Up Building Fund Drive,' Tolman Urges Assn. Members

(Continued from Page 1)  
 if the drive is sufficiently successful.  
 An Association official recently said "The person who first said they talks" must have tried to purchase real estate. The degree of success of the drive will determine just how adequate and the new quarters will be. fundamental needs to assure service to members are: (1) Sufficient business office space; (2) A machine room to house the pressing, postage-meter, duplicating and other machinery; (3) Executive office and consultation rooms where members may discuss their personal problems; (4) Small meeting and conference rooms for use of committees; and (5) Storerooms. All these are lacking now".  
**Pleased But Disappointed**  
 Many members who visit headquarters for the first time have expressed pleasure at the buzz of activity on their behalf, but are disappointed by the appearance of the physical set-up. Adjacent to the Capital are headquarters of other statewide organizations. In comparison with the headquarters of these other organizations, many members expressed belief that their present headquarters detracts from the prestige and importance of their Association.

Many chapters are making special awards to their members who are especially active on behalf of the Headquarters Fund effort. Several have issued special appeals to their members, suggesting that a portion of the emergency salary increase received by State employees effective April 1st be contributed to the Building Fund in appreciation of the Association victory in obtaining the raise.  
 Reports on the progress of the drive have been issued semi-monthly. These reports list each Association chapter and on a percentage basis, considering the size of the chapter, show how each group is supporting the drive. The report issued April 15th shows fifteen chapters with a 100% or higher rating. The next report will be issued on May 1st and will be based on fund donations received from each chapter thru that date.  
**100 Percenters on Scroll**  
 It has been suggested that the final report on the building fund drive, showing what chapters lend the effort 100%, be incorporated into a scroll, which should be framed and illuminated and placed on display in the new headquarters as fitting testimony to the chapters which led the way. Something of this sort may be

done.  
 Association officials have pointed out several facts to members to remind them of their stake in the new headquarters. They have endeavored to point out to them the importance of the organization which works every day to improve their working conditions, their salaries, retirement, hours of work, vacations, promotional opportunities and so forth. They remind members that they own the Association, that they have equal title with their fellow members in all its property, and if they wish the Association to represent their interests fairly and efficiently, the Association must have the staff and equipment, and the room for that staff and equipment to do the job right.  
 The space occupied by the Association's Headquarters is about the same as twenty years ago. In the same time its staff, as well as its membership and activity, has increased from one to twelve, plus two field representatives. The lack of space handicaps efficient operation, to the detriment of members.  
 In issuing the latest progress report of the Special Building Fund Committee, William A. Brind, Jr., Chairman, on Chapter activity in behalf of the Building Fund Drive, Dr. Frank L. Tolman, Association president, asked that "every member's activity in the final week of the drive be speeded up."

## The Public Employee



By Dr. Frank L. Tolman  
 President, The Civil Service Employees Association, Inc., and Member of Employees' Merit Award Board.

### SICK LEAVE

ALL health is always a handicap to success in life or employment. The first duty of everyone, both to himself and to his family, and to his employer, is to keep as physically fit as possible.

Some illnesses are unavoidable, they may be considered as acts of fate or acts of God, as you prefer, but the majority are the results of our own acts, or failures to act, and are chargeable to ourselves alone.

Sick leave is intended to take care of the first category—unavoidable illness. It is not intended to stimulate ill health. It is a recognition that flesh is heir to certain penalties for which the victim has no direct responsibility. It recognizes also that such penalties once paid are usually fully liquidated and that the employee generally remains a relatively good risk. He really "gets over" his sickness. Feigned, imagined or exaggerated illness grows by what it feeds on and soon becomes recurrent or chronic.

There are two categories of the chronically ill. There are those who are really incapacitated and there are those who for one reason or another merely think they are ill. The disability retirement provisions are aimed to care for those unable to work. There is no adequate means of dealing with those merely unwilling to work, who use illness as an alibi and who view fixed sick leave as a right in the same category as their vacation. Sick leave malingerers are no doubt a tiny minority, but they do much harm to the honest employees and they may be the reason for the proposals for a general tightening up of the liberal present sick leave rules.

### State Gives Health Advice to Others

A corrective of the abuse of sick leave must and will be found. The reduction of sick leave allowance is not the answer. Uniform administration in the entire State service would help. Education of the employees on the desirability of accumulating the maximum of sick leave credits for a rainy day is desirable. One suggestion is for physical and medical examinations at time of appointment and possibly at frequent intervals during employment, such as are common now in business. The State does not require medical examinations. It does not yet evaluate physical condition as a definite factor in appointment or retention, except for a few special jobs.

The State does not operate an organized employee health service, as do many private industries. I believe the Health Department would welcome the idea.

Most State institutions and some departments do much in the way of advice on health matters, and the State Health Department includes State employees in such statewide campaigns as tuberculosis control. Perhaps the large amount of health work done informally and unevenly is the reason for the neglect of a function so important to the State and to the employees.

I do not claim to know all the answers to this problem. I am convinced that the employees can make many valuable suggestions. I think a genuine health service devised to help the employees keep fit is better than examinations devised to eliminate the physically unfit. I believe prevention is better than neglect and that the employees and the administration working together can find the right answer.

## Lackawanna Commission's Resignation Is Rejected

ALBANY, April 26—The three Lackawanna Civil Service Commissioners who were ordered removed by the State Civil Service Commissioner, subject to approval on review by Governor Thomas E. Dewey, sent their resignations to the Commission, only to have them refused. The Commission wrote the Commissioners that it is "not the proper authority" to receive the resignations.  
 The Commissioners are Joseph Mescall, Joseph T. Mahoney and Lewis Basty.  
 They were accused of incompetency, inefficiency, neglect of duty and various violations of the Civil Service Law and the Rules and Regulations of the Lackawanna Commission, in the conduct of examinations and the use of eligible lists for appointments and promotions.  
**Refused to Waive Immunity**  
 The three accused Commissioners in their letter to the State Commission said that the Commission's charges were concurrent with indictment proceedings. The

three refused to waive immunity, on advice of counsel. Resultant unfavorable publicity "must have come to the attention of your body before the actual hearings were started" and a Grand Jury report "was so timed that new indictments were returned concerning the same subject-matter which was being considered by your Commission."  
 Another removal proceeding, based on the constitutional penalty for refusal to waive immunity, was ordered. This one is under the jurisdiction of Attorney General Nathaniel L. Goldstein.  
**No Use, They Conclude**  
 "In view of this situation, it is our opinion that further effort to refute the pending charges would be unavailing," the three added. Then this punch line:  
 "Accordingly, with our sincere gratitude and thanks for your considerations during the hearings, we hereby tender our resignations as members of the Civil Service Commission of the City of Lackawanna, New York."



# STATE AND COUNTY NEWS

## Assn. Membership Now Totals 42,700

ALBANY, April 26—Membership continues to grow fast in The Civil Service Employees Association. The record total now stands at 42,700. Of these, 28,300 are in the State Division and 4,400 in the County Division.

Employees of local government are eligible to membership in the County Division. Charles R. Culyer, Field Representative, who is organizing County Division chapters, is receiving requests from all over the State from local government groups that already exist, or that seek formation, so that

they can become members of the largest organization of public employees of a State and its civil divisions in the whole country.

Eight County chapters are in various stages of formation in the following counties: Erie, Cattaraugus, Nassau, Sullivan, Tompkins, Chataqua, Columbia and Essex. The present County Division Chapters number 17: Broome, Chemung, Clinton, Franklin, Herkimer, Jefferson, Niagara, Onandaga, Orange, Otsego, Rockland, St. Lawrence, Schenectady, Steuben, Suffolk, Ulster and Westchester.

## Capital Conference Looks to the Future

ALBANY, April 26. — With the Regional Conference quota filled, and all five Conferences very active in the affairs of The Civil Service Employees Association, much interchange of ideas is taking place, and Chairmen are regularly attending meetings of Conferences other than their own. In this way the problems of the employees are given a wider base of consideration and a more informed preparation made for attendance at meetings of the Executive Committee of the Association and the meetings of the Association itself.

Among the projects discussed are pensions, and to this end it is expected that a concerted drive for attainable pension liberalization will result.

### Tolman Presents Charter

The latest and final Conference formed was the Metropolitan Conference, of which Victor J. Paltsits is Chairman. It met recently and in attendance, among others, was E. Kenneth Stahl, Chairman of the Capital District Conference. Mr. Stahl is employed by the State Retirement System Chapter. He was present also at the meeting in Wassaucott on a Saturday of the Southern District Conference, of which Francis A. MacDonald is Chairman.

The Capital District Conference has already 16 of the possible 26 chapters and expects new additions. The charter was granted last January. Recently Dr. Frank L. Tolman, the President of the Association, made the presentation. Executive Secretary Joseph D. Lochner, who went to the same school as Mr. Stahl, spoke, as did John E. Holt-Harris, Jr., Assistant Counsel to the Association.

### Laws for Future

At the business meeting that followed, Joseph Carroll reported on behalf of the Chapter's own legislative committee and voiced some ideas on next year's legislative program. He stressed the

value of chapters in the Conference exchanging ideas and coordinating efforts without producing a plethora of resolutions.

The Capital District Chapter is in favor of the Association membership financing the Association to the extent needed to attain objectives that more than pay off for the amounts expended, is wholeheartedly behind the current Building Fund Drive and believes that the Association needs more, instead of less, publicity.

The functions and areas of operation of a Conference are a frequent topic of discussion at Conference meetings, especially among new Conferences. The sentiment in the Capital District Conference is in favor of Conferences concerning themselves with over-all problems, so that the Conference idea will represent an additional service to members, but in no sense a derogation of the authority or individuality of the chapters that compose it.

The Conference is active in aiding in getting improved bus service in Albany.

### The 16 Chapters

President Stahl is receiving whole-hearted support of the chapters in his Conference. They are Audit and Control, Agriculture and Markets, Retirement System, Correction, Civil Service, Public Service, Public Works, Great Meadows, Coxsackie, Social Welfare, Tax, Capital District Armories, Saratoga Springs, Conservation, Health and DPUI.

The other officers of the Capital District Chapter are Dr. David M. Schneider, Social Welfare, Vice-chairman; Eileen Dailey, Retirement, Secretary, and Margaret A. Mahoney, Public Service, Treasurer.

Miss Dailey was unable to attend the exercises, because of illness. A resolution wishing speedy recovery was adopted. She is now out of the hospital but will not be able to return to work for a while.

## St. Lawrence County Chapter Wins Ogdensburg Employees Pay Rise

OGDENSBURG, April 26 — County chapters of the Civil Service Employees Association are performing an increasingly effective job of advancing the interests of local employees.

Typical is the activity of the St. Lawrence County chapter in obtaining an upward salary adjustment for Ogdensburg City employees.

The adjustments were gained in the face of strong local political opposition. The raises aren't much — only 10 percent for those earning under \$2,600 and 5 percent for those earning more than that figure. But without the Association chapter's strong fight, it is probable that even this increase would not have been attained. Police Sergeant Philip L. White is chapter president.

### Tried to Set Up Good System

The interesting fact about the Ogdensburg situation is this: the local Finance Committee made a careful study of salaries in other cities, and its recommendations were based on a careful survey, factual not political. It tried to set up an elementary classification system.

What happened is explained in an editorial reprinted below from the Ogdensburg Journal:

"The first serious attempt to study the salaries of city em-

ployees in Ogdensburg and to set up a standard of pay and increments came to naught at Wednesday evening's meeting of the Common Council.

"The finance committee consisting of Aldermen Ebbie Bouchard, Newell Allen and Henry Bouchard had spent weeks in making a study of salaries paid Ogdensburg city employees. They had written every city in the state our size, had received a lot of information from the State Conference of Mayors and from State departments in Albany. They had traced each salary back to see when and how it started, had classified city jobs so there was some basis of comparing jobs of equal responsibility and work. When they got through they had a well thought out program which if adopted would have classified, and organized salaries in this city.

"This had never been done before and there has been little rhyme and less reason in salaries paid to department heads and workers in the departments. There had never been any study made of just what each city employee does to earn his money. Nobody ever knew except in a most general way. This committee could tell you just what each man or woman on the payroll does, and what he is supposed to do.

