

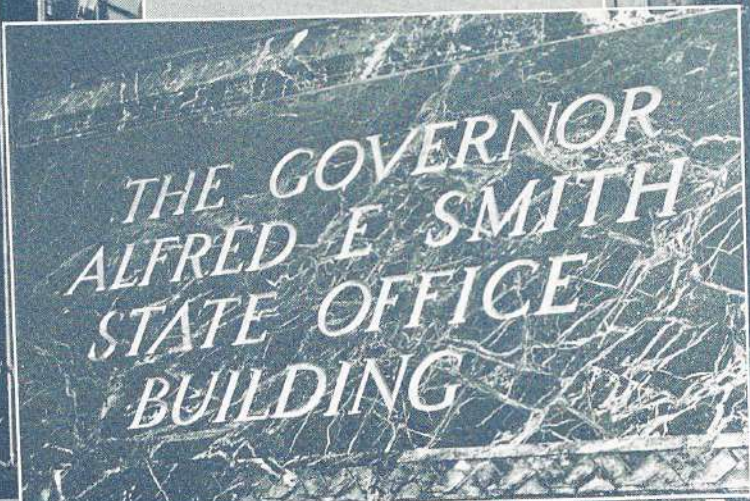
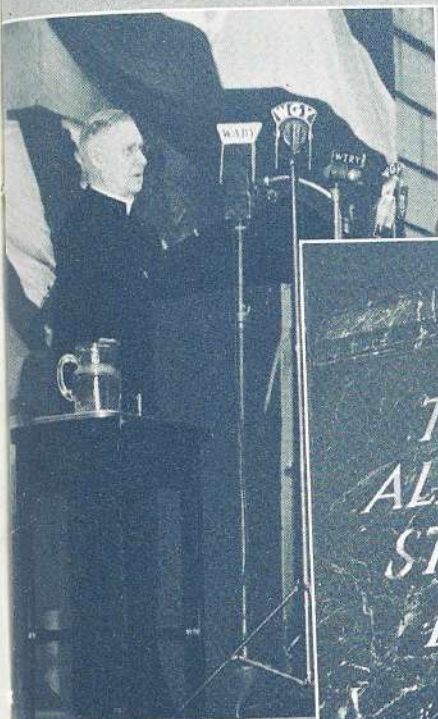


THE STATE EMPLOYEE

June 1946

Vol. 15 - No. 6

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THE STATE EMPLOYEE

Official Publication of
The Association of State Civil Service Employees of the State of New York, Inc.

Vol. 15, Number 6

June, 1946

10c a Copy

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This Month's Cover

The Governor Alfred E. Smith State Office Building—The name of Alfred E. Smith is indelibly impressed on the minds of all citizens of the Empire State and his memory lives in the hearts of the thousands who worked for and with him in State service. He was undeniably one of the great Governors of New York State, and it is fitting indeed that the towering State Office Building in Albany, for which he laid the cornerstone, shall forever bear his name.

The Governor Alfred E. Smith State Office Building was dedicated with impressive ceremonies on Thursday, May 16, 1946. In recognition of Governor Smith's place as an outstanding Roman Catholic layman, it was appropriate that Cardinal Spellman and that Bishop Gibbons of the Albany diocese should have prominent places on the program. Governor Thomas E. Dewey spoke in tribute to his distinguished predecessor and unveiled the bronze-lettered tablets. Governor Smith's old friend and co-worker, Judge Joseph M. Proskauer, spoke feelingly.

All the living members of Governor Smith's immediate family were present, including Major and Mrs. John A. Warner and their children—the "Governor's" grandchildren—Mary Adams Warner and Emily Smith Warner; Major Alfred E. Smith, Jr., Mr. and Mrs. Francis J. Quillinan, Mr. and Mrs. Walter J. Smith, and Mr. and Mrs. Arthur W. Smith.

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OUTSTANDING SERVICES

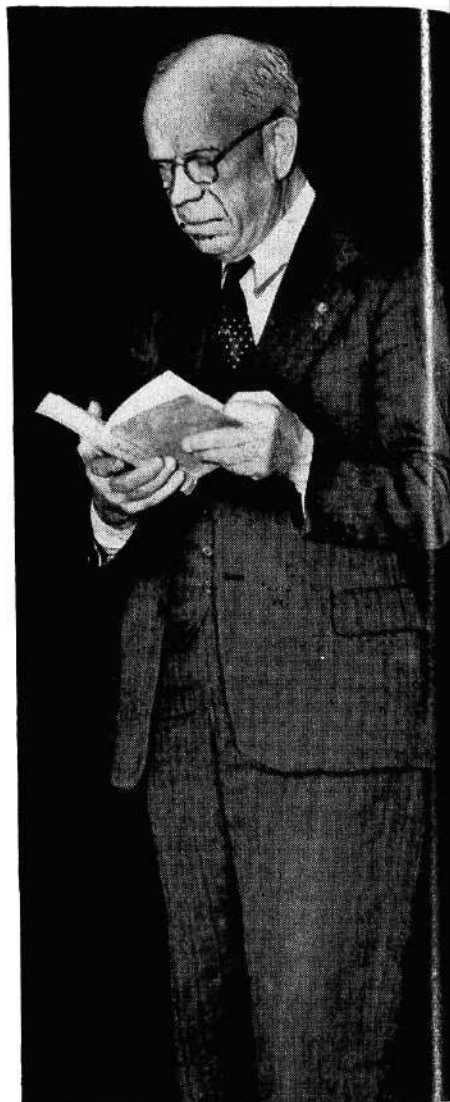
The splendid services of Harold J. Fisher on behalf of good state service and good employment conditions for state workers, was made the feature of a Harold J. Fisher Memorial Award by the Civil Service Leader in 1945, and the winner of the first award was Dr. Frank L. Tolman, the present President of the State Association.

