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THE STATE EMPLOYEE

Volume 2

March, 1933

Number 3

Honest Respect and Fair Play for State Workers

Governor Lehman has been universally praised for his progressive proposals on public matters. This general recognition of a strong and courageous hand guiding an intelligent course through a dangerous period of hysteria and vacillation was the spontaneous reaction of all American citizens, big and broad enough to sense the seriousness of the economic and political situation. It did not mean, however, that little minds or selfish hearts had undergone such transformation that they would not rise to an outworn spirit of criticism and condemnation.

The executive budget now before the Legislature is undoubtedly the most carefully prepared budget ever presented for consideration in this or any other governmental unit. Director of the Budget Graves spared no efforts to bring to the making of the budget every available resource of experience and information. It is based upon facts, intelligently and patriotically considered. It is scientific and fair to the State services which it seeks to maintain for the welfare of the people.

The personal service appropriations containing a scale of salary reductions for all salaries, which would not reduce salaries below \$2000 were accepted generally by citizens and employees as fair. To suggest greater reductions does not fit in with fair play for the public employee group of citizens. This group was underpaid through twenty years, fifteen of which were the most prosperous in the history of the country, and were therefore

in no way responsible for any public deficits or private losses. It would be entirely unjust to saddle upon them greater tax burdens than those borne by other citizens, and unreasonable salary reductions represent unreasonable taxation though under another name. The cost of living and the salaries of public employees are but now beginning to approach each other. The reduced salaries again threaten to place the public worker at a disadvantage with relation to the cost of living. The fully anticipated rise in commodity prices would inevitably throw the civil employees into a struggle for existence on a basis below ordinary social levels; and with salaries fixed in the budget for a period ending fifteen months from now, the adjustment possible with private employees would leave the state workers without possibility of relief.

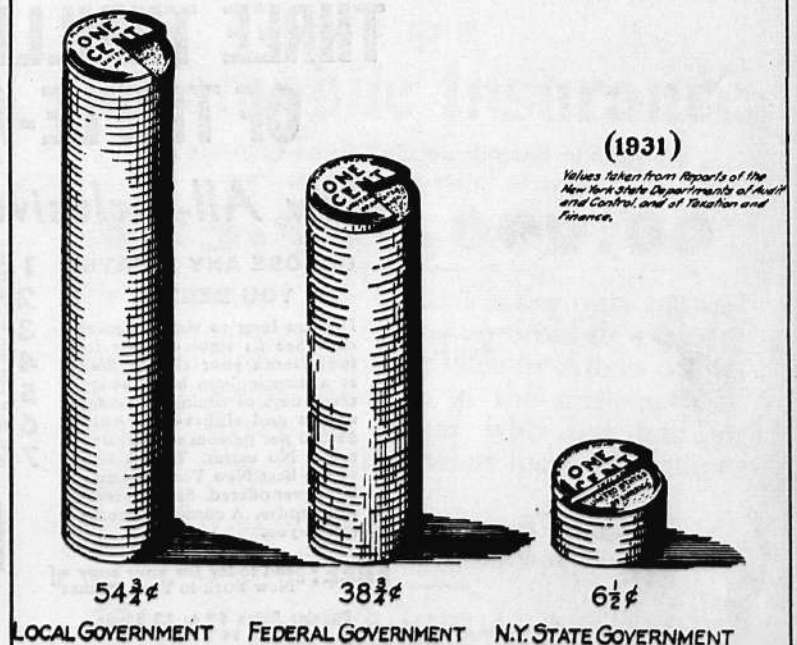
Your Association has appealed and will continue to appeal for upholding of the spirit of fairness manifested by the Governor and the Director of the Budget in their proposed salary adjustments. The members of the Legislature who are demanding unfair sacrifices from State employees should be appealed to directly by their constituents among employees and the facts about salaries and their relation to tax savings plainly indicated to them in order that there may not be any misunderstanding on the part of the taxpayer or disrespect aroused by such toward public workers by reason of any misleading statements as to the compensation of State workers. The Association officers and committees are constantly active on this matter. Thou-

sands of letters and wires have been sent by members of the Association to their representatives at Albany. This is the direct business of every employee and all employees should be active in looking out for the preservation of efficient and high class service to the people of the State and the maintenance of honest pay for work done, and not leave all

of the work and expense to their active fellow workers in the Association. Let us have the united support of all in membership and in contacts with the Legislature, the Governor and local social organizations as well, so that all will understand the justice and the unselfishness of our efforts for public service.

