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THE STATE EMPLOYEE

OFFICIAL MAGAZINE OF THE ASSOCIATION OF STATE CIVIL SERVICE EMPLOYEES OF THE STATE OF NEW YORK

Salary Planning

We will never get very far along the way of fair treatment of salaried and wage earning people and their dependents—that over-whelming majority of our citizenship—until such time as we treat this matter as of sufficient importance to provide in our most respected laws that there shall be intelligent and timely planning of the whole problem. We shall never attain to a happy, thrifty and contented nation—"a place to real happiness consigned"—until we see to it that the money a man receives for his toil has the capacity to purchase the essentials of life and is sufficient to minister to home and community progress.

This Association has never been satisfied with merely urging that salaries be increased. It has succeeded

in protecting to a remarkable extent in this period of depression the income of State employees. The Civil Service system which it fosters so assiduously and carefully as the system best suited to public employment, has also proven itself the system best suited to stability of employment.

But many salary scales are too low, and the scales are full of inequities. Assembly Bill Introductory No. 2134, and Senate Bill, Introductory No. 1818, providing for a commission within the State service appointed jointly by the Governor and the Legislature and with administrative heads and civil service employees represented thereon, is one of the most outstanding measures of the present session of the Legislature. In a letter addressed to each member of the

Legislature on April 14th, President Brind said:

"Every day the citizenry of the State and of the Nation becomes more and more conscious of the fact that Government personnel must be efficient and honest from men at the top down through to the humblest worker.

"This Association is dedicated to efficiency and honesty in public service, particularly among the great rank and file of State workers whom it represents.

"The erroneous idea that the salary or wage which a worker receives is a matter of so many dollars and cents is disappearing rapidly from the public mind. Salaries and wages are coming to be recognized for what

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Eight Hour Bills

As this is being written the fight of the Association to make the eight-hour-day a legal fact through amendment to the State's Labor Law is going on with unabated vigor. The passage of the budget bill makes the maximum eight-hour day for institutional workers effective as of July 1st, 1936. The bills thus far advanced would assure that the good work of Governor Lehman in establishing the maximum eight-hour day for these thousands of workers would not be lost in future years.

The Assembly has already passed the Ostertag forty-eight-hour week bill and several other measures intended to abolish the long day from State service and these bills are now in the Senate

Labor Committee. A large group of representatives of the Association of Employees of the Mental Hygiene Department and officers of this Association visited the Capitol on Monday and Tuesday, April 20 and 21, and canvassed their representatives in the Senate with a view to securing action by the Senate on the bills. Senator Howard, Chairman of the Senate Labor Committee was urged to report out the bills sent to him by the Assembly.

On Monday evening, April 20th, Senator Garrity introduced a bill providing for a maximum eight-hour day and covering all employees in various institutions, in line with the provisions of the budget bill. Assemblyman Lavery sought

unanimous consent to introduction of a companion measure in the Assembly on the same night. This was objected to on the ground that the Ostertag and other bills already passed covering the situation. There is every indication that an eight-hour day will be passed and approved by the Governor. This is no time to fuss about political advantage, and the subject of the hours a man must work should not be made a partisan issue. The Governor, by his fine statesmanship in providing two and one half million dollars in the budget for the establishment of the eight-hour day charted the way. To him will go the credit for inaugurating this splendid reform

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NO. 4.

Outstanding Association Victory

The passage of the Annual Budget Bill carrying an appropriation of \$2,500,000 placed therein by Governor Lehman to provide for the abolition of the twelve-hour day in institutional employment, is epochal. The great body of State Civil Service workers in every branch of the service and standing shoulder to shoulder in this, their great organization—The Association of State Civil Service Employees of the State of New York—has won an outstanding victory, not only for the thousands of institutional workers who will gain by it, but also for the State service which will be greatly benefited as to efficiency.