On May 23, 1946, in the presence of a distinguished group, at the annual meeting of the Civil Service Reform Association, in New York City, the second Memorial Award was presented to Mrs. Dorothy McLaughlin, Principal of the Nurses Training School at Central Islip State Hospital. The Committee of Judges consisted of Charles C. Burlingham, Howard C. Kelly and H. Eliot Kaplan.

In addition to the Memorial award, the Civil Service Leader presented gold medals for conspicuous service to five State civil service employees.

The citations appear opposite.

Present at the notification ceremonies (left to right) Mr. Corr, Mr. Bryan, Mrs. McLaughlin, Mr. Williams and Mr. Rogers. Above them is Mr. Gavit.



FOR STATE RECOGNIZED

MEDALS OF MERIT

Herbert L. Bryan — Senior Statistician, Bureau of Research and Statistics, State Department of Social Welfare. For unusual services in preparing materials for the Department of Social Welfare relating to the work of the Inter-Departmental Committee on Delinquency, and for his leadership in the Department's in-service training program on administrative use of statistics.

Frank J. Corr, Jr. — Associate Statistician, Division of Municipal Affairs, State Department of Audit and Control. For outstanding work in the preparation, analyzation and practical application of control records in developing a new system of fiscal control and supervision of municipal finances by the State Department of Audit and Control; and for his immeasurable aid in planning and supervising the statistical and research work of the Commission on Municipal Revenues and Reduction of Real Estate Taxes.

Joseph Gavit — Associate State Librarian. An unsung hero who is rounding out his 50th year in the New York State service surviving the vicissitudes of successive administrations, he has rendered highly meritorious service and who has done an excellent job of building morale and cooperation among government officials and employees; who instead of retiring from the service after a substantial inheritance, preferred to continue his service to the public in advancing the ideals of the merit system and improving the standards of State service.

J. William Rogers — Supervisor of Vocational Education, Department of Correction. For his splendid contribution in developing and conducting courses of training at Wallkill Prison and for the State Department of Correction, and his initiative in establishing and administering the so-called Hobby Shop; for his analytical surveys of the problem of mechanical aptitudes of inmates and for his aid to instructors in preparation of their courses of study in the penal institutions; for his conducting teacher training classes on his own free time; for his ingenuity and resourcefulness in adopting surplus equipment for use by State institutions; and in developing and supervising the vocational auto repair shop for repairing and overhauling State-owned vehicles at great savings to the State.

Kinne F. Williams — Superintendent of Forest Fire Control, Department of Conservation. For fine qualities of leadership and industry in organizing and administering so successfully forest fire control during the war emergency in the face of some of the worst forest fire seasons in the history of the State and during a period of unprecedented shortage of manpower, transportation difficulties and other war-time problems; coupled with this he had to assume for a time direction of the Division of Lands and Forests during the illness of the Director and in the absence of the Assistant Director who was called into the American Red Cross service.

HAROLD J. FISHER MEMORIAL AWARD

Mrs. Dorothy D. McLaughlin — Principal of the Nurses Training School, Central Islip State Hospital.

She has rendered exceptional service in the performance of her duties far above and beyond her normal responsibilities, and has shown a high degree of leadership in her profession of public health nursing. Largely through her persistent efforts in expanding bedside teaching and ward classes and by broadening the curriculum and expanding facilities for both students and graduate nurses she has added greatly to the educational advantages in the nursing schools and in connection with on-the-job graduate training courses. She was responsible for increasing the number of affiliates so that in one year alone 375 affiliates representing 13 schools of nursing were able to receive psychiatric training facilities. She directed and conducted courses for volunteer Red Cross nurses aids and participated extensively in community activities sponsored by the Public Health Nursing service, the American Red Cross, Parent Teacher Associations and others. Because of these other outstanding services and devotion to duty and in making the School of Nursing highly recognized in the professional nurses training field, Mrs. McLaughlin has been chosen as recipient of the Harold J. Fisher Memorial Award for outstanding and exceptional services for the public welfare performed by a State civil service employee.

CIVIL SERVICE SCORED BY

The Civil Service Reform Association was organized in New York State in 1877. From its inception it has been a vigorous defender of the merit system. Its organizers were citizens who rebelled against the selfish and destructive philosophy that "politics is a game the prizes of which are offices and contracts" which prevailed to a marked extent up to 1883 when the first civil service laws were adopted by the Nation and the State.

The Civil Service Reform Association drafted the New York State civil service law of 1883 which was championed by Governor Grover Cleveland and Theodore Roosevelt, the latter a leader in the Legislature at that time.

Ever since 1883 the Civil Service Reform Association has spoken out fearlessly as to its findings and opinions regarding civil service administration in various jurisdictions. The present officers of the Association are listed below, and the Association's annual report, as approved at its annual meeting on May 23, 1946, is printed in full, beginning on the opposite page.

Civil Service Reform Association

Organized 1877 — Incorporated 1900

Telephone MUrray Hill 2-5748

67 WEST 44th STREET

NEW YORK 18, N. Y.

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REFORM ASSOCIATION

Governor Dewey gave us reason to expect that he would use his authority to revitalize and modernize the state personnel system. He had scored severely his predecessor's administration of the state civil service, and had pledged himself to make New York the outstanding merit system state of the nation. He had a politically sympathetic legislature. This expectation has not been realized. While Governor Dewey's record on civil service legislation has been good, his contribution toward improvement of personnel administration has been meager.

During the past year some plans for modernizing civil service procedures which were delayed by the war have been started toward fulfillment. Studies have been made of possibilities of further mechanizing operations of the Civil Service Department to give speedier and more efficient service to operating agencies. The Salary Standardization Board, established on a temporary basis during the previous administration and extended from year to year, has now been made a permanent adjunct of the Civil Service Department. The Department has sought to assist returning war veterans seeking careers in the state service. It has reestablished the municipal inspection service which, through a technically qualified examiner, periodically inspects the work of the municipal civil service commissions and gives them advice and guidance. Its Municipal Service Bureau has assisted the county commissions throughout the state in preparation of new rules, classification plans and roster records; has prepared and distributed procedure manuals for county and city commissions, has promoted several regional training institutes and regional conferences for local officials; and has made a number of special personnel surveys.