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Save the Civil Service

The efficiency and economy of state functioning depend upon the character and ability of state officers and employees. Thirty thousand of these public servants are under a form of civil service regulation. Less than fifty per cent of New York State employees are in the competitive class of civil service, although it is readily admitted that the rules and regulations governing in the case of this class of civil workers are the only ones that approach true civil service principles. For fifty years New York State's civil service department has struggled along without a comprehensive classification or compensation plan. The whole state service has suffered because of this shortcoming. Employees have suffered exceedingly for want of intelligent classification and compensation planning impossible without statutory and administrative development of the State's personnel agency.

To delay longer the complete attention to adequate personnel direction is to invite eventual demoralization of service through disregard for a fully accredited plan for the upbuilding of economy and high morale in public functioning. True progress in public service waits upon the statutory authority contained in the bill introduced in the Senate by Senator Joseph D. Nunan and in the Assembly by Assemblyman Jasper W. Cornaire—Senate Introductory No. 726, Assembly Introductory No. 1630. This bill was perfected by the Civil Service Commission, the Director of the Budget, representatives of employees, and representatives of citizen groups.

State employees are virtually dependent upon this bill to protect them in the stability of their work, fairness in promotion, and justice in compensation. Every employee should write at once to the Senator and Assemblyman mentioned above, to Senator John J. Dunnigan, Speaker Joseph A. McGinnies, and Governor Herbert H. Lehman, telling them that he urges their approval of this bill. Do this today. It is more important to you than anything else so far as your work is concerned.

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This bill is designed to amend the Civil Service Law, making it mandatory on the Civil Service Commission to provide a classification plan, based on duties and responsibilities, for that part of the classified service of the State generally known as the departmental service, and to prepare and recommend to the Governor and the Legislature, a uniform compensation plan appropriate to such classification.

2. Necessity of Legislation.

The need to develop a consistent plan of classifying positions in the State service, to show which ones are alike so that they can be treated alike, and to show the proper relationships between positions that are different, has been apparent for many years. The fiscal authorities, the appointing officers, the Department of Civil Service, and the employees must have a common ground on which they can meet and cooperate in working out the various phases of personnel management in which each is interested. The development of a uniform, consistent and equitable plan of salary scales, fair to the employees on one hand and to the taxpayers on the other, is absolutely dependent upon the prior development of a proper classification of positions. This bill makes it mandatory upon the Civil Service Commission to develop such a classification plan and to prepare and recommend to the Governor and the Legislature an equitable compensation plan appropriate to the classification. Thus, direction is given to what will ultimately develop into a sound, sensible, equitable plan for the payment of salaries by the State. This law is essential to the proper development and usefulness of the Civil Service Department of the State.

3. The Provisions of this Bill.

This bill makes certain provisions of primary importance:

(a) it directs the Civil Service Commission to prepare a duties classification for that part of the classified service of the State generally known as the departmental service; it specifically states that this classification shall not apply to the employees of the State institutions, and the employees of the civil divisions of the State, i.e. counties, cities, and villages, unless and until the proper authorities of any state institution or civil division shall make formal application for inclusion in

the classification and compensation plan;

