

TUFCO history, plans detailed to Rotarians

HUDSON FALLS — Dennis Fitzpatrick, chairman and founder of the United Federation of Corrections Officers Inc. (TUFCO) recently informed Hudson Falls Rotarians about the club's history and future plans.

Fitzpatrick said the group, which represents more than 3,600 members in New York State, is a not-for-profit organization of corrections officers chartered in 1982. It has more than 500 local members who are employed at the state correction facilities at Comstock and Wilton.

He said the first TUFCO lodge

newly acquired former Main Street School building, which is being renovated for that purpose. The new facility will be professionally managed and contain a health spa which will attract public memberships. TUFCO also expects to offer programs for youth and senior citizens and to make many parts of the building, such as the auditorium, available for public use.

In other business the Rotary Club of Hudson Falls elected the following officers for 1985-86: Lou Briere, president; Jim Hagan, president elect; Harrison Winne, vice president; John Barbieri, secretary; Dick

Work at TUFCO hall suggested for dropouts

By KATHLEEN KATHE
Staff Writer

SOUTH GLENS FALLS — Warren and Washington Counties Job Training Partnership Act (JTPA) organizations are considering a work experience program for high school dropouts.

Helene Archambault, Washington County JTPA director, and William Resse, Warren County JTPA director, have made arrangements with The United Federation of Correction Officers Inc. (TUFCO) to have the youth work on a building renovation program at the former Hudson Falls Main Street School.

TUFCO recently purchased the building for its first lodge and state headquarters. Its primary use will be as a center for the organization's 500 members. But health center facilities, a restaurant and bar-lounge, food and shoe co-ops will be open to the public.

The Private Industry Council (PIC), which handles the distribution of federal funds for the JTPA for the Service Delivery Area (SDA) of Saratoga, Warren and Washington Counties, heard plans for the new program during its breakfast meeting Wednesday.

Money for the program will

come from Warren and Washington counties' share of \$65,000 in incentive funds granted to the local SDA for its successful JTPA programs.

Budget for the program is estimated at \$33,684 with wages for nine to 11 participants estimated at \$19,845; fringe benefits of \$2,977; training materials, \$559; instruction, \$5,250 and administrative costs \$5,053.

Ms. Archambault noted that Warren County has the second highest dropout rate in the state excluding New York City. Washington County's rate is six percent. She said the program is designed to give youngsters without basic educational skills and little or no work experience a chance to work in the field. The object is to build skills that will permit entry into higher level educational programs or entry level employment.

She said the program will give the youngsters a chance to practice acquired entry level skills and to take part in a real work situation. The program includes employment counseling and a chance to learn a variety of skills including masonry, carpentry and painting.

The age for the participants would range between 18 to 21. The training will average 30 hours a week for 21 weeks beginning Feb. 4. Participants

will earn a starting wage of \$3.35 an hour with built in incentives up to \$3.75.

The supervisor, which has not yet been hired, will be a person with a background in youth counseling and one who is able to work with participants in the classroom and at the worksite. When the program is complete, she said, the participants should be able to find unsubsidized employment, enter a JTPA skill training program, or be accepted into an On-The-Job training position.

Robert E. Elie of the state Department of Labor said PIC needs to determine that the program will not conflict with the building trade unions and questioned the advisability of using incentive funds for a program that could ultimately compete with the private sector. The food and shoe co-op might be competitive, he explained.

The council also wanted clarification on the use of incentive funds for administrative costs such as audits.

PIC Chairman Joseph W. Dalton, executive director of the Saratoga County Chamber of Commerce, requested a special meeting with representatives of TUFCO before the executive committee votes on the plan. The meeting has tentatively been set for 8 a.m. Jan. 22.

cc file
Original to Sr. Benedetto

Unions' battle for prison guards heats up

By JACK DOWNS
Staff Writer

ALBANY — Two unions that are vying for the right to represent New York state's corrections officers stepped up their campaigns Monday, trading accusations and insults.

Nearly 16,000 corrections officers statewide — currently represented by Council 82 of the American Federation of State, County and Municipal Employees (AFSCME) — will soon decide if they would rather be members of The Union of Federated Correction Officers (TUFCO).

TUFCO began their unionizing effort in August 1984, and by December the new union had persuaded the Public Employment Relations Board (PERB) to order an election. PERB ballots will be mailed to corrections officers on Jan. 28, and all

ballots must be mailed back to PERB by Feb. 20.

In a Jan. 17 news release TUFCO announced that two television debates between Council 82 and TUFCO, planned to be aired on Plattsburgh TV stations WCFE and WPTZ, were canceled because Council 82 refused to participate.

"Council 82 lacks the honesty, integrity and the guts to face TUFCO Union and the truth face to face," said the news release.

Council 82's response was just as vehement. "Debate what? I'm not going to take time out from serving the people who pay dues to debate that so-called union. Our record stands for itself," Council 82 representative Jack Burke said Monday.

"We are not going to dignify them with our presence in a debate. Who the hell do they think they are? TUFCO isn't

even a real union," Burke said, explaining that TUFCO currently represents no one and has no affiliations with other unions.

In response, TUFCO lawyer Jeffery H. Brozyna said that TUFCO is a new union that was created specifically to challenge Council 82 and represent New York corrections officers.

"We will not be affiliated with any other unions. When the bargaining unit approves us in the election and joins TUFCO it will be as if they are running their own union," Brozyna said.

TUFCO's leaders previously held state-level offices in Council 82. "These people are very experienced. They know what they're doing," he added.

Burke said that because TUFCO does not have the backing of international unions — Council 82 is affiliated with both AFSME and the AFL-CIO — the new

union would not be taken seriously by state negotiators during contract talks.

"They're a weak organization; the state isn't going to pay attention to them. TUFCO thinks they can get the same contract it took Council 82 almost 15 years to build; they're wrong," Burke said.

Both Brozyna and Burke expressed extreme confidence that the February election will be a success for their respective unions.

"In all sincerity, I am very confident that TUFCO will win the state-wide election," Brozyna said, admitting that the new union has fought a partially unsuccessful battle for acceptance in North Country prisons.

"TUFCO doesn't have a chance. They're dead and they don't have the sense to roll over so someone can kick dirt over them," Burke said.

1-22-85 Plattsburgh

Jack



12/9/84

TUFCO wins another battle in takeover bid

By AL SPECK
Senior Staff Writer

C. Tyler Advantages

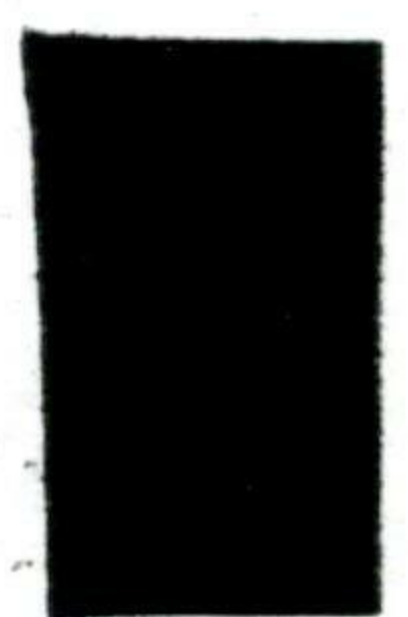
AUBURN — The Union of Federated Correction Officers won another battle in its fight to wrest representation of the state's correction officers from Council 82, American Federation of State, County and Municipal Employees.

The Public Employment Relations Board on Nov. 30 dismissed Council 82's legal challenges to a petition by TUFCO for a representational election. But while the way has been cleared for an election,

TUFCO says in a news release, delaying tactics by Council 82 have postponed a date when such an election can be held.

TUFCO has been challenging Council 82 for the right to represent the Security Services Unit including state correction officers. The union said Council 82 has delayed the election date by filing a petition to reassign certain Security Services personnel to a separate bargaining unit.

TUFCO claims 95 percent of the correction officers at Auburn Correctional Facility have pledged to support the union.



*Came in from
Pete Kilian
on 12/10/84*



Pg 5A
KN

Nov. 15 '84

Prison guard union vote weeks away

By ARVIS CHALMERS

Knickerbocker News Capitol Bureau

An election to determine representation rights for 13,000 prison guards and other state security personnel is still weeks away.

A spokesman for the Public Employment Relations Board (PERB) said hearings were continuing on petitions submitted by The United Federation of Correction Officers (TUFCO), which is challenging Council 82 of the American Federation of State, County and Municipal Employees for bargaining rights.

Meanwhile both unions have a series of improper labor practice charges still before PERB.

TUFCO President Dennis Fitzpatrick today claimed victory on one count, releasing a PERB decision which ruled the state Department of Correctional Services was guilty of seizing confidential TUFCO petition cards at its Fishkill facility.

The cards were being collected as part of the TUFCO campaign to unseat Council 82.

Fitzpatrick had charged the state's action was illegal and violated the state's duty to remain neutral. The department argued the cards were being circulated without permission and prior to the challenge period.

Harvey Milowe, a PERB official,



said no date had been set yet for an election and that hearings were continuing. It was possible, he added, that a decision could be reached before all charges and countercharges had been settled.