Aside from these constructive steps, many of them under way prior to 1943, little in the way of positive accomplishment can be noted. The State Civil Service Department has suffered from lack of leadership. It has exhibited conspicuous failure to fulfill its obligations

to the public, and its primary functions and responsibilities. Confusion and delay, divided and vaguely assigned responsibility and low staff morale have long been apparent. Confidence in the Department's impartiality has been impaired. Although funds to carry on its work have been greatly increased in recent years (Its appropriation is now more than double that of 1940) the Department has not taken full advantage of these added funds to improve the state's merit system.

This failure doubtless results in part from inability to resist the pressure of some departmental heads unsympathetic to the merit system aided by outside political intervention. This can be the only explanation for some of the concessions the Commission has made to operating departments, and certain unjustifiable practices of the Commission in administering its own department. In filling one of its key positions, for example, that of Assistant Administrative Director, the Commission in 1943 appointed a person of inadequate experience, obviously in response to political pressure. In spite of our protest, the Commission continued the unqualified incumbent provisionally far beyond the period allowed by law. Primarily, we believe, to enable the incumbent to gain permanent appointment with little competition, the Commission ordered the holding of an examination during the war period, while it declined to hold examinations for filling vacancies in other departments because of war conditions. The Commission kept the provisional appointee on the Department's payroll, and only recently, after persistent demands from the Association to drop the incumbent, the Commission finally did so. Before doing so, however, the Commission placed another favored person in line for appointment to the same position by re-rating his examination on appeal, after outside examiners had marked it "failure." This candidate's qualifications did not appear even to meet announced requirements for admission to the examination. A somewhat similar practice was followed in filling the position

of Director of Classification, another key place on the Commission's staff. Here the candidate had some qualifications for the position. Nevertheless he had been failed in the written examination by a close margin, and was finally qualified only through the Commission's substituting its own judgment on technical subject matter for that of an outside special examiner,—a practice of doubtful wisdom and legality.

Another situation has come lately to our notice which we cite as symptomatic of the Commission's administration of the merit principle. In the latter part of 1943, shortly after reorganization of the State Civil Service Commission, its President announced the vital need for investigating claims of candidates in examinations, a matter often brought to public attention by this Association. A new position of investigator was established to institute a new program of verifying candidates' education and experience records. A former parole officer of Ulster County was appointed provisionally. An examination was held to fill the position permanently. The provisional appointee failed and had to be dropped from the Commission's payroll. Although a substantial eligible list was established for the position, no appointment was ever made thereto and the position was abolished. Eighteen months later the same provisional appointee was selected, with several others, as a personnel assistant at \$1,800. Early in 1945 the Commission held an examination for "personnel aide" at \$1,400, a salary low enough to assure little, if any, competition. As was to be expected, the resulting eligible list consisted mostly of those who had been appointed provisionally to the Commission's staff. On July 2, 1945, about 20 of these provisional appointees, including the former parole officer, were appointed "permanently" at \$1,400 each. After being thus given competitive civil service status, they were the very next day promoted provisionally to higher positions paying \$2,400 to \$3,200. The favored former parole officer was assigned to a \$4,000 position. (Continued on Page 194)

STATE ASSOCIATION MEETS

One hundred and thirty-one delegates convened at Albany, New York at a special meeting of the Association of State Civil Service Employees, on June 25th. The delegates considered two proposals of overall importance, (1) the opening of membership to all civil service employees in the sub-divisions of the State government throughout New York State, and, (2) the establishment of regional chapter conferences. Both proposals were adopted. The amendment to the constitution relating to expansion of membership, as adopted, reads:

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

The amendment relating to Regional Conferences, as adopted, reads:

"The Executive Committee may divide the State into not more than five regions, and within each region two or more chapters may, with the approval of the Executive Committee, establish a Regional Conference. Every chapter in such region shall be eligible for membership in such Regional Conference and, so long as a majority of the chapters in such region are members, such Regional Conference shall be entitled to elect one representative as a member of the Executive Committee. The Constitution and By-Laws of such Regional Conference must be approved by the Executive Committee and such Regional Conference may be dissolved by a two-thirds vote of the Executive Committee of the Association at a regular or special meeting."

The amendment relating to Regional Conferences was adopted unanimously.

There was long and serious discussion pro and con as to the expansion of membership to include all persons in the civil service of any sub-division of government in New York State. The final vote showed 199 for the amendment to expand the membership and 76 against such expansion.

Now that Association delegates have decided to extend membership to all civil service employees outside of New York City, and there is a potential membership thus open of over 250,000 workers, plans will be made as to the ways and means of organizing these new members and of establishing county units.

Specifically, the employees of the various sub-divisions of government have no salary plan comparable to the Feld-Hamilton Law, no uniformly fair rules covering vacation

and sick leave; protection of tenure is inadequate. They do not generally enjoy any of the major benefits of membership in a large organization such as group life and group accident and sickness plans, current information through regular publications dealing with civil service laws, rules, examinations and all matters pertaining to employment in the civil service. They have no effective representation throughout the year before the State executive, legislative and administrative bodies or before local administrative bodies. Both State and local employees are at present interested alike in a more liberal retirement plan, in the 5-day week, in overtime pay, tenure, in-service training programs, and in the application of merit system principles throughout the various units of local and state government.

The way is now open for local employees to take the first step toward organization of their chapters in the Association. Later, after the adoption of the proposed constitution, the organization of the County Division and the Chapters can proceed rapidly.

Doctor Frank L. Tolman, President of the State Association, expressed the hope that all State civil service employees will now contact their fellow civil service workers to assist in these initial steps and to discuss the objectives and the opportunities of the greater organization.

