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# THE STATE EMPLOYEE

FEBRUARY, 1945

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No. 2

# Progress is the Result of Unity

To All State Employees:

The officers, members of committees, chapter officers and committees, and the Counsel and the Headquarters staff of THE ASSOCIATION OF STATE CIVIL SERVICE EMPLOYEES are now all busily engaged in advancing the Association's 1945 legislative program on behalf of all State employees.

Already there has been favorable response to the Association's efforts to secure an increase in emergency pay. Governor Dewey has proposed to the Legislature an increase of \$7,500,000 over last year's emergency pay.

The safeguarding of the Feld-Hamilton law, the creation of an independent Salary Standardization Board, liberalization of the Retirement Law, complete protection of return to work with all civil service rights respected for State employees in the armed services, unemployment insurance for State employees, opportunity for hearings and appeals, and the many other proposals outlined by employees in resolutions adopted at the annual meeting of the Association are being given full attention. Much publicity and expense is involved in assuring that no possible helpful action is neglected.

The 1945 dues are now payable. Thousands of renewals and new memberships have already been received. In order that we may not annoy you with bills and that we may conserve paper and transportation in these critical times, I urge that you renew at once if you have not already done so, and also that you ask your fellow employee, if not a member, to join with our membership of 27,000 and have a real part in the upbuilding of New York State service.

Please pay dues of \$1.50 — Total dues for the year 1945 — Today — To your local chapter representative or send direct to Association Head-quarters, Room 156, State Capitol, Albany, N. Y. Fill out application form printed on another page of this issue.

Many thanks for your cooperation.

CLIFFORD C. SHORO, President

# The State Employee

Vol. 14, Number 2

FEBRUARY, 1945

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# They Live Forever!



"It is for us, the living, rather to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us, that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion; that we here highly resolve that these dead shall not have died in vain; that this nation, under God, shall have a new birth of freedom, and that the government of the people, by the people, and for the people, shall not perish from the earth."



"Observe good faith and justice towards all nations; cultivate peace and harmony with all; religion and morality enjoin this conduct; and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt that, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages that might be lost by a steady adherence to it?"

# Highlights from Governor's

### Recommendations

To the members of the Legislature of the State of New York:

For the fourth successive year your honorable bodies meet to consider the legislative needs of our State at a time when our country is engaged in a desperate war. Today we have come to one of the gravest hours of that war. A decisive battle is being fought on the fields of Europe. Its outcome will determine whether victory in Europe is to come quickly or to be deferred. Inevitably, many of the decisions that we here are called upon to make will be governed by the outcome of the great battle now being fought.

All of us, whatever branch of the State government we serve and whatever our political affiliations, have been united in our determination that the war effort should come ahead of everything else. Let us, then, at the very outset of this legislative session, mutually re-pledge ourselves that we shall continue to work together in all things needed to maintain the strength and purpose of our great State and its thirteen million people wholeheartedly and effectively in the war effort.

As citizens of this free republic we all bear equally the challenge to win this war and a permanent peace. As citizens within our respective states and our own communities we bear particularly the challenge to maintain progressive government close to the people whom government exists to serve.

It will be a temptation to wait to see what Washington does and to expect the Federal government to carry many old and new services that can better be furnished at home. This would be the easy way, but it is one of those easy ways that saps local responsibility and initiative and leads to danger to free government. I propose that we take the harder way and meet our responsibilities foursquare. Only by meeting every challenge boldly can we preserve free government close to the people. Only by making State government effective and responsible can we preserve representative government at home against those who would undermine it everywhere.

### STATE FINANCES

### Post-War Reconstruction Fund

The financial position of the State continues to be most fortunate. To avoid the slightest interference with the national war effort in the use of man power and materials the State has deferred many normal purchases, repairs, replacements and new undertakings. At the same time revenues have continued at a high rate, while the careful management of State funds has been intensively maintained. As a result, I am happy to advise you that our surplus this year will approximate \$150 million.

Last year, upon my recommendation, your honorable bodies created the Post-War-Reconstruction Fund. The purpose of this fund was to husband the war-time savings of the State in order that they might be available at the proper time to meet the State's deferred reconstruction needs and to aid in the stimulation of job opportunities after the war for the men returning from our armed forces and for our war workers.

This fund now amounts to more than \$160 million. I recommend that this year's surplus be transferred to the reconstruction fund, thereby increasing that fund to approximately \$310 million.

This reconstruction fund puts our State in a position to plan confidently for the future. Whatever difficulties may accompany the transition from war-time to peace-time employment we shall be able to meet them in a helpful and constructive way for the benefit of the State as a whole and of all our people.

The long depression years have left our State with many acute unfilled needs. It is my hope that by sound, active planning now we shall be able to meet these needs, at the same time keeping the State on a sound financial basis and rendering important assistance to the maintenance of the preeminent position of New York State in the nation and the employment and welfare of our people during the uncertain times ahead.

### STATE EMPLOYEES

In every department of our State government we are sharply handi-

capped by man-power shortages. Our institutions are particularly hard hit. The State is proud of its many employees who are now serving in the armed forces of our country. We are proud also of those remaining employees who, in the face of many attractive opportunities of employment elsewhere, are continuing to carry on the work of the State. Many of them are shouldering a heavy load not merely by reason of extra work occasioned by the man-power shortages, but also by reason of advancing living costs.

As a measure to meet these conditions, extra war emergency compensation was initiated in 1943 covering employees receiving less than \$4,000. That arrangement has since been continued. It is no longer adequate to meet the conditions that exist. I, therefore, propose that the war emergency compensation be increased and that such additional compensation be provided to all employees of the State.

In substitution for the current plan, I recommend additional compensation of 20 per cent for those receiving less than \$1,500 a year; and for those receiving \$1,500 or more, but less than \$2,000, the increase should be 17½ per cent. This is in accord with the national policy and will help bring the pay of State employees at that level into line with that of Federal employees at a comparable level. It accomplishes a muchneeded equalization of wage levels. For those receiving \$2,000 or more, but less than \$3,000, the increase should be 15 per cent; for those receiving \$3,000 or more, but less than \$4,000, 121/2 per cent; for those receiving \$4,000 or more, 10 per cent, with a limit of \$1,000 on the amount of increase. In some cases these percentage increases will have to be modified, so as to maintain appropriate differentials between the various salary levels.

Beyond this broad question of ingreased compensation to meet changing conditions, relations between the State government and the State employees always require our careful consideration.

The Civil Service Commission has been making steady progress in per-(Continued on page 50)

# 1945 Annual Message

### **Budget Message**

I am recommending a susbstantial increase in appropriations for current operations of government. The general purposes are summarized below:

PURPOSE	Appro- priations 1944-45	mendations 1945-46	From 1944-45
General administration\$	49,722,399	\$ 51,662,401	+\$1,940,002
General State charges	10,608,162	12,224,124	+ 1,615,962
Legislature and judiciary	7,522,679	6,316,559	-1,206,119
Public works	21,967,966	22,588,717	+620,751
Schools and colleges	7,625,704	7,719,105	+93,401
Mental hygiene institutions	44,511,142	46,769,335	+2,258,193
Other institutions	16,257,661	17,018,328	+760,667
	158,215,713	\$164,298,570	+\$6,082,857
War emergency compensation and	90 200	25 19 50	20 ex
salary adjustments	1,700,000	7,500,000	+5,800,000
Appropriations for emergency	2,500,000	985,015	—1,514,985
Total\$	162,415,713	\$172,783,585	+\$10,367,872

### EMERGENCY SALARY ADJUSTMENT

The most significant increase is occasioned by the revision in our war emergency compensation which I have already recommended. The total cost of this emergency compensation will be \$13.5 million, or \$7.5 million more than the emergency plan that has been in operation for the past two years. We contemplate that some \$6 million of the cost can be absorbed by savings in our regular personal service appropriations.

While an appropriation of \$1,700,000 was made for the current year, principally to pay the emergency compensation that could not be absorbed in savings, we will have to use little or none of it for that purpose. We are continuing the beginning salary of \$1,200, which, allowing for the recommended war emergency compensation, is actually a starting salary of \$1,440. The existing provisions for overtime pay are likewise continued.

### MORE FOR MENTAL HOSPITALS

The next largest item of increase is occasioned by the mental hygiene institutions. It is expected that the number of patients during the next year will increase some 2,000. This requires larger appropriations for food, clothing, medical supplies and other expenses. We have every hope that more employees can be recruited to reduce the large number of vacancies that exist and ease somewhat

the heavy load that our loyal institution employees now carry. Much of their increased rate of pay may have to be drawn from the lump sum recommended above for the emergency compensation.

We must be prepared for even greater increases in these institutions. It will cost more to understand better and cure mental disorders. But the expenditure will pay dividends in the long run. It will retard and, let us hope, reduce the terrific social cost that is now endured.

### OTHER DEPARTMENTS

In other departments expanded activities require several increased appropriations. The Comptroller has brought the Division of Municipal Affairs to life. His office must examine the accounts of some 9,500 municipalities and districts. While he made 2,100 examinations during the past year, against 113 in 1942, the work still has to be stepped up. Practically the entire increase for the regular operations of the Department of Audit and Control is for this function.

The service program of the Department of Commerce in the interest of jobs and successful reconversion in New York State calls for increased support. In the Conservation Department, many items for the conservation of our natural resources are increased so as to be available when and if the respective programs can be resumed on the larger scale required. For example, an increase

of \$136,700 is requested for reforestation work and \$25,000 additional for suppression of the gypsy moth.

I am recommending that the lump sum appropriation to the Department of Labor be increased \$416,000 to complete a sound reorganization, and to permit more intensive work by the Division of Women, Child Labor and Minimum Wage and by the Division of Industrial Safety. Funds for the Division of Workmen's Compensation are included in the Labor Department's lump sum. We are still working on changes relative to this division and I shall recommend certain amendments to this proposed appropriation later in the session.

### RECOMMENDATIONS

- 1. Surplus-Budget operations for the last fiscal year produced a surplus of \$163 million. Operations for the current year will produce a further surplus of \$148 million. The transfer of these surpluses to the post-war reconstruction fund, together with other income and earnings, will give the State a total post-war fund on April 1, 1945, of \$315 million. The accumulation of this fund at this time will help to avert heavier taxes and an increased debt after the war when large deferred expenditures must be made. For the coming fiscal year a further surplus of \$87 million is forecast, subject to a reduction for the contemplated increase in State aid for education. I strongly urge that this surplus be added to the post-war fund.
- 2. Revenues-The State's general income fund in the coming fiscal year will total \$466 million. This contemplates continuance of the 25 per cent reduction of the personal income tax, retention of the emergency taxes and transfer by the State to cities for another year of the proceeds of the 2 per cent tax on gross releipts of utilities. In the light of present relatively high incomes resulting from the war and of the known backlog of deferred expenditures, further tax reduction at this time would be unwise.
- 3. Expenditures—Appropriations recommended for the coming fiscal (Continued on page 54)

# Legislation

Association officers, committees, counsel and Headquarters staff are devoting major attention to legislation relating to employment matters covered in resolutions adopted by delegates at the annual meeting, and to all bills having to do with the merit system. There has been little legislative action thus far on measures affecting civil service and discussions preliminary to introduction of some important bills is proceeding. It is expected that the Legislature will not conclude its sessions until late March.

The following is review of Association bills already introduced and those in preparation, as we go to press:

### COST OF LIVING SALARY ADJUSTMENTS

Governor Dewey's War Emergency Compensation Bill

20% on wages up to \$1,500; 17½% on wages between \$1,500 and \$2,000; 15% on wages between \$2,000 and \$3,000; 12½% on wages between \$3,000 and \$4,000 and 10% on wages over \$4,000 with maximum increase of \$1,000.

Introduced as part of executive budget in both houses.

This bill is not applicable to employees of the judiciary or the Legislature. Bills pending for the same adjustments for judiciary and legislative employees have been drafted by the Association and will be introduced promptly.

Association permanent, long range cost of living bill.

Provides for adjustments of wages to correspond with rise in cost of living index.

Introduced in both houses— Condon—Senate Int. 543, Pr. 548. Barrett—Assembly Int. 5, Pr. 5.

#### OVERTIME

Renewal of present overtime law.

Introduced in both houses as part of executive budget.

Time and one-half for overtime.

To be introduced.

Payment at overtime rates for institution employees who have been unable to take pass days and vacations allowed by administrative rules.

To be introduced.

### UNEMPLOYMENT INSURANCE

Extends unemployment insurance pension to all State employees. Halpern—Senate Int. 160, Pr. 160. Barrett—Assembly Int. 6, Pr. 6.

Minimum \$1,200 salary with provision for increments for employees appointed after April 1, 1942.
Introduced in both houses as part of Budget Bill.

### VETERANS PREFERENCE

The Hampton-Devany Bill, passed last year is now the Downey-Sherman bill, Senate Int. 628, Pr. 635—Assembly Int. 733, Pr. 749.

The Association-sponsored bill with a five and ten point preference, offered as a substitute for the drastic absolute preference in the Downey-Sherman bill, was introduced last week by Senator Wicks and Assemblyman Mitchell—Senate Int. 661.

### FELD-HAMILTON AMENDMENTS

Creation of permanent salary board and amendments to existing schedules.

In process of drafting—to be introduced later.

Extension of Feld-Hamilton law to parole officers.

Ostertag—Assembly Int. 760.

Bills extending Feld-Hamilton law to Niagara Frontier Authority, Revolving Fund employees of the Public Service Commission and skilled and unskilled labor positions.

Are being drafted for introduction.

Salary schedules for employees of Cornell University.

To be introduced.

Authorization of wage differentials for hazardous duty, night work or work in excess of the average hours required.

To be introduced.

Amendments to Correction retirement system in relation to pension for widows and disability retirement. Introduced by Assemblyman Ryan.

Two-year statute of limitations in relation to removals on charges.

Wicks—Senate Int. 108, Pr. 108. Extension of eligible list for prison guards.

Erwin—Senate Int. 564, Pr. 569. Ostertag—Assembly Int. 161, Pr.

Transfer of hospital nurses to professional service.

Van Duzer—Assembly Int. 528, Pr. 532.

Option to institution employees to contribute at former rate gross salary reduced for lower value of maintenance.

Introduced by Assemblyman Hatfield.

Gives veterans of World War II right to hearing when removal charges are preferred.

Irwin-Senate Int. 565, Pr. 570.

Ostertag—Assembly Int. 160, Pr. 160.

Extending temporary laws in relation to Red Cross and Merchant Marine, military service and right to borrow from retirement funds.

Introduced in both houses.

Prison guards salary for employees of Dannemora and Matteawan.

To be introduced.

Numerous other bills affecting pension rights, eligible lists and other matters are in preparation and will be introduced during the coming month. Watch the Civil Service Leader for weekly reports of the action on Association bills.