- (b) it directs the Civil Service Commission to develop a uniform compensation plan based upon experience in recruiting and upon such data as the Commission may assemble relating to rates of pay under normal economic conditions; comparable service in commercial and industrial establishments; and in other public and private employments; costs and standards of living; and the State's policies, finances and needs;
- (c) it provides for safeguarding the rights of the employee both as to his status at the time his position is classified, and to the adjustment of his salary to the compensation plan when it becomes effective. It provides for a fair and impartial plan upon which salaries shall be adjusted when the compensation plan is adopted and the necessary funds are appropriated;
- (d) it provides for the establishment of a system of advisory boards representative of the employees within the several

departments, or within representative groups of related employments, to make recommendations to the Civil Service Commission, and the Director of the Budget, upon matters involved in the administration of the Civil Service Law, and the classification and compensation plans;

- (e) it provides that the Civil Service Commission shall prepare class specifications for all classes of positions and revise them whenever necessary. Under this provision, the Civil Service Commission fixes educational and other requirements as it has done in the past;
- (f) the bill provides *no* change in the existing Civil Service Law as regards the discretionary powers of the Commission to determine the preliminary requirements for entrance to examinations or as to promotions.

4. Conclusion.

This proposed legislation will provide the State of New York with a much needed tool for use in developing a progressive and

Continued on Page 5

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THE STATE EMPLOYEE

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Eight Hours

For the first time in the history of Albany, a Senator of the State Legislature, Hon. Thomas C. Desmond, of Newburg, addressing a gathering of this Association at Chancellor's Hall, Albany, on March 1st, 1933, raised his voice in behalf of improved working conditions in the institutions of the State caring for the mentally defective, the prisoners, and the other wards of the State. Some of the remarks of Senator Desmond, the sponsor of Senate Bills, Prints Nos. 171 and 172, providing for a maximum eight hour day in state service, are given below. Senator Desmond is to be highly commended for his humane, yet wholly business-like stand for the labor principles involved in these bills. Said Senator Desmond:

"New York State ought to be a model employer. Far from being a model employer, New York State condones conditions in the case of its institutional employees which are very unsatisfactory indeed. In these days, when so many of our fellowmen and women are walking the streets looking for work—one and three quarters millions of them in this State alone—it seems incomprehensible that the State should compel its employees to work twelve hours a day, and in many cases seven days a week.

"There are pending in the Legislature two bills on this subject introduced by me, Senate Print No. 171 and Senate Print No. 172. All that is sought is that except in cases of emergency, no New York State employee shall work more than eight hours in any one day. It is not asked that they have a five-hour day, a six-hour day, or the seven-hour day, but the generally recognized eight-hour day which has become almost a matter of course in private employment. Naturally, the question arises "If these bills are so just, why are they not adopted promptly?"

One of the arguments advanced to me is: "Desmond, if every one of these employees quit, I could give you ten people for every job tomorrow." To any intelligent man or woman, that is no argument at all. My answer is: "You may be able to fill the positions and you can no doubt in these distressful times, get people to work fourteen or fifteen hours on any kind of a position, and under worse conditions, and for less pay, but certainly that is taking advantage of human want and represents social injustice." Another so called argument is that we would require one-third more workers in the groups affected and that there are no available housing accommodations for such additional employees." So far as living accommodations are concerned it is not at all necessary that such employees live at the institutions. A good many of them do now, but in the last few years there have been great economic changes in this State and with the development of roads and automobiles it has become easy for employees to live away from their places of employment. This argument is not at all conclusive.

The strongest argument put forward against the maximum eight-hour day proposal is the expense to the State. Of course, this is a powerful argument during these times. It is estimated that there would be an added expense of about six million dollars. I believe that New York State should provide proper working conditions including reasonable hours of work for its employees no matter what it costs. I have been an employer myself. Before I retired from business to enter public service, I had nearly 4,000 men employed and had to meet a very large weekly payroll. I feel that I know something about matters of employment. I would not think of asking any man or woman to work twelve hours a day, or seven days a week, the way New York State is doing at present. I could not tolerate similar conditions as a private employer, and I do not believe the State of New York should tolerate them.