"Now that the delegates have decided on expanding the membership of the Association, I am certain that there will be complete harmony and enthusiasm in perfecting the greater organization. The objectives of better government require that civil service employees in our state have a single means of expressing their responsibility in government and in suggesting improvements. The single organization is positive and constructive in character and ambition and its sole purpose, in a broad sense, is to bring about better human relationships. With such a large body of public workers with common aims and serving under the same laws and rules, it is only natural that they should seek to add substantially, by example and practice, to the worldwide efforts now in progress to advance socially and culturally," said Doctor Tolman.

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Improvement in the Social Welfare Law

Their Effect on State Employees

New patterns in Social Welfare which will affect the responsibilities of 500 state department employees and 7,000 County, City and Town Welfare department employees engaged in the State and Local Welfare structure, have been brought about by the passage of the Ostertag Law which revises the Social Welfare Law and provides an improved administrative frame work in which to operate.

Some 700,000 dependent persons receive welfare and medical services at an annual cost of approximately \$170,000,000, thus the law which simplifies and integrates services to the needy is of utmost importance. Highlights of this legislation follows:

Increase in state aid for home relief, old age assistance, aid to dependent children, and assistance to the blind which stabilizes the localities' share of expenditures for these programs at 20 percent. Formerly the localities' share was 60 percent for home relief, 50 percent for aid to dependent children, and 25 percent for old age assistance and assistance to the blind. The recommendations of these higher rates by the Moore Commission gives more funds to the localities, legislation corrects the complicated situation of varying rates of reimbursement and makes possible better welfare fiscal planning.

Laws of 1946:

Chapter 200—Provides through the selection of optional plan for Cities to become Public Welfare Districts administering all types of relief and assistance. Abolishes the cumbersome and aged system of "Settlement" whereby the length of residence, the location, and many other factors had to be determined as well as the burden of billing the State or the district for the recipient's care. This one feature will relieve the Welfare Districts of a great burden and

free the time of many employees for use in the larger and improved program.

Chapter 201—Abolished Boards of Child Welfare but provided for transfer of funds, functions and personnel to the County Welfare Department where, prior to this absorption on April 1st, 1946, there was no personnel engaged in this program.

Chapters 537 to 541 inclusive—Enables the following cities to become city public welfare districts: North Tonawanda, Lockport, Jamestown, Middletown, White Plains, thus increasing their activities and their staff.

Chapter 999—Provides for state aid to counties and cities that operate tuberculosis hospitals or tuberculosis departments of general hospitals, allows localities to retain their institutions or, with the approval of the state, to transfer them to the state. Reduces from 100 to 50 percent the charge to the county for care provided by state tuberculosis hospitals.

Chapter 298—Establishes responsibility, through the State Youth Commission for the supervision of day care centers for children of working mothers. The state bears approximately one-third of the cost of this service.

Chapter 461—Provides for establishment of special classes for delinquent children and grants special state aid.

Chapter 632—Appropriates \$35,000 to State Education Department for employment of school lunch supervisors, stenographers and clerks, for supervision and promotion of the school lunch program.

Chapter 501—Provides that a person who employs, recruits, transports and brings into the state, ten or more out-of-state migrant farm or food

processing workers who are residents of the United States, shall register with the Industrial Commissioner and submit facts on wages, housing, working conditions and such other data as the Commissioner may prescribe.

Veterans Legislation—Numerous laws were passed for the benefit of the Veteran, the major provisions encompass: Removal of one year residence requirement for receiving Veterans' assistance. Providing for burial of veterans and of specified relatives if the deceased had insufficient funds, allows \$200 instead of \$100 as heretofore. Increases allowable cost of headstone for grave from \$75 to \$100.

Chapter 326—Authorizes public housing authorities to pay up to \$100 to a family toward the most of removal of families of low income from buildings to be cleared for a housing development.

In addition to the above, by legislative resolution the Ostertag Committee is continued to February 15, 1947, and as a result of its continued activity will undoubtedly make recommendations designed to improve state and local services in the fields of foster care of children, adult institutional care and hospitalization. Also, by resolution, a joint legislative committee has been created to make a survey and study of social, educational and physical problems of individuals afflicted with cerebral palsy. The Commissioner of Social Welfare is a member of this committee. Its recommendations will no doubt increase state activity on behalf of those of our population so afflicted.

As a result of the above described legislative action, New York State civil service employees have been given increased and additional responsibilities through the improvement and extension of state and local services.

That Strike Problem

Like Spring, strikes are busting out all over the country with the result that labor relations are the number one national issue of the moment.

A special problem is presented by strikes against government which the people generally believe to be contrary to the public interest and destructive to the civil service system. Cal Coolidge was supposed to have settled the problem for all time years ago in the Boston Police Strike.

The problem is not simple. When a city takes over the private transit companies, are the prior rights of the organized employees thereby abridged? When city employees in the labor class organize in a C.I.O. or A.F.L. union, to obtain a living wage, have they the usual rights of industrial unions to bargain collectively and if need be, to strike? If a municipality locks out some or all of the workers, what is their redress?

These are borderline cases. It may be well to consider first and chiefly State Civil Service workers who are protected in their jobs by the Civil Service Law and who are represented by a Civil Service Association with a no-strike pledge in its constitution.

There are certain important special characteristics of public employment which, to my mind, are decisive in reaching a sound decision on their problems. I think we must first ask the question "What is Government and for what purpose does it exist?"

In a democracy, ultimate power remains with the people. Government is a tool the people use to accomplish essential ends. The welfare of the whole people is the end and object of Government.

It follows that the Public employee is likewise the servant of the entire people of the State, and is dedicated to the promotion of the common welfare. It is therefore evident that a strike against the State is a strike against all the people of the State and plainly against the public interest.

How does public employment in Government differ from private employment in industry? Government operates under restricted powers determined by law. It is not a free agent. It does not have free bargaining power. It has only those powers and those moneys conferred by the people through laws and appropriations enacted by the representatives of the people.