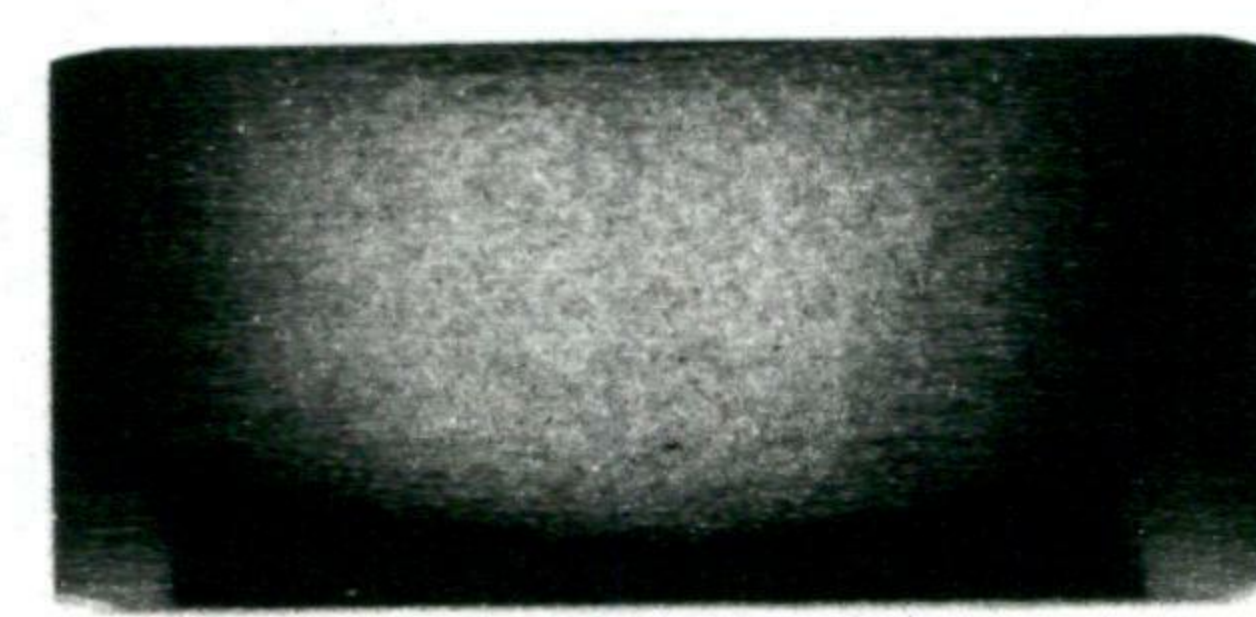
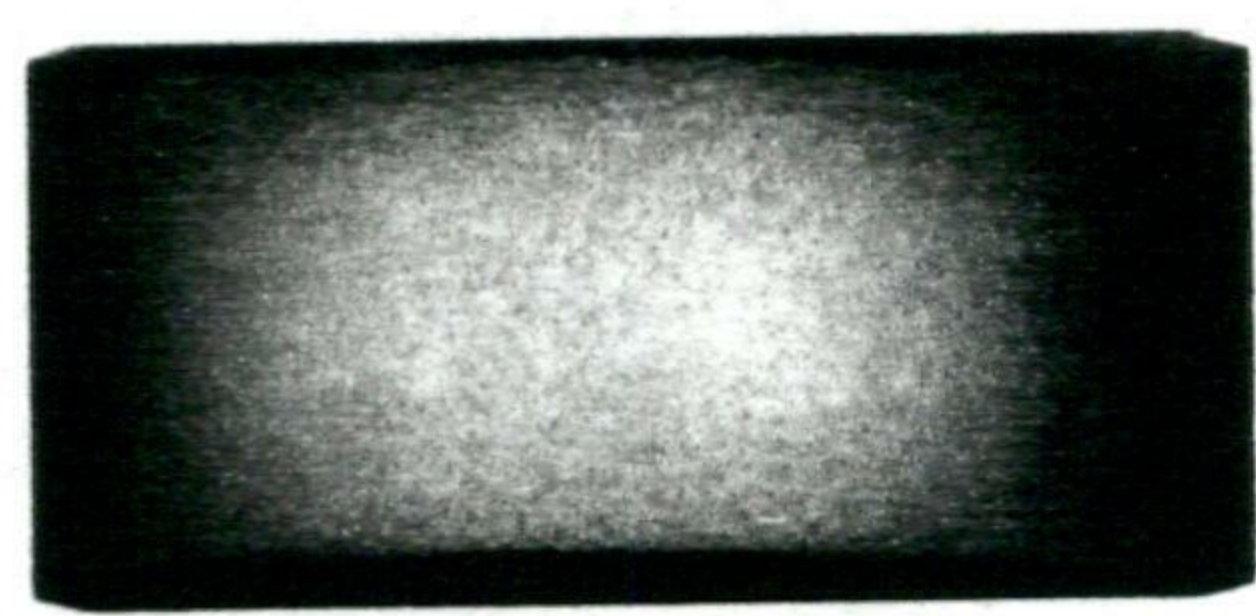
In a related move, TUFCO announced it had set up the first of 12 planned "fraternal lodges" in Hudson Falls to serve correction personnel at the state's Great Meadow and Mt. McGregor facilities.

Located in the former Hudson Falls High School, the lodge, Fitzpatrick said, will offer programs to serve area youth and civic groups, including an auditorium, gymnasium, sauna and banquet facilities.

"Our main purpose is to serve our membership and to become more community involved with the youth and elderly," he said.

ADD TO THE higher costs of health insurance for state workers, reported here Tuesday, an increase in the amount of money an employee must pay before the coverage starts.

The deductible for individual coverage under the statewide plan has been upped from \$108 to \$114 and from \$324 to \$342 for family coverage.



Prison employee unions wrangling

By **GEORGE BERKIN**
Freeman staff

ALBANY — The complicated legal battle between two unions seeking to represent prison guards at both Wallkill Prison and the Eastern New York Correctional Facility at Napanoch has moved into its second week with no resolution in sight.

A director with the Public Employees Relations Board (PERB), which is hearing the dispute in Albany, said Tuesday he couldn't predict when legal wrangling between the parties might be settled — paving the way for a vote among the officers.

The battle pits Council 82 of the American Federation of State, County, and Municipal Employees, AFL-CIO against The Union of Federated Correction Officers (TUFCO), which says it will push the guards' interests more aggressively.

Council 82 currently represents 16,000 corrections officers across the state.

Though just who will represent the men must eventually be decided at the ballot box, this week's PERB hearings focus on which employees will be included in the bargaining unit.

Still to come is testimony on a charge that Council 82 misrepresented TUFCO's claim when the challenger signed up employees favoring a vote on new representation.

If that's not complicated enough, the unions have filed approximately eight unfair labor practice charges against each other. Those charges are being heard separately by PERB's administrative law judges.

Last week, PERB administrative law judge Kenneth Toomey sustained one allegation by TUFCO that its rival had hindered the collection of interest cards. Two other charges were dismissed, and about a half-dozen charges remain to be heard.

Among them is a TUFCO claim that a statewide labor official unfairly endorsed a Council 82 document which allegedly said Thomas Hartnett, director of the Governor's Office of Employee Relations, blamed TUFCO for the delay in the union representation vote by stating the vote couldn't take place until the TUFCO unfair labor practice charges were settled.

CHUCK

11/14/84

KINGSTON FREEMAN
ARTICLE

JOR

Organizers of New Prison Union Say

Others Blocking Effort

By TIM KNAUSS

AUBURN — A fledging union seeking to represent the state's 10,000 corrections officers claimed this week that a state official and the incumbent union cooperated in an attempt to prevent a fair election this fall.

The allegation came in the midst of a heated campaign between the new union and a 14-year incumbent for the right to represent corrections officers and about 6,500 other state security employees.

Representatives of the Union of Federated Corrections Officers — the challenger — have called for the resignation of Thomas F. Hartnett, director of the governor's Office of Employee Relations, charging that recent written statements by Hartnett were intended to hurt TUFACO's election chances.

Hartnett called TUFACO's allegations "ludicrous" and said he would not resign.

TUFACO representatives also said they would file complaints of improper labor practice today against Hartnett and Council 82 of the American Federation of State, County and Municipal Employees, which currently represents New York state's corrections officers.

TUFACO and Council 82 have both filed previous complaints relating to the election, according to Ralph Vatalaro, executive director of the state Public Employment Relations Board.

TUFACO's complaint against Hartnett stems from a special-edition newsletter distributed this week by Council 82 which quotes two letters from Hartnett to John W. Burke, executive director of AFSCME, Council 82's parent organization.

In the letters, Hartnett temporarily denied two requests from Burke: that guard trainees receive 4 percent pay raises Oct. 1 and that

“We are the collective bargaining agent. I want our people to know we're doing our job, that we tried to get these things for them.”

John W. Burke
Executive director
AFSCME

contract negotiations begin Oct. 22. Hartnett cited the election challenge from TUFACO for delaying the requests and said any action on his part might prejudice the election.

Hartnett's letters were reprinted in this week's "Council 82 Enforcer" beneath headlines that said: "This is one result of the challenge . . . and this is the other."

Dennis Fitzpatrick, president of

TUFACO, said his union should not have been singled out as the reason for the delayed raises and negotiations. He said other parties, including the state and Council 82, had also filed petitions affecting the bargaining unit that would delay negotiations.

"The letters were clearly intended to influence members of the bargaining unit," said Fitzpatrick,

Syracuse Post-Standard
Cont'd: 9-29-84

a corrections officer at Great Meadow Correctional Facility.

But Hartlett said his letters were an effort to observe "strict neutrality" during the election period.

Burke said Council 82 reproduced the letters to show it was attempting to represent its members.

"We are the collective bargaining agent. I want our people to know we're doing our job, that we tried to get these things for them," Burke said.

Burke added that Council 82 would file a complaint against TUFCO charging the union with misrepresenting itself to corrections officers during its petition drive for guards' signatures.

TUFCO was required to submit the signatures of at least 30 percent of the bargaining unit to force the election.