"My advocacy of these bills is a part of my general social philosophy. I am one of those who do not despair of the so called machine age of civilization. I happen to be an engineer and I favor labor-saving devices and the advancement of science; and along with that must come higher and higher wages and shorter and shorter hours of employment. The general average of hours of employment throughout this country ought to be a whole lot less than the eight-hour day."

Veteran Preference in State Service

When the matter of preference for veterans in State service is discussed calmly and disinterestedly by public workers, veterans within and without the service, and citizens generally, there is common agreement that any such preference should be confined to those who were actually disabled in the war. A great many young men and women have reached maturity since the World War. These

are as worthy citizens as those who lived during the war period. They never had an opportunity to take up arms. They have every right to aspire to civil service. Should the need arise they too will embrace military service. Military service is a patriotic privilege, as well as duty. Civil service is a patriotic privilege, also, and every generation must be free to engage in it. This Association takes no sides against veterans when it opposes all proposed legislation to give preference to any except the disabled veteran.



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Again We Say— Safeguard Your Retirement System

Students of social and economic problems seem entirely agreed as to the great value of insurance of various kinds. The New York State Retirement System provides for the application of "insurance" principles to the old age problem. By thrifty savings on the part of the worker during producing years, and thrifty investment in a wise employment practice by the State, the State and the employee by mutual consent provide a fund which supplies the worker with the necessities of life in non-productive years and relieves society of an almsgiving responsibility which is expensive and degrading.

It is not too much to say that the retirement system which its founders planned along truly sound and honest lines has been changed and revised in some respects along undesirable lines. Amendments to care for this or that individual or group now stand out as discreditable ventures in selfishness. There seems no doubt but that in the light of economy and justice these will be wisely cared for in some future revision.

The important thing today is to prevent further weakening of a plan which in its true form is replete with social and economic justice. There are now pending bills providing special benefits which are not in accord with sound retirement practice. This Association disapproves of all such special legislation. It has protested the passage of this legislation, and will ask the Governor to veto any such bill passed. The impropriety of special gifts to certain individuals is fully recognized

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by the State Pension Commission, which commission is also protesting approval of the measures. You can add your word of disapproval by writing to your representatives in the legislature and to the Governor. The following are reference numbers of measures in question:

Appropriation Bill, Page 525, Part 2, in "Pension Accumulation Fund" item the sum of \$15,955.35. This sum represents special benefit for beneficiary of employee.

Senate Print No. 242; Assembly Print No. 163, appropriates \$5,000 for beneficiary now receiving \$184.60 per month. This is special benefit.

Senate Print No. 604; Assembly Print No. 881, appropriates \$6,753 for beneficiary of Supreme Court Judge.

Senate Print No. 761; Assembly Print No. 880, appropriates approximately \$30,000 for beneficiary of deceased employee.

Senate Print No. 1091, special benefit of about \$1000 during life of individual.

Senate Print No. 1092, special individual benefit similar to above.

Senate Print No. 1181, special benefit to beneficiary carrying appropriation of about \$13,000.

Senate Print No. 1383, special benefit for beneficiary of Supreme Court Justice amounting to \$8,340.

Assembly Print No. 2005, providing special benefit.

(Note: The detailed information given above was furnished on request by the State Pension Commission.

There are now pending the following bills, favored by the Association because of the principles involved:

Senate Print No. 32; Assembly Print No. 16, allowing retirement at age 55 instead of 60, with 1/60th of final annual salary instead of 1/70th. Annual cost estimated by Pension Commission at \$200,000.

Senate Print No. 769; Assembly Print No. 987, allowing use of any five years salary in computing retirement allowances.

Senate Print No. 31; Assembly Print No. 14, allowing beneficiary ordinary death benefit of one year's salary instead of one-half as at present. Annual cost estimated by Pension Commission as \$108,000.