In the field of employee relations, the Civil Service law sets the general framework and establishes the machinery to carry out the provision of the law. The Civil Service Law and rules are to the public employee what the labor contract is to the private employee with the difference that the Civil Service Law cannot be amended except by law, and the Civil Service rules cannot be changed except by action of the Civil Service Commission approved by the Governor.

The Civil Service Law is the Magna Charta of the

Public Employee. It provides not only the rules and procedures under which the public employee works but the great principles which inspire his activities and which keep his morale high. Among these principles are the following:

The best qualified and able persons available shall serve the State.

Merit and fitness shall determine appointment and promotion.

Public service is a career.

Equal pay for equal work.

No discrimination with basis of sex, race or politics.

Public service is a public trust. Fidelity to that trust is the highest obligation of every public employee and must outweigh any personal consideration.

The obligation of the State to its employees involves recognition of the employee as a full partner in the Government. It involves recognition of him as a person with certain inalienable rights among which are the rights to freedom, to growth, to reasonable security, to advancement as he earns it, to make his job important both to the people of the State and to himself.

Fair dealing on both sides will prevent any inclination to resort to strikes or to lock-outs. As long as the administration of the Civil Service Law remains fair and honest and intelligent, the question of strikes in Government Service will be purely academic.

The Association of the State Civil Service Employees recently reaffirmed the no-strike pledge. It proposed to further clarify and strengthen its appeal to reason rather than to force in the new constitution now being drafted.

FRANK L. TOLMAN,
President.

Still Waiting

The Association is urging the Budget Director to act promptly to extend additional pay for hazardous and arduous work to the many positions which apparently come under the provisions of Chapter 302 of the Laws of 1945. Thus far decision has been announced only as to positions in the tubercular service.

Admittedly it is a difficult job to select fairly the positions which should be especially provided for. There are, however, positions in the institutions which seem just as well defined as to hazard or as to arduousness as are the positions in the tubercular services for which the Budget Director has provided additional pay. Some of these services stand out clearly — the disturbed wards, the regress wards, and the admission service in state hospitals, for instance. Civilian employees in many positions in the prisons are also very much interested as to this additional pay.

(Continued on Page 192)



The Letter Box



Craig Colony
Sonyea, N. Y.
June 3, 1946

Dear Sir:

For some time now the old controversy has raged regarding the number of hours required the office employees to work each week. It has been repeatedly pointed out that there are severe differences between the various Departments, and among even employees in the same Department.

Little has been said or written of the hours worked each week by the multitude of non-office employees: the nurses, attendants, farmers, groundsmen, firemen, etc., etc. Does not he or she deserve the same consideration as the office employee?

May I therefore request that The State Employee, the officers of the Association, and the members at large do all in their power to obtain for all State employees a uniform work week, preferably 40 hours.

Yours, sincerely,

John K. Welch

The program of the Association includes definite action to seek by all proper means the establishment of a 5-day 40 hour week for all employees now working on a 48 hour week schedule.

The 5-day 40 hour week seems to fit in naturally with economic developments, and there is real hope that this plan will be adopted by the State of New York.—Ed.

Ozone Park, N. Y.
June 4, 1946

Dear President Tolman:

Congratulations for your splendid editorial in the May issue of the STATE EMPLOYEE. I was particularly interested to note that the establishment of the five day week is now a definite objective of the Association.

The creation of the five day week, is, undoubtedly, the foremost desire of all State employees at this time. Whatever you can do to hasten the accomplishment of this much needed reform, shall certainly merit the gratitude of all concerned.

It is rather difficult to attempt to understand the reason for such continued prejudice and opposition to this measure, which is now so widely accepted in many other fields of activity. More power to your efforts, and good luck to you; now—and always.

Sincerely yours,

Thomas A. Loughran

Albany, N. Y.
June 5, 1946

Dear Sir:

I have just now seen a copy of The State Employee with the "page spread." Certainly this is high honor—something I never expected. Please be assured of my appreciation.

Gratefully,

Allen Eddy

Albany, 5 June, 1946.

Dear Sir:

On the 12 July 1944 I entered the U. S. Army Transport Service on a leave of absence under Sect. 246 of the Military Law, which grants leave of absence to State Employees to enter the Merchant Marine.

On the 2nd of October 1945 I was discharged from said service and returned to duty on November 1, 1945 with the Executive Dept., Division of State Police, being assigned to Troop C, Sidney, N. Y.

On the 21 of December 1945 I was returned to duty in Army Transport Service and ordered to New Orleans for duty prior to being ordered to San Francisco. I resigned from the Division of State Police on the 22nd of December 1945 and left for New Orleans on the 2nd of January 1946.

I trust that I have given sufficient information for answering the following question.

If in the event that I wished to be reinstated to the Division of State Police do I have any rights to a leave of absence as I did when I first left. Please be aware that I resigned after I was re-appointed to Army Transport Service.

I expect to be in New York until about the 20th of June at which time I will be sailing for Europe. I would greatly appreciate any thing that could be done by your office as to answering that question for me.

Sincerely,

Howard G. Poppe, 3rd Officer
U. S. Army Transport "Gen. R. Howze"
c/o Bethlehem Ship Yard, Pier 1
Hoboken, New Jersey

OUR COUNSEL WROTE MR. POPPE:

"Under section 246 of the Military Law, service in the Merchant Marine is declared to be military service, and every public employee is entitled to a mandatory leave of absence for the duration of such military service. The fact that you entered military service for a second time after previously being discharged, makes no difference and your rights upon your second entry into military service are the same as if you had entered for the first time." — J. P. DeG.

Albany, N. Y.
May 13, 1946

Editorials

(Continued from Page 190)

Dear Sir:

State employees of the Albany area who responded to the recent American Red Cross drive for funds by contributing \$16,224.59—115% of the quota set for them—should be highly commended for their generosity.