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# Living Cost Survey

The average woman worker in New York State living as a member of a family group needs \$1,643.53 a year for an adequate living according to a report issued by Industrial Commissioner Edward Corsi. This figure, based on the annual cost of living survey just completed by the Division of Women, Child Labor and Minimum Wage, shows that the working woman's budget has increased 2.7 per cent in the State as a whole over last year's budget.

This eighth annual survey of cost of living for working women was made under the provisions of the New York State Minimum Wage Law which requires wage boards "to take into account the amount sufficient to provide adequate maintenance and to protect health" when recommending minimum wages. It is estimated from previous surveys that about 10 per cent more is needed by women workers who live in furnished rooms and eat their meals in restaurants

Commissioner Corsi explained that the budget required under the Minimum Wage Law is more than a subsistence budget. "It must provide adequately for a working wo-man," said Mr. Corsi. "We believe that any woman working in New York State should have enough money to be able to buy a well balanced diet which will assure good health over an indefinite period. She must live in a decent and sanitary house with electric light and modern plumbing which are necessary for her self-respect. She must be able to buy the right kind of clothing so that her morale is always high and she is able to compete for and hold her job. She must have enough money for personal and medical care, for transportation, for insurance, war bonds, income taxes, and leisure time activities which include recreation, vacation and education. Unless the budget includes an allowance for income tax and social security taxes, her standard of living would have to be lowered. The figure which we have arrived at through our study is a minimum figure which would cover these living standards. It does not include luxuries, extremes of any kind or even many desirable things which are in fairly general use. The budget includes an allowance for war bond deductions instead of an item for savings as such."

Trained investigators were sent into 14 cities throughout the State in the fall of 1944 to price the various goods and services necessary to provide for the continuous self-support of a working woman. Living costs vary from city to city but except in small cities with a population between 5,000 and 10,000, living costs were not affected by the size of the community, but rather by the type of community.

The greatest increases in the cost of living during the year were in clothing and in clothing upkeep and personal care. The increase amounted to 6.5 per cent and 7.4 per cent respectively, it was explained. Clothing costs make up 15 per cent of the working woman's budget. Mr. Corsi explained that the increase over last year was due largely to the disappearance of low-price-line merchandise. The supply of such clothing articles as low-priced dresses, blouses and slips was more critical this year than last year. Our investigators found that working women were paying increased prices for clothing which was much less durable than before because of sleazy materials, skimpy seams and sloppy workmanship. The cost of clothing upkeep naturally increased. Also because of the deterioration in the quality of leather used for shoe repairs, the budget had to include more money for additional repairs.

Housing and food costs—accounting for 36.8 per cent of the total budget increased only one-half of 1 per cent since last year. It was explained that this was due chiefly to an increase of 4.4 per cent in the cost of lunches in restaurants since raw foods costs actually decreased 1.6 per cent and housing, including fuel and lighting, increased only 0.4 per cent.

Investigators visited 14 cities throughout the State—New York City, Buffalo, Rochester, Utica, Schenectady, Binghamton, Jamestown, Poughkeepsie, Glens Falls, Cortland, Oneonta, Norwich, Canandaigua, and Wellsville.

The following table shows the cost of the budget by various cities. Copies of the complete report are available at the Division of Women, Child Labor and Minimum Wage, New York State Department of Labor, 80 Centre Street, New York 13, N. Y.

### ANNUAL COST OF ADEQUATE MAINTENANCE AND PROTECTION OF HEALTH FOR THE WOMAN WORKER

Living as Member of Family, New York State, 1944 (including allowance for income taxes and war bonds)

N	ew York State	New York City	Outside New York City
Total\$1	1,643.53	\$1,640.90	\$1,649.90
Food	267.62	269.52	263.02
Housing, including fuel	207.02	207.52	203.02
and light	181.27	178.92	186.95
Household expenses and			
mother's services*	155.42	154.76	157.01
Clothing	249.06	248.45	250.54
Clothing upkeep	23.05	22.02	25.54
Personal care	44.29	43.96	45.09
Medical Care	66.42	67.72	63.30
Insurance**	45.18	45.15	45.24
Leisure time activities	120.05	123.86	110.85
Other living essentials	93.91	89.60	104.30
Income taxes and war bonds	397.26	396.84	398.06

<sup>\*</sup> Includes household expenses, mother's services and maintenance and household equipment.

<sup>\*\*</sup> Includes allowance for life insurance and Federal Old Age Insurance.

# Preference for Veterans

By JOHN T. DEGRAFF Association Counsel

EDITOR'S NOTE: We print herewith the address delivered on WGY, Sunday, January — at the Town Meeting of the Air Program.

Is it possible to give some form of preference to veterans and at the same time maintain an effective civil service system? I believe that it can be done but I am equally certain that the preferences conferred by the Hampton-Devany bill, which Mr. Begley has advocated, are so drastic that its adoption would be tantamount to repealing the Civil Service Law. We simply cannot have Civil Service and the Hampton-Devany bill at the same time.

To understand the full impact of this bill let's see how it would operate in a typical case. Let us assume that, after the war the State finds it necessary to appoint 100 Prison Guards. An examination is held which will attract 4,000 or more candidates, of whom 2,000, or perhaps 3,000 will pass the examination. Under the proposed bill every disabled veteran, no matter how low he is on the list, must be placed at the top. After that all the veterans of present and past wars, no matter how low they may stand on the list, are placed at the top, immediately below the disabled veterans.

On a list of this size there are likely to be 100 or more disabled veterans and 500 or more non-disabled veterans. This means that the citizen who ranks first on the examination. with a mark of 95% or even 100%, will find himself ranking around number 600 on the list-from which only 100 appointments can be made. It means more than this. It means that a veteran has little chance of appointment unless he is a disabled veteran.

This bill is obviously unfair to the younger generation-boys and girls too young to enlist, including the sons and daughters and the brothers and sisters of veterans. Every year 150,000 young boys and girls in this State are graduated from High School and college. For an entire generation these young men and women, by the accident of their date of birth, will be denied the opportunity of seeking careers in public service.

It is not necessary to dwell upon the disastrous effects of such a system upon our health, police, fire, and social welfare services where high physical or technical fitness is indispensable. Nor is it necessary to point out how it would undermine our public school system. These dangers, and many others, are readily

apparent.

The greatest defect in the bill however, is its unfairness to the veterans themselves. What is a "disabled" veteran? Everyone is instinctively in sympathy with preference for a "disabled" veteran because we picture him as a man who lost an arm or a leg or was seriously wounded in combat. No picture could be more misleading. The truly disabled veteran would gain little from this bill because the number of positions which he could fill are extremely

The real beneficiary of the bill is the veteran who has a minor, nondisabling injury which can be technically classed as a disability. Veterans are classed as disabled for such trivial infirmities as flat feet, deviated septums, or inability to eat pork. Even though they may have acquired these infirmities at a training camp, and even though they may never have gone overseas, they have an absolute preference over veterans who came back unharmed from combat duties in Saipan or France.

The Veterans Bureau awards a pension to a veteran who has a disability of 10% or more,-and a case of pyorrhea or chronic indigestion, for example, is sufficient to qualify for a 10% disability and a pension. But preference over other veterans is also awarded for non-compensable disabilities; a veteran is entitled to a disabled veteran's preference even though his disability is rated 5%, 2%

or even 0%.

Last September, the chief of the Veterans Administration reported that 32% of the veterans discharged from this war had filed claims for disability pensions. On December 19, less than a month ago, about 300,000 veterans were receiving disability pensions. Of these, 44%, or nearly half, were neuropsychiatric cases. The astounding part of this report is that 89% of these neuropsychiatric cases had never seen combat duty overseas. This bill makes no distinction between the bona fide disabled veteran, of whom there are many, and the veteran who has no genuine disability which would morally entitle him to preference over a fellow veteran. The unfairness of this discrimination among veterans themselves should be sufficient to condemn the Hampton-Devany bill, but there are other features which are almost as bad.

I have discussed thus far, only the preference in appointment. The bill provides for similar absolute preferences in promotion and retention as

There is time for only a word about promotions. There are hundreds of promotion lists with 20, 50, or more names from which only two or three appointments are made. It is obvious that non-disabled veterans will have little, and ordinary citizens no chance whatever for advancement. And it should not be forgotten that this preference is mandatory, not for one promotion examination, but for every promotion examination. A technically disabled veteran could obtain this absolute preference over his fellow veterans and ordinary citizens, again and again and again.

For these reasons, and many others, over a score of organizations such as the League of Women Voters, the Citizens Union and the Civil Service Reform Association, have united in opposition to the Hampton-Devany bill. They have proposed a more reasonable preference-a preference which would be fair to the veterans, fair to the public service, and fair to civilians. It

is, briefly:

1. A five-point preference credit to veterans and a ten-point preference to disabled veterans on all examinations for original appointment. This is the practice in most states.

2. A "disabled" veteran should be defined as one who is entitled to a pension for war disability. One veteran should not be given preference over another unless (Continued on page 62)

The State Employee

# Association Unemployment Insurance Bill

Assembly Bill Print No. 6, Intro. No. 6, is a very important Association measure. We have sought such legislation on previous occasions. This year we hope for success.

This bill extends the provisions of the Unemployment Insurance Law to employees of the State. While State employment is reputed to be relatively stable, employees who lose their jobs have the same need of unemployment insurance, to tide over until they can find a new job, as do employees in private industry. This bill gives them the same protection as private employees under the same procedure and upon the same terms.

From the Fiscal standpoint, unemployment insurance would be handled in much the same way that Workmen's Compensation Insurance is now handled by the State. The State does not pay workmen's compensation premiums. Compensation insurance is carried by the State Fund under an arrangement whereby the State reimburses the State Fund for the actual awards paid to injured State employees, plus a charge of 5% for administration expense. This bill provides for exactly the same procedure, except that there is no charge for administration expense. The Federal authorities have agreed, after conferences with the Association and the Division of Unemployment Insurance, to absorb the administrative expense.

This bill contemplates that State employees who lose their jobs shall be entitled to make claim for unemployment insurance benefits on the same basis as private employees. The awards to which they may be entitled would, in the first instance be paid from the Unemployment Insurance Fund. The Division would then bill the State annually or semi-annually for the amounts actually paid out during a given period and

the State would then reimburse the Division for such expenditures. In this way, a needed coverage would be extended to State employees at a minimum of expense to the State.

It is difficult to make an accurate estimate as to cost because of the uncertainty as to the number of State employees who lose their jobs from year to year. If State employment is as stable as it is reputed to be the cost would be very small. We are convinced however, that the labor

turnover in State service, and the consequent need for unemployment insurance is much greater than commonly believed and that the cost would be in the neighborhood of \$400,000 to \$500,00 per annum.

The State requires private employers to provide unemployment insurance. State employees have the same economic needs as private employees. The adoption of this bill would enable the State to practice what it preaches.

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UNUSUAL FLORAL ARRANGEMENTS
We Grow Our Own



### For All Veterans

Veterans of the present war who return to jobs soon after being discharged from service do not forfeit their future rights to readjustment allowances—the Federal unemployment benefits provided for in the G.I. "Bill of Rights"—Milton O. Loysen, Executive Director of the Division of Placement and Unemployment Insurance, explained today.

"Veterans who are discharged before the end of the war may claim allowances any time until two years after the end of the war," said Mr. Loysen. "Veterans discharged after the termination of the war may file a claim any time within two years after the date of their discharge, but not more than five years after the termination of hostilities.

"With jobs as plentiful as they are at the present time, it is obvious that it may be to the advantage of veterans to conserve their rights to allowances for use during possible periods of unemployment in the future."

The minimum duration of these allowances is eight weeks and the maximum 52 weeks, Mr. Loysen pointed out. If a veteran is discharged after active service of less than 90 days because of a serviceincurred injury or disability, the duration may be only eight weeks. Eligible claimants are entitled to four weeks of allowance for each month of service or major fraction thereof, up to the maximum. The allowance for the first three months of active service, however, is eight weeks for for each month. Claimants whose service exceeds nine and a half months are entitled to the 52-week maximum.

Totally unemployed claimants are entitled to a uniform weekly allowance of \$20. Those partially unemployed may receive the \$20, less that portion of their weekly wages in excess of three dollars. For example, if wages amount to \$8 the allowance is \$15.

Self-employed veterans whose net monthly income from self-employment is less than \$100 in a given month are entitled to receive the difference between their net monthly income and \$100.

### **Buy War Bonds**

### Withholding Tax

EDITOR'S NOTE: This article was prepared through the courtesy of Allen J. Goodrich, Deputy Comptroller.

When you received your first pay in 1945 you probably noticed a change in the amount deducted or withheld from your salary to be turned over to the Government for your Federal income tax account. That amount may have been more than in 1944, or it might have been less.

It was caused by Congress providing new tables to be used in figuring how much to take out of your salary. These new tables are so figured that the amount withheld from your pay comes closer to your actual tax than it has up to now.

The new laws also prescribe new rules governing exemptions. You are now entitled to one exemption for yourself, one for your husband or wife, unless he or she is claiming his or her own exemption, and one for each dependent who meets the test provided for by law. In order for you to have obtained the exemptions you were entitled to, you were asked by your payroll officer to file with him a "Withholding Exemption Certificate."

Since withholding is only approximate, and is not necessarily your actual tax, it becomes important to you that the amount presently being withheld should more or less approximate the actual tax due, otherwise you will be faced with a tax bill next year. For that reason we are printing a copy of the table used by your department to determine the amount which is being withheld from your salary.

To use this table you must do the following:

Decide the number of exemptions you have and find the column with the proper exemption heading.

From the first two columns of the table find the line which shows the amount of your pay.

Follow this line across to your exemption column and find the amount of tax to be withheld.

For example, suppose you are married. Your wife is not working, so you take exemption for both. You are supporting your two children, neither of whom is expected to have \$500.00 income during the year, so you claim exemption for them, making a total of four exemptions. Your semi-monthly pay is \$112.50.

First, find the column for four exemptions (one for yourself, one for your wife, and one for each of your two children). Now, in the first two columns find the line which covers \$112.50. This is the \$112-\$114 line. Follow it across to the column for four exemptions and you find the tax of \$6.10.

If the amount which you arrived at does not agree with the amount being withheld from your pay, we suggest that you immediately contact the person in your department responsible for the preparation of the payroll, so that a correction may be made.

(See pages 47 and 48)



### by going in MID-WEEK to ease WEEK-END congestion

Wartime conditions tend to crowd transportation facilities on week-ends when soldiers and war workers travel. You can aid by going places during the midweek when possible — and by getting tickets and information in advance to avoid delays at departure time.