Thanks to the good sense and willingness to give attention to the facts and to the petitions presented by the Association, the Governor and the

Legislature have now given approval to the establishment of the eight-hour day on July 1st next. It is a great victory for State workers over the efforts of the Civil Service body headed by William J. Donohue, employee of the City of Binghamton and President of the organization labeled "Civil Service Association of the State of New York" who through the publication "The Chief", criticised Governor Lehman when he put forward his budget recommendation of \$2,500,000 and over the Economic Council headed by Mr. Hart of Utica, and the State Chamber of Commerce, which urged the elimination of the appropriation from the budget just passed. It is a victory for clean fighting, clear thinking, honest and unselfish motives, and for good employment practices.

Thanks to the energetic work of the Association in calling attention to the facts, the State of New York has seen fit to strike the shackles of overlong hours from thousands of its employees, and to face forward towards more intelligent and progressive treatment of all employee problems.

This great victory is a mighty challenge to a 100% union of State Civil Service employees in this, their own Association, composed entirely of State workers, officered and directed entirely by State workers who serve without pay of any kind, and devoted entirely to State employment matters. If you have not yet joined the Association, do so today and do your part by membership, and active effort on behalf of many more much needed improvements.

Summary of Legislation Pending

The following is a complete list of legislative measures introduced in both houses since publishing the March issue of this magazine, and which affect in some way the salaries, hours of work, pensions or civil service status of State employees, and are therefore of interest to them:

SENATE

Int. 1744, Print 2147, Senator Crawford—Amends section 52, Civil Service Law, by providing persons in service in State hospitals may become members of State employees' Retirement system on or before January 1, 1937. Pensions Committee.

Int. 1813, Print 2239, Senator Schwartzwald—Amends Section 31, Civil Service Law, relative to

certification of civil service employees removed through no fault or delinquency on their part. Civil Service Committee. (Same as A. 1293.)

Int. 1822, Print 2248, Senator McNaboe—Amends section 6, Article 5, Constitution by providing preference in civil service appointment and promotion for war veterans and nurses shall be "as the legislature may prescribe." Judiciary Committee.

Int. 1850, Print 2297, Senator Cheney—Adds new section 71-a, Public Officers Law, for granting for period not exceeding three weeks a year, vacation for State employees paid on a per diem or hourly basis. Finance Committee.

Int. 2000, Print , Senator Garity—Adds new sections 187, 188, Labor Law, by limiting a day's work to eight hours and a week's work to 48 hours for all those primarily engaged in performing duties of nursing, guarding or attending inmates or other persons kept in institutions, subject to jurisdiction or visitation of either the correction, health, social welfare or mental hygiene department. Labor Committee.

Int. 2008, Print , Senator Nunan—Amends section 19, Chap. 798, Laws of 1931, by providing any local emergency relief bureau or other local relief authority, may, with approval of administration or department succeeding

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Editorial Page

Merit System Wins Smashing Victory

An overwhelming majority of the American people favor the merit system in government according to the results of a nation-wide poll just conducted by Dr. George Gallup, Director, American Institute of Public Opinion. Approximately 100,000 Americans from all walks of life and all sections of the country were questioned in an effort to determine whether public opinion favors civil service or the spoils system. Two hundred and four interviewers were employed to supplement the use of the mails in an attempt to secure an adequate number and a representative sampling of citizens.

Eighty-eight per cent of all those voting throughout the country favored civil service. Voters in every state in the union gave huge majorities in support of the merit system. Even in Mississippi, where the smallest percentage of ballots was cast for civil service methods, the vote was 76% for the merit system and only 24% for patronage. Sentiment for the merit system was not confined to members of any one political party. Eighty-three per cent of the Democrats, 91 per cent of the Republicans, and 93 per cent of the Socialists favored civil service. In New York State, 91 per cent was for and 9 per cent against the merit system.