"The committee recommended that the aldermen's pay be raised from \$350 a year to \$250 a year from \$2,520 to \$1,800. I sincerely believed that these salaries are ample and that the mayor and aldermen were paid very well for the time. I give to the city's affairs as salaries. Their intention was the best, but they made a mistake in thinking that our present Common Council would ever reduce its own salaries. The members would vote to boost but never to cut them. As a result the recommendations of the finance committee were voted down by 5 to 3.

"The Council voted the increase across the board raise of 10 percent to those making under \$2,600 and 5 percent to those making over that figure. The mayor and aldermen were not raised in time.

"So the first time a committee of the Council within the ranks of most living men has made a serious study and a sincere attempt to bring planning and organization into the city's system it is voted down. The efficiency and morale of the departments is at an all time low. One step toward bringing the city to adopt a classified and uniform salary system. Then the city employee is treated all right. He knows what he is supposed to do, what his starting salary is, his annual increments for service are, what the maximum is. Everyone doing the same job is paid the same. The hard work of the finance committee has come down to temporary defeat. Ever, they are on the right track. They did a job that is long due. Someday their recommendations will be adopted by a Council more interested in the welfare than their own pay.

## Assn. Working On Albany Transit Trouble

ALBANY, April 26.—The transportation difficulties of public employees in Albany are on their way to solution with active work being performed by an employee committee set up for the purpose by the Civil Service Employees Association.

John Cox, Department of Public Works, new chairman of the committee, announced last week that questionnaires were sent to the different chapters asking them for their present schedules. He stated that the letters of complaint they have date from January to March. He also said that the Albany Transit Company, taken over by the Tractor Company, is expected to reroute their buses and work out a new schedule.

This work follows up a serious situation which developed in the winter when state employees were unable to get to work on time because of the slow downs and poor schedules of the buses.

## Chemung Group Banquet Wins High Praise

The Chemung Chapter, County Division, Civil Service Employees Association, has held its first annual banquet — an affair called "unusually successful" by all who planned and participated in it. More than 125 members attended, and countywide publicity resulted. The Chemung Chapter includes a large group of employees from the city of Elmira, as well as those employed by the county.

Master of ceremonies was J. Leslie Winnie, Chapter Representative. Speakers included State Senator Chauncey B. Hammond; Association Field Representative Charles Culyer, and Stanley Roberts, Executive Secretary of the Chemung County Civil Service Commission.

Among the guests of honor were Assemblyman Harry J. Tift; Clarence W. F. Stott, Chairman, Central New York Conference; Catherine V. Canny, President, Steuben Chapter; Edward J. Looney, President Reformatory chapter.

## Civil Service Dept. Communion May 23

ALBANY, April 26. — The second annual communion and breakfast of the employees of the State Department of Civil Service will take place May 23. The members will receive Holy Communion at the 9:15 a.m. Mass in St. Mary's Church, Lodge and Pine Streets.

Breakfast will be served at the Hotel Ten Eyck at 10:30 a.m.

Larry Kerwin is General Chairman of the committee in charge, which includes Lucy Dolan, Don Bruce, Virginia Leathen, Betty Warrell, Joe Toale, Maryon Varley, Augusta Ryan and Helen Flanigan.

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# STATE AND COUNTY NEWS

## NEWS ABOUT STATE AND LOCAL EMPLOYEES

### Lawrence Hospital

The members of St. Lawrence Hospital Chapter gave a very entertaining minstrel show. The cast consisted entirely of employees, who of their own volition and on their own time staged and staged a show that a stock company would be proud to present.

The minstrel was put on in the afternoon for the patients and in the evening for the public. At the evening performance, Curtis Hall was filled to capacity, and a record performance has been decided by other groups and institutions.

The LEADER publishes below the names of those who had a part in the show, and those who gave much of their time and effort to make this a financial and entertaining success.

Honors go to Fred Erwin whose direction the cast followed and the acts formulated; secondly, to Irene Cunningham, whose efforts helped make the undertaking a success. The remainder of the cast:

Samuel Scott, Naomi Kinch, Lawrence Linson, Eldred Edgerton, Martel, Elizabeth Haley, Joe Kelly, Clara McNamara, Joyce Wood, Betty Morford, Carl Wood, John McNamara, Robert DeCeur, Fred Kotz, Joseph Francis Deserre, Frank DeGard, Geraldine Lesperance, Elizabeth Blakely, Ann Blakely, Virginia Vines, Mabel Cleland, Harry Aldora Crysler, Harry Inman, Carl Premo, Jerry Premo, Dowdall, Mike Leonard, William Vine, Fred McCabe, Charles Wood, John Cole, Mrs. Broskie, Helen Turnbull, Mrs. Ritchie, Mrs. Madden, Mary Howard, Fred Erwin, Charles Lockwood.

The make-up and stage crew consisted of Irene Cunningham, Helen Levine, Helen Dilcox, Hester Weir, Leo Durant, Mary Leary, Irene Arthurs, Gabriel Valentin.

The Ticket Committee Chairman was Robert Kinch.

### Hornell

At the meeting of the Hornell Chapter, held at the Hornell Country Club, the following officers were elected: President, H. Scott; Vice-president, Fred W. Beck; Secretary, Mercedes Hallock; Treasurer, Wm. H. LaShure; Delegate, Herbert Arnold; Alternate Delegate, K. M. Stuart. The Executive Committee consists of K. Cobb, Leslie C. Smith, Charles P. Newman, Rita L. Martin, Alice Stewart, Edith J. and Mrs. Helen Cottrell.

### Correction, Capital

The annual meeting of the Capital District Correction Department Chapter was held at the Elmer Clinton Hotel. The following officers and delegates were elected for 1948-49: President, Ernest Koster; Vice-president, George Venter; Secretary, Margaret C. Sullivan; Treasurer, Mary Carroll; Delegates, Mrs. Ruth Wagner and John Kolodny.

### Manhattan State

John Wallace, President of the Manhattan State Chapter, reports: The employees were happy to see the increase in pay arrive, and were thankful to the Association for the effort applied in securing it. The Chapter is glad to report that the Bus Stop Shelter proposed by them is in the process of construction, at the southeast corner of the ballfield. Dr. H. H. Travis, Director, complied with the proposal, and now the employees will have some protection from inclement weather while waiting for a bus. . . . Thanks to the members of the Chapter in sympathetic mood this year, formerly of Dining Room 6 in Branch; Catherine Hannon, formerly of Joseph Hannon, carpenter, and Martin Mullen, attendant in the Main Building. . . . Many new members have taken advantage of the \$1.50 dues rate and joined the Association, swelling the membership in the Chapter to the highest it has ever been.

The job career guides printed by the Civil Service LEADER and distributed to members have been very helpful, for which the employees thank The LEADER. . . . John Price is back again after an operation, ditto his step-daughter. . . . and Miss McGovern of the Dental Clinic. Fred Andel is still in sick bay and would like his friends to drop in to say hello. . . .

### Ray Brook

At a regular monthly meeting of the Ray Brook Chapter a large group of members listened to a talk by Lee W. Emigh, the institution Steward, who discussed salaries, U.S. saving bonds, State retirement, group life insurance and meal refunds.

The members were given notice that election of officers would be conducted next month, and voted to have the executive council act as the nominating committee. . . . The Chapter agreed to hold the annual dinner-dance at Durgan's, in Saranac Lake, at which time the chapter would be the host at the Annual Meeting of the Central Conference.

Emmett J. Durr, President, spoke in behalf of the Association Building fund.

Al McClay, Chapter Secretary, has been elected manager of the newly formed Elks-Merchant baseball team which will be affiliated with the Champlain Valley League. Because of his success last year, the chapter is confident he will have his squad fighting for the league top spot in a short time.

The Chapter officers and members wish to acknowledge and thank the many friends throughout the state for their thoughtful expressions of sympathy at the loss of Vice-president George R. Miller, who passed away recently. Mr. Miller had been laundry supervisor at the time of his demise after serving the State for over 32 years.

### Buffalo State Hospital

The regular monthly meeting of the Chapter was held at the Clubrooms on the Hospital grounds. Harry B. Schwartz, Chapter President, presided.

The report on hazardous and arduous pay, as contained in the memorandum received from the State Civil Service Department, was discussed. Senior Account Clerk John Davignon dwelt on the technical phases of the memorandum. Fear was expressed of possible dissatisfaction with the operation of the new law and it was hoped that regrading of positions would be attained, to avoid inequities.

The report on the salary schedules effective April 1 was read. Mr. Davignon advised each member as to the increment to be received, payment of the bonus and also the actual take-home pay.

The Legislative report of the Association was submitted by President Schwartz, covering the 47 civil service bills which passed both houses of the State Legislature.

Mr. Schwartz, Chairman of the Building Fund Committee, said that a financial report was sent to the Association of results to date. He urged all members to act promptly.

A general discussion was held on the question of dues.

A vote of thanks was extended to Mr. Davignon for his services to the Chapter.

### Willard State

A highly successful year has just been completed by the Willard State Hospital Bowling League. After a close and exciting race, the Maples team finished on top. Many records were made during the year and as evidence of superiority the Maples rolled High Single, 1170 and High Three Games, 3145.

Great interest is being shown in the organization of next year's league.

## State Workers Up by 500 As Hospitals Change Hands

ALBANY, April 26—About 500 employees will be added to the State payroll because of the State taking over three tuberculosis hospitals that had been run by counties. In one of the hospitals, Onandaga, the transfer has been completed and the employees on April 15 received their State checks, and on time, with the State pay increases. The Health Department complimented the State Civil Service Department, the Department of Audit and Control and the Budget Director's office on the speedy accomplishment.

The two other hospitals are Broadacres, at Utica, and the J. M. Adams, at Perrysburg.

The State Classification Board is setting up the title classifications for these two hospitals. The similar work on the other was completed in time for the May 1 conversion. The Adams hospital will be under the State on July 1

and Broadacres probably also on that date.

Some examinations will be held for filling entrance and promotion jobs in titles in the hospitals now held by provisionals. The general rule in other cases is to bring the former county employees into State service in the permanent title which they held in the county.

The State Classification Board consists of J. Earl Kelly, Chairman; Arthur F. Maloy and Robert G. Blabey. The Board's Field Examiners are engaged on a continuous departmental survey which is gaited to recurrent check-up every four or five years, by which time a sufficient number of titles usually get "out of line" to require restudy. Right now the Banking Department (all positions other than field jobs), the Corporation Tax Bureau and the General Audit Unit of the Comptroller's office are being studied. The work in the Division of Housing, which presented several problems, has been completed.

In any of the classifications that have been put into effect in the three hospitals, the employees have 30 days in which to appeal and their time would be up on May 1.

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- 11. General Test Guide to Civil Service Jobs.. \$1.50
- \*97. High School Diploma Tests ..... \$2.00
- 12. Hospital Attendant \$1.50
- \*93. Internal Revenue Agent ..... \$2.00
- \*95. Insurance Agent and Broker ..... \$3.00
- \*59. Law and Court Stenographer ..... \$2.00
- \*60. Librarian ..... \$2.00
- \*61. Motor Vehicle License Examiner ..... \$2.00
- \*99. Office Appliance Operator ..... \$2.00
- \*96. Oil Burner Installer \$2.50
- \*19. Patrolman (Police Dept.) ..... \$2.00
- 20. Playground Director ..... \$2.00
- \*85. Plumber ..... \$2.00
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- \*64. Postmaster ..... \$2.00
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- \*74. Title Examiner ..... \$2.00
- 77. Vocabulary Spelling and Grammar ..... \$1.50

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TUESDAY, APRIL 27, 1948

## Scientific Salary Plan Is Needed By NYC

### Men Like Reid and Kaplan Can Do Job

THIS is an editorial about two programs:

1. The pay of NYC employees.
2. The confusion about the basis of pay and what to do about it.

As this is being written, there is no definite indication of what the forthcoming pay raise will be. Mayor O'Dwyer announced his recognition of the need for a raise. It was evident from the rumors emanating out of City Hall circles that—the rate of pay would fall below that requested by all employee organizations—\$600 per employee.