### GREYHOUND TERMINAL

350 Broadway, Albany \_ Phone 6165

### GREYHOUND

# Withholding Tables for 1945

If the payroll period with respect to an employee is SEMI-MONTHLY

wages	But						illioluling	exemption	ns claimed	13—		10 or
At	less	0	1	2	3	4	5	6	7	8	9	more
least	than			172	The amo	ount of ta	x to be w	vithheld sl	hall be—			
MANAGEMENT CONTROL OF	\$22	18% of wages	\$0	\$0	<b>\$</b> 0	\$0	<b>\$</b> 0	\$0	\$0	\$0	\$0	\$0
 !	\$24		0	0	0	0	0	0	0	0	0	0
·	\$26	400	.40	.10	.10	.10	.10	.10	.10	.10	.10	.10
)	\$28		.80	.10	.10	.10	.10	.10	.10	.10	.10	.1
	\$30		1.20	.20	.20	.20	.20	.20	.20	.20	.20	.2
)	\$32		1.60	.20	.20	.20	.20	.20	.20	.20	.20	.2
	\$34		2.00	.30	.30	.30	.30	.30	.30	.30	.30	
	\$36		2.50	.30	.30	.30	.30	.30	.30	.30	.30	
i	\$38		2.90	.40	.40	.40	.40	.40	.40	.40	.40	
	\$40		3.30	.40	.40	.40	.40	.40	.40	.40	.40	
)	\$42		3.70	.50	.50	.50	.50	.50	.50	.50	.50	
· · · · · · · · · · · · · · · · · · ·			4.10	.50	.50	.50	.50	.50	.50	.50	.50	
k	\$46		4.50	.60	.60	.60	.60	.60	.60	.60	.60	
j	\$48		4.90	.80	.60	.60	.60	.60	.60	.60	.60	
	<b>\$</b> 50		5.40	1.20	.70	.70	.70	.70	.70	.70	.70	
)	\$52		5.80	1.60	.80	.80	.80	.80	.80	.80	.80	-
) }	\$54		6.20	2.00	.80	.80	.80	.80	.80	.80	.80	
	\$56		6.60	2.40	.90	.90	.90	.90	.90	.90	.90	
)	\$58		7.00	2.80	.90	.90	.90	.90	.90	.90	.90	
}	\$60		7.40	3.30	1.00	1.00	1.00	1.00		1.00	1.00	1
),,,,,,	\$62			3.70	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1
·	\$64			4.10	1.10	1.10	1.10	1.10		1.10	1.10	1
ł	\$66			4.50	1.10	1.10	1.10	1.10		1.10	1.10	
5	\$68		9.10	4.90	1.20	1.20	1.20	1.20		1.20	1.20	1
} }	\$70			5.30		1.20	1.20	1.20		1.20	1.20	
	\$72			5.70	1.60	1.30	1.30	1.30		1.30	1.30	
)	\$74			6.20	2.00	1.30	1.30			1.30	1.30	
2	\$76					1.40				1.40	1.40	
1	\$78			7.00		1.50	1.50			1.50	1.50	
5	73.50					1.50				1.50	1.50	
8 0	\$80 \$82									1.60	1.60	
	\$84									1.60	1.60	
2	\$86											
4 5	\$88										1.70 1.70	
	\$90										1.80	
3	\$92										1.80	
0	\$94											
2 4	\$96											
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6 0	\$100											
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06												
08	\$110	22.20	17.80		9.40 Continued			2.30	2.30	2.30	2.30	2

# Withholding Tables for 1945

If the payroll period with respect to an employee is SEMI-MONTHLY (continued)

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wages	But			And t	me numbe	r or with	notaing	exempuons	ciaimed	15—		10 or	
At	less	0	1	2	3	4	5	6	7	. 8	9	more	
least	than	9#AC		17.001		nt of tax	to be w	ithheld sha		5			
\$110	\$112	\$22.70	\$18.20	\$14.00	\$9.90	\$5.70	\$2.40	\$2.40	\$2.40	\$2.40	\$2.40	\$2.40	
\$112	\$114	23.10	18.60	14.40	10.30	6.10	2.40	2.40	2.40	2.40	2.40	2.40	
\$114	\$116	23.60	19.00	14.80	10.70	6.50	2.50	2.50	2.50	2.50	2.50	2.50	
\$116	\$118	24.00	19.50	15.30	11.10	6.90	2.80	2.50	2.50	2.50	2.50	2.50	
\$118	\$120	24.50	19.90	15.70	11.50	7.30	3.20	2.60	2.60	2.60	2.60	2.60	
\$120	\$124	25.20	20.60	16.30	12.10	8.00	3.80	2.70	2.70	2.70	2.70	2.70	
\$124	\$128	26.10	21.50	17.10	13.00	8.80	4.60	2.80	2.80	2.80	2.80	2.80	
\$128	\$132	27.00	22.40	18.00	13.80	9.60	5.50	2.90	2.90	2.90	2.90	2.90	
\$132	\$136	27.90	23.30	18.80	14.60	10.40	6.30	3.00	3.00	3.00	3.00	3.00	
\$136	\$140	28.80	24.20	19.60	15.40	11.30	7.10	3.10	3.10	3.10	3.10	3.10	
\$140	\$144	29.70	25.10	20.50	16.30	12.10	7.90	3.80	3.20	3.20	3.20	3.20	
\$144	\$148	30.60	26.00	21.40	17.10	12.90	8.80	4.60	3.30	3.30	3.30	3.30	
\$148	\$152	31.50	26.90	22.30	17.90	13.80	9.60	5.40	3.40	3.40	3.40	3.40	
\$152	\$156	32.40	27.80	23.20	18.80	14.60	10.40	6.30	3.50	3.50	3.50	3.50	
<b>\$</b> 156	\$160	33.30	28.70	24.10	19.60	15.40	11.20	7.10	3.60	3.60	3.60	3.60	
\$160	\$164	34.20	29.60	25.00	20.40	16.20	12.10	7.90	3.70	3.70	3.70	3.70	
\$164	\$168	35.10	30.50	25.90	21.30	17.10	12.90	8.70	4.60	3.90	3.90	3.90	
\$168	\$172	36.00	31.40	26.80	22.20	17.90	13.70	9.60	5.40	4.00	4.00	4.00	
\$172	\$176	36.90	32.30	27.70	23.10	18.70	14.60	10.40	6.20	4.10	4.10	4.10	
\$176	\$180	37.80	33.20	28.60	24.00	19.60	15.40	11.20	7.10	4.20	4.20	4.20	
\$180	\$184		34.10	29.50	24.90	20.40	16.20	12.00	7.90	4.30	4.30	4.30	
\$184	\$188		35.00	30.40	25.80	21.20	17.00	12.90	8.70	4.50	4.40	4.40	
\$188	\$192		35.90	31.30	26.70	22.10	17.90	13.70	9.50	5.40	4.50	4.50	
\$192	\$196	41.40	36.80	32.20	27.60	23.00	18.70	14.50	10.40	6.20	4.60	4.60	
\$196	\$200	42.30	37.70	33.10	28.50	23.90	19.50	15.40	11.20	7.00	4.70	4.70	
\$200	\$210	43.80	39.30	34.70	30.10	25.50	21.00	16.80	12.60	8.50	4.90	4.90	
\$210	\$220	46.10	41.50	36.90	32.30	27.80	23.20	18.90	14.70	10.50	6.40	5.20	
\$220	\$230		43.80	39.20	34.60	30.00	25.40	21.00	16.80	12.60	8.50	5.50	
\$230	\$240	50.60	46.00	41.40	36.80	32.30	27.70	23.10	18.90	14.70	10.50	6.40	
\$240	\$250		48.30	43.70	39.10	34.50	29.90	25.30	20.90	16.80	12.60	8.40	
\$250	\$260	55.10	50.50	45.90	41.30	36.80	32.20	27.60	23.00	18.80	14.70	10.50	
\$260	\$270	57.30	52.80	48.20	43.60	39.00	34.40	29.80	25.30	20.90	16.70	12.60	
\$270	\$280	59.60	55.00	50.40	45.80	41.30	36.70	32.10	27.50	23.00	18.80	14.60	
\$280	\$290	61.80	57.30	52.70	48.10	43.50	38.90	34.30	29.80	25.20	20.90	16.70	
\$290	\$300	64.10	59.50	54.90	50.30	45.80	41.20	36.60	32.00	27.40	22.90	18.80	
\$300	\$320	67.50	62.90	58.30	53.70	49.10	44.50	40.00	35.40	30.80	26.20	21.90	
\$320	\$340	72.00	67.40	62.80	58.20	53.60	49.00	44.50	39.90	35.30	30.70	26.10	
\$340	\$360	76.50	71.90	67.30	62.70	58.10	53.50	49.00	44.40	39.80	35.20	30.60	
\$360	\$380	81.00	76.40	71.80	67.20	62.60	58.00	53.50	48.90	44.30	39.70	35.10	
\$380	\$400	85.50	80.90	76.30	71.70	67.10	62.50	58.00	53.40	48.80	44.20	39.60	
\$400	\$420	90.00	85.40	80.80	76.20	71.60	67.00	62.50	57.90	53.30	48.70	44.10	
\$420	\$440	94.50	89.90	85.30	80.70	76.10	71.50	67.00	62.40	57.80	53.20	48.60	
\$440	\$460	99.00	94.40	89.80	85.20	80.60	76.00	71.50	66.90	62.30	57.70	53.10	
\$460	\$480			94.30	89.70	85.10	80.50	76.00	71.40	66.80	62.20	57.60	
\$480	\$500	108.00	103.40	98.80	94.20	89.60	85.00	80,50	75.90	71.30	66.70	62.10	
	200				22.5 per	cent of	the exc	ess over 5	00 plus				
\$500 and ove	r	110.20	105,60	101.00	96.50	91.90	87.30	82.70	78.10	73.50	69.00	64.40	
-T//								J					

### In the Service

Charles H. Davidson, 101 North Servin Street, Pearl River, N. Y., former Selective Service Chairman of Board 761, Pearl River, was recently promoted to captain at the Air Transport Command's North Atlantic Division Base at Presque Isle, Maine.



CAPTAIN CHARLES H. DAVIDSON
Public Relations Office
1380th AAF BU, NAD, ATC
Presque Isle, Maine

He is a member of the Association of State Civil Service Employees and filled the important job of Laundry Supervisor, Rockland State Hospital. At the present time he is the officer in charge of the Base Quartermaster Laundry and Dry Cleaning plants.

A veteran of World War I, Capt. Davidson was adjutant and post commander of the American Legion, Post 329 in Pearl River. His wife, Mrs. Augusta Cohen Davidson, and son, Donald H. Davidson, are now making their home on Cedar Street, Presque Island.



### **Association Helps Again**

Progressive thinking on the part of the Association leads to better State administration, and inevitably to increased satisfaction on the part of the employee.

For a long period the Association has been seeking to obtain for workers a clear-cut statement of earnings and deductions printed upon their check stubs for each pay period. If you have your "State Employee" for November, 1943, handy and will turn to page 265 you will note the Resolution passed at the Annual Meeting of the Association held on October 19, 1943, which reads:

"Resolved, That all State employees be supplied with a statement, semi-monthly, itemizing all current deductions made from their wages or salaries."

State Comptroller Frank C. Moore has made the employees' appeal come true for approximately 27,500 of the some 45,000 State employees. This represents the number of employees whose checks are prepared on what is known as a machine basis. It includes all of the employees in State institutions.

The payrolls prepared on a socalled machine basis are compiled by the Department of Audit and Control from master payrolls provided by the respective State agencies and retained permanently by the Department. Changes are reported to the Department by each agency as they become necessary. State agencies, whose payrolls are not prepared by machine, compile their payrolls manually and forward them to the Department of Audit and Control semimonthly. Eventually, and as soon as these agencies are prepared to have the Department of Audit and Control put their payrolls on a machine basis, their employees will also receive the new check form.

The check stub on which the information will be furnished is designed so that it may be detached before cashing. The information which will be furnished includes:

- The name of the employee, retirement number and date of pay period.
- 2. The gross salary for the pay period.
- The accumulated gross salary to date on an annual basis beginning January 1 of each year.
- 4. The withholding tax deducted for the pay period.
- 5. The accumulated withholding tax to date.
- Deductions for Victory Bonds per pay period.
- Deductions for maintenance for institutional employees per pay period.
- Deductions for the Employees' Retirement System for normal contributions, arrears and loans, per pay period.
- Deductions on account of life, accident and health insurance, as well as any amount deducted on account of garnishees.

This new check form will be of great benefit to employees for income tax purposes, as it will show their accumulated yearly salary as well as the total amount of Federal withholding tax paid to the government.

Good work, Mr. Moore! Good work, Association of State Civil Service Employees!

### New Check Stub

### STATE OF NEW YORK

PLOYEE'S STATEMENT OF EARNINGS AND DEDUCTIONS

.... D 300002

EMPLOYEE NAME

RETIREMENT NO.

ARREARS
LOANS
LUTE
LUTE
ARREARS
LOANS
HIGHWANCE
BONDS
GARHISHEE

VEAR
TO DATE
TO DATE

ACCIDENT
FEDERAL TAX
OROSS SALARY
NORMAL
MAINTENANCE
HIGHWANCE
FEDERAL TAX
NET CHECK

DETACH BEFORE CASHING AND RETAIN AS EVIDENCE OF YOUR EARNINGS AND DEDUCTIONS. "YEAR TO DATE" TOTALS ARE ACCUMULATIVE, YOU NEED KEEP ONLY THE STATEMENT OF THE LATEST DATE. NO ADDITIONAL STATEMENT WILL BE FURNISHED UPON TERMINATION OF EMPLOYMENT OR FOR THE CALENDAR YEAR.

\* STATEMENT OF INCOME TAX WITHHELD ON WAGES BY EMPLOYER

RECEIPT FOR INCOME TAX WITHHELD. YOU SHOULD KEEP IT FOR USE IN PREPARING YOUR INCOME TAX RETURN FOR THE CALENDAR YEAR AND AS EVIDENCE OF TAX WITHHELD.

FRANK C. MOORE, STATE COMPTROLLER

### Recommendations

(Continued from page 40)

sonnel work, but many personnel problems are separately handled by the departments with no opportunity to maintain a consistent policy throughout the State service. Misunderstandings inevitably result. A personnel council that would unify all personnel work would be a first step toward the development of a unified program. The function of such a council at the outset would be to bring together regularly all personnel and departmental fiscal officers to promote uniformity and to learn at first hand of existing problems. Relationships that cannot be settled within a department should be referred to the council for consideration.

I do not consider it necessary at the present time to establish such a program by legislation. A start can be made by administrative action which I shall shortly take.

Another matter relating to employees that needs attention is the temporary salary standardization board which will come to an end under present law on December 1, 1945, at which time all of its functions are to be transferred to the Director of the Budget. I doubt the wisdom of this plan. One fiscal office cannot satisfactorily provide the service that should be afforded to the State and its employees in the matter of salary allocation. A permanent standardization board should be created. It should be provided with appropriations for the maintenance of its own permanent administrative staff and I recommend these proposals for your favorable consideration.

### ESSENTIAL POST-WAR BUILDING PROGRAM

The construction needed to maintain the transportation, health, correctional, housing and other essential services of the State is large but commensurate with the size and important future position of our State in the nation.