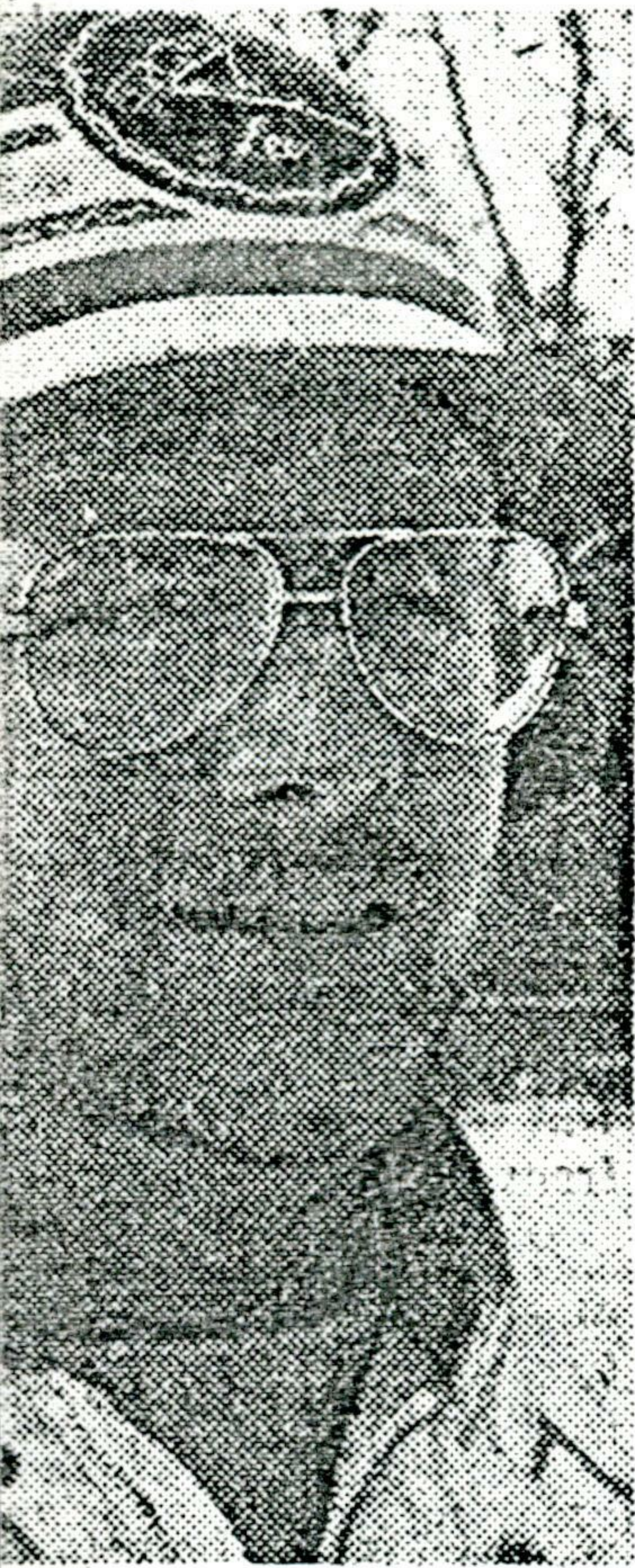
Burke said TUFCO advertised itself as a union for corrections offi-

cers only, while its constitution allows it to include the other groups currently in the bargaining unit.

A spokesman for TUFCO said the union would have to include groups like capital police officers and lifeguards, because those groups are part of the current bargaining unit. But TUFCO's goal, if elected, is to separate prison guards from other groups, said Jim Morrissey, secretary-treasurer of the union and an Auburn Correctional Facility guard.

The Public Employment Relations Board has a hearing scheduled for Oct. 15, at which some of the issues affecting the as yet unscheduled election may be resolved, Vatalaro said.

Vatalaro added that he hoped TUFCO and Council 82 would reach a compromise that would permit an election without litigation of the pending charges of improper practices.



MARY LEONARDI
Suspended trainer

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andfather, Dr. John E.
Sr. of Warrensburg; and
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ervices will be conducted
Monday in Sacred Heart
e George. Burial will be in
Cemetery, Warrensburg,
direction of the Stafford
e, Lake George.

Dissatisfied guards challenging union

By Joe Mahoney
Staff Writer

Council 82, the union that represents more than 11,000 prison guards across the state, is facing a challenge from a group of dissident members trying to set up a new independent union for New York corrections officers.

Corrections officer Dennis Fitzpatrick of Hudson Falls, one of the dissidents spearheading the drive to decertify Council 82 as the bargaining agent for unionized prison guards, said Friday the opposition group would file its union recognition cards with the state Public Employment Relations Board next month.

He said the prison guards could vote by late September on whether they wanted to remain with Council 82, an affiliate of the American Federation of State, County and Municipal Employees, or jump to the proposed union — TUFACO, The Union of Federated Correction Officers.

Fitzpatrick declined to say just how many prison guards have indicated their support for TUFACO. But he maintained: "We certainly have enough to challenge Council 82. It's been very apparent that there's been a tremendous swing for us by the amount of cards already signed."

At least 30 percent of the membership of the proposed bargaining unit has to sign TUFACO cards before the election can be held, said Fitzpatrick, the TUFACO president and a corrections officer at Great Meadow Correctional Facility in Comstock, Washington County.

He described TUFACO as "a grass-roots organization that will be run and controlled by the organization itself."

"Naturally, we're going to try to get the best package, but more importantly we want to re-establish the purpose of a union in the first place — being 'my brother's keeper,'" said Fitzpatrick.

Fitzpatrick contended that large numbers of corrections officers want to shed themselves of Council 82 for "a whole litany of reasons," among them "the lack of representation, its passive approach and making endorsements without ever polling the membership."

For instance, while most prison guards support the death penalty, Council 82 endorsed Gov. Mario M. Cuomo, who is against the death penalty.

Council 82 officers were not available for comment at union headquarters in Albany Friday.

John Funicello, a spokesman in Albany for the American Federation of State, County and Municipal Employees, said that Council 82 has been gearing up for the TUFACO challenge by letting its membership know "what has been accomplished since the strike (of 1979)" in the way of improved benefits, retirement system, pay, working conditions, job safety and training.

Council 82, Funicello said, has also been striving to combat chronic overcrowding of the state prison system.

Inmate, 18, escapes from Sch'dy Co. Jail

SCHENECTADY — An 18-year-old inmate escaped from the Schenectady County Jail Friday night, Schenectady Sheriff's deputies said.

Lazaro Lowery, formerly of the

Obese guard wins job back

By Carol DeMare
Staff Writer

An Albany County Jail guard, fired three years ago because the county claimed obesity and a leg problem hampered him from performing his duties, has been ordered reinstated by the state's highest court.

Garrett Hughes of Cohoes said Friday he is undecided, however, whether he wants to return to the corrections officer's job.

"I'm glad it's over," he said of the court case. "Not just myself, but my whole family went looking for justice, and we feel we have it now."

During the past two years, he has worked as a school bus driver, he said. He is currently laid off for the summer because schools are closed, he said.

He won the ruling Thursday after the state Court of Appeals decided unanimously that an arbitrator's award in favor of Hughes should not be overturned. Two lower courts had found that the sheriff had a right to remove Hughes from the payroll because he was overweight.

Arbitrator Norman Brand of the American Arbitration Association found on Nov. 22, 1982, that Hughes should be reinstated with full back pay and benefits retroactive to Feb. 25, 1981.

Brand ruled that a doctor's determination that Hughes was unfit for work "improperly relied" on the general physical condition of the guard rather than on the condition of the previously injured leg.

Hughes, who was represented by Albany County Sheriff's Local 775 of Council 82, American Federation of State, County & Municipal Employees, was seriously injured when kicked in the lower right leg while trying to subdue a psychiatric inmate on July 11, 1978. He had been employed at the jail since 1969.

He was out of work 33 weeks with the injury and during that time his weight increased from about 250 to 450 pounds. He said he now weighs about 300 pounds.

When he returned to work after the 33 weeks, the sheriff maintained that because of his weight and his leg injury, he would have to be assigned to a desk job. None were available, so he was removed from the payroll.

Hughes said his leg is now "good, and when it (the firing) transpired, I was set to go back to work."

TU
7-7-84

his way out of the jail at 320-322 Veeder Ave. at 10:25 p.m. through a screen placed in a kitchen window for ventilation, Sheriff's Lt. Don LaVenture said.

AS HY ROSEN SEES IT



LICENSE TO KILL

By JACK ANDERSON



Shaking up the kids

WASHINGTON — In a dramatic bid to keep America ahead in the high-tech race, President Reagan has approved a program that he hopes will shake young Americans out of the educational doldrums and focus their attention on technological challenges.

He wants to introduce children to the Space Age by encouraging them to become young astronauts. One of them will probably be invited as an observer on a future space flight.

The plan is to form "Young Astronaut" units in the country. Children will be

stimulate their spirit of adventure. It might help lift their gaze from video games to real high-technology and fix their eyes on the stars."

The President was more than polite; he listened with genuine interest. He saw the need, he said, to see beyond today's limited horizon. He has a deep concern about tomorrow, and is placing new emphasis on long-range planning. The other day, he telephoned me to say that he was adopting my idea. I hope the Young Astronaut program will be ready to launch when school starts in September.

THE PENTAGON AND THE STATE

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trial, and if any more were
would involve comments that
ffect the trial."

man said he visits Graham
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able of discussing the case with
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is actually Graham's second
strike in the three months he
n jailed, since his April 7 arrest
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the airport. Graham, who was
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is being held in lieu of \$75,000

rst hunger strike lasted about
from April 7 to May 9. He then
a month, until June 8, when he
he second strike.