The LEADER has felt this to be a moderate request in view of the long period in which raises were withheld and in view of the clear and admitted case made out for decent salary treatment.

#### \$4.32 a Week

If the pay raise should average \$300 per employee, how much does it actually mean to him? He and his family pay the increased subway fare, too. Suppose that comes to an average of \$75 a year. That leaves \$225, or \$4.32 a week. Final take home pay is even less than this. Not a munificent deal! Employees will not consider themselves justly treated, nor will it appear that the raise in the subway fare has been justified by so small an addition to pay.

The existing bonus plus the new addition should be incorporated into the base pay, because this will at least provide some small measure of security.

The LEADER wishes to go on record as forcibly as it is able for the creation of a scientific pay plan in the city. It may seem incredible, but NYC is the only large municipality in the United States without a proper pay plan, without proper lines of promotion, without proper delineation of job duties. In fact, the job and pay systems in this city is a veritable jungle.

Often, no relation at all exists between the work done by an employee and work done by his supervisor.

Employees work out of title constantly.

Some do jobs so far afield from their titles as to be laughable.

Employees at lower levels and getting lower pay often do work of greater difficulty than that being performed by employees of higher level and higher pay.

Promotions are frequently made with no change in duties, so that you may find two employees working side by side at the same duties getting two sharply different rates of pay.

Frequently an employee will supervise another employee in the same title, both having come off the same list.

#### Top Men for Job Are Obtainable

The sound principle of equal pay for equal work doesn't exist in NYC.

The Civil Service Commission actually can't tell you the precise duties performed by all the workers in the city service — the Commission just doesn't know. The ancient classification system is so primitive that it even gets fouled up in its own words.

There are two basic services—"classified" and "unclassified." The "classified" service is divided into four "classes," the largest of these being the "competitive" class. This class is again subdivided into 46 "services." So, as has been pointed out time and again, there is a big "service" and a little "service." Can you imagine the confusion?

In the competitive class, you take exams where numerical ratings are given; in the non-competitive class you don't. Yet you find many of the same titles in the competitive and non-competitive classes. No one can possibly give a good reason for this, other than the wide-open field it gives to politicians.

To conduct a survey might cost \$250,000. But the potential value to the city can be in millions of dollars. We suggest that Mayor O'Dwyer hand over the job to men such as William Reid, Chairman of the Board of Transportation, and H. Eliot Kaplan, of the Civil Service Reform Association. Mr. Reid worked his way up from a competitive position to one of the leading authorities on municipal government anywhere.

*Don't Repeat This!*

LOOK for a better break for pension deductions from U.S. income tax when the official bill is reported out by the House Ways and Means Committee. Credit for contributions toward annuity will be spread over a longer period in the June tax revision bill. Now tax exemption stops when you "get back" the amount of money you paid in.

Bill Donoghue, Mayor O'Dwyer's Executive Secretary, was one of the original boosters of the Mayor's athletic program for City employees and follows all contests closely. He is also deeply interested in professional sports, especially baseball and boxing. He was an expert in Judo, a rough sport that combines the more homicidal features of boxing, wrestling, and jiu jitsu. Judo, Bill explains, is a method by which an unarmed man or woman can deal out broken arms to holdup men and other thugs. He says it is a great crime preventive.

#### Dietitian Jobs

The U. S. Civil Service Commission has announced an amendment to Announcement No. 52, relating to the Dietitian exam, to add the following: 1. Positions located throughout the U.S. in the Office of Indian Affairs, Department of the Interior, at grades P-2 and P-3 (\$3,397 and \$4,149) and 2. Positions in Washington, D.C., in the central office of the Veterans Administration, at grades P-4 and P-5 (\$4,902 and \$5,905). Applications for positions in the Veterans Administration in Washington, D.C. must be on file not later than Tuesday, May 11. Applications for all other positions under Announcement 52 will be accepted until further notice.

Persons who wish to be considered for positions in the Veterans Administration should file a separate Form 57, indicating "Veterans Administration" under Item 3. All applications should be sent to the U.S. Civil Service Commission, Washington 25, D.C.

#### CONDUCTOR LIST OUT SOON

The eligible list for Conductor will be released in two or three weeks.

#### 67,000 WORK FOR STATE

There are now 67,000 N.Y. State employees.

## That's Right You're Wrong

The following squib appeared in the Forty-Fiver, published by chapter 45, Local 2899, UPW, CIO, on March 25:

"As reported in The LEADER last week, the Assn. [Civil Service Employees Association] scored another 'victory' for the employees in the closing day of the legislature. An amendment raising the \$11,000 top limit on pay, beyond which no increase was granted in the Budget Bill, to \$12,000 was passed . . . this means that the 'hard-hit' \$12,000 a year superintendents in Public Works and Mental Hygiene, instead of getting a 'mere' \$900 increase can now get a \$1,000 raise . . . bet the Assn. boys had to put up a tough fight to get that from the Governor . . ."

#### AFTER

The Forty-Fiver of April 1, however, said this:

"OUR MISTAKE — We wish to correct an item that appeared here last week. The Association - sponsored amendment to the Budget Bill permits the \$12,000-a-year superintendents in Public Works and Mental Hygiene to obtain a \$900 increase . . . under the original measure, they would have gotten no increase at all because there was a \$11,000 top limit on pay for those eligible for increases . . . never let it be said the Union is opposed to high-salaried officials getting increases! . . . last week's item was simply an error of fact . . ."

#### WRONG AGAIN!

The correction is also a mistake.

According to the law, \$12,000 is the top limit beyond which no emergency compensation applies. An employee earning \$12,000 a year or more gets no increase at all. This is made clear in a memorandum of the State Civil Service Commission, from which the following is quoted:

#### FLIP-FLOP-WRONG

"(3) Emergency compensation shall not be paid to any one whose compensation on and after April 1 1948 is \$12,000 or more per annum.

"(4) Emergency compensation together with compensation otherwise payable shall not exceed \$12,000 per annum on or after April 1, 1948."

## Facts on Conversion Given For Group Life Insurance

Employees who are middle-aged or beyond, and who may receive notice of termination of employment, especially as eligibles replace provisionals, are asked what can be done about their Group Life policies. Conversion privilege exists, as set forth in the following explanation issued by The Civil Service Employees Association:

"Termination of Insurance and Conversion Privilege  
"The Group Life Insurance of any member will terminate on the 1st or 16th day of the calendar month next following:

- "(a) termination of employment with the State;
- "(b) withdrawal of payroll deduction authorization or failure to make regular semi-monthly payments to the Association;
- "(c) termination of membership in the Association;
- "(d) attainment of age 70, (maximum compulsory retirement age under the State Retirement System).

"In event of termination of insurance on account of termination of employment (or attainment of age 70) the Group Life Policy permits the member to convert his Group Insurance, without medical examination, to an individual policy of Life Insurance at his attained age in any of the forms customarily issued by The Travelers, except Term Insurance, provided written application is made to the Insurance Company within

31 days after termination of employment (or attainment of age 70).

"If the member should die during this 31-day period, the amount of his Group Insurance would be payable to his beneficiary.

"A member while under age 70 Group Policy may continue his and during the continuance of the Group Insurance during (a) total disability; (b) retirement; or (c) leave of absence, by making his regular semi-monthly payments to the Association. In the event of entry into service in the armed forces of the United States, a member may continue his insurance, while the group policy is in force, for not longer than 120 days, by notifying the Association and making his regular payments for such period."

Joseph D. Lochner, Executive Secretary of the Association, gave the following answer to an inquirer:

"Upon leaving state service, the Group Life Insurance cannot be continued, but the insured member may convert the insurance without medical examination, and at the attained age rate, into any form of insurance written by Travelers Insurance Company except term insurance. Application for the conversion must be made direct to Travelers Insurance Company, Hartford, Conn. within 30 days after a person leaves the service. All information relative to rates of insurance available must be secured direct from the insurance company."

## What Public Employees Should Know

By THEODORE BECKER

While the issue of whether or not 'zero percent' disability can be the basis for a 'disabled veteran's' claim for preferred status on civil service eligible lists is being brought before our highest court for determination, a related issue was being considered by lower courts. That question is what constitutes good evidence that the constitutional and statutory requirements for establishing preference have been met.

So far the courts have told us that a certificate issued by the Veterans' Administration to the effect that a claimant for preference had a zero per cent disability was inadequate, standing by itself to justify the action of a civil service commission in granting the preference. This was based upon the practice of the V. A. in designating every degree of disability below 10 percent as 0 percent. Hence, there might be no existing disability or it might be up to mythical 9 per cent, but still be called 0 per cent. The court, therefore, held that the granting of preference when the commission did not know whether or not the V. A. considered the disability as non-existent, was improper.

Recently, the Appellate Division Second Department, was called upon to decide whether the Yonkers Civil Service Commission had properly denied disabled veteran preference to an eligible on a list for Assistant Chief, Bureau of Fire in the Yonkers Department of Public Safety. The Court, in deciding the case, concerned itself, so far as appears from its opinion, with the adequacy of the certificate of the Veterans Administration.

#### Constitutional Provision

It should be remembered that the State Constitution provides that only a veteran who served in the armed forces in time of war and "who was disabled therein to an extent certified by the United States veteran's administration and whose disability is certified by the United States veterans administration to be in existence at the time of his or her application for appointment or promotion" is entitled to disabled veteran's preference.

Referring to this provision, the Court came to the conclusion that the certificate of the Veterans' Administration upon which the eligible's claim was based did not entitle him to the preference sought. The Court predicated its finding on three factors:

First—the certificate contradicted itself, on its face, on the vital issue of whether or not an actual disability was found by the V. A. to be in existence. Although there was a certification of "present existence of a service-connected disability" the V. A. also stated "Ascertainable Residual not found."

Second—the medical examination upon which the certificate of the V. A. was based took place too long ago. In the words of the Court, "to accredit a certification which is based solely upon an examination which took place more than twenty-four (24) years prior to its issuance would be an absurdity in this instance."

Third—the certificate neglected to mention that the disability was incurred in time of war.

Inasmuch as the certificate involved lacked evidentiary value, to the claim made by the veteran, the Court upheld the civil service commission's denial of disabled veteran's preference. Because the ruling of the justices was unanimous, the eligible must obtain permission from the courts to take an appeal to the Court of Appeals. (Coyle v. Gray).

#### Under-age Compensation

Age becomes important in compensation cases when the employee is injured, and it turns out he or she is under 18. This was pointed out in a report published in last week's LEADER. The inadvertent omission of a sentence reversed the meaning of the law. The insurance carrier is responsible. The compensation for the injuries suffered is at double indemnity for the under-age worker. The insurance carrier and the employer share the payment responsibility equally. Such double indemnity does not apply to medical and surgical expenses.



STATE AND COUNTY NEWS

Digest of Laws of 1948

The State Civil Service Department has received a memorandum from its counsel, Joseph Schech...

digesting State laws recently passed following their passage by the 1948 Legislature.

The laws covered in the memorandum are divided into the following categories:

Amendments to the Civil Service Law (other than the reclassification provisions);

Amendments to sections of the Military Law relating to civil service employees;

Laws affecting State Civil Service;

Laws affecting Local Civil Service.

The following are taken from, based on, the memorandum. The sponsorship identification is applied by The LEADER. The number, laws of 1948, is given first, introductory number next, S stands for Senate, A for Assembly; effective dates are in parentheses, unless otherwise stated:

Civil Service Law (Other than Retirement Provisions)

Erwin (S. 256). Recodifies and clarifies § 14; no substantial changes. Effective March 3.

Above law sponsored by The Civil Service Employees Association.

Erwin (S. 255). Recodifies and clarifies § 16; no substantial changes. Effective February 27.

Above law sponsored by The Civil Service Employees Association.

Erwin (S. 2188). Amends subdivision 2 of § 40, which sets salary grades for State positions, by changing salary grade \$8 from \$11,000 up to \$10,000. Effective April 1.