### Highways

A large proportion of the food and manufactured products of our State are transported on the State highway system. In addition, the parkways, highways, thruways and expressways of the State provide basic relaxation to most of our people as well as to vacationers who come here from every state in the Union, contributing to a business in New York State amounting in peace time to some \$600 million a year.

Much of our highways system is antiquated and in no way suitable either to the business or pleasure needs of the people of the State. Of the 13,000 miles in the existing highway system a careful survey shows that one-third are in need of immediate reconstruction. The balance of the system requires an increased program of maintenance as soon as the war will permit Almost fifteen years have elapsed since there was any real attempt to make our highways adequate for modern traffic demands.

The development of a modern highway system which can, with safety, be used at relatively high speed will be of immense value to the entire State. The Department of Public Works has prepared for the State, and is cooperating with municipalities in preparing for our cities, a minimum essential program for highways, thruways, parkways and grade-crossing elimination which in the coming years will require more than \$800 million.

### State Buildings

In order to improve the service of the State to its citizens we shall need a program for buildings and projects other than for the Department of Public Works involving more than \$100 million. This includes the Departments of Conservation, Correction, Education, Health and Social Welfare and the Division of Military and Naval Affairs. We must not merely overcome the lag in essential repairs and reconstruction of these facilities occasioned by the war but we must also expand them to meet the needs of the immediate future.

### Mental Hygiene

A large part of the State's building program is for the Department of Mental Hygiene. At the present time our mental institutions are overcrowded by 15 per cent. In the postwar period greatly increased demands will be imposed upon these institutions.

A careful survey of the needs of the department has been made during the year and we find that there are approximately thirty buildings being used which because of their antiquity should be demolished and replaced in order to give the patients better care. The patients of the State of New York should receive the most scientific care available in both acute and chronic mental illness. The emphasis will be placed upon cure rather than custodial care.

### TAXATION

For the last two years your honorable bodies have, at my recommendation, approved a 25 per cent reduction in the personal income tax. I recommend that this reduction be continued for another year.

Apart from this 25 per cent reduction your State administration has taken the position that in the existing war-time conditions of full employment and increased incomes, it would not be wise to undertake a further general tax reduction. This position was fortified by the knowledge that the surplus of revenues being received by the State reflected in a large part deferred expenses which would have to be met later on.

Further proof of the necessity for prudent handling of the State's finances in these times has just been strikingly provided by the act of the Federal government in terminating horse racing. By this single act the State stands to lose at least \$27 million of revenues in the coming fiscal year.

### **VETERANS**

At the last session of the Legislature I recommended the creation of a temporary commission to study proposed legislation affecting veterans and for the purpose of setting up a veterans' service agency for the State. This recommendation was followed. The temporary commission that was created and headed by General Hugh A. Drum has operated successfully during the year. A State-wide veterans' agency and agencies in each locality have been created. They are already carrying on their important services to the returning veterans and their families.

In addition, the commission is prepared to submit its report to your honorable bodies, making specific recommendations for legislation affecting veterans. Most important of all of its recommendations is one to make permanent the State Veterans' Commission in the executive department. The commission, including the members representing the veterans' organizations, has recognized that the State, in rendering service to the veterans, should not duplicate the functions now carried on by appropriate State departments under the Constitution or all of the activities of the Federal government. Instead, the needs of veterans can be taken care of through careful and selective coordination by a permanent commission in the executive department. The report will contain other recommendations as indicated by the preliminary report that was presented to me pursuant to the law.

This is a field which will undergo greater development as the days and the years pass. We welcome this development because we welcome the opportunity to do for our soldiers and our sailors, our young men and our young women, those things to which they are entitled by reason of the sacrifices they are making on behalf of the nation.

### CONCLUSION

In presenting this annual message to you, I have made a number of proposals toward carrying out the responsibilities of the State in the post-war period. These deal broadly with the strengthening of the services of the State to its people, whether they work in business, industry or agriculture. New York is a highly developed industrial State and we must make the conditions under which business is done in our State so attractive that in the reconversion period our factories and plants will be desirable places in which to do business and our people can look forward to permanent, stable employment. There must be no post-war trend away from the great harbors, transportation and highly skilled workers of our State.

At the same time, the hard-won rights of labor, which are a cornerstone of economic freedom, must be preserved and strengthened as I have indicated. For the thirteen million people of our State life must be made ever happier and more secure from economic or physical misfortune. The education of our children must be strengthened.

Only in these ways can the great, free institutions we here have the honor to represent be made stronger and the lives of our people happier in a turbulent and unhappy world.

THOMAS E. DEWEY.

### Credit Union Holds Annual Meeting

The tenth annual meeting of the New York State Employees Federal Credit Union located in the State Office Building, 80 Centre Street, New York City, was held on January 20, 1945, in Room 500 of the State Building. Mr. Henry H. Cameron of the Law Department, President of the Credit Union presided and submitted the report of the Board of Directors covering the year 1944.

The Treasurer's report was presented by Francis J. McAnanly of the Public Service Commission, who submitted the following balance sheet of the organization as of December 31, 1944:

ASSETS	LIABILITIES
Loans to Members \$40,182.69	Shares\$86,592.40
Cash on Hand & in Bank 2,268.81	Accounts Payable 99.96
U. S. Government Bonds. 51,179.75	Unclaimed Dividends 3.11
Interest Acc. on Bonds 116.76	Reserve for Bad Loans 5,375.86
Furniture & Fixtures 1.00	Undivided Profits 1,722.68
Other Assets45.00	

\$93,794.01

\$93,794.01

It was reported at the meeting that the Credit Union had sold in War Savings Bonds and stamps to its members since the beginning of the War Finance Program, the sum of \$84,000 and had loaned to its members nearly \$1,000,000. The rates of interest charged by the Credit Union compare favorably with those obtainable from other agencies being ¾ per cent of one per cent per month on declining balances for unsecured loans and one-half of one per cent on secured loans. These interest rates are charged only for the length of time that the money is used, there being no intermediate charges and no other fees or service charges.

The officers elected for the year 1945 are:
President—Henry M. Smith, Insurance Department
Treasurer—Francis J. McAnanly, Public Service Commissions
Secretary—Sidney G. Rosenberg, Banking Department

Vice-Presidents and Directors duly elected: Hugh J. Murphy, Department of Labor Harry M. Hirsch, Social Welfare Department Carl Typermass, Insurance Department Matthew T. Howard, Department of Labor

Supervisory Committee:

Herbert E. Kirmmse, Banking Department Frances M. Smith, Banking Department James Gannon, Civil Service Department

Credit Committee:

Sol Bendet, Insurance Department
Joseph Singer, Department of State
Arthur Gray, Department of Labor
Kate Epstein, Department of Labor
Kilmer T. McLaughlin, Public Works Department.

The Credit Union is contemplating the appointment of an Educational Committee to publicize the services of the Credit Union, particularly with regards to the advantages of borrowing for necessary purposes rather than patronizing high rate-lenders. State employees interested in advertising or cooperating with the Education Committee are invited to praticipate with the Committee for the benefit of their fellow employees. Members interested in actively engaging in this work should communicate with the Treasurer, Mr. Francis J. McAnanly.

# **Buy More War Bonds**

# The Editorial Page

### THE STATE EMPLOYEE

Official Publication of

THE ASSOCIATION OF STATE CIVIL SERVICE EMPLOYEES

OF THE STATE OF NEW YORK, Inc. Room 156 State Capitol Albany, N. Y.

Editor Clifford C. Shoro Art Editor Roger Stonehouse Staff Photographer

William J. Kennedy

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### Organization—A Vital Need

At the Annual Dinner of the Association in 1929, the late Alfred E. Smith, a great statesman and then Governor of the State and the honor guest at the dinner as he had been at previous annual affairs, urged State employees to unite completely in their Association.

Each of the distinguished Governors who have followed him—Roosevelt, Lehman and Dewey—have likewise encouraged unity in the Association.

It is certain that each of these statesmen realized that worker organization-intelligent worker organization-means that the rank and file of State employees of the State have within their power of thought and action the knowledge, skill and industry to make for successful operation and satisfactory accomplishment. Leadership from the top may inspire, but it cannot suffice for good morale or the stimulation of cheerfull, intelligent, efficient day to day service inherent in group unity. Large groups of workers need the leaven of organization to give expression to their mass power for good.

What type of organization seems best for State workers? We submit that the following are virtues essential to successful worker organizations: (a) Organization that gives the right and recognizes the desirability of each worker to have a part in increasing the efficiency of the service and of securing as the result of his labors and his interest a standard of living fitting to the dignity of every man. (b) Organization that holds fast to the principle that cooperation between employer and organized employees is necessary and that such cooperation assumes respect for the opinions of both on the part of both and that where they cannot agree the higher tribunal of the Governor, the Legislature or the Courts should be willingly available. (c) Organization that seeks its leadership from among the most interested, the most unselfish and best fitted of its own membership. (d) Organization that believes in continuous positive action to create good will as opposed to discontent, while insisting upon the rights and the satisfaction of the needs of its members. (e) Organization that attracts by its long time usefulness large numbers of workers and that promotes unity of effort. It is the natural impulse of all men to join together for greater strength, protection, mutual helpfulness and cultural betterment. Holy Writ mentions man's longing for helpful companionship and mutual endeavor: 'It is better that two should be together than one" and "A brother that is helped by his brother is like a strong city."

(f) Organization that represents the interests of its own members so well that it becomes an asset to all organized workers everywhere. The strength of labor generally is in the success of many unselfish, progressive, constructive units working for a common end.

The Association of State Civil Service Employees is outstanding in achievement because it is faithful to the ideals envisaged in the foregoing paragraphs. Its membership is a free, forceful, unselfish body of men and women who put human dignity and

morality in social, political and economic action above all other considerations.

### Praises Governor and Association

(An editorial from Albany Knickerbocker News)

Our people greeted with profound approval the Governor's recommendation for pay rises to State employees, starting with 20 per cent in the lower scales to 10 per cent in the upper ones, with nobody getting more than \$1,000, however.

The proposal is an intelligent and serious effort to give proper consideration to those who serve the State. Mr. Dewey spoke feelingly of our pride in the way they have carried the work of those who have gone into the armed services and have tightened their belts to war's burdens.

Preceding the Dewey regime, the administration had declined pay increases, even after the first flush of war prosperity, on the ground it was economically impossible. However, in 1943 and again in 1944, a war bonus of 10 per cent up to the \$4,000 group, was granted, and now comes the substitution of a pay advance which may aggregate \$15,000,-000 for some 40,000 workers, of whom from 6,000 to 7,000 are our friends and neighbors. The increase doubles the old advance in the lower bracket and comes helpfully to those in the upper ones who had received no previous boost. It is said to average about \$350 a year.

To the workers, the advance is welcome as an aid to their spending problems, but it is doubly so because it is recognition of their worth and their part in our greatest industry. To the community, the rise represents new revenues to a group who compose our stable and representative citizens, certainly one whose community spirit never flags.

Our State—and none knows it better than its employees or our Governor—can be no more efficient than those who carry on its business. They are worthy of the highest pay the commonwealth can afford for their respective tasks. But they can only be assured of such consideration if the current administration is continuously alert to their problems. Most of the workers are organized in the State Association of Civil Service Employees, which has been active and faithful in the promotion of their interests. The administration has found its leaders helpful and cooperative in such tasks as that of arriving at new pay rates.

Thus, the wage advances stand for cooperative effort, acknowledgment of faithful service, incentive to efficiency and a promise for the future in all these categories. The proposal thus takes on a far larger importance than the monetary consideration in-

volved.

**Expert Opinion** 

We have written so much about the Mattewan-Dannemora employment situation that we feel it is important to set forth on behalf of these workers the expert opinion of Dr. Blakeley R. Webster, a distinguished physician and psychiatrist, who spent over thirty years in the study and care of the criminal insane from both the clinical and administrative viewpoints. Dr. Webster was connected with the Dannemora State Hospital for twenty-five years, retiring only recently as Director of that Hospital. Says Dr. Webster:

"I am well aware that there is a general feeling, especially among men who have not had definite experience with the care of the criminal insane, that inasmuch as the attendants at this hospital are caring for the mentally sick their work is of a nature similar to that of an attendant in the civil hospitals, rather than to that of a prison guard. This is perhaps a very natural conclusion but it is not based upon actual facts."

"Let me explain this in some detail. It is granted that when people become mentally sick they suffer from various forms of mental disease and that these forms do not differ among criminals and normal populations. However, one's actions are governed by his personality makeup, whether in sickness or in health. Let us compare the background which governs such reactions among these two classes of people."

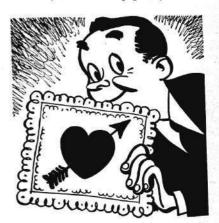
"The ordinary individual has by background and training been habi-

tuated all of his life to look to constituted authority as his aid and protector. For instance, if he is held up and robbed, he calls at the top of his voice for a policeman; if he has difficulties with his neighbor, he goes to a lawyer and asks to have them straightened out. Now let us consider the background of a patient at this hospital. A very typical history of a patient admitted to this hospital shows that as a boy he was sent to truant school; later to one of the city protectories; later perhaps to city reformatory; then to Elmira, and finally to State's prison. That is to say, he has behind him a long antisocial career during which he has been at sword's points with constituted authority. Supposing that each of these people become insane with exactly the same form of mental sickness; for instance, let us consider that they suffer from ideas of persecution, believing that others are plotting to injure them in one way or another, which is a very common form of manifestation of mental sickness,—a normal individual who goes to a civil State hospital has, because of his life-long training, a tendency to tell his troubles to the doctor or to his ward attendant and seek their help in his protection; the doctor therefore knows what is in his mind and is able to foresee and forestall any dangers which might arise from his peculiar way of thinking. On the other hand, the patient with the same ideas in this hospital is suspicious of all constituted authority."

"For a while we try to feel that we are here running a hospital and that our relations to the inmate are those of physician and nurse to patients; experience tells us that in the mind of the patients our relation is that of keeper to prisoner. He therefore keeps his peculiar persecutory ideas to himself, secretly gets hold of a piece of metal, sharpens it up on a stone into a knife and deals himself with his own problems without the knowledge of the physician or attendant until someone has a knife between his ribs. You can readily see that this makes the care of these criminally insane people much more difficult and much more hazardous and it is only because our attendants are trained to a continual alertness for such happenings that we do not have much more trouble of a serious nature than we do. An inspection of many dangerous weapons which we have at various times taken away from our patients during searches would convince you with a shudder of the truth of these facts."

'I am also aware that there is a feeling that when a patient becomes insane he becomes mentally deteriorated and therefore is easier to take care of. It must be admitted that in certain cases this is true. Many of our patients do deteriorate, so that their care from a standpoint of hazard is not greater than that of patients in civil hospitals. It is also equally true that many do not, but instead develop a peculiar cunning and persistency not found among normal people, which taken together with their secretiveness, makes their handling a matter of extreme danger and it is also true that the very fact that our patients are irresponsible means that there have been removed from them the ordinary restraints which govern the actions of the man of healthy mentality."