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ncluding fruit juices, Brickman

am is charged with allegedly
ng the woman at knife-point in
ng lot at the airport and raping
omizing her.

Times Union photos by Paul D. Kniskern Sr.



Associated Press

GUARD PICKETS — State prison guard Christopher Barrette pickets outside Auburn Correctional Facility Friday to protest this week's ruling by the Court of Appeals striking down the state's mandatory death sentence in the case of Amsterdam native Lemuel Smith, who killed a rookie guard.

quiet." But it's not easy to pack up and leave home. Yvonne Sgambelluri, 47, 14 Spruce Lane, said she's simply learned to live with the racket, and she's more upset about the county's plans for buying the residences.

expressed the same fear. It's been only a year since the Hoffmans moved into their \$40,000-plus red brick and white frame home at 8 Spruce Lane, installed a septic system and wall-to-wall carpet.

She said she would move only if the neighbors did because then there

liot Summer said the range above 65 "is what we call significant exposure, normally unacceptable. It means that the quality of life is severely impacted by the noise of the airport."

Homes closest to the runway are rated at 75, said airport manager Masko.

Smith transferred to Comstock prison

By Joe Mahoney
Staff Writer

Given a new lease on life by the state Court of Appeals, multiple killer Lemuel Smith has moved from death row at Green Haven state prison in Stormville to new quarters — a solo cell at Great Meadow Correctional Facility in Comstock.

State Corrections Department spokesman Ruby Ryles confirmed Friday that the brawny Smith was quietly moved late Thursday to the prison in Washington County.

The transfer, she said, was made after the agency received authorization from the state Supreme Court in Dutchess County to move Smith.

The transfer was done without incident, she said.

Smith was sentenced to die in the state's electric chair at Green Haven last year after he was convicted of the 1981 murder of Green Haven rookie prison guard Donna Payant. On Monday, the state's highest court ruled, 4-3, that the state's mandatory death penalty law was unconstitutional.

The 42-year-old Amsterdam native will be held in protective custody at Great Meadow pending completion of a review aimed at determining the most appropriate housing for him, Ryles said.

Officials of Council 82, the union representing state prison guards, could not be reached for comment Friday on the transfer of Smith to Great Meadow.

But, Dennis Fitzpatrick, a corrections officer, noted that Smith is no stranger to Great Meadow, having



LEMUEL SMITH

... now in Washington Co.

been incarcerated there several years ago before his transfer to Green Haven.

Fitzpatrick predicted corrections officers would experience no heightened anxiety over Smith's reintroduction into the Great Meadow prison population.

"But because of his notoriety," he said, "it's going to make it very difficult to work around him. If anything should happen to the individual, it could be construed as retaliation, even though the officers are doing the same job they would normally do" with other convicted criminals.

"In our opinion," Fitzpatrick added, "he should be right back where he was — right on death row."

7-7-84

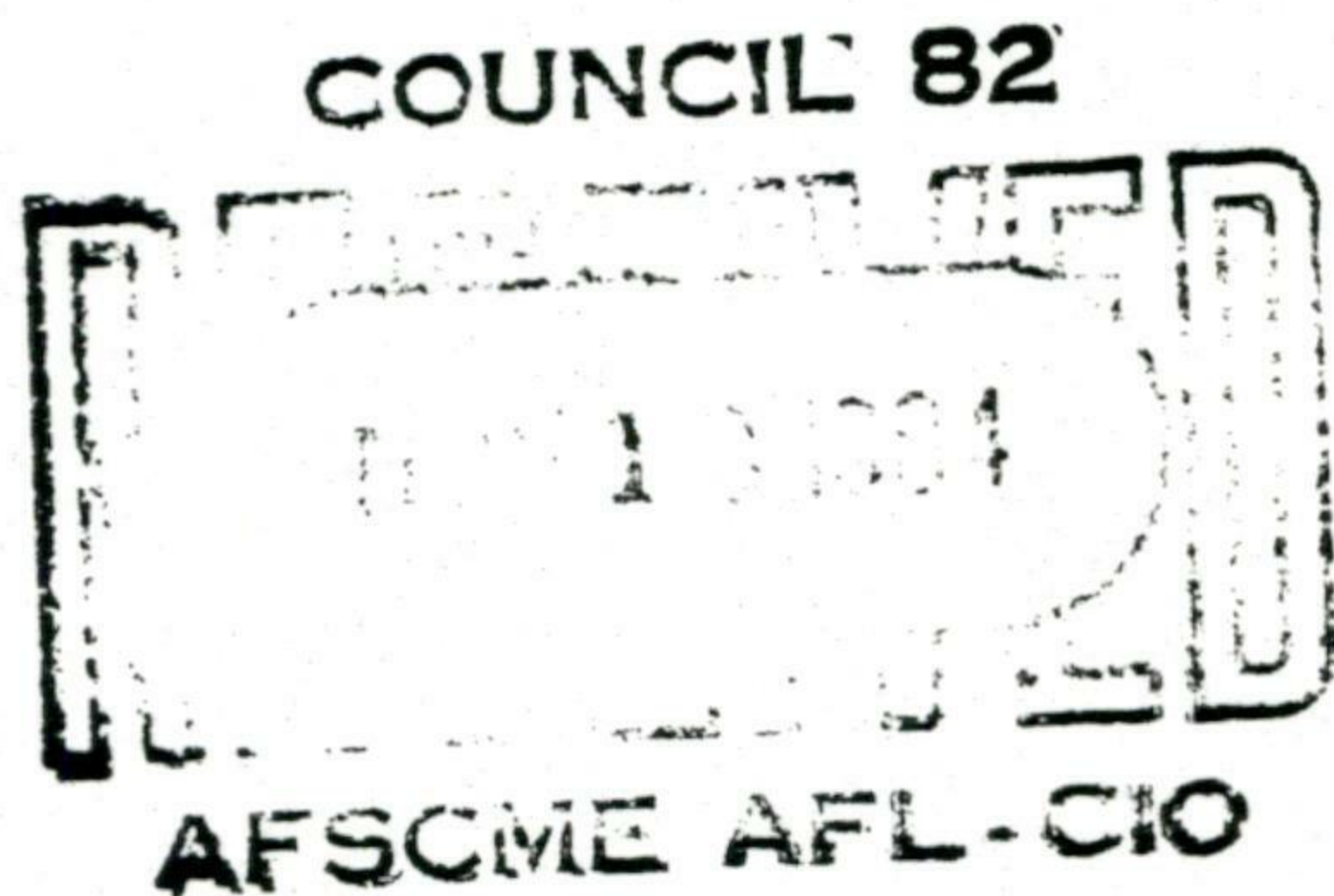
Marttila & Kiley, Inc.

84 State Street, Boston, MA 02109

(617) 523-1525

Kiley

Dear Frank —



Tom King is reluctant to go forward on this without knowing for sure there will be an election. You may want to talk to him. We're ready to go whenever AFSCME is.

Best regards,

Tom

P.S. Attached is revised draft, as we discussed.

11113184 cc file
Original to Benedetto

Respondent's Name _____
Respondent's Phone #: () _____
Facility: _____
Time of First Interview _____ AM DAY/TIME PM

I.D. # 2 - _____

Attempts to contact:
1 2 3 4 5 6
(CIRCLE)

INTRODUCTION:

Hello, may I speak with Mr./Ms. _____? (IF NOT AVAILABLE, ARRANGE A CONVENIENT CALL-BACK TIME.)

Hello, Mr./Ms. _____. My name is _____, and I'm calling from Smith-Berlin, a national polling company. You were good enough to talk with us last April for a survey of Corrections employees that we were conducting. I have a much briefer followup survey and I'd like to get your opinion on some things if I could, but first, are you still employed as a Corrections officer in New York?

YesPROCEED TO QUESTION 2
NoTERMINATE, NOTE ABOVE

1. Overall would you say you are very satisfied, mostly satisfied, less than satisfied or not at all satisfied with your job?

Very 1
Mostly 2
Less than 3
Not at all 4
(Not Sure) 5

2. Now I'm going to mention a few specific aspects of your job. For each one I mention please tell me if you are very satisfied, mostly satisfied, less than satisfied or not at all satisfied. (READ LIST. ALTERNATE ORDER.)

	<u>Very Satisfied</u>	<u>Mostly Satisfied</u>	<u>Less Than Satisfied</u>	<u>Not At All Satisfied</u>	<u>(Not Sure)</u>
a. Health insurance benefits	1	2	3	4	5
b. Grievance procedures	1	2	3	4	5
c. Your salary level	1	2	3	4	5
d. Your retirement plan	1	2	3	4	5

3. When you think about your wages and benefits compared to two or three years ago, would you say you are much better off, better off, worse off, or much worse off?

Much better 1
Better 2
(Same) 3
Worse 4
Much Worse 5
(Not Sure) 6

4. Now I'm going to read a list of persons and organizations. For each name I mention, please tell me whether you have a generally favorable or generally unfavorable impression of that person or group. If you've never heard of someone, or don't know enough to have an impression, just say so.

	<u>Favorable</u>	<u>Unfavorable</u>	<u>Don't Know Enough</u>	<u>Never Heard</u>
a. AFSCME (afsmee) - Council 82	1	2	3	4
b. Mario Cuomo	1	2	3	4
c. The Teamsters	1	2	3	4
d. Jack Burke	1	2	3	4
e. TUFCO, the Union of Federated Corrections Officers	1	2	3	4
f. AFL-CIO	1	2	3	4

5. As you know, Corrections officers like yourself are currently represented by Council 82. Overall, would you say Council 82 is doing an excellent, good, not so good or poor job of representing employees?
- Excellent 1
 Good 2
 Not So Good 3
 Poor 4
 (Not Sure) 5

6. Now I'm going to mention a few aspects of Council 82's performance. For each one I mention, please tell me if you feel Council 82 is performing effectively, trying but not really succeeding, or is not really trying hard enough?