Budget bill (A. 1230). Repeals the provisions of § 42 of the Civil Service Law, relating to the payment of additional compensation for hazardous or arduous employment in State service, and provides that the additional compensation for hazardous or arduous employment earned in the fiscal year 1947-1948 by certain employees in their regular positions who meet the specific requirements and limitations set forth in Chapter 596 shall be added to the basic annual salaries of such employees on April 1, 1948. Effective April 1.

Above law sponsored by The Civil Service Employees Association.

Halpern (S. 1130). §§49 to 52. Provides for continuation of the Merit Award Board (which was established in the State Department of Civil Service on a temporary one-year basis on April 1, 1946 and continued for another year on April 1, 1947) on a permanent basis. Effective March 21.

Above law sponsored by The Civil Service Employees Association.

Amendments to Sections of the

Military Law Relating to Civil Service Employees

201. Hammond (S. 511). Under the former provisions of subdivision 2 of §43 of the Military Law and subdivision 1 of §245 of the Military Law, a civil service employee who is a member of the National Guard, Naval Militia, New York Guard, or Federal Reserve Corps or Force and who is directed to engage in ordered military duty is entitled to a leave of absence with pay for a period not exceeding thirty days in any calendar year. The term "ordered military duty" has been interpreted to exclude military duty that has been ordered after the employee so ordered had first given his consent thereto. In view of this interpretation, a number of employees who were ordered to training duty for 15 days as members of the Naval Reserve, after they had first given their consent thereto, were deprived leaves of absence with pay for such training duty. This inequitable situation is remedied by the 1948 amendment, which specifically provides that military duty for a period or periods up to and including thirty days in any one calendar year shall be deemed ordered military duty, notwithstanding the fact that orders therefor are or may be issued with the consent of the employee involved. Effective March 12.

(Above law sponsored by The Civil Service Employees Association.)

209. McGowan (A. 1463). Provides that where maximum age requirements are established for civil service examinations or appointments, the period of military duty and the period of terminal leave granted by the military authorities shall not be included in computing age. Effective March 21.

Laws Affecting State Civil Service

139 and 584. Budget Bill (A. 1228; Rules Comm. A. 2968.) These laws grant to State employees (who are appointed or engaged for a period of not less than one month) emergency compensation for the fiscal year commencing April 1, 1948 at the rate of 15% on basic salary not exceeding \$3,000; 10% on that part of basic salary which exceeds \$3,000 and which does not exceed \$5,000; 5% on that part which exceeds \$5,000. Such emergency compensation is subject to the following limitations: (1) It shall in no event

EMBARKATION MEN TO MEET

The New York Port of Embarkation Association, composed of U.S. Army personnel who served there during the last war, will meet May 20 at the Hotel St. George, Sidney Gurand, President, announced. Among the active committee members are Ziggy Lane and Edward Zeltner.

exceed \$900 per annum; (2) No emergency compensation shall be paid which would increase the annual salary of any employee on or after April 1, 1948 by more than \$1300 above his annual salary on March 31, 1948, but this limitation shall not apply to increases in salary resulting from appointment, promotion, reclassification or reallocation; (3) Emergency compensation shall not be paid to any one whose salary on or after April 1, 1948 is \$12,000 or more; (4) Emergency compensation to-

gether with basic salary shall not exceed \$12,000 per annum on or after April 1, 1948. Effective April 1.

(Above bill, and similar one covering legislative and judiciary employees, sponsored by The Civil Service Employees Association.)

272. Lupton (A. 1460). Extends for one year (until April 1, 1949), the provisions of Chapter 494 of the Laws of 1947, which provide for the allowance of salary increment-earning credit for temporary service upon permanent appointment to the same or similar position, or to a position which, on March 31, 1947, was in the same occupational service and salary grade. Effective April 1.

(Above law sponsored by The

Civil Service Employees Association.)

670. Pomeroy (A. 659). Amends Section 200 of the Election Law and extends to employees of the State and of the civil divisions thereof including cities, towns and villages, the provisions requiring that employees shall be entitled to absent themselves from employment for a period of two hours, while the polls of the election are open, for voting. Effective March 30.

(Above law sponsored by The Civil Service Employees Association.)

583. Thompson (A. 2396). Amends subdivision (a) of Section 3 of Chapter 547 of the Laws of (Continued on Page 16)

Shopping Guide

See Veeds at 25 East 26th Street, Room 816, for discounts of 10 to 30 per cent on all household items.

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## Flanders Bill Asks That the 45 Grades Be Reduced to 11

Special to The LEADER

WASHINGTON, April 26.—A general overhauling of the Federal Classification Act is in prospect under a bill now under consideration by Congress. The bill, introduced by Senator Flanders of Vermont, embodies recommendations made by the United States Civil Service Commission in its recent annual report to Congress.

Among the changes proposed are the following:

- (1) The five separate "services," each with its own pay schedule, are replaced by a single pay schedule covering all employees;
- (2) Eleven non-overlapping pay grades are set up to replace the present 45 pay grades.

(3) Pay increases will be given to Federal employees under the classification act as a result of changes in pay grades.

President Truman has expressed himself as favoring the proposed revision of the classification act. The Senate Committee on Post Office and Civil Service conducted hearings on the bill, and recommended the proposed reclassification, with minor changes, except for the pay increases it proposed, of \$650 average, with \$800 for postal workers. Senator Flanders' schedules are for smaller raises.

## Where to Apply for Jobs with ECA

WASHINGTON, April 26.—Persons desiring positions with the Economic Co-operation Administration should apply to Personnel Office, State Department, Walker-Johnson Building, New York Avenue, N.W., Washington,

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# FEDERAL NEWS

## Langer Assures Postal Raise But Isn't Certain How Much

William Langer (R., N. P.), Chairman of the Senate Post Office and Civil Service Committee, gave assurances that Congress would vote a postal raise, but he would not prophesy how much it would be, in a radio talk over WJVA in NYC. He spoke highly of the aid given by the N. Y. Federation of Post Office Clerks, AFL-CIO, in his effort to obtain a \$1,000 raise. His committee had introduced a bill for an \$800 flat increase to postal workers, and an average of \$650 to others.

He said that next year the Postal Classification Act will be examined and added that there is much room for improvement.

As Chairman of the Committee on Post Office and Civil Service, I introduced bills to provide \$1,000 additional salary to each person in Government service, including Post Office employees," he said. "These bills were based upon the firm conviction that it would bring at least \$1,000 to bring the government employee up to a parity with those in industry because the government employee can not bargain and he may not strike to obtain satisfaction on his demands and rightful needs. He must wait for those of us in the Congress to recognize him and obtain these necessary adjustments for him. This is not always done speedily because there should be an educational campaign to advance to provide the popularization of the necessity.

**Mentions Foreign Aid**

"Today we have to compete with all manner of issues abroad on the international front and many on the national scene. It has come now to the point where only when we have sent our billions abroad do we seem to have enough money left to attend to the essentials of our own people, and so it appears to be with government salaries. Today under the current legislative reorganization act, a budget is composed and some of the largest amounts are earmarked for international relief purposes for military preparations.

"It seems to me we are losing our sense of proportion and neglecting the things so obviously near to our everyday life when we seek to avoid recognizing the needs of our own people through a representative group who serve the government in civilian capacities, both during time of tranquility and national emergency.

"I believe the nation wants the government to perform its best service to the people and at the lowest cost but is willing at all times to pay any additional costs if it means paying those who perform the service their fair salaries, based upon what they are entitled to receive. This applies quite definitely to the Postal System, where all regular vacancies are

soon to be filled on a permanent basis."

**Deficit Not Employees' Doings**

After mentioning the Federal deficit, which he said was now approaching \$350,000,000, he said:

"But whatever the deficit, and no matter how long we have to live with it until we overcome it, those who serve the Post Office Department, including my friends in Local No. 10 of the National Federation of Post Office Clerks, and all others doing similar work, must be paid in accordance with the precept that the Laborer is worthy of his hire. If we must continue to have deficits, those deficits should never be passed on to the men and women who perform the routine chores for Uncle Sam. They are not responsible for the deficit—they are here to give us service of the best kind and for the proper amount of salary they so justifiably deserve.

"I am not prophesying too definitely on what the outcome of the Postal pay increase will be. Everything we do in Congress is subject to last minute revisions and even in conference between the committees of Senate and House there are times when we have to give and take to gain some of the points we think are the most important.

"I am proud to say that the New York Federation of Post Office Clerks, of which my friend Ephraim Handman is President and Patrick J. Fitzgerald is Secretary, stood with me four-square to achieve the \$1,000 figure, as did the national leadership of the National Federation of Post Office Clerks. I am particularly pleased that the 7,000 members of the New York Federation gave me their sincere support.

"Even salary and retirement are not the final issues concerning Postal Legislation before our Committee. They are only the beginning. Next year I intend to examine the requirements of those in the Post Service, under Public Law 134, which is the postal classification act. This act was put together hurriedly and there are many inequalities apparent in it. Were it not for the fact that we have been delayed in working on retirement and salary legislation, this problem would have been examined this year. There are so many improvements to be made in the postal service and in government service in general, that our main problem has been to apportion our committee's time to the study of these matters in the light of their greatest urgency."



New Charter received from the American Federation of Government Employees by Local 655, Internal Revenue unit in N.Y.C. (Left to right) Joseph Grill; Arthur Clark, President of the local; Collector James W. Johnson and Florence Dodson, Recording Secretary of the local.

## Veterans Fill 44 P. C. of Jobs

The U.S. Civil Service Commission has released figures on state-by-state employment. As of December 31, 1947, 44 per cent of the Federal employees in the continental United States were veterans.

Between VJ-day and the end of December 1947, the number of Federal employees in all areas dropped by 1,770,000 and in continental United States decreased approximately 1,150,000. Over the same period, the number of veterans employed increased from 450,000 to 776,000.

Next to California, New York State had the largest number of Federal employees in December 1947 with 171,000. There has been a decrease of 122,000 Federal employees in New York State from the number there were at the end of the war.

### HONOR FOR MULLANY

The Ancient Order of Hibernians, Queens County, will honor James Mullany on Thursday, May 20 at Lost Battalion Hall, Elmhurst. He has been secretary for 25 years. He is Appointment Clerk at Borough Hall, Queens County. James A. Phillips, secretary of the Comptroller's Office, and an organizer of Division 8, A. O. H., will make a presentation to Mr. Mullany.

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# NEW YORK CITY NEWS

## Battalion Chief List

All 103 eligibles on the list for promotion to Battalion Chief, Fire Department, excepting only one, Captain Francis Love, is a member of the Uniformed Fire Officers Association, and the eligible who got the highest mark of all is Captain Richard A. Denahan, President of the UFOA. His mark was 89.125 final average. He always ranked very high on the eligible lists, since he was No. 32 on the Fireman list, from which he was appointed to the uniformed force.

The breakdown of the eligible list:

Disabled veteran claimants ..	3
Non-disabled vet. claimants...	26
Non-veterans .....	74

Total .....103  
The eligible with the highest mark, being a non-veteran, would be No. 30 on the list.

To avoid necessity of clearing disability preference claims, the three disabled veterans are waiving disability, so the list can be promulgated and 26 promotions made as of May 15.

### Budget Difficulty

Fire Commissioner Frank J. Quayle is anxious to make the promotions as soon as possible, even effective on May 1, but certainly no later than May 15, but budget complications have arisen. The executive budget calls for the dropping of 25 Captain positions, which affects the promotions to Battalion Chief because of the Lieutenants who are Captain eligibles and would move up to fill

the Captain vacancies left by the new Chiefs. No loss of jobs is involved.

Commissioner Quayle desires to have the Captain promotions projected fully, when the new budget goes into effect on July 1 next, otherwise there might be no money with which to pay them.

The difficulty is one of budget administration, relating mostly to bookkeeping, as with the proper safeguards the Captain promotions could be made. Commissioner Quayle and Budget Director Thomas J. Patterson are trying to arrive at a satisfactory solution. Mr. Patterson joined with Commissioner Quayle in showing keen interest in devising a way that would accomplish a safe and enduring result. It is expected therefore that the technical solution will be found. Then it would be possible to use the list, as soon as it is promulgated, for at least 24 promotions, possibly even 26, depending on two anticipated retirements. Then the cycle would result in the promotion of the same number of Lieutenants to Captain, of Firemen to Lieutenants and the appointment of the same number of Firemen.