Perhaps no bill introduced during the Legislative session of 1932 caused so much unfavorable comment or stronger protest on the part of employees than the bill which would have revised the retirement system plan by requiring the employees to contribute three per cent of their salaries to the payment of the obligation assumed by the State

Save the Civil Service

Continued from Page 3

up-to-date method of personnel administration. It will be of inestimable value to the Civil Service Commission in recruiting and other personnel processes, in protecting the rights of employees and in building up an increased efficiency in the service. It will be of utmost value to the fiscal authorities in the preparation of budgets and the appropriation of funds. It will ultimately produce for the taxpayer, greater value for his dollar.

This bill, as introduced, has the general approval of the Civil Service Commission, the Civil Service Reform Association, the Director of the State Budget, and the Legislative Committee of the Association of State Civil Service Employees.

at the time the system was established. This bill has been introduced again this year by Senator Charles J. Hewitt and is Senate Print No. 1261. When he vetoed this bill last year, President Roosevelt, as Governor, said in part: "I am vetoing this measure because it is one of the most unfair, unjust, discriminating pieces of legislation sent to me by the Legislature.

Troubled Times Breed Courageous Hearts

Increased duties, longer hours, threats of salary slashes, and the general burdens of depression times, do not diminish the spirit of loyalty and devotion of State employees to their daily activities in the service of the people. In addition to this they have time to rejoice with every good citizen that our Government, National and State, is forging forward in the solution of its tremendous problems with a vigor and a grasp of the needs that promises victory for American initiative and intelligence that will be reflected in spiritual and material well-being never before dreamed of.

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Committees and Counsel Busy

This is the busiest year that the Association has ever experienced. Committees, officers and counsel are called upon for almost constant consultation and conference with reference to the scores of bills and appropriation items of major and minor importance to employees.

The Nunan-Cornaire Classification-Compensation bill is by far the most important pressing matter so far as permanent improvement as to stability of work, promotions in service, and reasonable and equitable compensation for all employees is concerned. It is not a temporary measure such as the annual appropriation bill. Of course, this latter is of vital importance now, but what employees should seek most is permanently just treatment of positions and of compensation so that these matters would be handled internally, without the play and counter-play of thoughtless hysteria or selfish political consideration from year to year.

That payments as pensions or allowances of any kind to special individuals constitute raids upon the State treasury cannot be denied. These raids mislead as to the real purpose of an actuarially sound retirement system and bring the plan into public disrepute. The bills listed in another column of *The State Employee* and all others like them are unfair to all citizens and to all public employees.

Demotions in state civil service should be made upon seniority basis. The Association urges the approval of Senate Intro. No. 1552 introduced by Senator Ross, and Assembly Intro.

No. 2111 introduced by Mr. Sargent, go hand in hand with any rules of the Commission to protect employees in this matter. Demotions should be subject to review by the Civil Service Commission and safeguard the employee who has rendered long and faithful service from personal or political injustice. It is the hope of the Association that the Civil Service Commission will evoke a rule in this matter even prior to any legislation.

Conferences have been had by Counsel with the Director of the Budget and leaders of the Legislature with reference to assuring that in proposed reductions under the Governor's budget the value of maintenance will be upon a basis more nearly approaching the true value than the one-half year's salary suggested in the budget.

Counsel and committees are endeavoring to secure legislative amendment to protect from budgetary reductions those employees who have been otherwise reduced during the present fiscal year, or who may be reduced during the next fiscal year to the extent of proposed budget reductions.

While it was felt by this Association that reductions in State salaries should be confined to the fiscal year beginning July 1st next, the Governor and Legislature believed that in order to carry on essential state services in the face of depleted revenues during the present fiscal year the cuts should take effect April 1st. Accordingly the Senate has passed Senate Bill Print No. 1100 which reduces by the graduated percentages contained in the proposed budget the salaries of state officers and employees within the period from April 1st to June 30 this year.