ALTERNATE ORDER:

	<u>Performing Effectively</u>	<u>Trying, Not Succeeding</u>	<u>Not Trying</u>	<u>(Not Sure)</u>
a. Communicating with employees, and keeping them informed	1	2	3	4
b. Assisting on grievances and disciplinary matters	1	2	3	4
c. Bargaining for salary increases	1	2	3	4
d. Showing concern and understanding for employees like you	1	2	3	4

7. As you know, the organization known as TUFACO is challenging Council 82 for the right to represent all security-related employees now represented by Council 82. Are you currently a member of TUFACO?
- Yes 1
 No 2

8. Do you recall signing a petition card for TUFACO, to allow a union representation election to take place?
- Yes, signed 1
 No, didn't sign 2
 Don't recall 3

9. Now I'm going to read several descriptions or phrases. Now regardless of whether you will support TUFACO or Council 82, for each phrase I mention, please tell me whether you feel that phrase describes Council 82 better, or TUFACO better. If you feel a certain phrase doesn't describe either group, just say so.

	<u>Council 82</u>	<u>TUFACO</u>	<u>Neither</u>	<u>(Both Equal)</u>	<u>(Not Sure)</u>
a. Would be more responsible and accessible to members	1	2	3	4	5
b. Is not really a labor union	1	2	3	4	5
c. Would be the toughest in dealing with management	1	2	3	4	5
d. Would do a better job of bargaining for wages and benefits	1	2	3	4	5
e. Would come up with some new ideas and approaches	1	2	3	4	5
f. Would run a more democratic union	1	2	3	4	5
g. Really doesn't have any background or experience representing employees	1	2	3	4	5
h. Would do more to improve the images of Corrections officers	1	2	3	4	5
i. Would have more clout and influence in Albany..	1	2	3	4	5
j. Has a better understanding of Corrections Officers and their problems	1	2	3	4	5
k. Would be more sensitive to the concerns of black officers	1	2	3	4	5
l. They make a stronger case for themselves in their mailings and leaflets	1	2	3	4	5

10. As you may know there may be a union election between TUF^{CO} and Council 82 in the next month or two, and both groups have been preparing for this election. Up until now, have you received more information and campaign material from TUF^{CO} or from Council 82?

More from TUF^{CO} 1
More from Council 82 2
(Not Sure) 3

11. If a union election between Council 82 and TUF^{CO} was held tomorrow, would you definitely vote for TUF^{CO}, probably vote for TUF^{CO}, probably vote for Council 82, or definitely vote for Council 82? (IF NOT SURE, ASK:) Well, are you leaning more toward TUF^{CO} or more toward Council 82? (RECORD AS PROBABLE.)

Definitely TUF^{CO} 1
Probably TUF^{CO} 2
Probably Council 82 3
Definitely Council 82 4
(Not Sure) 5

IF TUF^{CO} OR COUNCIL 82:

12. And what's the major reason you would vote for (CHOICE) rather than (NON-CHOICE)?

13. As you may know, there's been some questions about a separate union for Corrections officers only, rather than just one union for all security employees like we have now. Is it your impression that, if elected, TUF^{CO} would be a union for Corrections officers only or for other security employees as well?

Corrections officers only.. 1
Others too 2
(Not Sure) 3

14. (That's right/Actually), TUF^{CO} would be required to represent all security employees and would not be permitted to create a separate union for Corrections officers. Do you feel TUF^{CO} leaders have been honest and straightforward about this issue, or that they have tried to give the false impression they would provide Corrections officers with their own union?

Honest 1
Tried to give false 2
(Not Sure) 3

"Thank you very much for your cooperation." TERMINATE

Interviewer Signature: _____

Date: November _____ 1984

Time: _____ o'clock AM
PM

Length: ____ minutes

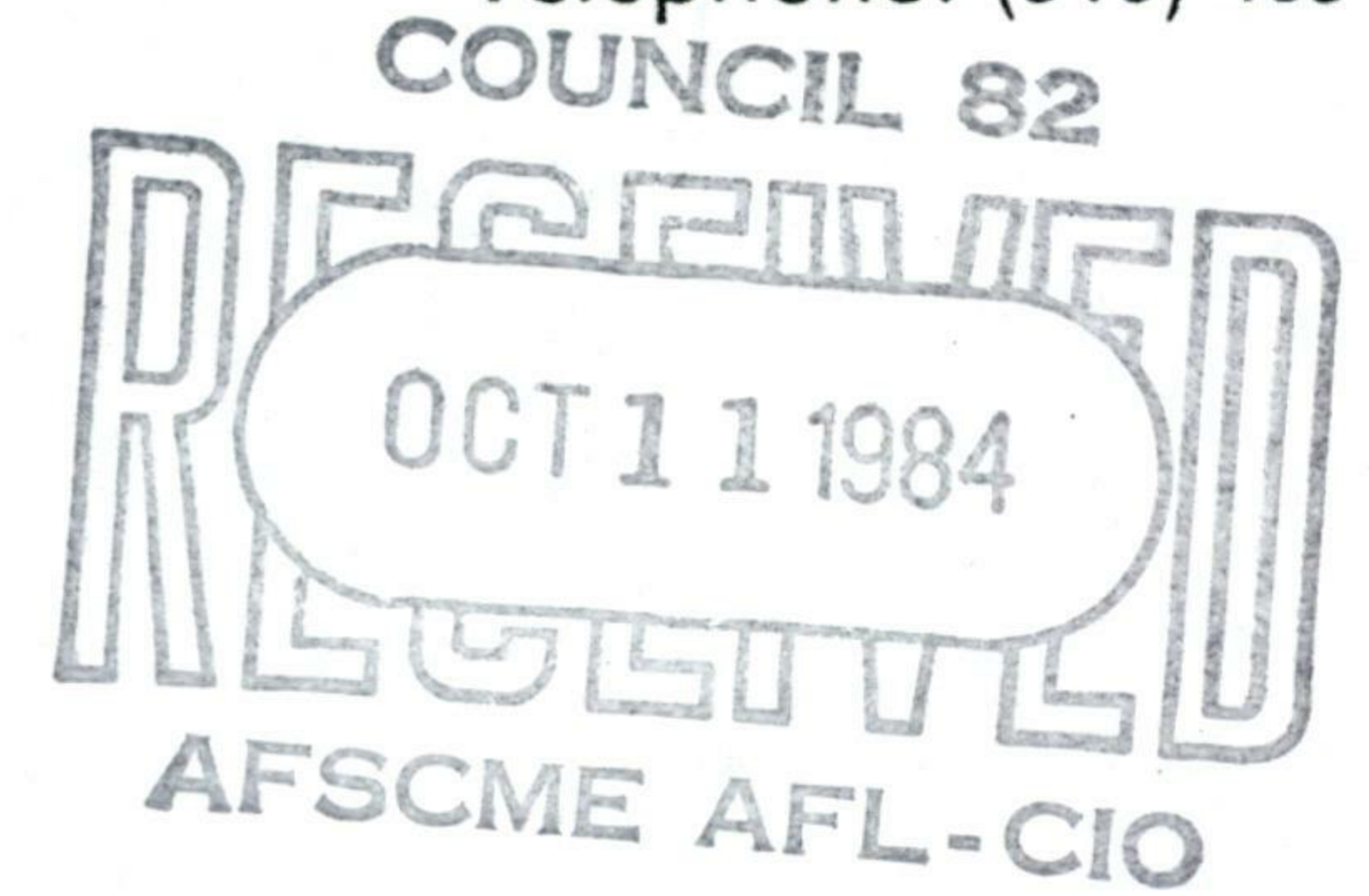


AFSCME®

One Commerce Plaza, Suite 1012, Albany, New York 12210

Telephone: (518) 465-4585

October 10, 1984



TO: Frank Benedetto
FROM: Stephan Fantauzzo *SF*
RE: Council 82 Reimbursement for TUFCO Project Expenditures

Upon review, I noticed that the Brigar invoice #27738 "John Burke - problems" did not have an attachment indicating the leaflet for which labels were printed and mailed. I would appreciate your assistance in getting me a copy of the leaflet prior to my submitting this invoice for reimbursement.

For your information, a copy of the Brigar invoice is attached to this memo.