"The above, I think, explains the (Continued on page 56)



# THERE'S STILL ROOM IN OUR HEART!

And we'll try to make room for you in our hotel, too... but please, will you help, by: Making a trip only when you have to...Staying only so long as you must...Letting us know as far ahead as possible when —and for how long—you'll be here?



CHARLES E. ROCHESTER, Vice-Pres. and Mng. Dir. LEXINGTON AVENUE AT 48th ST., N. Y. C., 17

### **Budget Message**

(Continued from page 41)

year include: \$173 million for current operations, \$40 million for debt service and \$157 million for local assistance. This makes a total of \$370 million, in addition to which there is a reserve of \$3 million for supplemental and special bills. Capital outlays are to be financed henceforth from the postwar reconstruction fund.

- 4. Public Works-In the years following the war the State will have to spend from its own funds from \$530 million to \$580 million for the reconstruction of its system of highways and improvement of its plant generally. In order that we may be in a position to begin this urgent work as soon as wartime restrictions are removed, it is recommended that appropriations of \$207.5 million from the Post-War Reconstruction Fund be made available for 1945-46. Thus the State can avoid costly delays in meeting its urgent requirements and at the same time be in a position to help stimulate employment opportunities should that be necessary.
- **5. Pas-as-You-Go** The immediate cancellation of \$108 million of previously made bond appropriations for highways, parkways and gradecrossing elimination is recommended. Through its Post-war Reconstruction Fund the State can be in a position to finance needed projects without going into debt. In this way we can take a long stride toward putting the affairs of the State on a pay-as-you-go basis. Bond appropriations for housing purposes are not included in this recommendation and will remain intact.
- 6. Local Assistance—State-aid to localities for the next fiscal year includes \$157 million of direct assistance from the General Fund and an estimated \$116 million in local shares of State-collected taxes, making a total of \$273 million. After making allowance for reduced relief requirements compared with the depression years, this program gives the localities far greater financial assistance than ever before. The appropriations for State-aid to education do not represent my final recommenda-

tion. It is expected that the amount will be increased as a result of the revision of the Friedsam formula now being undertaken by a special committee. Substantial assistance to the municipalities, aggregating \$165 million, is being planned for the next few years in the financing of highways.

This program will enable our State to carry out the greatly increased responsibilities that will fall to it when the war is over. The States are called upon to prove once more the wisdo of the Founders of this country in establishing a Federal system of government. Under that system there rests upon the states a primary responsibility for the welfare of the people. If we default in that responsibility we weaken our entire structure of free government. In shaping this program we have sought not to be influenced either by hopes or fears. If the war continues we shall, as before, put the needs of war before every other consideration. If final victory is won this year, those who return from the battlefronts and from war jobs will find their State prepared. It will be ready at once to play its full part in sustaining the kind of society they have fought and worked to preserve.

THOMAS E. DEWEY.

### Retirement Liberalization Status

The outstanding report of the subcommittee of the Association of State Civil Service Employees as printed in the November and January issues of "The State Employee," has received unparalleled commendation from all classes of State employees. The question which now looms large is—Will State Comptroller Moore, who is contemplating recodification of the State Retirement Law, include all or part of the ten recommendations made by the Association?

There are reasons, good reasons, for each of the proposals. Workers in prisons and institutions feel that the privilege of retiring after 25 years of service, as is in effect for State Troopers, is a real need. Low paid workers generally wish the retire-

ment allowance to be raised to at least a \$1,200 minimum. There are few who can conceive of anything like adequate old age relief with a lesser amount. That a person working for the State for ten or fifteen years should lose all equity in the State's contribution to the general pension fund, seems unjust and especially to ignore the need for security in advancing years; therefore, the plea that such workers retain a vested right in pension contribution by the State made during the years of State service and draw upon them when the ordinary retirement age is reach, seems a sound con-clusion. Each of the other recommendations also has unusual merit in the eyes of the members of the Association of State Civil Service Employees, and a committee from the Association, headed by President Shoro, conferred again recently with Deputy Comptroller Edwin B. Kenngott, the head of the State Retirement Bureau. Mr. Kenngott was recently appointed by Governor Dewey to serve upon the State Pension Commission.

Appropriations are involved. Estimates of costs were presented by Charles Dubuar, the Chairman of the Association's sub-committee. A study of costs is now under way by the State Comptroller. The State alone is responsible for social security for its workers. That is the reason that liberalization of the present retirement provisions is of so much moment. Talk with your representative in the Legislature and ask him to review your plans for such liberalization as outlined in "The State Employee" as noted above.



ALBANY PHONES: 5-4574 and 5-4575

### More and Better Education

New York State lags behind the mid-west and far-west states in providing further schooling for high school graduates at public expense, according to Assistant State Education Commissioner Edwin R. Van Kleeck in a recent statement. Seven or eight out of 10 New York State high school graduates do not go to college, he said, applauding the interest of the Legislature and Governor Dewey in establishing post-secondary institutes of applied arts and sciences. Developmer of 20 such institutes, proposed by the Board of Regents and Education Commissioner George D. Stoddard, was urged by the Governor in his annual message to the Legislature.

Dr. Van Kleeck said that since New York State supports no State university, poor boys and girls "with ability but without funds" should get more and larger State scholarships. With nearly 100 private colleges and universities New York State, does not now need a State university, he added. The present scholarships of \$100 a year pay no more toward tuition fees than did \$30 when the scholarship system was established in 1913, Dr. Van Kleeck said.

Without referring directly to recent proposals to pay State aid to schools on a per pupil basis rather than by the present "weighted teacher quota" basis, Dr. Van Kleeck made clear his view that such a change would be disastrous for rural high schools in the sparsely populated parts of the State. "The Governor wisely proposes the revision, not the scrapping, of the Friedsam-Wallin formula," he said. The schools, he said, badly need increased State aid.

"Everything the schools buy and use costs more, just as in your own home," he declared. "Moreover, State aid fell rapidly until this year. Real estate taxpayers find it increasingly hard to make up the difference. As the State levies no tax on real estate, legislative commissions have urged real estate tax relief through increased State aid."

Stating that New York was the first state to give rural boys and girls "an equal break educationally," Dr. Van Kleeck explained that this had been accomplished through the cen-

tral school movement, now 20 years old. He revealed that 4,480 individual school districts have been united into 311 central districts, which, he said, are the "envy and the model of the other 47 states."

No group of schools should lose State aid in order to increase the State money paid to another group, Dr. Van Kleeck said.

"That would be robbing Peter to pay Paul," he declared. "If poorer and less sparsely settled rural districts were reduced to the State aid of larger and more populous areas, they would literally be driven into 1 akruptcy. This is so because they often must transport pupils ten miles where the city child walks ten blocks. They often must organize classes of 15 or 20 pupils, because of sparsity of population, whereas the larger school can organize classes of 30 or 35. Also, the central school must sometimes maintain branch elementary schools for small children living in remote areas."

Pointing out that the 1894 State Constitution mandated free education for "all the children," Dr. Van Kleeck declared that "New York State is the only state to make 'all the children' fully include rural boys and girls."

"The Friedsam law," he affirmed, "has done more in behalf of rural children than any other law ever passed."

Dr. Van Kleeck said that economists of both the old and new schools of thought agree that education actually creates wealth. The wealth of a state, he said, is chiefly in its human resources. He added:

"America attained her present world pre-eminence only partly because of our large natural resources. These are equally great in other parts of the world—Asiatic Russia, areas of Africa and South America, and certain other portions of our own country, for example. Human resources, developed through schooling, actually create wealth. All over the world, where more people have more schooling, there is without exception greater prosperity."

Dr. Van Kleeck said that New York had been the first state to have a State board of education, the Board of Regents, now 161 years old. He said it was the first state with a State school executive and the second state to establish a training school for teachers. He urged that if the State would maintain its educational leadership it must not rest on its laurels.

> Timothy Cronin and Arthur Fogarty

It is with deep regret we note the death of two members of the Central Unit of the Association's Barge Canal Employees' Chapter, Timothy Cronin, Chief Lock Operator of Lock No. 24, Baldwinsville, N. Y., and Arthur Fogarty, Chief Lock Operator of Lock No. 29 of Palmyra, N. Y.

These men were unusually interested in civil service and the welfare of their Association Chapter, Mr. Cronin having served several times as delegate to the Chapter meetings of its executive board at Albany.



Daily (Except Sunday) 4 to 8:30 Evenings from 9:30

**BUY MORE BONDS!** 

### Reclassification Appeals

Many employees of the Mental Hygiene institutions who appealed to the Classification Board at hearings held some time ago for changes in their titles, have been anxiously awaiting decisions of the Board. J. Earl Kelly, Director of Classification, has issued a statement indicating that the Board will make decisions at the earliest possible moment. He states:

"In the majority of cases, the Board has withheld the decisions pending certain policy determinations which have a direct bearing upon the appeals in question. In other cases, which may not involve policy, the Board must obtain additional facts before it can reach a just determination of the appeal. Those falling within the latter category will be attended to just as soon as we can find the necessary time to obtain the additional facts. I need not repeat the handicaps under which we have been forced to proceed with this work. Our technical staff has been severely depleted by military leaves at a time when the Board's work is constantly increasing. The cases which rest upon general policy determinations will be settled as promptly as possible after these questions have been cleared up. We are hoping that this may be done in the majority of such cases before we resume our Mental Hygiene field trips in the near future.

"I know that for every employee who has written in concerning his case there are several others who are patiently awaiting a decision but have, nevertheless, refrained from writing. For this, we are indeed grateful, because we all know that if we must take time out to answer numerous letters, the job is slowed up just that much more. Under the circumstances, I feel that all of these employees are entitled to our definite assurance-firstly, that their case will be decided as soon as we can reasonably do so, secondly, that any changes will still be retroactive to October 1, 1943."

# Testimonial Dinner Given Dr. Watts

Dr. George W. T. Watts was guest of honor at a testimonial dinner given by his friends, members of the L. V. Chapter, ASCSE, at Wayside Inn, Stony Point, on Saturday evening, January 27.

David Roche, delegate from L. V., introduced Leo Gurry, President of the Mental Hygiene Association, from Marcy State Hospital; Fred J. Walters, Vice President of the Mental Hygiene Association, from Middletown; Charles McBreen, from Rockland State Hospital, and William F. McDonough, representative of the State Civil Service Association, from Albany; ex-President, Dr. Watts, and Hiram Phillips, now President, L. V. Chapter, Leslie S. Ware, Vice President, each of whom, except Dr. Watts, spoke of accomplishments made by the Associations and lauding Dr. Watts for his eforts on behalf of L. V. employees.

Mr. Gurry was toastmaster, and Mr. McDonough made the presentation of the gift of Villagers to Dr. Watt, and Mr. Gurry the presentation of a gift to Miss Mina Hardt, the efficient secretary of the L. V. Chapter. Both Dr. Watts and Miss Hardt were surprised, and thanked all.

Cover Page

We are indebted to William P. Kennedy, the Staff Photographer of the State Department of Health, for our very attractive—we admit it!—cover page. The emotions inspired by Valentine's Day are universal. And a bright cover page cannot but help morale in this bleak, war-winter of 1945.

The verse below is from "Village Views," the smart publication of Letchworth Village, Thiells, and we believe Jean Forrest is one of the Village poets!

Valentines are wonderful.
To receive them is a treat,
For recipients most always
Are assured that they are sweet.
And the principal words they carry
Do such happiness impart,
But it's their secret messages
That thrill the listening heart!
—Jean Forrest

Prison Delegates Meet

Delegates from each of the prisons recently attended a conference on employee matters in Albany and discussed their problems with Commissioner of Correction Lyons.

The application of the 8 hour day; vacations, holidays and sick leaves;

proper pay and classification for employees at Matteawan and Dannemora; increased pay for civilian employees on account of hazards and emergency work, and other matters were discussed.

John T. DeGraff, Counsel, and William F. McDonough, Executive Representative of the Association of State Civil Service Employees, conferred with the delegates. The group also met with Assemblymen Ostertag, Hatfield and Ryan, relative to legislative matters.

Expert Opinion

(Continued from page 53) actual conditions as they exist on our wards. I would also like to express the viewpoint of the administrator. During the twenty-five years that I have been connected with the Dannemora State Hospital it has always been true that men in this hospital who were physically and mentally capable were almost continually leaving our employ to obtain employment in the prison next door where they could obtain higher wages for work which they felt was no more difficult or dangerous. This has meant that after we had spent a few years in training men to the peculiar routine which makes for safety at this hospital we would lose them and have to start all over with the untrained men, as the prison has always been anxious to obtain men trained as ours are. This has continually meant difficulty in keeping our rolls filled with properly trained and experienced men and it also has meant a lowering of morale, inasmuch as the men were constantly aware that those working next door were obtaining higher wages for similar or even less hazardous work."

JOIN
The American
RED CROSS

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# March is Red Cross Month!



- THE RED CROSS SERVES HUMANITY wherever it needs service for twelve months in every calendar year
- IN MARCH, IT CALLS UPON HUMANITY to replenish its granaries of mercy
- SOME OF YOU HAVE GIVEN YOUR BLOOD to the Red Cross that it might pass it on to those who shed their blood for you
- BLOOD AND BANDAGES Sustenance and shelter Relief and guidance — There are not enough words to tell about the services rendered by the Red Cross in grim war or in peace time calamities and troubles of every nature
- STATE EMPLOYEES throughout the years and throughout the State have always supported the Red Cross in season and out
- THIS IS A REMINDER that next month March Is Red Cross Month, and to suggest that you give to the Red Cross Fund more than ever before
- THE ASSOCIATION IS PROUD indeed of the splendid work on behalf of the Red Cross rendered by its headquarters, chapters and membership generally.

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# A Plan For Postwar Employment

By MR. HERBERT STEIN

Editor's Note: The following article was accorded a prize of \$25,000 in a contest sponsored by the Pabst Brewing Co., Milwaukee, Wis., and it is reprinted here through the courtesy of the Pabst Brewing Co. It is a subject which is of great interest to all workers everywhere.

The establishment of a high, stable level of employment after the war will require maintenance of output at a level much in excess of any level attained in peacetime-perhaps 40 per cent above the 1939 level. There are two basic methods by which a high level of national output may be attained. One requires a high level of government spending. The operation of this method is visible during the war, when national output reached record levels under the impetus of a huge volume of government spending. The second method requires stimulation of a high level of private expenditure. The plan set forth here proposes measures for solving the employment problem by this method. This method is chosen as the only one consistent with the achievement of other national objectives-political democracy, personal liberty and efficient satisfaction of wants. While recognizing the effectiveness of controlled government spending as an instrument of economic stabilization, the plan recommends a number of more fundamental policies and would minimize the amount of public spending for this purpose.

Specific policies are proposed below to provide stable full employ-

ment by:

(1) Removing some of the basic uncertainties which repress the general level of private expenditure and particularly private capital expenditure.

(2) Removing the powerful factors which discriminate against the assumption of risk.