Much credit is also due Mrs. Anne V. George, of the Department of Agriculture and Markets, Assistant Chairman of the State Employees' Division of the drive, and the following departmental chairmen:

Eugene F. Gorse, Department of Agriculture and Markets; Robert B. Haner, Department of Audit and Control; Gerald Dorman, Banking Department; Miss Dorothy Smith, Department of Civil Service; Miss Anne Lowry, Commerce Department; William Tinney, Conservation Department; Miss Nora Kearney, Correction Department; Dr. Lloyd L. Cheney, Education Department; Edmund Schreiner, Health Department; Raymond Harris, Insurance Department; Victor T. Holland, Labor Department; John A. Hartigan, Law Department; Paul O. Komora, Mental Hygiene Department.

John J. Cousins, Post War Public Works Planning Commission; Murray G. Tanner, Public Service Department; Henry Cohen, Public Works Department; Walter Going, Department of State; Leonard Requa, Social Welfare Department; Norman Gallman, Tax Department; Miss Ann E. Hogan, Executive Department; Col. Frederick A. Thiessen, Division of Military and Naval Affairs.

Robert Foley, Division of the Budget; Edward F. Reeves, Alcoholic Beverage Control Board; Samuel B. Viner, Division of Parole; Sgt. Raymond B. Adams, Division of State Police; John Fardy, Division of Standards and Purchase; Miss Rose Marcus, State War Council; Clark Wilson, The Assembly; Fred Forbes, The Senate; John Tobin, Bill Drafting Commission.

Ralph C. Craig, Unemployment Insurance Division; Miss Aileen Ahern, State Insurance Fund; Raymond Cannon, Court of Appeals; John S. Herrick, Supreme Court, Appellate Division; Miss Frances Humphrey, Supreme Court, and John J. Clark, Court of Claims.

Governor Dewey is extremely proud of the fact that State employees have once again demonstrated their willingness to give overwhelming support to this great cause. I am grateful to you for the publicity you have given this drive in your fine publication, "The State Employee."

Very truly yours,
William L. Pfeiffer
Chairman
State Employees Division
1946 American Red Cross Drive

All employees who hope for consideration appreciate, of course, the statement of the Budget Director to the President of the Association of State Civil Service Employees, on November 24, 1945, that as soon as the allowances in any service are decided upon such allowances will be retroactive to October 1, 1945. The employee is thus assured that he will lose nothing in the long run by the delay. This is an important point, but it does not satisfy the conscientious worker who knows he is and has been performing especially hazardous or arduous duties for years, that this fact is equally well known to his immediate superiors, and who feels that he needs the money now.

The following is that part of Section 42 of Article 3 of the Civil Service Law covering the hazardous or arduous pay differential. It is reprinted here in answer to the many inquiries regarding it:

"No person holding a position or employed in any department, bureau, commission or office to which this article applies and for which a definite salary or compensation has been appropriated or designated, shall receive any extra salary or compensation in addition to that so fixed. Notwithstanding the provisions of this section, additional compensation may be authorized when in the opinion of the director of the budget, the duties to which an employee is assigned are more hazardous or arduous than those normally performed by an employee with the same title. The director of the budget is hereby authorized to increase the compensation otherwise payable to such employee by the percentage which in his opinion compensates such employee for the duties to which he is assigned. The increase in compensation shall in no event exceed ten per centum of the compensation otherwise payable, and shall have effect only with respect to services thereafter to be rendered Payment of such additional compensation shall not affect the position or grade of such employee with reference to promotion or transfer and such additional compensation shall cease if such employee is transferred or assigned to duty for which additional compensation has not been authorized."

OUR NEXT ISSUE

The next issue of THE STATE EMPLOYEE will be that for September. Watch for it - bigger, better, newer ideas.

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What's Doing in the Association



HUDSON RIVER HOSPITAL VETERANS INSTALL OFFICERS

John Livingston, of Hudson River State Hospital, who died in 1944, was signally honored by the veterans of the Hudson River State Hospital staff on May 17, 1946, when they named their newly organized American Legion Post, the John Livingston American Legion Post.

Never in the history of any organized effort to secure better working conditions, has an employee group had a more sincere or capable leader than John Livingston. For many years as a worker in the ranks, as leader of his own Hospital Association Group, as President of the Association of Employees of the Department of Mental Hygiene, and as Vice President of the Association of State Civil Service Employees, John Livingston devoted all of the time he was not engaged on his duties as a civil service employee to improving the working conditions in State institutions, and throughout State service.

His efforts aided materially in bringing about the abolition of the abhorrent twelve hour day in all of the institutions of the State in 1936, the adoption of the Feld-Hamilton Law, the granting of sick leave and vacation periods to institutional employees, the establishment of group life and group accident and sickness plans helpful to State workers, and the general improvement of personnel administration in State service.

Edward M. Britt, Commander of the new Post, W. F. McDonough and Joseph D. Lochner of the State Association Staff, and a score of speakers praised John Livingston and his work on behalf of State employees, and with regard also to his continuous solicitude for the many veterans of Hudson River State Hospital who served gloriously in both World War I where Livingston was a Captain and in World War II.

Attention! Attention!

Beginning with the next issue, "The State Employee" will run a special column giving State employees an opportunity to secure authoritative answers to pertinent questions relating to:

EXAMINATIONS
ADVANCEMENT OPPORTUNITIES
GRIEVANCES
PROMOTIONS
LEAVES OF ABSENCE
RETIREMENT
STATE SERVICE IN GENERAL

This will be an activity of the Education Committee of the Association. Queries should be addressed to David M. Schneider, Chairman of the Education Committee, Room 156, State Capitol, Albany, New York.

to R. Louis Albert, Raymond
ff, Leonard Peluso, Stanley
ecker, Arthur Marx, Edward
M. Britt, Commander.



HOW'S YOUR HEALTH?