The significance of this poll is that public opinion in favor of the merit system transcends party lines and state boundaries. It is also noteworthy that in those states where state and local civil service laws have been adopted, the percentages in support of the merit system were consistently higher than in those states which are still without such laws. This indicates that the practice as well as the principle of the civil service system has met with popular approval. In this poll, the American people have given a clear mandate to the President and Congress and to State and local officials for immediate action to extend the merit system in government.

(From the Civil Service Assembly)

Association Wins Important Decision

Counsel John T. DeGraff won another important legal victory in defense of Civil Service principles in the decision of Official Referee Harold J. Hinman, who held that the transfer of E. C. Pooler from the position of Institution Farm Advisor to that of Steward of the Syracuse State School was illegal.

The point at issue was as to whether the two positions were similar and permitted transfer without examination. The Official Referee upheld this Association in the contention that the positions were not similar and that the position of Steward should have been filled from the established eligible list.

No question was raised at any time as to the good record of Mr. Pooler in State service. The question was solely one of protection of a vital civil service principle, viz., the insistence that fairness and justice prevail in transfers and appointments. To permit transfers without proper regard for the duties and re-

sponsibilities of each position would open the way to flagrant abuse and discrimination. As Judge Hinman said in his opinion: "To permit the filling of positions by transfer, by persons who satisfy a department that they can perform the duties of a position by reason of general experience in life would be to violate the letter and spirit of the Civil Service Law, and destroy the civil service system."

From the very first this Association deplored the attitude taken by the Department heads involved. There is no body of workers anywhere as loyal to their superior officers as the rank and file of civil employees in the State departments of this State. In return for that loyalty they have the right to expect impartial treatment in matters of promotion. In this case there was a list of persons who had qualified for the position of Steward. Some of these had worked many years in subordinate positions at low pay and by reason of study and attention to duty had equipped themselves to perform the higher duties and rightly to receive the higher compensation. To be thrust aside and denied advancement fairly striven for and honestly won carried with it a breaking of faith in the justice of the State's employment system. Such a condition of affairs is a threat to high efficiency in any branch of service. C. C. Colesanti, an employee of the Middletown State Hospital became the plaintiff in this case. By doing so he really became the representative of every State civil service employee in the State service and typified the Civil Service body. He typified good citizenship seeking fair play and an honest interpretation of the Constitution and of a basic law of the State. He took the brunt of the battle for the worker's inherent right to fair treatment at the hands of his employer, the State, and his superior officers.

Vacations

Workers in many branches of the State service prior to 1933 were accorded a vacation period of 26 days each year. Substantial vacation periods fit into every sound employment program. Vacations are an aid to good health and there is no good work where good health does not exist.

Every human endeavor is exhaustive and without proper periods of relaxation, and opportunity for rehabilitation, the individual is not capable of maximum service. This is a general rule and vacations therefore have a vital relationship to general social well-being. In 1933 the vacation period in State service was lessened by reason of the great increase in work through not filling vacancies due to economic conditions. The same situation existed in the Federal service. Last month Congress and the President approved a measure giving to Federal employees an annual vacation period of 26 working days and a sick leave allowance of one and one-quarter days per month.

The Association believes thoroughly in the wisdom of such vacation and sick leave periods. It will urge such a plan for the State service and seek its adoption.

? Employee's Spurn \$600.00 Salary Increase ?

The newest brain child of "The Forum", the organization sponsored by Frank J. Prial, comes in the form of a news release charging this Association with "deliberately frustrating, impeding and blocking" the Nunan-Fitzpatrick bill, which provides for a \$600 salary increase for all State employees now receiving less than \$3600 per annum. The release appears over the signature of Wm. J. Donahue, President of the organization, who is solicitous concerning State employees although not one himself.

When organized State employees OPPOSE salary increases, that is indeed news. We recommend such a theory to the consideration of the officers of the Liars Club along with such masterpieces as the yarn about the grandfather's clock that was so old the shadow of its pendulum swinging back and forth wore a groove in the back of the clock.