SF:dbw

cc: John Burke ✓

in the public service

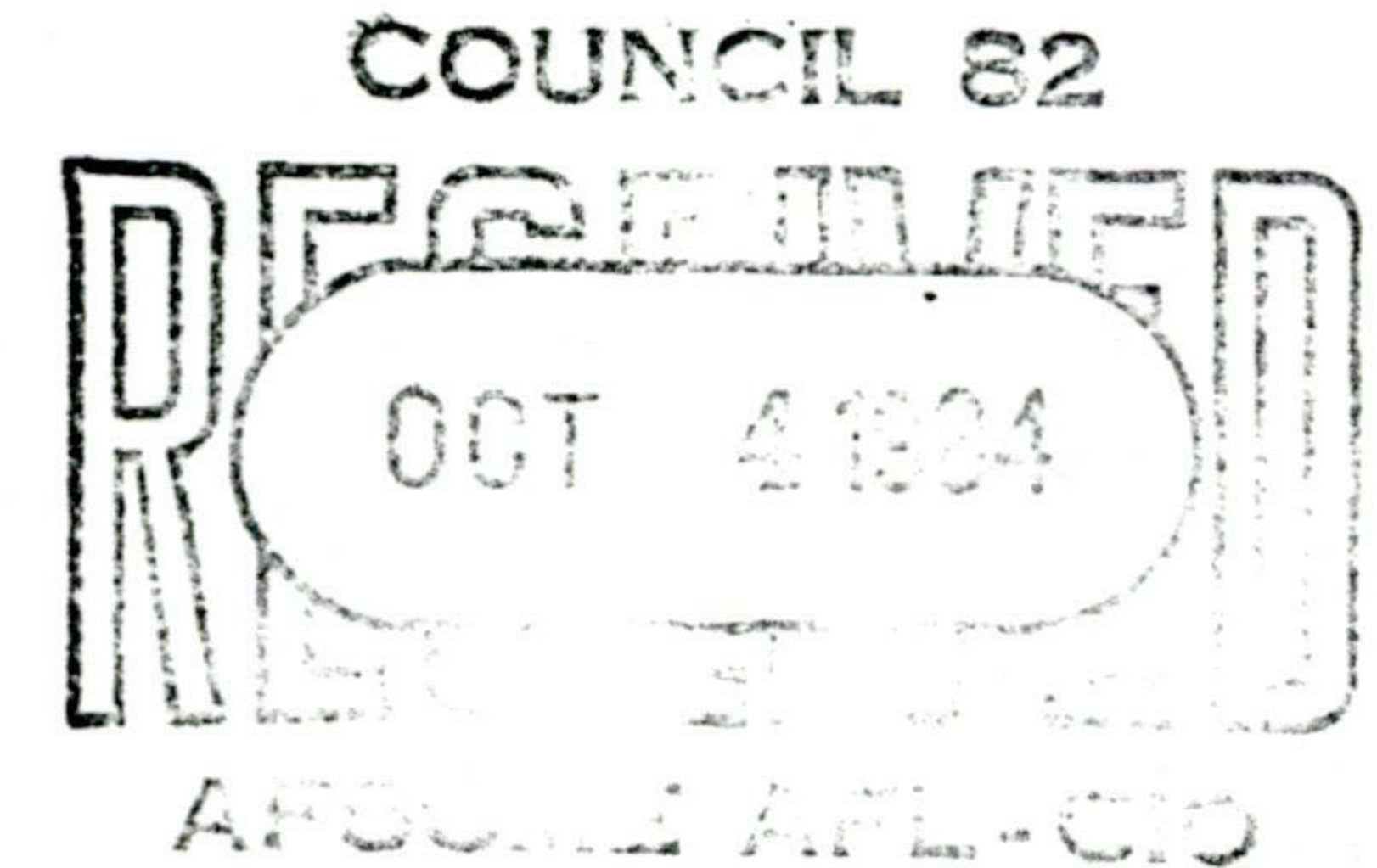


AFSCME®

One Commerce Plaza, Suite 1012, Albany, New York 12210

Telephone: (518) 465-4585

October 3, 1984



TO: Phil Sparks
FROM: Stephan Fantauzzo *SF*
RE: PR Activity - AFSCME Council 82; TUFCO-
Decertification

As I am sure you know from your conversation with Frank Benedetto, the United Federation of Correction Officers (TUFCO) has filed a decertification petition against AFSCME Council 82, seeking representational rights for correction officers in New York State. While we are presently attempting to have the petitions thrown out, in all likelihood we will be proceeding with an election.

During the course of our previous meeting with the Council 82 leadership, we discussed the usefulness of a structural float chart, describing to members how they fit into the organization. This chart would start with the AFL-CIO and proceed downward to the member through his local union.

It was my understanding that such a chart either existed within your department or could be easily prepared in a professional manner. Council 82 has requested that chart be made available and I would appreciate receiving that information as soon as possible. Our next scheduled meeting to discuss the TUFCO campaign is October 10, 1984.

SF:dbw

cc: John W. Burke
Frank Benedetto

in the public service



Security and Law Enforcement Employees Council 82

AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES AFL-CIO

63 COLVIN AVENUE, ALBANY, N.Y. 12206

PHONE 518/489-8424

September 28, 1984

Mr. John Funicello
AFSCME
1 Commerce Plaza, Suite 1012
Albany, NY

Dear Brother Funicello:

This is to follow up on our telephone discussion on Wednesday, September 26, 1984, regarding the chronology of accomplishments for Council 82. As we discussed, the best way to get the message out would be in two or three mailings. Please find enclosed some items we used in prior publications.

Bearing in mind there is a good number of our members who are not aware of our accomplishments over the last fifteen years, it is clearly time to start putting a feather in our cap. Please be prepared to target these mailings for the following three weeks:

October 22, 1984
October 29, 1984
November 5, 1984

A major objective for Council 82 in this campaign is to more fully link itself to the two-thirds of our membership who say they are satisfied with our current contract, so that even those who are considering a vote against Council 82 must first overcome their own convictions that Council 82 has done a superior job for them at the bargaining table.

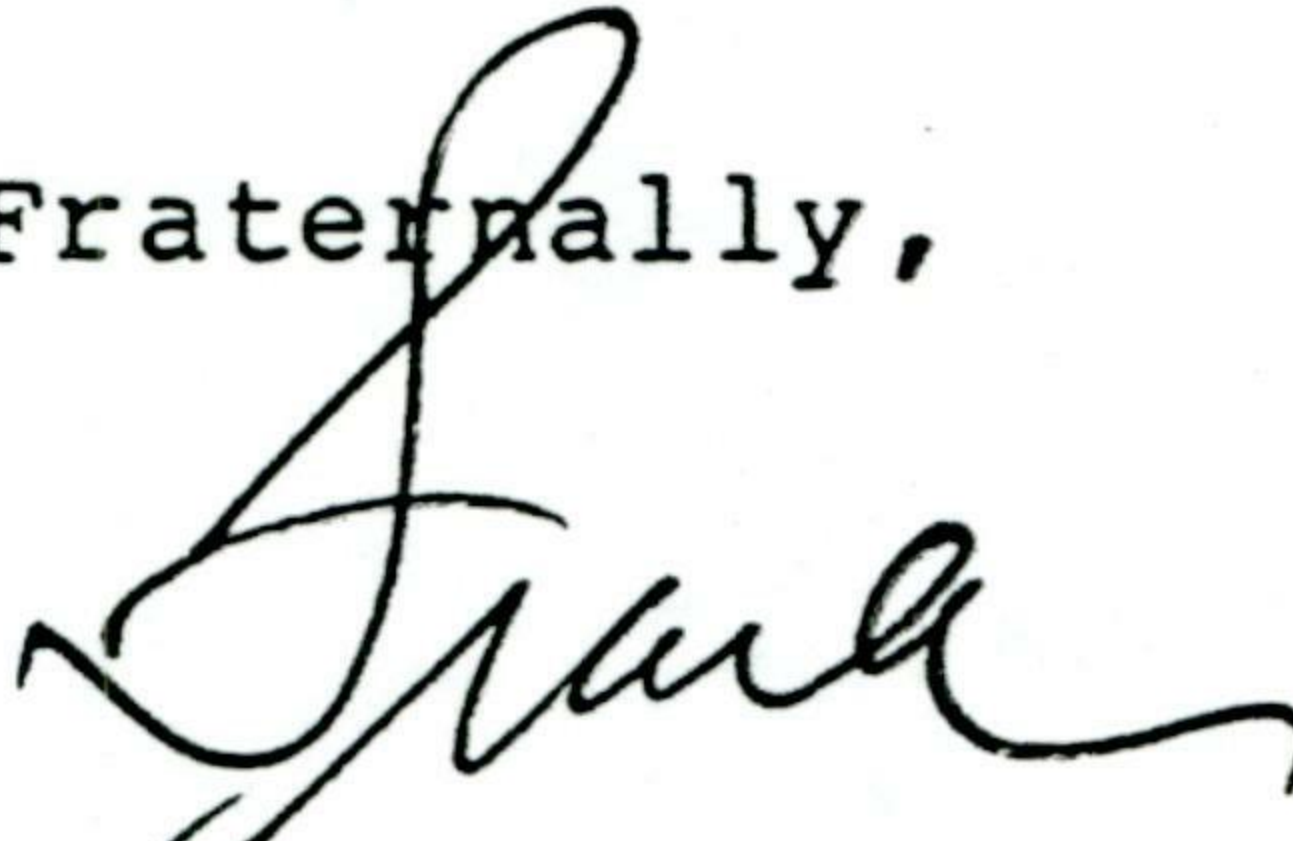
Please focus the reader's attention to our strongest asset, the ability to achieve meaningful contractual improvements through tough bargaining. The power of persuasion here is to force the members to consider this element above all others when making final decisions about who they should support.

One observation of our population of Council 82 members is that it doesn't spend a great deal of time with the printed word.

Mr. John Funicello
September 28, 1984
Page 2

Therefore, our leaflets, letters and other promotional materials should be designed for maximum readability; that means simple, straightforward language with prominent use of headlines and subheads. It also means lots of white space and a premium of brevity. If we want them to get the point, let's say it in bold headlines, not in densely packed paragraphs.

Should you have any questions or comments on this please call me.

Fraternally,


Frank Benedetto
Special Assistant to the
Executive Director

FB:kd
Enclosure

cc: J. Burke
S. Fantauzzo

Reclassification Over the Years

March 1957, prison guard reclassification to correction officer grade 11; April 1966, Grade 11 to Grade 12; September 1970, Grade 12 to Grade 13; April 1972, Grade 13 to Grade 14.