(3) Counteracting some of the fluctuations in private capital expenditures.

(4) Preventing such fluctuations from exerting a cumulative effect upon the economy.

Consideration must first be given to the transition from war to peace, which will fundamentally influence the possibility of attaining stability in the longer run. It must be demonstrated in this transition period that the economy can provide full employment in peacetime and, that the political atmosphere will be conducive to the functioning of private, competitive enterprise. Such a demonstration would create the necessary psychological foundation for the maintenance of stable, high-level private business activity and employment in the future.

The transition period will begin with any substantial decline in munitions production, presumably following the defeat of Germany. The initial danger of unemployment during this period will not be in the inadequacy of total demand. The demands of the Government, of producers, of consumers and of foreign purchases will be very large. Unemployment will be threatened by the difficulty of making the economic rearrangements necessary for a major change in the character of production. For example, although there will be a great demand for refrigerators, producers of refrigerators may be unable to hire workers because their remaining munitions work prevents freeing one complete assembly line, or because their ordinary suppliers of refrigerator components are tied up with war work, or because potential suppliers of a few special-purpose machine tools are otherwise engaged, or because the producers do not have sufficient liquid funds to make necessary plant alterations. Subject to the continuing needs of war production, the following policies should be followed in the transition:

A. Policies to prevent "bottleneck

unemployment."

1. Cuts in the munitions production schedules of any contractor should be either small enough to be absorbed by a reduction in working hours or large enough to release an entire plant or other complete productive unit. Cuts which will force the discharge of workers without releasing usable productive facilities should be avoided.

2. Cuts should be made simultaneously in the finished munitions schedules of plants which in peacetime made final assembles, compo-

nents and machinery, to prevent the emergence of bottlenecks in the production process.

- 3. Cuts should be made first in the munitions schedules of plants situated in tight labor areas. This will assist in the completion of the remaining military program. Also, an unusually large proportion of the workers in such areas will be women, the aged or the young, many of whom will withdraw from the labor market.
- 4. To implement the above three policies, the military procurement agencies should notify the War Production Board and the War Manpower Commission promptly of any schedule cuts (above a minimum size) which are under consideration, listing the contractors involved. The WPB and the WMC should be given an opportunity to make recommendations and to comment upon any proposed distribution of cuts among contractors.

5. Contractors' claims upon termination of war contracts should be promptly and finally settled by negotiation with the contracting agencies.

B. Policies to define the postwar relation of Government to business.

1. Goods in Government possession should be promptly sold at competitive bidding after sufficient description of the goods to be offered has been made public. This will assist the prevention of inflation during the transition. It will also substitute a clear policy for what might otherwise be a major uncertainty.

2. Subject to existing options, government owned productive facilities not required for military production should be sold to the highest bidder after six months notice. No facility should be sold to a firm which is found to control, directly or indirectly, more than twenty per cent of the capacity in the industry in which the facility operates. Resale of facilities acquired from the Government to any such firm should be prohibited for a period of years.

3. Disposition of commodities and of facilities should each be centralized in a single agency. Policy in both programs should be formulated by a board representing the procurement and economic policy agencies

of the Federal Government.

- 4. The wartime level of taxation should be retained to prevent a runaway inflation. The reform in the tax structure outlines below should be initiated in the transition period. A high level of taxes will facilitate the abolition of direct government controls of prices and production.
- 5. Regulation of prices and distribution as typified by the functions of the OPA and WPB should end within one year after the termination of hostilities. Promptness in this respect will greatly influence business interpretation of the political environment in which it is to act. Fiscal and monetary measures should be prepared to restrain inflationary pressures which will develop upon elimination of direct controls.

Even during the transition period beginnings must be made on the development of political and economic institutions which will eliminate the closely related dangers of repeated economic fluctuations and of a continued low average level of economic activity—the dangers of cyclical fluctuations and of secular stagnation. The program to develop such institutions has six basic features:

### A. Tax reform.

- 1. Surtax rates in the highest brackets should be reduced; the averaging of income over a period of years, say five, for computation of income tax should be permitted; the tax-exemption privilege of government bonds should be eliminated. These measures will all encourage the continued assumption of risk. They will reduce the artificial attractiveness of risk-free government bonds to persons who are best able, and otherwise most likely, to assume risk. They will reduce the discrimination against risk-taking which is inherent in steeply rising surtax rates combined with the annual calculation of income for tax purposes.
- 2. Excise taxes should be abolished, except for a few which are long-established on monopolistically controlled goods (e.g. cigarettes) and the rates of income tax in the middle brackets should be increased. This policy will contribute to increasing and stabilizing expenditure by reducing the tax burden in the lowest income groups, where consumption is large and level in relation to income and by increasing the tax burden in the middle income groups, where savings are relatively larger and where savings do not easily flow

into risky investment. Also, by placing chief reliance upon the income tax as a source of revenue, it will add to the automatic flexibility of tax receipts and tax liabilities with fluctuations in the national income.

- 3. Taxation of corporate profits as stockholders' income should be substituted for the corporate excess profits and income taxes. (This will require allocation of all corporate earnings to stockholders, but not necessarily full distribution.) Such a step would eliminate the present discrimination of the tax system in favor of debt financing as against equity financing and would make the economic structure more willing to assume risks and better able to withstand fluctuations.
- 4. Existing tax loopholes should be closed to permit the desired revenue to be secured with lower, less repressive tax rates.
- B. Present anti-monopoly legislation must be vigorously enforced; the Anti-Trust Division of the Department of Justice should become one of the largest and most active branches of the Federal Government. Additional legislation will be necessary to prevent the development of gigantism by holding companies, interlocking stock ownership and similar means. Drastic reduction of the tariff, which will be more feasible in the immediate postwar period than ever before in this country, will help restore competition in the American market.

The objectives of the anti-monopoly program are threefold.

(1) To prevent the price dislocations and unemployment which result from the monopolistic practice of maintaining prices at the expense of output when prices are declining.

- (2) To expand output and employment by stimulating the competitive flow of new capital, new enterprise and new techniques into markets which are now monopolized.
- (3) To reduce the need or tendency for Government to intervene in production and prices as a means of counteracting monopoly, and thus to reduce the uncertainties and fears which repress private investment.
- C. Government budgetary and monetary policy should be directed to stabilizing within narrow limits the movement of some general level of prices, such as the level of wholesale prices. This can be accomplished

by operating at a deficit and relaxing credit when necessary to support the price level, and by converse action when necessary to restrain the rise of prices. The deficit should be created by a combination of increased expenditure and reduced taxes: the surplus should be created by the converse methods. It is important to recognize the role of adjusting taxes in this process. Government spending should be confined to functions in which government operation is efficient and clearly preferable to private operation. This is a large sphere -including health and educationbut it is not indefinitely expansible.

Elimination of fluctuations in the general level of prices will eliminate the major economic uncertainty which represses expenditure on durable goods and the major factor which magnifies business fluctuations and transmits them cumulatively throughout the economy. A precisely stated guide to budgetary policy is essential to realize the full advantages of eliminating uncertainty and to prevent public spending from expanding to levels which defeat the goal of encouraging private expenditures.

- D. The unemployment insurance system should be broadened in coverage, liberalized in benefits and unified on a Federal basis. This will maintain consumers' expenditures when any unemployment appears, and reduce one of the chief uncertainties affecting consumption at all times.
- E. The U. S. should support international arrangements for the settlement of short-term balances of payments without precipitating financial crises or necessitating restrictions on the movement of funds. Such a policy, together with reduction of the tariff, would increase world economic and political stability, promote world trade and stimulate U. S. investment abroad.
- F. The basis for the successful operation of a free market economy within a political democracy is popular understanding of the proper and possible relations between free government and free business. The system cannot operate at high levels if the government makes frequent incursions into the market mechanism in pursuit of the temporary or imagined interests of particular groups. The system will not operate at high levels if the government neglects its responsibility to prevent monopoly and to stabilize the general level of prices. The only enduring safeguard against such incursions or such neglect is public alertness, foresight and self-control. The development of such qualities is the great challenge to all who see that the high operation of a free, private competitive economy is a necessary condition for the existence of political and personal liberties.

# **The Winning Short Story**

Short Story

This month's winner of the SHORT STORY CONTEST, which continues to be one of the most popular features of "The State Employee," is Vera M. Rudof, in Laboratories and Research, Department of Health, Albany.

The Employee's editorial board, after thorough consideration, adjudged her contribution, entitled, "Breakfast Together," was best of the numerous short stories submitted in the contest for February.

You, too, Mr., Miss or Mrs. State Employee, have the chance to win yourself one of the monthly awards in this contest, and perhaps open the door to literary fame for yourself.

The stories must be fiction, and about some phase of State service. They must be not more than 600 words long, and all manuscripts automatically become the property of "The State Employee."

### Contest Winner



Louise S. Williams, of the Pilgrim State Hospital staff, winner of State Employee's Short Story Contest, in June. Her entry was entitled, "Return."

### 1945 DUES ARE DUE

# Breakfast Together By VERA M. RUDOF

Helen was setting the alarm for tomorrow's early rising when the telephone rang. She looked at the clock. The hands pointed to eleven. She knew it was the laboratory. It was her week to be on call. It couldn't have been Bill because he was out in the country on a case and wouldn't be back until after midnight. They were to have breakfast together in the morning before he operated. They frequently did this since neither one could spare much time in seeing each other. A physician in war-time is not an idle person. Helen's work as a technician in a State Laboratory claimed her day-time hours and her volunteer war work kept her busy at night. Personal wishes had to be put aside. However, two or three times a week they had breakfast together instead of dinner because it fitted in with their plans so nicely. It meant an early rising and so Helen was always rather fussy about getting to bed at an hour that was not too late; her "beauty sleep" she called it. After all, a girl does want to look beautiful for her fiance.

"Brrr," the phone's insistent ringing broke in upon her thoughts. She went into the living room and picked up the receiver. A few seconds later she stood frowning. She had to go over to the laboratory and examine a specimen of sputum in order to determine what type of pneumonia the patient had in order that anti-pneumococcus serum could be administered. She knew that by the time she caught a bus both to and from the laboratory and finished her work there, it would be very late.

"Well," she sighed, "there goes my beauty sleep."

She dressed quickly, muttering all the while. It wasn't that she was lazy or was shirking her job. She had only wanted to have some time to herself. After all, she had wanted to be at her best for Bill.

"Oh, stop your grumbling," she told herself.

She put out the lights and left the house.

She caught a bus immediately, much to her surprise, and reached the laboratory much quicker than she had hoped she would. She worked rapidly and efficiently and was soon bidding the night watchman "goodnight."

Suddenly, a familiar "honk-honk" broke the stillness of the night. It was Bill pounding upon the auto horn.

"Helen! I saw the light upstairs and, knowing you were on this week, I thought I'd wait for you."

"Bill!"

She slipped into the car.

"How is everything, Bill?"

"You mean that case out in the country? Everything's fine. But Helen, I've something more important to tell you."

The car was still in front of the building. Bill took out his pipe and began packing it.

"What do you mean, dear?"

"Well, darling, I'm sorry, but we won't be able to have breakfast together tomorrow.

"Bill," Helen caught her breath. She knew what he was going to tell her. It was what he had desired and had talked about ever since Pearl Harbor; but his draft board had felt that he was more useful where he was working. Now, however—

"Helen, I couldn't get to you all day, but I did so want to talk to you. I've my commission in the Army and have to report for duty on—but wait, let me read you the letter.

He read the letter but she scarcely heard him, so many thoughts were running through her head. Bill would be gone; no more breakfasts together; breakfast—and she had been fretting about tomorrow's breakfast! About working late!

"And so, darling, we'll be married right away and you'll come with me." She only half heard him—and then—the mists cleared.

"Bill, say that again!"

"I said that I was sorry about tomorrow's breakfast because I have so much to do that I'll just grab a cup of coffee but think of all the breakfasts we'll have together!"

Cost of Living

The statement below will bring your cost of living chart as contained in the January issue up to latest figures. There has been practically no change in the Bureau of Labor Index since August, 1944:

# COST OF LIVING INDEXES (1935-39=100) IN LARGE CITIES COMBINED, NEW YORK AND BUFFALO NOVEMBER, 1944

GROUP	Large Cities Combined November, 1944	New York November, 1944	Buffalo November, 1944
All Items	126.5	127.2	126.6
Food	136.5	137.4	133.4
Clothing	141.8	147.6	139.6
Rent		103.5	114.6
Fuel, Electr. & Ice	109.9	114.0	106.9
House Furnishings	141.4	133.9	142.3
Miscellaneous		125.6	126.1

### **Group Plan of Accident and Sickness Insurance**

(Continued from January Issue)

### Special Advantages

We cover disabilities caused by any mental diseases, while the majority of insurance policies you will find excludes such disability.

After your policy has been in force ten consecutive months we pay for pregnancy or childbirth not to exceed four weeks for any one confinement.

Tuberculosis claims are paid for twelve months in the aggregate; if your disability for sickness exceeds twelve months and if you continue your premiums during your period of disability your policy may be automatically reinstated provided you apply for such reinstatement within 30 days from the date you return to State service.

Our policy covers hernia, which you usually will find excluded in a great many policies. It covers aerial navigation as long as you are a regular transport passenger. It covers sexual diseases and female complaints which are excluded in most policies.

We do not exclude accidents occurring while intoxicated or under the influence of liquor. Our Company is a stock company and no additional assessments are applied to you in case of excessive losses.

Servicemen who carried this insurance previous to leaving State service may have their policy automatically reinstated by application to Ter Bush & Powell, Incorporated, within 30 days from their return to State service.

The method of paying your premiums is so simple. Each payday your premium will be automatically deducted as long as you are on the payroll, but you may order this stopped at anytime and thereby terminate your insurance. However, we cannot terminate your insurance except in accordance with the conditions mentioned above under renewal conditions.

The Insuring Clause in any policy is what determines the scope of your protection. It actually is the backbone of your coverage. Our Insuring Clause covers accidental bodily injury while most policies require that bodily injury be sustained through accidental means, which in the opinion of the accident and health experts and in a great many courts limits the policy coverage considerably. For example, you might seriously injure your back while shifting a heavy piece of furniture. As you obviously intended to lift that furniture there would be no accidental cause (or means) involved, thus you would not be covered under any policy which requires that the means or

the cause of the injury be accidental. Notice, we consider the results rather than the cause of the injury and we would pay you under a condition as enumerated above because our policy does not call for accidental means.

Consider Your Future

You are not immune from accident and sickness. Perhaps, you have never had a serious illness, that does not mean that you will not have it in the next month or in the next six months. Just answer this one question for yourself. Supposing your doctor told you yesterday that you had tuberculosis, ulcers, artritis or some other serious disease. Are your finances ready for the obligations incurred by disability which might extend over a long period of time? Would you have to rob your savings that you have been making to buy a car, to take a vacation, to make payments on a home, or would you have to depend upon charity? Why not join today with those other thousands of State employees who have had foresight enough to protect their salaries through the Association's Group Plan of Accident & Sickness Insurance. Consider this fact and do it now. If you have any questions whatever, write at once to C. A. Carlisle, Jr., c/o Ter Bush & Powell, Incorporated, 423 State Street, Schenectady 1, New York, and all questions will be gladly answered in full as quickly as possible. Encourage your associates in State service to read this article and encourage them to insure today so that they may enjoy cash and not sympathy in the future should the need occur.