This fantastic outburst marks a new high, or should we say a new low, as a specimen of the type of leadership which guides "The Forum" and Mr. Prial's publication "The Chief", which proclaims that it has "consistently championed the cause of Civil Service employees." Is this an attempt to champion the cause of Civil Service by the creation of dissension among Civil Service employees?

Every year so far during the last several years in desperation some discovery has been made by Mr. Prial's organization about the work of this Association which must forsooth be given immediate publicity. The "discovery" list grows more amusing and farther from the truth, if that is possible, each year. The picture will be complete when it is announced that this Association advocates a mandatory twelve-hour day and a seven-day week for State employees, coupled with a reduction of all salaries to a maximum of \$500 per annum. To add a dash of color, we might yet be told that Bill McDonough is reputed to be a "Red" financed by Moscow.

Yeah!! While Mr. Prial goes after more paper subscriptions for his "Chief" through the amazing

"discovery" of the subversive anti-Civil Service activities of this Association, Governor Lehman is publicly acknowledging the part this Association has played in bringing about the appropriation of \$2,500,000 for the abolishment of the eight-hour day. Last year while "The Chief" was expounding upon how this Association had blocked and frustrated the eight-hour day and how the president and some others received fabulous salaries (wholly without foundation), the Governor was publicly stating that his determination to repeal the salary cuts of State employees was influenced by the facts and figures presented to him by the officers of this Association. And speaking of salary cuts, how does it happen that as spokesman for the New York City employees, Mr. Prial's organization does not seem to have accomplished the repeal of salary cuts in Greater New York. Maybe it is not too late to claim that we "frustrated, impeded and blocked" salary restorations in New York City too.

By this time Mr. Prial's organization should know that it cannot get a rise out of us by these tactics. We decline now and have always declined to get into any controversy with other associations. The merit system has not yet attained a state of perfection and the cause cannot be advanced by dissension or the appearance of dissension among its supporters. There are too many important things to be done. There are too many reforms that can be accomplished only through the intelligent and united efforts of all Civil Service employees. Much more can be accomplished by cooperation than by petty bickering and unfair attempts to claim exclusive credit for the achievements of others.

This association, the only organization composed exclusively of State employees, is dedicated to the improvement of the merit system and the improvement of standards and working conditions in the State service. We stand ready to co-operate fully and fairly with any individual or group sincerely interested in up-

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Salary Planning

Continued from Page 1

they really are, namely, as the measure of prosperity, the measure of community progress, the measure of sound home and family life. With over eighty per cent of all of our citizens dependent upon salaries or wages—having no other means of supplying food, fuel, clothing, or of establishing homes, rearing children, supporting education, religion or caring for the substantial things in society—It is impossible to deal honestly or sincerely with the solution of social problems without placing the question of salary income first in sound economic planning.

"As a pertinent and progressive step toward better planning generally with regard to the proper compensation of all workers, this Association suggests that the State itself through a planning commission selected from its own household—legislative, executive and administrative, with representation thereon of the rank and file of the workers—examine into its own salary scales, their justice, their equity and their adequacy, with a view to intelligent handling of the problem and of setting an example to others along the line of fairness in dealing with this vital question.

"We ask earnestly that you approve the above measures. We ask this in the interest of better State service. We ask it in the interest of equitable and honest treatment of the salaried workers of the State."

8 Hour Day Bills

Continued from Page 1

and at a time when men's hearts and minds are intent upon building a better society than has heretofore existed. The establishment on a fair and sound basis of a happy relationship between men is the great problem facing religious, social, economic and political leaders. The right solution of the hours of work and compensation features of that problem are of the highest importance.

The long day is done in this State whether the eight-hour day bills are passed or not; the budget bill which provides the money to make the shorter day effective, is more potent than any other power to establish the principle and the practice.

N. Y. City Chapter

By Robert Axel

Chairman, Committee on Publicity

The realization that the problem of social maladjustment can no longer be regarded as of a temporary nature is manifest in an Act which consolidates the activities of the State Temporary Emergency Relief Administration and the State Department of Social Welfare. The T. E. R. A. will continue in operation until June 30, 1937, when its functions will be transferred to the Department of Social Welfare.