1970-1972 Contract

Salary—April 1, 1970—7½% or \$750 whichever greater—\$500 April 1, \$250 Oct. 1, 1970; April 1, 1971—6% or \$525. Sick leave—165 days accumulation up from 150 days per year. Travel allowance—NYC \$24 (hotel), others \$19 (hotel), outside state \$20.

Mileage—October 1, 1970—10½ cents per mile; April 1, 1971—11 cents per mile. Health insurance—fair benefits; personal leave, 5 days per year. Uniforms—furnished—no money.

Holiday pay—1/10th bi-weekly salary for holidays worked. Location pay—\$200. Shift pay—\$400. Seniority—negotiated.

1972-1974 Contract

Sick leave—remains at 165 days per year. Indemnification—Article added. Salary—April 1, 1972—4%. Travel allowance and mileage—remained same.

Health Insurance. No change—GHI falling behind—increase maternity to \$200, increase employer contribution rate from 50% to 75% for dependent coverage, \$250 for dental plan. Agency shop. Seniority. Uniforms—\$50 every six months, if not furnished by Oct. 1, 1982; \$50 after that till furnished, then nothing. Pre-shift (line-up pay) \$4 per week. Wage reopener, retirement and health insurance for 1973 negotiated—5½ effective April 1, 1973, with minor changes in health insurance benefits.

1974-1977 Contract

Salary—April 1, 1974—7%; April 1, 1975—6%; April 1, 1976—0%. Line-up pay—\$5 per week—1974; \$5.50 per week—1975; \$5.50 per week—1976. Vacation days—accumulate—40 days, sell back 30 days.

Sick leave—180 days—up from 165 days, 1975; 1976, 190 days accumulation. Uniforms—furnished. Seniority—intact. Health insurance—no change—falling behind—GHI now very little value. Wage reopener—salaries and increments negotiated for employees was unsuccessful. Education and training—\$75,000 per year. Travel allowance and mileage—remained the same.

1977-1979 Contract

Agency shop. Seniority—intact. Salary—March 31, 1977—5%; March 31, 1978—5%; kept seniority; lump sum payments; \$200 per year before taxes; 4 payments per year—after taxes very little left.

Sick leave—190 days accumulation. Pre-shift—\$5.50 per week. Vacation credits—accumulate 40 days, 30-day sell back. Health insurance—no dental deductible (\$60 per year). Education and training—\$75,000 per year. Uniforms—still furnished. Travel allowance and mileage—state rates.

1979-1982 Contract

Education and training—\$100,000 per year. Travel and mileage—NYC \$50 per day, outside \$40; 17 cents per mile and \$35; outside NYS, \$50 per day. Salary—April 1, 1979—7%; compressed increment into 3 from 5 for new people; brought in new performance evaluation in place of satisfactory and unsatisfactory; April 1, 1980—3.5%; April 1, 1981—3.5% retroactive back to

15 years
of
Accomplishment

1980; no changes in Worker's Compensation; April 1, 1981—3.5%; April 1, 1982—3.5% retroactive to 1981.

Seniority—intact. Pre-shift—1979—\$9 per week; 1980—\$10.25 per week, 1981—\$11.50 per week. Health insurance—minimum increases—a new \$1 drug prescription; changed from Blue Shield to Metropolitan major medical. QWL—\$1 million per year—life of contract.

1982-1985 Contract

Seniority—intact. Major indemnification bill passed. Salary—Negotiated remainder of retroactive 3.5% for 1982 because CPI went under 9% (0.6%); April 1, 1982—9% with deferral—no missed paychecks (deferral paid back when separating from state service) 9% still applied to base; April 1, 1983—6%; October 1, 1983—4%; April 1, 1984—6%; October 1, 1984—4%. Readjustment in 10- and 15-year longevity steps approximately \$250 each one. Pre-shift—1982—\$15 per week; 1983—\$16 per week; 1984—\$18 per week.

Uniform allowance (maintenance)—1982—\$250—Dec. 1, 1982; 1983—\$275—Dec. 1, 1982; 1984—\$300—Dec. 1, 1982. Health insurance—Major change in GHI—most positive; major change in dental plan—about 50% upgrade of benefits; new vision care program fully paid. Sick leave—200 days per year. Indemnification—major change. Reclassification—agree to study on reclassification for all employees. Mileage and per diem—major raise in mileage and per diem rates both receipted and non. QWL—\$1 million per year—life of contract. EAP—\$100,000 per year—life of contract.

Education and training—\$150,000 per year. Made longevity payments equal to increments so everyone would see equal amount in their pay when they reach 10 and 15 years. Increased line-up pay to where it now equals overtime rate. Negotiated major changes GHI schedule of allowances to bring this program out of the stone age. Negotiated a drug prescription program for GHI members—one dollar co-pay.

~~As can be seen by the figures in this report, the Department has far outshone the so-called "good old days." One only has to be able to add. In a period of nine years from 1970 to 1978, the percentage of our base pay was raised 46% plus reallocation in 1970 and 1972. This percent was applied to a much lower salary base starting at approximately \$6,000. In the period from 1979 to 1985 (seven years), the base pay will be raised 50% on a much larger salary base. Judge for yourself.~~

OF Accomplishment



AFSCME / New York State

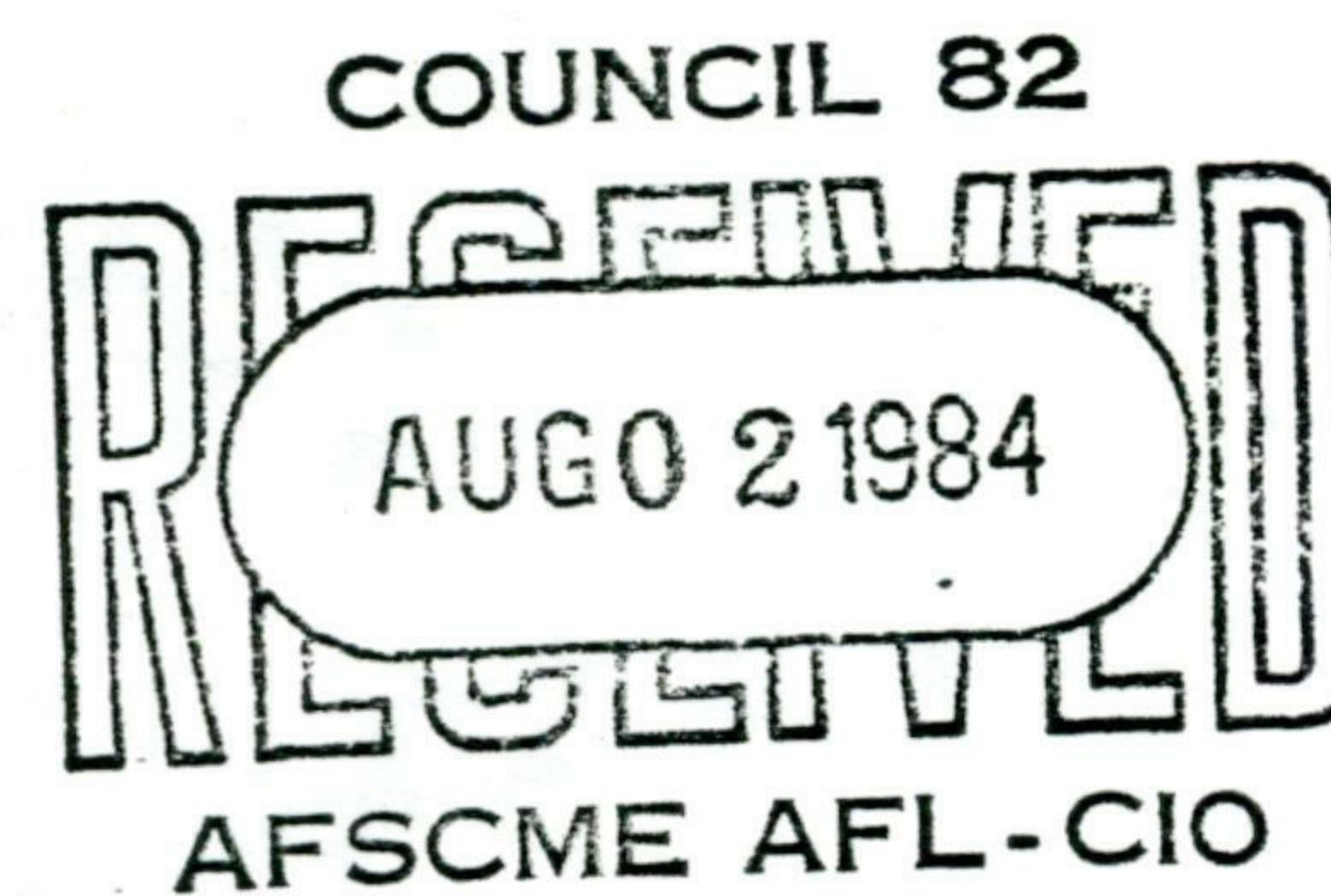
One Commerce Plaza, Suite 1012, Albany, New York 12210 (518) 465-4585

To: FRANK BENEDETTO From: STEVE FANTAUZZO *SF* Date 8/1/84

Re: TUFCA PROJECT

Per our conversation and your request, attached is the proposed project for International Union assistance in fighting TUFCA.

This has not been approved in Washington.