The waivers of the top two disabled veterans are in; the third depends on assurance of 26 promotions, whereupon that eligible would be reached as No. 26, without aid of disability preference.

### Reorganization Denied

Rumors were thick that a plan to reorganize the uniformed force was under consideration, by reducing the 361 companies, including the Marine Division, but official word obtained at Fire Headquarters was that the rumors were wholly false.

The budget leaves the number of Firemen the same as now, provides no additional officers, but was subject to possible change when this edition of The LEADER went to press, as the Board of Es-

timate was acting on the revision of the executive budget. The 25 captaincies were not believed involved.

The Battalion Chief eligible list,

reconstructed by The LEADER in the probable order of promotion, assuming all veteran preference claims granted as made, and disregarding the waivers, follows:

### BATTALION CHIEF

(Promotion) Fire Department

Final Av.	Wr. Part I	Wr. Part II	Rec. & Sen.
<b>Disabled Vets</b>			
1. Charles Flynn .....	85.150	77.9	82.7
2. James M. Keenan .....	82.925	76.2	70.0
3. Charles E. McKeogh .....	79.450	73.1	70.7
<b>Non-disabled Vets</b>			
4. William R. Landy .....	86.250	78.9	80.0
5. Florence E. Crowley .....	85.300	73.9	77.3
6. James L. Curtis .....	84.800	81.8	77.3
7. James E. Cowdy .....	84.650	73.8	76.7
8. Thomas Morrison .....	84.500	76.3	80.7
9. Patrick M. Larkin .....	84.300	74.2	74.7
10. Thomas E. Cotter .....	84.150	71.2	79.3
11. James J. Delaney .....	84.000	73.0	82.0
12. Andrew X. Quinn .....	83.925	74.2	74.0
13. Daniel M. Regan .....	83.875	69.1	84.0
14. James M. Davis .....	83.475	74.4	78.0
15. Cornelius J. Mennis .....	83.325	80.1	72.7
16. Charles C. Combe .....	83.175	73.5	74.7
17. Peter H. Quinn .....	82.300	69.1	74.0
18. Vincent P. McGinty .....	82.200	74.7	78.0
19. Alfred H. Eckert .....	82.050	73.4	76.7
20. Cornelius V. Donovan .....	81.725	75.3	70.0
21. William F. Coffield (2) .....	81.700	69.1	70.7
22. William A. Cimsler .....	81.675	75.5	70.7
23. Arthur M. Dunn .....	81.500	70.7	69.3
24. Eugene C. Dowd .....	81.200	77.4	71.3
25. Joseph M. Dudley .....	81.150	72.6	76.0
26. Joseph A. Massaro .....	80.100	69.1	77.3
27. David J. McCann .....	78.450	69.1	70.7
28. George Page .....	77.850	69.1	73.3
29. Harry J. Goebel .....	77.750	73.7	69.3
<b>Non-veterans</b>			
30. Richard A. Denahan .....	89.125	83.9	84.0
31. James T. Ward .....	87.500	87.7	81.3
32. Louis Corread .....	87.275	77.5	90.0
33. Joseph W. Golder (2) .....	87.175	85.8	81.3
34. Walter M. Cadette .....	87.125	78.9	88.0
35. Matthew J. McMahon .....	87.100	82.7	84.7
36. William R. Fraser .....	86.925	83.2	84.0
37. John J. Murray (3) .....	86.450	69.1	86.7
38. Edward C. Belsky .....	86.300	73.4	90.7
39. Francis J. Love .....	86.200	77.0	86.7
40. John J. Flannery .....	86.100	81.0	85.3
41. George A. Higginson .....	85.900	81.9	80.7
42. Charles T. Stessler .....	85.400	75.9	84.7
43. Harold J. Fahey .....	85.150	81.9	78.9
44. William W. Murdoch Jr. .....	85.125	76.3	82.7
45. John J. Savage .....	85.025	75.8	82.7
46. James Byrne .....	84.825	75.5	83.3
47. William F. Stevenson .....	84.775	73.3	85.3
48. William C. Wacewiz .....	84.250	80.3	80.7
49. Edward P. Cahill .....	84.250	74.2	86.7
50. William Depietri .....	84.150	73.8	82.7
51. Thomas J. Kiernan (1) .....	83.950	76.5	85.3
52. Edward B. Cunningham .....	83.450	72.1	80.7
53. John F. Schweitzer .....	83.300	75.8	83.3
54. Fred W. Wittenbecker .....	83.300	69.1	74.0
55. Ralph A. Sneed .....	82.975	78.4	72.0
56. Hugh J. Lynch .....	82.700	74.0	82.7
57. John J. Hannon (3) .....	82.650	81.2	75.3
58. Defus C. Bellizzi .....	82.500	81.3	70.7
59. Charles V. Walsh .....	82.400	72.2	79.3
60. Francis J. Silo .....	82.400	69.6	80.0
61. John W. McGowan .....	82.375	74.3	74.7
62. Walter H. Fricke .....	82.300	69.1	84.0
63. Joseph A. Faughman .....	82.150	74.2	73.3
64. Louis T. Klein .....	82.000	74.0	74.0
65. Paul M. Kueve .....	81.800	69.1	80.0
66. Charles E. Leighley .....	81.650	73.9	74.7
67. Edward J. Gorham .....	81.600	69.1	81.3
68. Charles B. Williams .....	81.550	69.5	80.7
69. William F. Walsh (1) .....	81.400	74.2	75.3
70. Nicholas E. O'Neill .....	81.400	78.9	70.7
71. Harry E. Thompson .....	81.300	69.8	81.0
72. Paul A. Rusch .....	81.300	73.1	76.0
73. John DeHayen .....	81.300	69.1	76.0
74. Martin Monahan .....	81.200	70.5	73.3
75. Edward A. McLaughlin .....	81.150	70.5	80.0
76. Edward A. McLaughlin .....	81.100	69.1	75.3
77. William J. Arnig .....	80.950	69.1	80.7
78. Winiford L. Beebe .....	80.900	72.8	70.7
79. Ernest L. Konrad .....	80.650	77.6	72.0
80. Cornelius P. Harrington .....	80.650	74.5	72.0
81. Arthur C. Riley .....	80.600	69.1	77.3
82. Edward J. Becker .....	80.500	71.9	72.0
83. Samuel Hauser .....	80.450	75.7	72.0
84. John M. Rich .....	80.450	73.8	72.0
85. John Richmond .....	80.200	72.8	80.0
86. John T. Oakley (2) .....	80.000	74.2	72.7
87. George A. Miller .....	79.900	71.9	78.7
88. Edwin F. Schneider .....	79.850	73.0	73.3
89. Ulric D. Blessington .....	79.800	69.1	76.0
90. George H. Eklund .....	79.600	69.1	81.3
91. William J. Reilly .....	79.600	69.1	73.3
92. John J. Cashman (2) .....	79.450	69.1	72.7
93. James G. Kiesling .....	79.350	70.0	71.3
94. Jeremiah A. McCann .....	79.250	75.6	73.3
95. Arthur J. Griffin .....	79.100	69.1	73.3
96. William H. Eisenhardt .....	78.950	69.1	70.7
97. Patrick J. Boylan .....	78.850	69.1	73.3
98. Gilbert X. Byrne .....	78.600	75.3	70.0
99. Peter E. McMahon .....	78.450	69.1	76.7
100. Edward C. Huber .....	78.100	69.1	69.3
101. Frederick J. Ford .....	78.050	69.1	70.0
102. William J. Moloney .....	78.050	69.1	70.0
103. Frank V. Benda .....	77.000	69.3	70.7

## Vet Preference Wins Attention

The interest in veterans preference is not confined to Government and veteran circles alone. Daily newspapers throughout the State note a rising quantity of queries and letters from the citizenry on the question.

The recent action of the State Legislature in passing two measures (the Mitchell and the Condon bills) designed to alter the present vet preference law, drew public attention to the issues involved.

Newspapermen have remarked about the close attention being paid to the details of civil service lists and other aspects of the problem. Here, for example, is a letter which appeared in the conservative New York Herald-Tribune after an eligible list for Police Captain had been made public:

"To the New York Herald Tribune: 'I read with much interest in your paper the list of men who passed the examination for police captain, and I believe the rules covering such examinations should be modified materially. It doesn't seem logical that a candidate for this office should come out on top of the list only to find himself number 48 because of preference given to veterans.

'I am in no way affiliated with the city, but believe these examinations should be on a competitive basis once candidates pass the first test for patrolmen and firemen. It is not fair to those who put years on the job to deprive them of their proper rating. After all, a man with the highest mark should be considered first. There should be no delay in modifying this law in order that future contestants may be protected.'

### TRIBUNE READER.

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### LEGAL NOTICE

MAJHER, MERI GEFPERT, also known as MARY GEFPERT and MERI GEFPERT. Citation. P 3239, 1947. The People of the State of New York, by the grace of God free and independent, to Anna Rimarcik, Joseph Geffert, John Geffert, Paul Geffert, Anna Whitmore, Mary Rondick, Geffert, Genna Whitmore, Majher, if living, husband John Goffert, brother, also known as Mary Goffert and Meri Goffert, whose whereabouts and residences are unknown and unascertainable after due diligence, and if dead, to said Thomas Majher's and John Goffert's heirs, next of kin, executors, administrators, distributees and successors in interest, whose names and addresses are unknown after due diligence, the next of kin and heirs at law of Meri Goffert Majher, also known as Mary Goffert and Meri Goffert, deceased, send greeting:

Whereas, George Sabo and John Drach, who respectively reside at Pascoek Road, Spring Valley, N. Y., and 54 Center Street, Clifton, New Jersey, have lately applied to the Surrogate's Court of our County of New York to have a certain instrument in writing, bearing date July 16, 1940, relating to both real and personal property, duly proved as the last will and testament of Meri Goffert Majher, also known as Mary Goffert and Meri Goffert, deceased, who was at the time of her death a resident of 437 East 9th Street, the County of New York;

Therefore, you and each of you are cited to show cause before the Surrogate's Court of our County of New York, at the Hall of Records, in the County of New York, on the 14th day of May, one thousand nine hundred and forty-eight, at half past nine o'clock in the forenoon of that day, why the said will and testament should not be admitted to probate as a will of real and personal property.

In testimony whereof, we have caused the seal of the Surrogate's Court of the said County of New York to be hereunto affixed. Witness, Honorable James A. DeChant, Surrogate of our said County of New York, at said county, the 5th day of April, in the year of our Lord one thousand nine hundred and forty-eight.

(L.S.) GEORGE LOESCH, Clerk of the Surrogate's Court.

STATE OF NEW YORK, DEPARTMENT OF STATE, ss.: I do hereby certify that a certificate of dissolution of 157 NEW CHELSEA REALTY CORP. has been filed in this department that such and that it appears therefrom that such corporation has complied with Section 108 of the Stock Corporation Law and that it is dissolved. Given in duplicate under my hand and official seal of the Department of State, at the City of Albany, this 8th day of March, 1948.

Thomas J. Curran, Secretary of State by Edward D. Harper, Deputy Secretary of State.

STATE OF NEW YORK, DEPARTMENT OF STATE, ss.: I do hereby certify that a certificate of dissolution of STAYTEX CORPORATION has been filed in this department that such and that it appears therefrom that such corporation has complied with Section 108 of the Stock Corporation Law and that it is dissolved. Given in duplicate under my hand and official seal of the Department of State, at the City of Albany, this 29th day of December, 1947.

Thomas J. Curran, Secretary of State by Edward D. Harper, Deputy Secretary of State.