The New York City Chapter, in common with other chapters of the Association of State Civil Service Employees, has been deeply interested in this coordination of relief activities, particularly in the Act now before the Legislature to amend the public welfare law, providing for the reorganization of the State Department of Social Welfare. Section 3-f of this Act, relative to the reorganization of the administrative staff, follows:

"Members of the present staff and personnel of the department of social welfare shall be continued in the positions which they occupy at the time this article takes effect or shall be transferred to other positions in the department in accordance with the provisions of the civil service law and rules, after due consideration of the needs of the department under the reorganization herein to be effected. Salaries for positions within the department shall be re-examined and adjusted in the light of the requirements for the recruitment and retention of adequately qualified personnel. At any time after July first, nineteen hundred thirty-six, members of the personnel of the temporary emergency relief administration established pursuant to chapter seven hundred ninety-eight of the laws of nineteen hundred thirty-one, whose services are required by the department of social welfare, may receive and hold provisional appointments to positions in that department from appropriate civil service lists. Within six months after the final transfer of the duties and functions of the temporary emergency relief administration to the department of so-

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Rochester News

By Leslie S. Wood

On April 14th, a meeting was held in Rochester, at which time it was unanimously agreed that a Rochester Chapter of the Association should be organized.

The principle speakers of the evening were Mr. Charles A. Brind, Jr., President of the State Association; Mr. Harry C. Dupree, President of the Buffalo Chapter of the Association, and Dr. Riley M. Little, Director of Rehabilitation Division, Albany, and a member of the Executive Committee of the Association. We wish to take this occasion to thank the speakers for their splendid talks, which aroused such keen enthusiasm.

At the present time a Nominating Committee is being formed to consist of representatives of the various departments in this vicinity to present a slate of officers at the next meeting, which will be held in the near future.

Various departments have stated that they are behind a Rochester Chapter one hundred per cent and it is hoped that Rochester will go "over the top" in a very short time.

The organization of a chapter in this vicinity will doubtless increase interest and membership in the Association.

Edward A. Filene

Edward A. Filene, Father of the Credit Union Movement in America inducted Governor Lehman as a member of the N. Y. State Employees Credit Union in ceremonies which took place on April 21st in the Executive Chamber at Albany, N. Y.

The induction of Governor Lehman has bestowed a signal honor upon New York State in giving it the First Credit Union Governor in the U. S.

Mr. Filene, the noted humanist and philanthropist is the founder of the 20th Century Fund which has financed the credit union movement in the U. S. During the past 20 years, Mr. Filene has donated to this fund an amount in excess of \$1,000,000. Due to his untiring efforts and generosity the movement has grown to gigantic proportions, there being now in the U. S. 4,000 credit unions, having a membership of 2,000,000, and assets of \$100,000,000.

Buffalo Chapter

By Clair M. Brown

The Buffalo Chapter held its first election of officers and directors on March 23rd. Ballot boxes were placed in the State building at Buffalo and a spirited contest ensued which greatly increased interest in the Chapter and the Association. The officers and directors elected as a result of the balloting follows:

President, Harry C. Dupree, Parole Division; Vice-President, Margaret Slavin, Labor Department; Secretary, Clair Brown, Rehabilitation Division and Treasurer, Wm. E. McKernan, A. B. C. Board.

Directors chosen follows: L. D. Spink, Agriculture; Mrs. Ruth Kates, Banking; Catherine McGavis, Cancer Control; W. E. Tillman, Conservation; Rufus Jarnigan, Rehabilitation; Leo A. Sweeney, Employment; Robert Young, Gowanda Hospital; Anne T. Hooley, Health; August Marquardt, Labor; Edward Ryan, Law; Sanford Ulrich, Parole; Jos. Dzorznowski, Public Buildings; F. L. Clark, Public Service; E. H. Youngman, Public Works; Warren Riley, Buffalo State Hospital; John J. Keating, State Insurance Fund, Lt. L. C. Nelson, State Police; Kathryn S. Graham, State Teachers; Edith M. MacVeigh, Social Welfare; Milford Diggins, Dept. of State; Henry Seilheimer, Tax and Edward Gray, State Reservation, Niagara Falls.