SF/t

*8/2/84 cc file
Original to L Benedetto*

in the public service

<p>1. AFSCME Members Presently in Unit 13,000</p>	<p>7. Additional Expenses:</p> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:80%;">Project Staff (Schedule B)</td> <td style="width:20%; text-align: right;">\$ _____</td> </tr> <tr> <td>Release Time (Schedule C)</td> <td style="text-align: right;">_____</td> </tr> <tr> <td>Grants (Schedule D)</td> <td style="text-align: right;">21,500.00</td> </tr> <tr> <td>Other (Schedule E)</td> <td style="text-align: right;">28,400.00</td> </tr> <tr> <td colspan="2" style="border-top: 1px solid black;">Total Project Cost This Period \$ 49,900.00</td> </tr> </table>	Project Staff (Schedule B)	\$ _____	Release Time (Schedule C)	_____	Grants (Schedule D)	21,500.00	Other (Schedule E)	28,400.00	Total Project Cost This Period \$ 49,900.00	
Project Staff (Schedule B)	\$ _____										
Release Time (Schedule C)	_____										
Grants (Schedule D)	21,500.00										
Other (Schedule E)	28,400.00										
Total Project Cost This Period \$ 49,900.00											
<p>2. Type of Cards Being Signed</p> <p><input type="checkbox"/> Dues <input checked="" type="checkbox"/> Authorization</p>	<p>8. Organizing Fees To be Received:</p> <p>_____ Members x \$ _____ per month x _____ months = \$ _____</p>										
<p>3. Expected Membership Increase Over Life of Project:</p> <p>_____</p>	<p>9. Net Project Cost (7.) minus (8.) \$ 49,900.00</p>										
<p>4. Expected Membership Increase During This Project Period:</p> <p>_____</p>	<p>FOR BUSINESS OFFICE USE ONLY</p>										
<p>5. Anticipated Duration of a Project Necessary to Achieve the Membership Increase Projected in (3.) Above: 180-270 days.</p>	<p>Project No. <input style="width: 100%;" type="text"/></p> <p>Proposal No. <input style="width: 80%;" type="text"/></p> <p>Date Proposal No. Assigned _____</p> <p>Supported by EAF No.s: _____</p>										
<p>6. Number of International Staff to be Assigned to this Project (See Schedule A) TWO</p>											

SCHEDULE A — LIST OF INTERNATIONAL UNION STAFF REQUESTED

Names and/or Title	Period		Organizing Assignment
	From	Through	
Pete Moralis	7/1/84	9/30/84	To Assist Council 82 Leadership with facility meetings & to disrupt scheduled TUFCA meetings
Jonh Funiciello	7/1/84	9/30/84	To assist Council 82 in developing all applicable communications.

SCHEDULE D -- GRANTS

ACCT. NO.	ACCOUNT NAME	DESCRIBE*	AMOUNT
701	Organizing Grant		\$21,500.00
703	General Purpose Grant		
TOTAL			\$21,500.00

*Copies of financial statements for Council and Local must be attached

SCHEDULE E -- OTHER EXPENSES

ACCT. NO.	ACCOUNT NAME	DESCRIBE	AMOUNT
121	Temporary Help		
202	Travel and Allowance		
302	Minor F & E Purchase		
303	F & E Repair and Maintenance		
311	F & E Rental		
401	Office Supplies and Stationery		1,000.00
402	Printing and Duplicating Supplies		5,000.00
403	Postage and Freight		
408	Organizing Supplies		
407	Education & Training Supplies		
409	Books and Newspapers		
501	Rent		
502	Heat, Light and Water		
505	Janitorial		
511	Telephone -- Local		
512	Telephone -- Long Distance		1,400.00
521	Conference and Meeting Rooms		19,000.00
601	Printing and Duplicating		1,000.00
603	Photography		1,000.00
605	Data Processing		
615	Professional Services		
	Other		
TOTAL			\$28,400.00

Prepared by: _____

Date: _____

Submitted by: _____

Project Director

Date: _____

PROJECT RENEWAL/TERMINATION REPORT

Instructions: This report replaces the monthly project report and is to be filed with Field Services 30 days prior to the expiration of each project period. A separate report must be filed for each project. Failure to file complete and timely reports may result in delay or cancellation of the project. Please type and use additional space if necessary. A completed project proposal must be submitted with this form if you wish to renew a project.

Name of Project Council 82 Assistance - TUFCO Decertification

Project Director: Stephan Fantauzzo Period Ending September 30, 1984

Bargaining Unit Statistics (list each bargaining unit separately):

Unit	Type of Cards	Cards at Beginning of Period	Present Card Total	CURRENT Potential Members
State Corrections Officers	TUFCO-AUTHORIZATION			

Election Petitions

Unit	Type of Petition	Date Filed	Election Date
State Corrections Officers	Decertification	(1)	(1)

(1) If successful in getting 30% showing-of-interest TUFCO will file for an election between August 21, 1984 and August 31, 1984. Election will likely be held in October, 1984.

Opposition Report (Include activities of other unions in each bargaining unit. If possible, include staffing information, tactics and evaluation of success. Employer "No Union" campaigns should be discussed.):

TUFCO is presently within the 'equal access' period allowing them meeting space, membership list and bulletin board space. Activity thus far has been restricted facility leafletting followed by day-long meetings. When known in advance, we have been able to attend TUFCO meetings with good success. Collecting authorization cards has become more difficult for TUFCO since we began our campaign, i.e.: at ArthurKill Corrections (300 members), TUFCO was only able to get 10 cards after day long meetings. (1)

Status of Collective Bargaining Law:

Is there a collective bargaining statute covering the units in question? Yes XX No _____

If yes, include a brief description: PERB procedures call for a 30 day window period seven months prior to contract expiration (month of August). Prior to the window period there is also a three month (May, June, July) equal access period.

If no, or if present law is unsatisfactory, include a brief report on lobbying efforts to date and an evaluation of the chances for passage:

(1) TUFCO staffing is restricted to their board of directors who have been taking personal time to conduct meetings. They are Dennis Fitzpatrick (President); Kevin Casey (Vice-President); Jim Morrissey (Secretary-Treasurer) and Marion Dantzler (Asst. Secretary-Treasurer).

Attached is a copy of the most recent TUFCO leaflet.

Will the project goals for the current period be accomplished?

Yes XX No _____ If not, explain:

May and June, 1984 anticipated completion of the Kiley Poll plus development of an overall strategy (by facility) for staff visits. Period also included completion of Telecommunications conference with President McEntee at Council 82 President Meeting.

Describe any other major accomplishments during the current project period.

1. Completion of Kiley Poll along with presentation
2. Unit-wide mailing after poll (attached)
3. Placement of project staff (G. Ottaviani and R. Zeller)
4. Radio actuality during Corrections Officers week
5. Facility visits by Council 82/International leadership - Downstate Corrections; Hudson Corrections; Mattewan State Hospital; Long Island Corrections; Queensbor
Corrections; Arthur Kill Corrections; and Adirondack Camp
6. Demonstration on Long Island against closing of Brentwood Correctional Facility
7. Filing of law suit against State of New York to prevent Brentwood closing
8. Development of bi-weekly leadership report from Jack Burke
9. Establishment of free \$10,000 life insurance program for members
10. Established scholarship program for all Council 82 locals
11. Attendance of 4 Council 82 leaders to CBTU Convention May 25-28, 1984

Recommendation:

Should project be renewed? Yes XX No _____
Explain why:

We appear to be cutting into TUFCO's support and preventing their gathering massive support at new correctional facilities. Continuation of the project is critical if we hope to prevent TUFCO from achieving 30% support. Further, poll results indicate that we should be publicizing the AFSCME Council 82 story loud and often, in an effort to garner over 50% support should we face an election challenge.

If yes, when is the estimated termination date? September 1, 1984 if TUFCO fails to receive 30% show-of-interest. November 1, 1984 if election is ^{necessary} present staffing adequate? Yes XX No _____
If not, explain new staffing requirements, including salary adjustments, with reason for change.

Should line item budget be continued at same levels? Yes _____
No XX

Present justification of line item budget, regardless of whether or not it varies from current budget.

Budget was not for full project period and contained cost estimates which now can be more precisely determined. Attachment I contains line item estimates for this project period and totals \$49,400.00. This budget does not include cost figures for a comprehensive radio spot campaign anticipated by the Public Affairs department and totaling \$25,000.

List goals for the upcoming project period. _____

Prevent TUFCO from achieving a 30% show-of-interest by:

1. Regular schedule of leadership visits to correctional facilities
2. Increased staff visability on 2nd and 3rd shifts
3. Comprehensive positive Council 82 radio-spot campaign
4. Three unit-wide and four targeted mailings
5. Weekly radio actualities
6. Leadership distribution of special corrections officers posters and reprints.

IF YOU WISH TO RENEW THIS PROJECT, PLEASE INCLUDE COMPLETED PROJECT PROPOSAL WITH THIS FORM.

TABLE I

<u>Account Code</u>	<u>Title</u>	<u>Amount</u>	
701	Organizing Grant ¹	\$21,500.00	
402	Printing & Duplicating Supplie	1,000.00	
403	Postage & Freight ²	5,000.00	
521	Conference & Mtg. Rooms	1,400.00	
601	Printing & Duplicating	19,000.00	
603	Photography	1,000.00	
605	Data Processing	<u>1,000.00</u>	
			\$49,900 TOTAL

1 - Two correction officers (G. Ottavianni and R. Zeller) have been released from the state on union leave. These individuals will work the TUFCO campaign, concentrating on 2nd and 3rd shifts, and at their actual salary. They will continue to receive their regular state paycheck with Council 82 reimbursing the state and AFSCME International reimbursing Council 82. Attached is the actual reimbursement breakdown received from the Department of Corrections. This line item replaces funds allocated under Schedule B in the original project proposal, and includes \$100.00 per person per week for travel expenses.

2 - Assumes one unit-wide (13,000) mailing per month plus four targeted mailings reaching about 12,000 members. The targeted mailings cannot be sent via bulk mail rates.