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### Taxpayers Are Funny By AGNES O'K. WILLIAMS

Scene: Hearing room, State Office

Time: About 1:30 P.M., April 14.

A tax examiner speaks to a man who has seated himself cross the table from her.

Examiner: What's your name? Taxpayer: John Sardinapolonski. Examiner: How do you spell it? Taxpayer: JOHN.

Examiner: No, I mean your last

name.

Taxpayer: O, I don't know how. Here's a card, it's on here. (Hands card to examiner).

Examiner: Are you married?

Taxpayer: What do you want to know for?

Examiner: Because the question is on this blank. If you are married you are entitled to a personal exemption of \$2,500, plus \$400 for each dependent under 18 years of age or mentally or physically incapacitated, receiving his chief support from you.

Taxpayer: What's that mean? Examiner: It means you get \$2,500 if you are married and \$400

for each child.

Taxpayer: Well, I'm married and I've got ten kids. When do I get the money?

Examiner: O, you don't get any money. The personal exemption is applied as a credit deductible from your net income in computing the tax.

Taxpayer: I thought there was a catch in it. (He rises and walks away. His place is taken by a sweet young miss, with blonde curls. She does not sit down but stands in front of the table).

Examiner: Can I help you, Miss? Taxpayer: No, I don't think so. (Looks vaguely around) I was looking for that nice man who was here yesterday.

Examiner: I'm sorry, but he is out to lunch, but if you want to file a tax return, I can help you.

Taxpayer: Well, thank you, but I think I would rather wait for him. He was so nice to me yesterday.

Examiner: Did you file a return

yesterday?

Taxpayer: O, yes, he was so helpful and then he has such lovely eyes. Don't you think he is charming?

Examiner: He may be. I never

noticed.

Taxpayer: Yes, of course, I can

see your point, but then I always do adore nice men and he was so,—well, you know what I mean.

Examiner: I'm afraid I don't. But if you filed a return yesterday, why did you come back today?

Taxpayer: That's what I am trying to tell you. You see, I thought perhaps he could help me make out my return for next year.

Examiner: That would be quite impossible. You could not make out a return in advance. Why you might be dead before next year.

Taxpayer: O, what a horrible person you are. But I am sure that that nice man could help me and so I think I will wait for him.

(She walks away and another man sits down and hands an income tax blank to the examiner.)

Taxpayer: I got this all filled out except for one thing, I don't know what to do about. You see I sold a horse last year.

Examiner: (Understands him to say he sold a house last year.) How much did it cost?

Taxpayer: I don't know. My brother gave it to me.

Examiner: Well, what was it worth when you sold it?

Taxpayer: It wasn't worth anything. You wouldn't catch my brother giving away anything if it was any good.

Examiner: How much did you sell it for?

Taxpayer: \$5,000.

Examiner: You mean you got \$5,000 for it when it wasn't worth anything?

Taxpayer: That's right. Barnum sure had the right dope when he said there is one born every minute. But you see the guy who bought it expected to win the Kentucky Derby.

Examiner: Why, what has the Kentucky Derby got to do with the sale?

Taxpayer: Well, you see he was going to enter it in the Derby.

Examiner: How could he enter it in the Derby?

Taxpayer: It's a horse race, ain't it? He wouldn't enter a jeep, would he? Well, anyway, I sold him the horse

Examiner: O, so you sold a horse and not a house.

Taxpayer: Lady, that's what I've been trying to tell you all along.

END

## Thomas Donohue Resigns To Enter Law Practice

M. Thomas Donohue, attorney in the division of reimbursement of the Department of Mental Hygiene, has resigned from the State service, effective January 1, 1945, to enter private practice. Mr. Donohue is a graduate of Holy Cross College and Albany Law School, and before joining the staff of the Department was corporation examiner in the office of the Secretary of State. He will be associated with the firm of Halter & Sullivan of Albany. Mr. Donohue's associates held a dinner in his honor on December 15, at which several speakers paid cordial tributes to his professional and personal qualities and his much value services to the Department. A handsome brief case and pen and pencil set were presented to him with expressions of esteem and affection and best wishes for success in his new career.

Mr. Donohue was an active member of the Association and served on the Legislative Committee.

### Preference for Veterans

(Continued from page 44)

he has a disability substantial enough to be compensable.

- Time spent in military service should be counted for seniority credit.
- Disabled veterans should have preference in retention for a period of at least five years after the termination of the war.
- 5. All veterans should have preference in appointment for noncompetitive and labor positions, such as chauffeurs, carpenters and the skilled trades. Strange to say, the Hampton-Devany bill grants no preference whatever in these positions which are now largely filled as political patronage without competitive examination.

This program would actually benefit a larger number of veterans than the Hampton-Devany bill. While the preference is less drastic, it is expanded over a broader field. It would, moreover, permit the continued functioning of the merit system as the foundation of good government, for in the coming years we will need the best government we can possibly obtain.

### Examinations in Ward Service

The Association has been in constant touch with the problems incident to reclassifications of ward service positions. It has brought to the attention of the Civil Service Department the concern of many ward workers as to proper opportunity for advancement via the promotion examination way—the career way.

A recent communication from the Civil Service Department states that arrangements have been practically completed for the holding of promotion examinations not only for Staff Attendant but for Supervising Attendant, and many other positions as well.

The Classification Division has stated that in order for an attendant to have been reclassified to the title of Staff Attendant and gain it without examination, the employee must have been performing the duties upon which the reclassification is based at least since October 1, 1942. It frequently happens that employees who are comparatively new in the service are engaged in difficult ward work of a supervisory nature and in such instances the Classification Board has reclassified the position but has not given the employee doing the work the title of Staff Attendant under Section 48-A.

In many of the institutions it has been customary to put the newer employees on difficult assignments in the institution. Under such circumstances, the older employees may find themselves doing work which is strictly Attendant's work and that the newer ones, in many cases, are doing Staff Attendant's work.. In classifying a position the duties and responsibilities are always considered rather than seniority.

Competitive promotion examinations should clear the situation greatly, and result in promotions based solely on merit.

> Let's Cooperate Generously

Your State has now embarked upon a pedestrian accident prevention program designed to curb traffic mishaps which currently are causing three pedestrian deaths and injuries to sixty others every day.

Following up a proclamation by Governor Dewey which called upon every motorist and every pedestrian to support the program, Lieutenant Governor Joe R. Hanley told a Statewide radio audience that unless safer practices are more universally adopted and applied by both drivers and those on foot, "our streets and highways shall continue to be stained by the blood of persons who didn't have to die, in accidents which should never have happened."

Contrasting war causualties with those at home, the lieutenant-governor said: "Those who lay down their lives on the battlefields do so in a great cause. Those who die in accidents at home are sacrificed to a great carelessness."

He said two reasons impelled the State to initiate the safety program at this time:

- 1. Many of those being killed and injured are war workers. The lost man-hours of production is a "shocking tribute to negligence and indifference" and "an involuntary sabotage of our war effort."
- 2. Traffic volume will increase enormously in the postwar years. Unless action is taken now to prepare for its control, the new era of expanded motor vehicle travel will be paralleled by "wholesale slaughter—deaths and injuries double or triple the present toll."

Motor Vehicle Commissioner Clifford J. Fletcher has reported that in 1944 about 1,000 pedestrians were killed and over 21,000 injured in New York State. This represents about two-thirds of all traffic deaths and about one-third of all traffic injuries in the State.

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### MEMBERSHIP APPLICATION

The Association of State Civil Service Employees of the State of New York, Inc. Room 156, State Capitol, Albany, New York

Renewal	
	_

New

(Dues to Dec. 31, 1945—\$1.50, \$1.00 of which is for a year's subscription to the Civil Service Leader and 30c for a year's subscription to The State Employee)

### My Visit to the Syracuse Chapter

By CHRISTOPHER I. FEE Member Association Executive Committee, Department of Labor

I had the honor to be present at the annual dinner of the Syracuse Chapter. In addition to Henry Wagner, President of the Chapter, and the other officers, there were several members of the Legislature from Onondaga County who addressed the gathering. These included Senator-elect Richard P. Byrne and Assemblymen Frank Costello, Leo Breed and Clellan T. Forsythe. Senator-elect Byrne expressed himself as very much in favor of an increase for State employees commensurate with the increase in the cost of living. In general, all the legislators were in sympathy with the Association program:

Hon. Clifford Fletcher, Motor Vehicle Commissioner, spoke in praise of the work done by the employees of his department. He explained that the public generally had a faulty impression of how State employees were appointed and what they did. In his opinion the public requires education regarding State employees. Hon. Joseph Teatum, Deputy Commissioner of Labor, spoke in a

like vein. It seems to me that similar meetings on the part of other chapters would give the legislators first hand knowledge of our problems and our own group a personal acquaintance with the members of the Legislature. The importance of such a tie need not be stressed.

This is the second year I have attended the annual dinner of the Syracuse chapter and I believe they have a very enthusiastic, cooperative membership. I believe the feeling of close cooperation with Executive Headquarters is the result of such meetings. Such a feeling can only be for the good of the chapter and the entire Association.

### **Business Officers of** Binghamton and Hudson River State Hospitals Retire

Edward S. Graney and Andrew J. Delaney, senior business officers, respectively, of Binghamton State Hospital and Hudson River State Hospital, retired on October 31,

1944, after long careers of service to the State and the Department of Mental Hygiene. Mr. Graney served continuously for fifty-one years at the Binghamton institution where he began his career as stenographer in 1893 and was promoted to the position of steward in 1909. Previous to his appointment to the Hudson River institution, where he served as steward for eight years, Mr. Delaney occupied positions in the accounting and business offices at Manhattan State Hospital, Ward's Island, and St. Lawrence State Hospital, Ogdensburg. He was a former vice-president of the State Hospital Employees' Association. He had completed thirty-one years in the State hospital service on retire-

Both were enthusiastic supporters of the Association of State Civil Ser-

vice Employees.

Both Mr. Graney and Mr. Delaney were feted at farewell parties given by the staffs of the hospitals shortly before their retirement, and at the quarterly conference of the Department, held at Poughkeepsie on October 17, Commissioner Mac-Curdy lauded their long, faithful and efficient service and their splendid contributions to the Department. It was recalled that Mr. Graney was for many years a member of the old committee on purchase for the State hospitals, which was finally supplanted by the Division of Standards and Purchase of the Executive Department, and that he served as chairman of the Farm Pricing Conference, which fixed prices of agricultural products of all State farms. It was announced, on this occasion, that Mr. Delaney was to become steward at the Westchester Division of the New York Hospital, at White Plains. Their colleagues tendered warm tributes to Mr. Graney and Mr. Delaney at a dinner-meeting held at Poughkeepsie on the eve of the conference, at which Daniel J. Doran, business assistant to the Commissioner, on behalf of the business officers of the Department, presented parting gifts as tokens of appreciation and esteem and well-wishes for the future.

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### Civil Service Notes

division 3 of Section 22 of the Civil

Service Law, a discharged employee

had no right of appeal from an ad-

verse decision, but now a person ag-

grieved has the absolute legal right

of a complete review of the facts

and law by the Supreme Court. The

courts now have plenary power to

review all the acts, the procedure and the evidence relied upon by re-

By THEODORE BECKER State Department of Civil Service HEARINGS ON CHARGES NOT REQUIRED FOR COMPETITIVE **EMPLOYEES** 

Although a competitive class employee is entitled to an opportunity to answer written charges of incompetency or misconduct before he can be removed from his position, he is not entitled to a hearing on such charges unless he happens to be a veteran of one of the prior wars or an exempt volunteer fireman. This holds true even where the charges involve the elements of a crime. All that is required is that written charges be served on the employee whose removal is sought and that he be given a reasonable opportunity to answer such charges in writing. This conclusion is drawn from a recent decision of the Appellate Division which reversed a lower court requiring the reinstatement of a State employee removed without a hearing on charges that he had falsified his expense accounts.

Lower Court's Decision

The lower court had decided that the employee should have been given a hearing on these charges, prior to removal, explaining its determination, in part, as follows:

"While it is true he was not strictly entitled to such hearing by law, nevertheless, since the result of sustaining the charges would be to brand him as a petty thief, ordinary decency, if not law, would prompt any unbiased person to at least permit an accused to confront in open hearing the witnesses against him.

"When an administrative agency acts in a quasi-judicial capacity, the employees brought to trial before it on charges in the nature of theft or embezzlement should be given, so far as is possible, a public and impartial hearing. A record should be made sufficient to permit review by the court and findings based on the record should be made to show what the hearing official or board determined from the evidence presented. In this proceeding the minimum protection for the safeguarding of petitioner's rights was not accorded him. Charges Criticized by Lower Court "Previous to the enactment of subspondents to uphold its decision. The accusations against petitioner give rise to suspicion that the real reason for his discharge has not been given. The acts of wrongdoing charged are stale, musty and vapid, and in criminal and civil actions would be barred by the Statute of Limitations. The improper and unlawful acts are charged to have been committed more than seven (7) and more than four (4) years ago. The charges are of a petty character. They involve an alleged misappropriation of Fifteen (\$15) Dollars or Sixteen (\$16) Dollars by petitioner for dinner which the respondents at this late date say he should not have charged the State of New York. Moreover, in my opinion, the respondents are guilty of laches. Justice delayed is justice denied."

Higher Court's Ruling Controls

The Appellate Division was unanimous in its determination that the lower court's view of the law was wrong. However, it did not specify its reasons. It rendered no opinion. The case may be further appealed to the Court of Appeals, the highest court in the State. Meantime, it must be considered the prevailing rule of law that no hearing on charges may be required even in cases where the elements of a crime form the basis for the charges.

### DISMISSAL "THROUGH CHANNELS"

A non-competitive class employee in the State service is ordinarily not entitled to charges of incompetency or misconduct preliminary to removal unless he happens to be a veteran of one of the prior wars or an exempt volunteer fireman. An exception is made by special statutory provision in the case of non-competitive class employees of State mental hygiene institutions. Such employees, if they have had six months of service in their positions, may not be removed except upon charges of incompetency or misconduct as if they were competitive class employees.

However, non-competitive class employees have at least one right in common with other employees-they can be discharged only by the official authorized to do so or by his lawful deputy and by no one else. In the absence of special laws, the power to fire the employee rests with the official who has the power to hire the employee. Accordingly, if someone other than the appointing officer or his lawful deputy notifies an employee that his services are no longer desired, it may be wise for such employee to obtain confirmation from his appointing officer before walking off the job.

The experience of a non-competitive class employee discharged from a Westchester County Welfare Department position illustrates the point.