On March 31, 1936, the Board of Directors and officers of the Buffalo Chapter met in its first organization meeting, at which time the aims and activities of the Association were discussed and plans were formulated for their activities to take place during the next few months.

Some of the topics now under consideration include the examination of the Constitution and the formulation of by-laws. Ways and means of raising funds for the expenses of the local organization were also discussed.

Because of the success of the annual dinner and the high level of interest in the Association at this time, several members of the group felt that a picnic could be arranged for the latter part of the

Legislation Pending

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to its functions, appoint its employees in accordance with Civil Service Law and rules. Relief and Welfare Committee.

ASSEMBLY

Int. 2120, Print 2590, Mr. Bartholomew—Adds new section 31-b, Civil Service Law, providing term of eligibility for reinstatement of person demoted and whose name is on a preferred list, shall be eight years from date of demotion; preferred list must be established at equivalent class and title from which they were demoted for men demoted. Civil Service Commission. (Same as S. 1808.)

Int. 2134, Print 2604, Mr. Hamilton—Creates a temporary State civil Service compensation board of six members to study subject of salaries and other compensation paid in public and private employment and recommend on or before February 1, 1937, adequate and equitable salary scales for all groups of positions in State service. Civil service Com.

Int. 2231, Print 2758, Mr. Ehrlich—Amends section 177, Mental Hygiene Law, by providing any person who has completed twenty years or more of service and not entitled to retirement allowance, may apply for refund of contributions to retirement system credited to him on last day of state service. Health Committee. (Same as S. 1566.)

Int. 2239, Print 2766, Mr. Gamble—Amends section 38, Alcoholic Beverage Control Law, by providing in counties of more than 400,000 adjoining New York City, local board shall have power to appoint an executive officer who shall be civil service exempt class. Excise Committee.

month of June and discussions will be continued as to this proposition at later meetings.

The Board of Directors and officers agreed to meet monthly, preferably at a luncheon meeting and the next meeting was scheduled to take place on April 21, 1936, by which time the several committees including Legislative, Membership, Social, Publicity and Credit Union will be appointed by the Chapter.

N. Y. City Chapter

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cial welfare, as provided in this article, competitive civil service examinations shall be held pursuant to the civil service law and rules. The qualifications for the positions for which said examinations are to be held shall be determined by the state board with the approval of the civil service commission."

The above provisions, inserted upon the insistence of this Association, are a marked improvement over the original bill, which was condemned by the Association and others interested in maintaining civil service principles. The bill in its revised form fully protects present employees of the department and preserves civil service standards by requiring that all positions be filled by competitive examinations.

? State Employees Spurn Increase?

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holding and advancing the principles of Civil Service. While in many instances the problems of State employees are different in character from the problems that confront municipal and county employees, there are many problems common to all. It is essential for each group to have its own organization in its own field, but it is also self-evident that there is a broad field in which all groups may co-operate.

It is extremely unfortunate that Mr. Prial prefers propaganda to accomplishment. We wonder if he is not more concerned with promoting his own prestige than in advancing the interests of Civil Service employees generally.

Hospital Workers Meet

On April 21st, in the State Office Building at Albany, a meeting of delegates from various State Institutions throughout the State comprising the Association of Employees of the Department of Mental Hygiene was held. President C. C. Colesanti, of Middletown State Hospital, presided over several sessions at which all the various problems involving members were discussed.

Legislation

As this issue goes to press the Legislature of 1936 is getting ready to adjourn. The end of the present session is generally predicted shortly after the first of May.

A complete report of all measures of interest to State employees will be carried in the May issue of this magazine.

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