By Isabel Beardsley

What's the difference between a snack and a lunch? The dictionary makes no great distinction between these two words but the nutritionists do. According to them a snack cannot take the place of a lunch. The former might be a chocolate bar or a couple of cookies, which are all right in themselves but do not constitute an adequate lunch. Their contribution is mainly calories whereas a good lunch should give balance to the day's meals; have variety and appetite appeal; overcome fatigue and renew energy. A lunch suitable for one person may be different from the lunch needed by another, varying with the activity of the individual. Age, work, health and body build, even the season of the year, all affect the kind and the amount of lunch needed. Whether working in a factory, going to school, or doing housework at home, a well planned lunch is essential.

If lunch is carried, its foundation is usually sandwiches. During the present scarcity of wheat, these may be made of rye, corn or oatmeal bread with any of the innumerable spreads ranging from liverwurst to raspberry jelly. Add a raw vegetable, such as carrot strips, celery, lettuce or cabbage slaw; then a beverage—cold milk or a thermos of hot cocoa, and top it off with fresh fruit—an apple, banana, orange—and your meal is not a snack, it is a well-balanced lunch which will revive your spirits and keep your mind off your stomach for the rest of the working day.

Choosing an adequate lunch at a restaurant and at the same time keeping within the food budget is another thought-provoking task. Human beings cannot live on minerals and vitamins alone and proper nutrition can only be maintained in the long run by the daily habit of consuming natural foods containing adequate amounts and kinds of nutrients. A well selected diet promotes efficiency in both mind and body. One hot dish—perhaps scrambled eggs—a slice of whole grain enriched bread with butter or fortified margarine, a vegetable, raw or cooked, a glass of milk, and fruit suggest an adequate lunch for the average office worker. Many eating places have themselves recognized the advantage of better balanced meals and have improved their menus. A careful reading of the average menu will usually suggest a variety of food combinations which will make an adequate lunch for an adequate worker.

CIVIL SERVICE SCORED

(Continued from Page 187)

the Personnel Council. It seems clear that the primary purpose of the Commission is to enable the favored employees to serve temporarily in higher positions and to retain them there permanently with little, if any, competition, excepting among themselves. The Association has urged the Commission to set aside these questionable appointments and to hold genuine competitive examinations for filling the places if they are deemed essential.

The Association has protested to the Commission against other methods of applying the civil service rules to accomplish by indirection what may not be countenanced as within the spirit of the merit system. The Commission has sought to excuse its questionable actions by unconvincing rationalization and has not yet taken steps to correct its mistakes of performance and omission.

A glaring example of failure to comply with the constitutional merit provisions is afforded by appointments made to the Division of Veterans' Affairs. Although this Division was established in May, 1945, most of the positions in the Division have been filled, and are still filled, on partisan political considerations. Many of these employees have been serving more than six months, yet the State Civil Service Commission has failed to pass on the qualifications of the appointees, as the law requires. It is common knowledge that many of these appointees are clearly unqualified, are over-paid for the limited work they perform, and have been neglectful of their duties.

This matter was first brought to the attention of the Civil Service Commission in October, 1945, and more recently to that of the Governor who was urged by the Association to request the Commission to apply the civil service rules to the Veterans' Division. Although the Association again brought this matter to the attention of the Governor and the Commission in April 1946, the Commission's duty of passing on the qualifications of the appointees even up to this time has been ignored by both the Governor and the Commission. The appointees have been long serving in clear violation of the State

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Constitution and the Civil Service Law.

It is our belief, based on similar experience in the past, that application of the Civil Service Law to the State Veterans' Division will result in the appointment of better qualified persons on an impartial basis, considerable savings to taxpayers in elimination of useless jobs, more economical expenditure of the Division's funds, and better service to war veterans.

Last year we brought to public attention the tendency of the Civil Service Commission to except many positions from competitive examination. This trend has continued during the past year. This Association, therefore, made a special study of such exceptions granted by various administrations during the last twenty-five years. This study, which was submitted to the Governor for consideration and corrective action, showed that 140 positions were excepted from competition during the three-year period from January 1, 1943 to December 31, 1945. This total is far in excess of any previous

three-year period under study. Although we have long been protesting these unwarranted exceptions, the Commission has approved many additional exceptions since December 31, 1945. It appears either that the Commission has little confidence in its own capacity to apply the competitive merit system of selection, or that the state administration under political pressure is concerned in creating additional patronage. It is high time for the Commission and the Governor to apply the spirit, as well as the letter of the Constitutional mandate of competition on merit and fitness.

The New York City Service

It is still too early to appraise the attitude of the new administration in New York City toward the civil service merit system. Mayor William O'Dwyer, who was a beneficiary of the merit system in his early career, must appreciate the value of a sound personnel career system based solely on demonstrated merit and fitness. Indication of his general view of the needs of the City service may be reflected in the personnel of the Civil

Service Commission after June 1, and the extent of his official support of the Commission in any attempt it may make towards improving the City service. It is regrettable that a great opportunity was overlooked by the previous administration of placing the City service in the forefront of modernized public personnel management. The new administration has an equal, if not a greater, opportunity.

We are disappointed that Mayor O'Dwyer did not make available to the Civil Service Commission a special fund requested by the Commission to survey positions in the City service. Such a survey, long overdue,

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will lay the groundwork for a sound classification of positions throughout the City service based on the principle of equal pay for equal work. It will assure all City employees of fair and equitable treatment. Many of them are justifiably dissatisfied because their salaries are relatively inadequate for the responsibilities they assume. Without an inventory of the City's personnel needs which a proper survey would provide, it is virtually impossible for the fiscal authorities to determine whether the demands of public employees for salary adjustments are reasonably warranted.

In view of the many difficulties with which the Municipal Civil Service Commission has been confronted by war conditions, it has met its responsibilities reasonably well. In the handling of troublesome problems relating to war veterans, which have challenged the patience and resourcefulness of the Commission, it deserves special credit. Most of them have been satisfactorily solved with little friction.