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The Association Making Fine Growth

Outstanding in its progressive accomplishment and constant attention to the employee welfare, the Association is now well ahead of all previous years in membership at this date. Nevertheless, it is apparent that many workers who have not joined are indifferent to the vast amount of work that is being done for them. The Association works for all State employees. It does not single out those who are members. It is obvious, however, that since all share, all should bear the membership duties and contribute their membership fee. No Association can carry on the important and required activities to function properly for thirty thousand employees without a great deal of day to day expense. Your Association is printing, mailing, carrying on correspondence, maintaining permanent counsel, office assistants and engaging in activities vitally essential to every State employee, and seeking to do it out of the small fee of one dollar. This is possible only when all employees share in the burden. If some withhold their membership support, the expense must fall on others. Surely no State worker is so unprogressive that he cannot support by annual dues an organization which has proved itself so useful and so unselfish as this Association of State Civil Service Employees of the State of New York.

The value of having an experienced lawyer appearing before the Legislative Committees, the Governor, and contacting individual members of the legislature, and department heads, such as the Counsel for this Association does, is indispensable. Unless you contribute the annual dues of one dollar to the Association you enjoy the benefit without paying for it. It is vital to you and to all employees to have this service.

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This is more than an appeal for membership, it is an appeal to your sense of justice and fair play. If you are already a member, please take active steps to help in organizing your local group. We actually need the united support of all in order to continue the fine program which is under way for employee betterment.

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Wide-a-wake business men are now becoming alert to the value of advertising in the columns of a paper that reaches a working group with an annual income of over \$45,000,000. We ask you as a state employee to mention *The State Employee* when you are making purchases in future and to tell the merchants of the advantages of advertising in YOUR magazine. They can call Albany 3-4610 for full particulars and special low rates. Also, make it a point to patronize the merchants who advertise herein and tell them that you read their ad in *The State Employee*.

Education Leads the Way

This Association in cooperation with the State Department of Education is affording to State employees in the City of New York an exceptional opportunity to broaden their lives and to improve their immediate working conditions through the spending of some spare time in study of one or more of some twenty courses offered. The establishment of a library in the State Office building, 80 Center Street, New York, has also been taken up by Dr. W. C. Smith, Chairman of this Association's Committee on Education. Dr. Smith will be glad to aid in various practical ways toward the development of study programs at State institutions or offices throughout the State. Write Dr. W. C. Smith, P. O. Box 48, Capitol Station, Albany, N. Y.

The Association's Basket Ball League Finishes Successful Season

Among other desirable and healthful activities carried on by the Association in cooperation with the Albany Municipal Recreation program, the basket ball league proved a fine medium for recreation and healthful exercise to a large number of young State employees. The season closed March 8th with the team standing for the second half as follows:

Team	W.	L.	Pc.
Agriculture and Markets	7	1	.875
Architects	6	2	.750
Health Laboratory	5	2	.714
Public Works Lab.	4	3	.571
Tax and Finance.	4	4	.500
Public Works Admin.	2	5	.286
Health Administration.	1	6	.143
Highways	1	7	.125

The Public Works Administration won in the first half of the season and in a play-off defeated the Agriculture and Markets team, and thereby established themselves as the victors of the season.

Workmen's Compensation for State Employees

The Workmen's Compensation Law applying to private employment was enacted in 1918. State Employees were not given the benefit of this act until 1924. Since that time provision has been made in the annual budget to care for necessary medical treatment, workmen's compensation awards, etc., for state employes. Governor Lehman's budget as presented to the Legislature contains item to care for estimated expenditure for the next fiscal year. Intimations that this item would be eliminated as an economy measure is disconcerting to all who wish to see the State maintain fair employment practices in its treatment of civil employees. Without such an appropriation in the budget bill, it would be improper and impossible for the State Insurance Fund to make payments to State employees who are unfortunate enough to meet with accidents during the next fiscal year. The State would therefore deprive its own workers of protection which it requires private employers to supply for their employees.



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