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# NEW YORK CITY NEWS

## Medical-Physical Rules For Transit Patrolman

**Medical Standards**

1. Minimum Height, 5 feet, 7 1/2 inches in bare feet.
2. Far Vision. Not less than 20/30; each eye separately; no eyeglasses allowed. Color Perception. Candidates who fail to instantaneously recognize the colors red, green, and yellow must be rejected.
3. Oral Hygiene. The presence of one or more decayed teeth causes rejection.
4. Disabilities or Deformities of arm, hand, finger, leg, foot, toe may cause rejection.
5. Hearing. Must be normal in each ear.
6. Hernia. Causes rejection and no truss is acceptable.
7. The mere history of confinement for mental illness in an institution, or 8. The mere history of epilepsy causes rejection. All candidates, especially those with any history of nervousness or other mental ailment must be rejected if they cannot qualify before the psychiatrist of the Commission.
9. Unsatisfactory cardiac (heart) responses, 10. Lung diseases, 11. Varicose Veins, 12. Hemorrhoids, 13. Large Varicocele, 14. Paralysis, 15. Large Hydrocele, 16. Overweight or Obesity, 17. Underweight, 18. Anemia or other blood diseases, 19. Marked Scoliosis or other deformities of the spine, 20. Speech Impediment, 21. High Blood Pressure, 22. Diabetes, 23. Venereal Diseases, 24. Goitre, 25. Ulcer cause rejection.
26. The causes of rejection are too numerous to enumerate. The above list merely represents the common causes of rejection. The Medical Examiner may and does reject for other causes which in his opinion may tend to impair health or usefulness.

### Competitive Physical Examination Weight 50

70% General Average Required

**Test No. 1**

1. Dumbell Lift. A candidate by sheer muscular effort, one arm at a time, must raise dumbbells from a stop position at shoulder to full arm vertical extension.

Both hands combined

160 pounds	100%
150 pounds	94%
140 pounds	88%
130 pounds	82%
120 pounds	76%
110 pounds	68%
100 pounds	60%
90 pounds	52%
80 pounds	42%
No weight lifted by either or both hands	0%

**Test No. 2**

Abdominal Muscles Lift. With his feet held down, while in a supine position, candidate must assume a sitting position, carrying up a barbell behind his neck.

70 pounds	100%
60 pounds	90%
50 pounds	80%
40 pounds	70%
30 pounds	60%
20 pounds	40%
No weight	0%

**Test No. 3**

Agility. High Jump. Run permitted. Must clear rod without dislodging it. Height of rod and percentage credits follow:—

4 feet, 9 inches	100%
4 feet, 3 inches	88%
3 feet, 9 inches	76%
3 feet, 3 inches	64%
2 feet, 9 inches	40%
Less	0%

### Medical Regulations

1. The results of the medical examiners' findings will be expressed in one of the following ways: (a) Passed (b) Conditionally Rejected (c) Rejected.
2. Those who are "Passed" or "Conditionally Rejected" must compete in the physical examination. Any candidate, having been passed or conditionally rejected, who does not enter, or having entered does not prosecute the physical examination to its conclusion on the same day, shall be entirely eliminated and carried and counted on the records as "Failed or Withdrawn in Competitive Physical."
3. By the term "Conditionally Rejected" is meant that the candidate has presented some substandard defect which is ordinarily and usually curable and is deemed to be so by the Medical Examiners of the Commission, or that the candidate has disclosed

on first examination some medical history upon which a decision cannot be made without further examination or evidence. Common cause for Conditional Rejection are those: (a) Defective Teeth (b) Varicose Veins (c) Hemorrhoids (d) Slight Hernia (e) History of Mental Illness. Candidates with Conditional Rejections who attain a place on the eligible list MUST REQUEST and pass medical re-examinations after publication of the list.

4. Those who are "Rejected" by the medical examiners will be notified to appear for one re-examination sometime before the last day for medical and physical examinations, to be later announced by the Commission. Controlled by the provisions of this paragraph are candidates who disclose such defects as the following: (a) Defective Vision (b) Defective Color Vision (c) Heart Ailments (d) Defective Hearing (e) Short Height. If on re-examination they are "Passed" or "Conditionally Rejected", Regulation No. 2 above shall apply. If they fail to appear or are rejected again on re-examination, they are entirely eliminated.

### Physical Regulations

1. The physical examination is competitive and therefore under no circumstances are re-examinations ever granted regardless of accidents, injuries, sickness, or other misfortune.

2. No prescribed order of taking the various tests. Candidates may be required to start at any point.

3. No resting is allowed between tests nor between trials in a test.

4. Candidates having entered continue to conclusion at same session of examination. Failure to do so, regardless of accident, injury, sickness, or any misfortune, must result in complete withdrawal and elimination from the competition.

5. Candidates have definitely the right of asking any question, registering any complaint or expressing any appropriate comment during the competitions. Inquiries, complaints or doubts concerning any decisions must be made immediately to the examiner at the time of the performance or decision involved.

6. Candidates are charged with the simple responsibility of carrying their own cards. Any candidate found with the card of another competitor is subject to disqualification.

7. Dumbbells. Three trials. If no weight has been lifted a fourth trial shall be allowed with the 40 pound dumbbell only. 0% shall be given for a trial to candidate (1) who employs a throw-up or snap-up lift, or (2) who fails to stop at shoulder in lift, or (3) who employs the quick drop-away lift.

8. Abdominals. Three trials. If no weight has been lifted, a fourth trial shall be allowed with the 20 pound barbell only.

9. High Jump. Three trials allowed.

10. General. The regulations applying to these examinations are not limited by the above enumeration. Any usual or reasonable rule or decision to insure fair competition is deemed to be part of these regulations.

11. The dumbbells assigned for use in the Dumbbells Test weigh 40, 50, 60, 70, and 80 pounds.

12. Any candidate who receives a zero in any one of the three tests is eliminated at that point as it is manifest that regardless of two other perfect scores, he could not obtain a general average of 70%.

### NEWBOLD MORRIS APPOINTED

Newbold Morris, former President of the Council, has been named a member of the Board of Directors of the National Association for the Advancement of Colored People to fill the vacancy created by the death of former Mayor Fiorello H. LaGuardia. Mr. Morris, who in 1945 was a Mayoralty candidate, has long been active in inter-racial and welfare organizations.

## KEY ANSWERS

### BOOKKEEPER

The official key answers follow:

1, 4135; 2, 2260; 3, 4327; 4, 875; 5, 2850; 6, 4663; 7, 127; 8, 445; 9, 700; 10, 94; 11, 88; 12, 282; 13, 91; 14, 5179; 15, 2506; 16, 24; 17, 800; 18, 12200; 19, 95; 20, 57; 21, 64; 22, 7; 23, 10; 24, 125; 25, 8; 26, D; 27, D; 28, C; 29, C; 30, D; 31, D; 32, C; 33, C; 34, D; 35, C; 36, C; 37, C; 38, C; 39, C; 40, C; 41, D; 42, D; 43, C; 44, C; 45, C; 46, C; 47, D; 48, D; 49, C; 50, D; 51, A; 52, B; 53, A; 54, A; 55, P; 56, P; 57, F; 58, P; 59, D; 60, P; 61, B; 62, A or C; 63, P; 64, P; 65, A or C; 66, A; 67, P; 68, P; 69, E; 70, P; 71, F; 72, B; 73, P; 74, A; 75, A; 76, P; 77, P; 78, A; 79, P; 80, P; 81, P; 82, P; 83, D; 84, D; 85, B; 86, D; 87, P; 88, D; 89, F; 90, F; 91, 11-3; 92, 9-2; 93, 19-2; 94, 2-3; 95, 1-8; 96, 3-2; 97, 16-3; 98, 8-3; 99, 1-15; 100, 2-3; 101, 3-12; 102, 3-9; 103, 1-8; 104, 1-3; 105, 2-17; 106, 10-9; 107, 13-1; 108, 8-3; 109, 18-3; 110, 9-2; 111, 5550; 112, 8450; 113, 10892.41; 114, 9248.48; 115, 328.30; 116, 735; 117, 438.50; 118, 1379; 119, 475.68; 120, 172.

No protests will be accepted as the answers are definitive and final.

## J. B. Diamond Gets Public Works Post

Joseph B. Diamond was appointed Deputy Commissioner, Department of Public Works, on April 1. Formerly Professor of Physics at St. John's University, he is a licensed Professional Engineer. He was engaged as engineer on many public improvements, including subways, tunnels, highways, sewers, parks, aqueducts, sewage disposal plants, and buildings in about New York City. He is Past President, Bronx County Chapter of Professional Engineers, chairman of Legal Committee of New York State Society of Professional Engineers, Past President, Sanitation-Engineer's Association, Associate member of the American Society of Civil Engineers, member of National Society of Professional Engineers, and a member of Moles, an organization of tunnel and heavy construction men.

Mr. Diamond is a contract and construction lawyer, a member of State and Federal bars in New York, Massachusetts and Hawaii. He is a member of Bronx County Bar Association and New York County Lawyers' Association. He was Lieutenant Commander with the Seabees.

## Parks Guild Attends Mass at St. Patrick's

The Catholic Guild of the Department of Parks held its eleventh annual corporate Communion and breakfast on April 25. Mass was celebrated at St. Patrick's Cathedral, at 8 a.m. Breakfast was served at the Hotel Commodore. The Rev. James V. Hart, Chaplain of the Guild, was the celebrant at the Mass. More than 800 members attended.

The Rev. Cyril F. Meyer, Dean of St. John College, was the principal speaker at the breakfast. Music was played by the New York Holy Name Glee Club.

## Study Aid Offered For Engineer Test

The Municipal Reference Library has study material for the forthcoming civil service examination for Civil Engineer, various departments, which is scheduled for Saturday, June 5. In addition to its collection of books, the Library has a complete collection of previous examination papers which may be inspected.

The Library is open from 9 to 5 on week days and from 9 to 1 on Saturdays. It is located in Room 2230 Municipal Building, Chambers and Centre streets, Manhattan. Applications for this examination have closed.

### 40 PER CENT PASS TEST

The Federal Junior Professional Assistant examination, given in December, was passed by 4,110 applicants. The examination was taken by 10,107.

# Jubilee Questions Ducked by Whalen

(Continued from Page 1)

many of our vital public services are being starved and public employees underpaid for lack of funds."

The organization demanded to know from Mr. Whalen who would be left holding the financial bag if the Jubilee should be a flop?

### What World-Telegram Said

The New York World-Telegram said editorially: "It can happen now and then in the best of families. But we admit it's extra hard for Greater New York to throw a Golden Anniversary party just when its funds are low and the children need shoes."

"On the one hand are citizen groups who urge that, in the present state of the world and the tight squeeze in city finances, suitable exercises in churches, public schools and parks, with maybe folk dances and pageants for color, would provide ample celebration at appropriately small cost."

"On the other hand, vigorously represented by the Mayor's Committee for Commemoration, headed by ever rosy-voiced Grover Whalen, are those citizens who insist 'New York needs advertising' and that celebration features like fashion shows and \$50,000 illuminated signs over 42nd Street are the only things that will dazzle the nations."

### N.Y. May Feel Ashamed

"Apart from the strong doubt that most other nations are yet in a mood to admire much of anything except food and 'cash money', we fear some of the Whalen extravaganzas, toned-down though they are from his earlier dreams, might make many New Yorkers themselves uncomfortable and ashamed when they thought of their more urgent city needs."

"In fact, we agree with the Citizens Union that, before controversy over celebration goes any further, Chairman Whalen should explain to the public exactly how and on what the \$785,000 already appropriated by the Board of Estimate, the Port Authority's \$100,000 and the further \$500,000 to be solicited from New York businessmen is all to be spent."

"Mr. Whalen ought to report expenses and debts already incurred, also whether his committee means to plan and spend right on, regardless of what deficits and failures of hoped-for reimbursements the City may finally have to make good."

"Without answers to these questions, Chairman Richard S. Childs of the Citizens Union aptly says, we merely 'hear hundreds of thousands of dollars jingling in a dark room.'"

### How Public Employees Feel

The feeling of civil service employees against the Jubilee grew

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last week, as they learned of the proposed subway fare rise and suspected that their pay increases would be smaller than needed to meet their needs. A summary of employee opinion is this: The Mayor took a momentous step in raising the fare. City employees and their families will have to pay that increase too. This means that their new pay raises (not announced but expected at this writing) would amount to even less than the face-figure would indicate. In such a contingency, they feel, the City should spend its money with great care, and not on functions whose municipal worth is doubtful, and whose ultimate expense nobody can foresee.