Notified by Supervisor

This employee received a letter signed by her supervisor notifying her that her services would be terminated in ten days. No reasons were stated. The employee communicated with the head of her department in an attempt to get the reasons for her removal. She was unsuccessful and brought suit for reinstatement. At the trial of the action, it appeared that although the letter of dismissal was signed by the supervisor, the department head had seen it and authorized it to be sent. The judge, however, ruled that from the facts before him it appeared that the department head had not taken any steps to remove the empolyee. The implication of his decision was that there was nothing oral or written from the department head to the employee herself notifying the latter of her discharge, and that in the absence of such a direct communication, the employee had not actually been discharged. Accordingly, the judge ordered the employee reinstated.

Reversal on Appeal

However, on appeal to the next higher court-the Appellate Division-the order of reinstatement was set aside on the ground that the employee was fully aware that the department head had discharged her and that all she had complained about were the reasons given by her supervisor. At the trial the employee had testified that her supervisor told her she spent too much of her time raising chickens. The court held she was not entitled to any reasons, being a non-competitive class employee, and sustained her removal. Said the court:

Appellate Court's Ruling

"... the Commissioner of Public Welfare, as the head of the Department of Public Welfare, alone had the power to discharge the petitioner. The record indicates that the Commissioner decided that the petitioner should be separated from the service and instructed her subordinates so to inform the petitioner. The Commissioner having directed petitioner's dismissal, the act of dismissal was even though transmitted through her agents. Unquestionably the petitioner was informed and understood that she had been discharged. She did not challenge her discharge, but only the reasons therefor. Since the petitioner was in the non-competitive class, she could be removed without cause." (Straight v Taylor, Appellate Division, Second Department).

From the court's ruling it would appear that an appointing officer's name need not appear on the letter of dismissal, provided he authorizes the removal. An employee receiving such a letter, therefore, should get in touch with the appointing officer to find out if the letter actually was authorized.

### HOW NOT TO REMOVE A VETERAN

Unlike other civil service employees, veterans of prior wars and exempt volunteer firemen are entitled to a hearing on charges of incompetency or misconduct before they can be removed, with the burden of proving incompetency or misconduct on the person alleging it. Even competitive class employees who are not veterans of prior wars or exempt volunteer firemen are entitled to no more than written charges and a chance to answer the same in writing. The veterans and firemen, so long as they occupy subordinate positions other than cashier, deputy or private secretary, are entitled to a hearing even though their positions may be in the exempt class or in the non-competitive class.

Despite the special privilege accorded to veterans and exempt volunteer firemen, court cases are continuously arising in which the appointing officer has failed to observe the statutory provisions applicable to these cases. This is exemplified in a case recently decided by the Supreme Court of Suffolk County, involving a Senior Account Clerk employed in one of the townships.

The Facts in the Case

This employee had been serving for ten years in his position, had served in World War I and was a member of the local fire department and for many years an exempt fireman. Last August 14 he received a notice from the Supervisor of his township that his services were terminated effective August 31 and if he desired he could make reply to certain enumerated charges.

Thereafter, on August 29th, the Supervisor notified the employee that if he requested a hearing he could have it any time on August 31 by

advising the Supervisor.

At 9:30 A.M. on August 31, the Supervisor publicly called the proceedings against the employee and adjourned the matter from hour to hour until 5 P.M. when he read aloud the charges and no one appearing for the employee or offering any objections, he declared the hearing duly held and the charges sustained.

These acts of the Supervisor, the court held, do not meet the requirements of the law. In the first place the original "Notice of Charges' merely notified the employee of a determination to remove him on charges which it is the burden of the appointing officer to prove and not of the veteran to disprove. Secondly, the employee denied that he knew a hearing was to be held at 9:30 A.M. on August 31 nor was he requested to appear for a hearing that day although he was "on that day and at that hour at work in an office adjoining that of the Supervisor and connected therewith by a common door which is kept open."

Hard for Court to Believe

On these facts the court ordered the reinstatement of the employee, stating:

"Since it is not denied that petitioner was at work that day, as alleged in the petition, it seems incredible that the respondent (Supervisor) did not call him.

"Under all the circumstances, it is the opinion of the court that the respondent has failed to sustain his burden of showing that he had substantially complied with the provisions of the Civil Service Law for petitioner's removal. Granting that what he did was in good faith and according to his lights for the good of the service, still respondent was bound to meticulously observe the provisions of the statute. Cutting corners in procedure and pre-judgment are not consistent with that statute. (Resler v Malone.)

**PUTTING OUT A FIREMAN** 

An exempt volunteer fireman, like a veteran of one of the prior wars, cannot be removed from his civil service position, or demoted to a lower grade position, so long as work and funds last, except after a hearing on charges of incompetence or misconduct, which must be sustained by substantial evidence.

In a recent case involving an exempt volunteer fireman who was demoted from the position of equipment operator to the position of laborer in the Town of Babylon, Suffolk County, the court described the essential qualities of an adequate hearing and the meaning of substantial evidence. Inasmuch as the provisions of the Civil Service Law involved in the case are the same for employees of the State of New York and of the Town of Babylon, the court's opinion should be of interest to State employees.

What Constitutes a Proper Hearing
In outlining the elements of the
type of a hearing on charges to which
an exempt volunteer fireman is entitled, the court adopted the follow-

ing language of the Court of Appeals:

"While the hearing may be more or less informal, the trial must be fair in all substantial respects. Some latitude is allowed as to rules of evidence, methods of examination and the like, but no essential element of a fair trial can be dispensed with unless waived, and no vital safeguard violated without rendering the judgment of conviction subject to reversal upon review. A fair trial, according to existing practice, requires that the accused shall be confronted by the witnesses against him and be given an opportunity to hear their statements under oath, and to cross-examine them to a reasonable extent. Hearsay evidence cannot be received; evidence cannot be taken in the absence of the accused and the trier of the fact can find the fact only on the evidence and not on his own knowledge. Facts of such common knowledge as to become the subject of judicial notice without proof are an exception to the general rule and not now important. The use of an officer's record, not as evidence of guilt but merely to fix the punishment is no departure from these rules."

### **Evidence Not Substantial**

He'ding that the evidence upon which the exempt volunteer fireman was found guilty of the charges was not substantial, the court ordered him reinstated to his old position, with back pay. Said the court:

"There was nothing wrong with the way the hearing was conducted by the respondent herein. Though informal, it was complete. The first three charges were serious so far as the efficient conduct of respondent's office is concerned. There was, however, no competent substantial evidence to support them. The testimony of the witnesses was in some respects favorable to the petitioner or else without probative force because of lack of knowledge of his actions, or based upon hearsay."

### Reliance on Outside Evidence Improper

"It is clear that in order to sustain the charges the respondent relied not on the evidence as it was adduced at the hearing but upon information obtained at other times, from other sources, and at least from one witness whose testimony at the hearing overwhelmingly supported petitioner's explanation. The decision rests upon unsubstantial evidence and cannot be sustained." (White v. Town of Babylon.)

### CANVASS VS. APPOINTMENT

If you are on a State civil service eligible list and are asked by a prospective appointing officer how soon you can report for work, it is advisable to find out whether the letter in which the question is asked is a canvass letter or a letter of appointment. A canvass letter merely seeks to find out if you would be willing to accept appointment, if offered, whereas the letter of appointment, as its name implies, advises you that you have been selected.

According to the long standing policy of the State Civil Service Department, if an eligible is unable to report for work within fifteen days after date of notice of appointment, he may be passed over on the eligible list, but this fifteen days is reckoned from the date when the eligible is definitely offered employment and not from the date when inquiry is made as to his willingness to accept employment.

### Two Week's Notice

The fifteen day period allowed by the State Civil Service Department affords the appointee an opportunity to give two week's notice to the employer he is leaving. Until an eligible is actually notified of his appointment, it is inadvisable for him to give such notice. A canvass letter, merely inquiring as to an eligible's availability, is not an offer of appointment, and an eligible should not resign his job on the strength of it. Inability to report for work within fifteen days after receipt of such canvass letter does not result in any loss of eligibility. This policy has recently received judicial approval in a case involving an eligible on the list for Unemployment Insurance Referee.

### Couldn't Report for Six Weeks

This eligible had indicated on a canvass letter that he would be willing to accept immediate appointment, if offered, and that he would be willing to report for work on a date six weeks later. Treating the eligible's statement as an indication of inability to report for work within fifteen days, and, therefore, as declination of appointment, the eligible's name was skipped by the appointing authority and persons lower on the list were appointed. When the eligible learned of these appointments he brought suit.

### Eligible Right But Without Remedy

The Supreme Court of Albany County, in a decision rendered about six months after the argument, sustained the eligible's contention that he should not have been ignored by the appointing officer. The Court decided reluctantly, however, that although the eligible was right, there was no existing vacancy to which the eligible could be ordered appointed. The Court stated:

### Court's Opinion

"It clearly appears from the answer interposed herein and the exhibits attached thereto that the petitioner was not passed over in the exercise of discretion vested in the appointing officer by the Rules of Civil Service. He was excluded solely by reason of his statement in the canvass letter that he would be willing to appear

for work on December 1st.

Such exclusion, for such reason, does violence to the principles of fairness and equal opportunity for public employment which should underlie the administration of civil service. Nowhere in the canvass letter is it stated that the date which is given in answer to the question, when the applicant would be willing to appear for work, would have a determining effect upon the matter of appointment. Nowhere, therein, is it stated that the Rules required the giving of a date not more than two weeks from the receipt of the canvass letter. As a matter of fact, the petitioner did signify his willingness to accept immediate employment. He did not state that he was unwilling to report to work immediately if that should be necessary in order to secure the appointment. The form of the question, as framed by the respondents, indicated that a personal preference as to the date for the commencement of employment might be stated. Nowhere in the form, is there any indication that time is of the essence. On the contrary, the statements quoted above, advising the petitioner not to leave his current employment, would indicate that considerable time would elapse before he would be called on to begin his new duties, if appointed. Court Tried to Decide in Favor of

Eligible

"For the foregoing reasons, the Court has delayed decision of this motion, expending considerable time and effort to find a legal basis for granting relief to the petitioner. It is the opinion of the court that the petitioner has been deprived, through no fault of his own, of the opportunity for public employment which he has sought, and for which he has shown his fitness. Despite such opinion, the Court is convinced that no relief can be given to him in this proceeding.

"The inescapable fact is that the position which the petitioner seeks has been filled. There is no vacancy to which he can be appointed. The respondents are without power to create such vacancy, or to create a new position. The persons who have been appointed hold their offices under color of right. They were appointed from a validly established and existing list. They are not parties to this proceeding. Their title to their positions can not be here determined." (Einhorn v. Corsi.)

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# Surgical Expense Insurance

By C. A. CARLISLE, JR.

There will be available very shortly to all New York State employees who are insured, under the Group Plan of Accident & Sickness Insurance and have their premiums deducted from their payroll, a Surgical Expense Policy which will cover fees for surgeons or physicians performing operations in accordance with the schedule shown in the policy. This schedule runs from about \$10.00 for minor abscess to \$150.00 for certain head operations, certain throat operations, and many other more serious operations.

The policy will be written with very few exceptions or exclusions, the main exclusions being aerial navigation, loss caused by war or any act of war, and any surgical procedure for which the insured is not required to pay. In the case of the removal of the appendix, tonsils, or for hernia operations, the policy must be maintained in force for a period of not less than ten months before such disabilities become payable.

One of the important features in this policy in comparison to the present Group Plan of Accident & Sickness Insurance is Standard Provision No. 16 of the New York State Insurance Law which reads as follows:

> "The Company may cancel this policy at anytime by written notice delivered to the insured or mailed to his last address as shown by the record of the Company, Etc."

This will be found to be a very broad form of Surgical Expense Policy with a schedule of operational benefits, that is very worthwhile. The cost of the policy will be 40c a payday for males and 60c a payday for females and it will be written on application only, and it can only be carried as long as the Group Plan of Accident & Sickness Insurance remains in force, hence the main reason for Standard Provision No. 16 as stated above.

All persons in State Employment now carrying the Accident & Sickness Insurance on a payroll deduction basis, will be notified in the very near future with a circular and an application concerning this new form of policy and all details pertaining to it and the cost of same. It is not necessary at this time to correspond with the Association or the Association's Insurance Representative, Ter Bush & Powell of Schenectady, in connection with this insurance because circulars will be sent to all persons insured in the very near future.

### Matteawan and Dannemora

The classification and pay status of the guards at Dannemora and Matteawan is a very live problem at the present time. The workers at these two prisons are asking for three things, viz: (a) competitive jurisdictional classification; (b) position classification that prevails in other prisons; (c) prison scales of pay.

The Association is urging strongly that the claims of these workers be recognized this year. Recently, President Shoro, Counsel DeGraff and Assemblymen Ostertag, Ryan and Hatfield conferred with John E. Burton, Director of the Budget, also with Commissioner of Correction, John A. Lyons. Director Burton advised that the Budget Bill would include a special bill changing Grade B, Service 12, Prison Safety Service, from \$1,500-\$2,000 to \$1,600-\$2,100, and that employees now allocated to the \$1,500-\$2,000 salary

would be given the \$1,600-\$2,100 rating.

rating.

This does not meet the desires of the Matteawan or Dannemora employees who wish to have full prison status in accord with Feld-Hamilton principles.

The conference with Commissioner Lyons indicated that he upholds the position taken by the employees, which is also the position taken in the past by the heads of the two institutions.

The employees have prepared a bill which would require the payment of prison scales and the establishment of prison classification.

Further conferences will be held with Director Burton, and it is hoped that this problem which has persisted over many years will be satisfactorily settled in the near future.

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- 8. Medical Reimbursement Clause for non-disabling accidents (included)
- 9. Omission of Standard Provisions Numbers 16 and 17
- 10. Hernia (covered)
- 11. Aerial navigation (covered)
- 12. Sexual disease (covered)
- 13. Female complaints (covered)
- 14. No reduction indemnity at age 45 (women or men)
- 15. House confinement not required.
- 16. Mental Diseases (covered)
- 17. Accidents while intoxicated
- 18. No medical examination
- 19. Lack of "red tape"

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# Important Announcement

The annual dinner of the Association of State Civil Service Employees of the State of New York will not be held this year.

The winning of the war is the first concern of every American. The Association has cancelled the dinner in willing cooperation with the general request of the Director of War Power Mobilization.

The Association's annual dinner has been the outstanding event of its kind in Albany each year for many years.

The business sessions usually held in connection with the affair, attended by employee representatives from all parts of the State, will be greatly missed. Other means of contact will be utilized during the emergency.

Our Association is working determinedly on the home front to maintain and improve State service and employment conditions. Thousands of our members are on the fighting front. When peace is restored we shall all meet again at our annual dinner event. Until then we can best prove our loyalty to the merit system and to our fellow workers in the armed service and at home by a 100% membership of State workers in our great Association.

YOUR MEMBERSHIP CARD IS READY — APPLY FOR IT TODAY.