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Public Employee Relationships

The Association has observed with growing concern the failure to provide adequate machinery for the handling and redress of public employee grievances. This has resulted in attempt to transplant to the public service some of the labor practices in private employment, many of them of doubtful tolerance in the public service.

When the Mayor appointed a special committee to study labor relationships in the Board of Transportation, the Association urged him to request his special committee to consider the over-all problem of public employer-employee relationships in the entire City service. Only in this way may we be assured of a uniform policy of basic employee relationships in all City departments and agencies. In this connection the Association subscribes to the principles and recommendations made in the report of the National Civil Service League on employee organizations in the public service issued in February, 1946, and commends the report to the City officials for their consideration.

Overtime Law Facts

The law in relation to overtime has confused some employees, particularly in view of the added vacation period to be paid for in part in cash instead of in time off. The following facts will clarify the law:

1. Overtime in excess of eight hours per day or six days per week, is allowed, and has been allowed since April 1, 1943. Such overtime can be paid only from unused appropriations and must be authorized by the Superintendent and the Director of the Budget.

2. Payment for unused vacations, holidays and pass days was authorized by a law passed last year for the fiscal year commencing April 1, 1944, and ended March 31, 1945. This law has been renewed for another year on the same terms, and provides that any employees who fail to receive their full time off during the fiscal year ending March 31, 1946, will either receive additional time off between April 1, and September 1, 1946, or will be entitled to overtime compensation therefor which must be paid on or before October 1, 1946.

3. There is no provision in the law for paying overtime compensation for vacations, holidays or pass time accumulated prior to April 1, 1944. Any such accumulation is to be taken care of by allowing additional time off. The only way in which the accumulation can be cut down is by persuading the fiscal authorities to apply such time off as may be allowed, to accumulated overtime instead of to the authorized vacation period.

4. Unused vacation, holidays, and pass time accumulated during the fiscal year commencing April 1, 1946, if the present law is renewed for next year, as it probably will be, become payable in 1947.

5. These overtime provisions are not applicable to departmental employees. They are applicable only to employees in institutions in the Departments of Correction, Social Welfare and Health, and also employees of the State School for the Blind at Batavia and the Division of Canals.

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CONSUMERS' PRICE INDEXES (1935-1939=100) IN LARGE CITIES COMBINED, NEW YORK AND BUFFALO JANUARY 1944 - MARCH 1946

Large Cities				Large Cities			
Month	Combined	New York	Buffalo	Month	Combined	New York	Buffalo
1940	100.2	100.8	101.0	1945			
1944				January	127.1	127.9	127.4
January	124.2	124.7	125.2	February	126.9	127.4	127.6
February	123.8	124.2	125.0	March	126.8	127.1	127.2
March	123.8	124.7	124.8	April	127.1	127.4	127.1
April	124.6	125.3	124.9	May	128.1	128.5	127.8
May	125.1	125.8	125.8	June	129.0	129.7	129.4
June	125.4	125.9	126.3	July	129.4	130.6	129.3
July	126.1	126.5	126.6	August	129.3	130.0	129.4
August	126.4	127.2	126.3	September	128.9	129.5	128.5
September	126.5	127.1	127.1	October	128.9	129.4	128.6
October	126.5	127.1	127.1	November	129.3	130.4	129.4
November	126.6	127.3	126.7	December	129.9	131.1	129.8
December	127.0	127.9	127.1	1946			
				January	129.9	131.4	129.8
				February	129.6	131.3	129.8
				March	130.2	132.2	130.2
				April	130.9	133.5	131.2

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In Memoriam

The Association notes with sorrow, and with sincere sympathy for the relatives and friends, the death of the following members, as reported from
Jan. 1st, 1946 to April 17, 1946

Name	Department	Title
Wolfson, Dr. Leo	Mental Hygiene	Physician
Hall, Fred	" "	Painter
Meluch, John	" "	Attendant
Kluttz, Mary	" "	Head Teacher
Hally, Edward J.	" "	Attendant
Clonan, Daniel	" "	Attendant
Jones, William	" "	Attendant
Hyatt, Chauncey	" "	Plumber
Schaller, Rosalia	" "	Attendant
Doelger, Peter	" "	Watchman
Gaigeczka, Peter A.	" "	Nurse
Trask, Grace A.	" "	Attendant
Geer, Donald	" "	Attendant
L'Heureaux, Arthur	Audit & Control	Jr. Examiner Expend.
Page, Arden E.	Agriculture & Markets	Investigator
Waugh, Howard R.	" " "	Deputy Secretary
White, Hawley	Conservation	Patrolman
Burns, William D.	Correction	Guard
Hallheimer, Jonas	Courts	Attendant
Peterson, Roy	Executive	Troop Sergeant
Richey, James A.	"	Prin. Stores Clerk
Loveys, George R.	Law	Exec. Assistant
Geiler, William Y.	Labor	Inspector
Cullen, Thomas J.	Insurance	Deputy Sup't.
Finkelstone, Morris	"	Examiner
Hughes, Harold S.	State Insurance Fund	Hearing Representative
Hennessey, Richard	" " "	Examiner
Miller, Leopold	Social Welfare	Supervisor
Sheehan, John J.	Public Works	Asst. Sup't. Construction
Lyons, Nathan	" "	General Maintenance Foreman
Siebert, Edward	" "	Foreman
Donovan, Fred	" "	Foreman
Donegan, John V.	" "	Asst. Civil Engineer

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\$1,000. but less than \$1,200.	\$ 60.	\$.90	\$1.25
\$1,200. but less than \$1,600.	\$ 75.	\$1.10	\$1.55
\$1,600. but less than \$3,500.	\$100.	\$1.45	\$2.05
\$3,500. but less than \$5,000.	\$125.	\$1.80	\$2.60
\$5,000. and over	\$150.	\$2.20	\$3.10

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