### Legal Action Planned

As The LEADER reported last week, at least two taxpayer suits are germinating against the project. Public interest in the activity has been negative; and as the Commerce and Industry Association has shown, the alleged historical basis for the affair is non-existent. The Commerce and Industry Association had asked last week that the celebration be scrapped.

## Key Answers Stand For Auto Mechanic

The Municipal Civil Service Commission has approved as final the tentative key answers given for the examinations for Auto Mechanic and Promotion to Auto Mechanic. The written test was held on December 20, 1947.

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# NEW YORK CITY NEWS

## Railroad Clerk Exam's Medical-Physical Rules

The medical and physical examinations for Railroad Clerk will take place to May 11. Only disabled veterans and veterans will be called.

The requirements established by the Board of Transportation are as follows: Candidates may be rejected for any deficiency, abnormality, or disease that tends to impair health or usefulness, such as defective vision (beyond 20/40 each eye tested separately—eyeglasses allowed); defective

color vision; heart and lung diseases; hernia; third degree or disabling varicose veins; hypertension or hypotension; paralysis; and defective hearing (each ear tested separately). Candidates must be free from physical or personal abnormalities or deformities of speech or appearance. Candidates may be tested for agility by a jump test to clear rope at 2 feet 6 inches in height and for strength by lifting in succession a 35-pound dumbbell with one hand and a 30-pound dumbbell with the other a full arm's length above the head.

## Police Columbians To Install Officers

Columbia Association of the Police Department will hold its annual installation dinner and dance in the Hotel Astor grand ballroom on Thursday evening, April 29. President Mauro A. Contrastano heads the 1948 slate of officers to be installed by Vincent R. Impellitteri, President of the Council.

## Delegation Hands Minetti List of 4 Main Grievances

A delegation from Local 111 of the United Public Workers, CIO, submitted a memorandum to Joseph Minetti, Commissioner of the Department of Marine and Aviation, listing the four principal grievances of ferry employees who are members of the local. The grievances:

1. Ferry boats on the Staten Island and other city owned ferries are undermanned.
2. The men are required to work long hours without extra compensation; they work on all holidays, receiving no compensatory time off, vacations to which as city employees they are entitled are taken away from them; they do not have any sick leave and they are deprived of their regular days off.
3. Promotions to which they are entitled are not granted.
4. The very lives of the men below deck are endangered because of faulty equipment permitting gas fumes to escape, they have no lockers or wash rooms.

"These are just some of the poor working conditions which continue to exist today in spite of the efforts of our union to obtain solutions to these problems through discussions with the heads of the department," the memorandum adds.

"Working conditions in the Bureau of Ferries lag way behind those of other city departments and in no way approach comparison with improved working conditions for similar employment in private industry."

## Fashion Fair to Sparkle At Garden, June 7 to 13

The second annual edition of The Fashion Fair, America's all-embracing exposition of women's apparel, will be held June 7 through 13 in the Exposition Hall of Madison Square Garden.

Representative firms in all aspects of milady's fashions and in all price categories will exhibit at The Fair. Also represented will be every element entering into the bath, the boudoir, and every other phase of the fashion world and its sister utility and beauty industries.

These firms will be represented in booths lining the 56,000 square feet of display area at the Exposition Hall and also in a spectacular two-hour fashion show, complete with theme and script, to be staged and directed by Leon Leonidoff, director of the Radio City

Music Hall. This show will be presented four times daily in a specially constructed theatre with 200 seats.

"The purpose behind the creation of a fashion exposition in New York, today's fashion center of the world," a Fashion Fair spokesman said, "is to bring before consumer and trade the latest trends in fashion as well as the most creative talents of designers and manufacturers, recognition of the needles trades as the second largest industry in the United States, and finally to create a business stimulant by bringing to showmanship of the theatre industry. Closer understanding among manufacturer, retailer and consumer is fostered through providing a show-window for the industry."

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## Service Rating Forms Sent Out

The Municipal Civil Service Commission is distributing the service rating forms for the period from April 1, 1947 to March 31, 1948 to city departments. The forms must be submitted by May 15.

"The service rating procedure has been changed to provide that employees who have performed their duties in a satisfactory manner need not be reported. Those employees who have performed some act or service warranting an above-average or below-average rating are to be reported. As the majority of employees receive the standard rating for satisfactory service, the elimination of individual reports is expected to result in large savings of time, effort, and expense.

The names of employees reported will be posted in a prominent place near the employees' right of appeal begins from the date the lists are posted. Employees retain the right to submit self-prepared reports through their superiors and must comment thereon and forward to the departmental personnel board.

This new procedure is temporary and experimental.

## JEWISH SERVICES MAY 1

Jewish Memorial services will be held on Saturday, May 1. The Congregation Voice of Jacob (Market Synagogue), 20 Reade Street, Manhattan. The service will be held every hour beginning at 8 a. m. until and including 7 p. m. Morning services will begin at 7 a. m., Mussaph service at 1:25 p. m., and Minchah service at 1:45 p. m.

# READER'S SERVICE GUIDE

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## LEGAL NOTICE

BAR, JEAN EUGENE HENRI.—The People of the State of New York, by the grace of God free and independent, State Tax Commission, Helene Crosnier, Stephen F. Spiegel, Garnet Gardiner De Stackelberg; Banque Franco-Chinoise Pour Le Commerce, Et L'Industrie, being the persons interested in the estate of Jean Eugene Henri Bar, deceased, who at the time of his death was a French national domiciled in the Republic of France, and was late of the French Concession of Shanghai, Republic of China, send greetings:

Whereas, Irving Trust Company, a New York corporation, with its principal office at No. One Wall Street, Manhattan, New York, has lately applied to the Surrogate's Court of the County of New York to have its account of proceedings as ancillary administrator of the goods, chattels and credits of Jean Eugene Henri Bar, deceased, judicially settled and for instructions of the surrogate; therefore, you and each of you are cited to show cause before the Surrogate's Court of our County of New York, at the Hall of Records, in the County of New York, on the 14th day of May, 1948, at half-past ten o'clock in the forenoon of that day why, 1. The account of proceedings of said Irving Trust Company as such ancillary administrator of the goods, chattels and credits of Jean Eugene Henri Bar should not be judicially settled, 2. Said ancillary administrator should not receive the instructions of the court as to what action, if any, it is required to take upon the petition of insurance referred to in the petition, 3. The surrogate should not instruct the ancillary administrator as to the action which it is to take in respect to the property in the free zone and 4. The court should not take proof of the services rendered by counsel to the ancillary administrator and direct payment thereof in an amount not to exceed the sum of \$5,000, and disbursements as may be fixed by the court.

In testimony whereof, we have caused the seal of the Surrogate's Court of the said County of New York to be hereunto affixed. Witness, Honorable James A. DeLahanty, a Surrogate of our said county, at the County of New York, the 5th day of April, in the year of our Lord one thousand nine hundred and forty-eight. (L.S.)

GEORGE LOESCH,  
Clerk of the Surrogate's Court.

STATE OF NEW YORK, DEPARTMENT OF STATE, ss.: I do hereby certify that a certificate of dissolution of

744 COL. AVE. CORP.  
has been filed in this department this day and that it appears therefrom that such corporation has complied with Section 15 of the Stock Corporation Law, and that it is dissolved. Given in duplicate under my hand and official seal of the Department of State, at the City of Albany. (Seal) this 31st day of March, 1948.

Thomas J. Curran, Secretary of State. By Edward D. Harper, Deputy Secretary of State.

STATE OF NEW YORK, DEPARTMENT OF STATE, ss.: I do hereby certify that a certificate of dissolution of

ALEXANDER CLOTHING CO., LTD.  
has been filed in this department this day and that it appears therefrom that such corporation has complied with Section 105 of the Stock Corporation Law, and that it is dissolved. Given in duplicate under my hand and official seal of the Department of State, at the City of Albany. (Seal) this 10th day of December, 1947.

Thomas J. Curran, Secretary of State. By Edward D. Harper, Deputy Secretary of State.

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## LEGAL NOTICE

### CITATION

The People of the State of New York, by the grace of God, free and independent, to JOHN McCARTHY, ELLEN McCARTHY, CONSUL GENERAL OF IRELAND, and to MICHAEL J. O'GORMAN, the alleged husband of MARGARET McCARTHY, deceased, whose Post-Office address is unknown, and cannot, after diligent inquiry, be ascertained by the petitioner herein, living and if dead, to the executors, administrators, distributees and assigns of MICHAEL J. O'GORMAN, deceased, whose names and Post-Office addresses are known and cannot, after diligent inquiry, be ascertained by the petitioner herein, being the persons interested in the estate next of kin or otherwise in the estate of MARGARET McCARTHY, deceased, who at the time of her death was a resident of 170 East 95th Street, New York City. Send Greeting:

Upon the petition of The Public Administrator of the County of New York, having his office at Hall of Records, Room 308, Borough of Manhattan, City and County of New York, as administrator of the goods, chattels and credits of said deceased:

You and each of you are hereby cited to show cause before the Surrogate's Court of New York County, held at the Hall of Records, in the County of New York, on the 21st day of May, 1948, at half-past ten o'clock in the forenoon of that day, why the account of the County of The Public Administrator of the County of New York, as administrator of said deceased's chattels and credits of said deceased, should not be judicially settled.

In Testimony Whereof, We have caused the seal of the Surrogate's Court of the said County of New York to be hereunto affixed.

Witness, Honorable WILLIAM T. COLLINS, a Surrogate of our said County, at the County of New York, the 1st day of April, in the year of our Lord one thousand nine hundred and forty-eight. GEORGE LOESCH, Clerk of the Surrogate's Court.



# Woman Cleaner Exam Opens at Noon, May 4

Applications and examinations for the Cleaner (Women) will be held beginning on Tuesday, May 4 and continuing on May 5 and 6. Candidates should report to the Park Department Pool, 533 West 59th Street, between 10th and 11th streets, Manhattan, on those dates. It is not possible to apply before Tuesday, May 4. The simple examination will be given at the time of application. Apply from 7 a. m. to 7 p. m. Candidates will appear on the eligible list in the

order of their application, subject to veteran preference. Appointments for full-time work will be made at \$1,200 to \$1,380, plus \$660 bonus and the new additional bonus besides. In addition, there will be one annual increase of \$60 per annum. Appointments for part-time work for 302 days will be made at \$1,140 plus a cost-of-living adjustment of \$180 per annum. In addition, there will be three annual adjustments of \$60 per annum.

# Fire Lines

## UNDER THE HELMET

The semi-annual inspection of uniform, clothing and equipment for members assigned to Headquarters Staff, S.S. Squad, L.S. Squad No. 1 and C.B.I. Squad will be held at the Bureau of Uniform Inspection, now located at 48-34 35th Street, L. I. City.

"On The Job Training Program" has been approved and will start functioning as soon as the Federal signs the bill increasing compensation.

Fireman Julius Eckhoff was the first blueshirt in Queens to receive his Theater of Operation medal. He saw duty in the American Theater.

Fireman Lafayette B. Kelly, H&L 120, Brownsville, is recovering at home from stab wounds suffered when he collided a hit and run driver who had hid in the hallway of a tenement a few doors away from company quarters on Watkins Street.

Fifty members of the Department Chapter of the St. George Association will attend the annual Communion breakfast of the Nassau County Firemen's Chapter on May 16.

The New Rescue 1, a neat-looking Mack, not unlike the type used by the utility companies, should prove manageable in the crowded Manhattan streets.

Fire Department Post 930 will hold its 28th annual military ball at Manhattan Center on May 12. For the first time the affair will be held by the Post as a unit of the American Legion only, because of the ban on selling of any tickets as members of the Fire Department.

### Coming Events

Tuesday, April 27. Joint Social Meeting of NYFD Post No. 930, American Legion, The Ladies Auxiliary and the Henry B. Loughran Post at 8:30 p.m. at Werdermann's Hall. Members will be permitted to bring male relatives who served in the armed forces, their mothers, wives and sisters to this meeting.

Thursday, April 29. Regular meeting of the Uniformed Fireman's Association at 11 a.m. in Roosevelt Auditorium, 100 E. 17th St., Manhattan. The third and final reading of the addition to the constitution re: Line of Duty Death Benefit Plan, introduced by Fireman John F. Osterkorn, H. 29, will be made at this meeting.

Sunday, May 9. The 26th annual Communion breakfast of the Holy Name Society, Boroughs of Brooklyn and Queens, will be held. Assembly at Court and Joralemon Streets, at 8:15 a.m.; Mass in the Church of the Assumption on Cranberry Street at 9; breakfast in the Hotel St. George at 10:15.

Thursday, May 13. Annual bowling match of the Cycle Club at the NYAC under the direction of Dr. Harry M. Archer.

Friday, May 14. Annual memorial services of the Naer Tormid Society by the Rev. Edward Lissman, at the Riverside Synagogue.

# Time Table Is Given To Patrolmen For Top Pay In 3 Years

The Patrolmen's Benevolent Association has received assurances at City Hall that the Schick bill to permit Patrolmen to attain top grade in three years, instead of five, will be passed by the Council. There will be a Council committee hearing on the bill today (Tuesday) and the timetable as given them goes on: passage of bill by Council, May 4; bill goes before Board of Estimate on June 15; approval by Board, after it has received a report from its own

committee, to be given without delay.

The money for financing the change is intended to be part of the increased fare proceeds, PBA officers were informed.

The bill would enlarge eligibility for promotion to Sergeant, because of top-grade attainment by eligibles in time for early promotion. Hence a group of non-veteran eligibles wired Mayor O'Dwyer and the Council members not to let this happen.

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## Welfare Exams Open In Washington State

The State of Washington is offering opportunities in public welfare work in county welfare departments throughout the state and in some local health departments. Residence in the State of Washington is not required. There will be written examinations for beginning and professional positions in child welfare, general assistance and welfare administration.

For application forms and information, write to State Personnel Board, 1209 Smith Tower, Seattle 4, Washington. Applications will be accepted indefinitely and examinations will be held whenever the number of openings or volume of applications make examining possible. Examination centers will be established outside the State of Washington when warranted by a sufficient number of candidates.

## Brooklyn P. O. Group To Hear Sokolsky

The Brooklyn Post Office Holy Name Society will mark its 25th anniversary at a Communion breakfast on May 2 at the Hotel St. George, Brooklyn. Andrew Schnorr is President and Dominick Liotta is chairman of the arrangements committee. George Sokolsky, newspaper columnist, will address the gathering.

## Police Lieut. List Now Being Rated

The written test for Police Lieutenant is now being rated. The eligible list will not be released for at least a month.

## SOFTBALL GAMES SOUGHT

The NYC Transit Police Softball Team would like to play any other civil service group. Address Eugene V. Soden, 385 Flatbush Avenue Extension, Brooklyn 1, N. Y., Room 701. The telephone is MAin 5-6200, Ext. 406 or COlumbus 5-4100, Ext. 495.

## Civil Service Group's Conferences To Meet

The first meeting of the new Southern Regional Conference of the Civil Service Assembly will be held at the Hotel Roosevelt, Jacksonville, Fla., on April 22 and 23. Among the tentative topics are: improving testing procedures; developing and maintaining employee morale; meeting the recruitment problem; improving the work of the civil service board; and developing sound public relations between employees and the personnel agency. Edwin L. Swain is Conference Chairman.

Charles A. Meyer, Chairman of the Central Regional Conference, announced the regional meeting in Denver for May 24, 25, and 26.

Plans for both the Eastern and Western Regional Conferences are progressing. The Eastern one will be held at the Hotel Statler, Boston, May 13, 14, and 15; the Western one in Long Beach, California, June 16, 17, and 18.

Headquarters of the Civil Service Assembly are at 1313 East 60th Street, Chicago 37, Ill.

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# Preference in Zero P. C. Cases Voided by Court of Appeals

(Continued from Page 1)

versy over the meaning of the veteran constitutional provision regarding preference for disabled veterans.

The constitution provides that "a member of the armed forces of the United States who served therein in time of war . . . and who was disabled therein to an extent certified by the United States Veterans' Administration, and whose disability is certified by the United States Veterans' Administration to be in existence at the time of his or her application for appointment or promotion, shall be entitled to preference and shall be appointed or promoted before any other appointments or promotions are made, without regard to his or her standing on any list from which such appointment or promotion may be made."

## Charged Illegality

The question before the court was basically the meaning of the words "certified" and "disability." H. Eliot Kaplan, on behalf of the successful petitioners, contended that they meant a disability of a degree recognized by the Veterans Administration certifying the veteran as entitled to a disability pension. This occurs only in cases of 10 per cent or higher degree of disability.

The proceeding was brought by an eligible on the NYC list for promotion to Fire Lieutenant, and others similarly situated. Their complaint was that they were being illegally discriminated against, because veterans who claimed slight or other unrecognized disability were being

granted primary preference, the same as genuinely disabled veterans, whom alone the constitution intended be given the top priority.

## Opinion by Judge Conway

The prevailing opinion was written by Associate Judge Albert Conway and Associate Judges Edmund H. Lewis, Thomas D. Thacher and Marvin R. Dye concurred. A dissenting opinion was written by Associate Judge Stanley H. Fuld and with it Chief Judge T. Loughran and Associate Judge Charles S. Desmond agreed.

Judge Conway agreed with Mr. Kaplan that the VA schedule of disability ratings starts with a "minimum initial degree of disability of 10 per cent" and found that such regulation was the only standard on which disability could be determined under the constitutional provision.

"A less than 10 per cent disability," Judge Conway said, "may cause as much suffering subjectively as one rated at considerably more than 10 per cent. That largely depends upon the sufferer. The point is that the people took the preference disability out of the field of inquiry by making it only one to the extent of which VA had the power to certify, and that was one of 10 per cent or more."

## State to Study Effect

The effect of the decision on recent appointments and promotions will be greatest on the State, and those of its political divisions under its immediate examining administration, because veterans with less than 10 per cent disability rating "have been receiving

primary preference in those jurisdictions. During 1947 the number of eligibles who received disability preference for permanent State jobs was 330. They were not segregated as to degrees of disability, as the State Civil Service Commission, following a decision in another case, by Supreme Court Justice Isidor Bookstein, in Albany, which held that war veterans who had any disability according to the VA records was entitled to primary preference. Anything less than 10 per cent was designated as "zero disability."

Asked what the State intended to do now about recent promotions and appointments of zero-percent disabled veterans, President J. Edward Conway, of the Commission said that a study of legal aspects would have to be made before a policy could be determined.

The State Civil Service Department granted disabled veterans preference in zero per cent disability cases in terms of two court decisions. One was directed against it by the Supreme Court upstate, recently, in the case of Barry vs. Chapman; the other was a court of Appeals interpretation of some years back (Potts vs. Kaplan, 264 N.Y. 110).

Subsequent to the Barry case decision, Justice McGeehan in the N.Y. County Supreme Court held that the disability must be at least 10 per cent to entitle the claimant to primary preference.

## McGeehan's Decision

The McGeehan decision was in the case of NYC Fire Lieutenant eligibles who were veterans of

World War II. They alleged that a number of the other eligibles on the list were granted disabled veterans' preference "upon trivial or insubstantial conditions not resulting in any physical depreciation or impaired physique or lessening of bodily force or disfigurement and not constituting a disability as that term is understood in medical and non-medical usage". In his decision Justice McGeehan ruled:

"Accordingly, this court lays down the rule that under the prevailing conditions 'disability' requires at least a 10 per cent rating by the Veterans Administration and that anything less cannot be the basis for a 'disability' preference in civil service."

The difference between this decision and the decision handed down in the Barry case, appears to be based on the concept of exactly what constitutes a disability under the preference law, says the Municipal Civil Service Bulletin.

## Difference in Definitions

As stated by Justice McGeehan, a disability means, "a state of sub-normalcy—an impairment of the normal functions or appearance of an individual. It is apparent that those disabilities rated by the Veterans' Administration at less than 10 per cent are those instances where the individual is a normal person under no recognized handicap sufficient to create a condition of sub-normalcy; but rather that such individual possesses an imperfection or ir-

regularity that is more or less incidental to a normal person".

## Difference Noted

This definition is not the same as the one employed by Justice Bookstein in the Barry decision. The State Board adds, Justice Bookstein referred to the case Potts vs. Kaplan, in which the Court of Appeals considered the following question: "Should the work 'disability' as used in Section 21 of the Civil Service Law, interpreted as meaning a disability that materially impairs the applicant's earning capacity? The Court of Appeals answered this question in the negative, stating:

## Comment by McNamara

The NYC Civil Service Commission during the past several months, since Supreme Court Justice McGeehan originally ruled to the same effect as the Court of Appeals, has been taking action on preference claims of veterans with less than 10 per cent disability rating. There are about 300 such cases and the Commission will deny them primary preference, President Joseph A. McNamara said. Certifications already made will not be revoked, but such certification in general, included no zero-percent disabled veterans.

"The result was so close," commented President McNamara "that the winners and the losers were both justified."

# Digest of Bills Signed by Dewey

(Continued from Page 7)

1947 to provide that the Bonus Bureau in the State Tax Department shall be a separate and distinct unit for the purpose of promotion and for the purpose of abolition of positions under Sections 21 and 31 of the Civil Service Law. Effective March 30.

613. Lupton (A. 2555). Amends paragraphs (b) and (c) of subdivision 3 of Section 641 of the Labor Law to extend from March 31, 1948 to March 31, 1949, the period of time during which federalized and non-federalized employees of the United States Employment Service who were transferred to the Division of Placement and Unemployment Insurance on November 16, 1946, may be retained on a temporary basis, pending the establishment of appropriate eligible lists. This law further provides that any former employee of the United States Employment Service who was permitted to continue as a temporary employee in the Division of Placement and Unemployment Insurance shall, during his continuance as a temporary employee, and upon appointment on a permanent basis on or before March 31, 1949, be paid the salary which he would have received if his service with the United States Employment Service had been State service. Effective April 1.

(Above law sponsored by The Civil Service Employees Association.)

26. Condon. (S. 193). Repeals Sections 18-a and 18-b of the Labor Law which relate to salaries and grades of certain inspectors in the Labor Department, thereby placing the salaries of such employees under the general salary provisions of Section 40 of the Civil Service Law. Effective April 1.

(Above law sponsored by The Civil Service Employees Association.)

Laws Affecting Local Government

844. Gugino. (A. 899). Amends sections of the Labor Law relating to the payment of unemployment insurance benefits and provides that any municipal corporation or other governmental subdivision may elect to grant its employees unemployment insurance benefits. If such election is made, unemployment insurance benefits will be payable to employees of the municipal corporation or other governmental subdivision, other than the following: (1) Employees who have retired and who upon retirement became eligible to re-

ceive retirement allowance benefits; (2) Employees who are employed in the unclassified service as defined in section 9 of the Civil Service Law (such as department heads, teachers, legislative employees); (3) Employees who are paid for part-time work or on a per diem basis, or other basis of less than half a month; (4) Employees who have not been employed for a continuous period of at least one year. Effective April 12.

(Above law sponsored by The Civil Service Employees Association.)

324. Lupton (A. 452). Deletes an obsolete provision from Section 152 of the Town Law which required that the rules of the State Civil Service Commission be extended to all town policemen, and provides that examinations for town police positions shall be conducted by the appropriate civil service commission (rather than the State Civil Service Commission). Effective March 21.

323. Lupton (A. 451). Deletes an obsolete provision from subdivision 1 of Section 158 of the Town Law which required that special policemen in towns shall pass an examination held by the State Civil Service Commission before appointment. This law re-

quires that examinations shall be conducted by the appropriate civil service commission having jurisdiction over the position. Effective March 21.

63. Lupton (A. 453). Deletes an obsolete provision from Section 188 of the Village Law requiring the extension of the rules of the State Civil Service Commission to village policemen and provides that examinations for village police positions shall be conducted by the appropriate civil service commission (rather than the State Civil Service Commission). Effective March 2.

294. (S. 1244). Repeals Section 15-a of the General City Law which was declared unconstitutional, inasmuch as it provided for the promotion of police lieutenants to police captains from expired promotion eligible lists. Effective March 21.

(To be continued)

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