

Carey's budget blasted, a 'blueprint for disaster'

ALBANY — CSEA President William L. McGowan last week lashed out at Governor Carey's proposed state budget for fiscal 1980-81, calling the document a "blueprint for disaster."

Testifying before a joint meeting of the Senate and Assembly Ways and Means Committees, McGowan said CSEA's 107,000 members in state service have carried an unfair share of the state's economic burden, while the governor has appropriated \$3 million to purchase an executive airline and proposed \$800,000 so legislators only have to wait 30 seconds for an elevator at the State Capitol instead of 60 seconds.

"It is unconscionable for this state to target its public employees for cuts, target the taxpayers for reduced services and then turn around and splurge on luxuries for the leadership," President McGowan said.

"Between January of 1971 and January of 1977, a total of 10,783 state employees were laid off. Although this can be attributed to three different efforts to reduce state spending by reducing the state work force, the fact remains that the delivery of efficient and adequate state services to the public was also effected," he said.

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McGowan told the Legislators that the Governor's proposed budget for the coming fiscal year provides for only a 1.8% increase in State Purposes Fund spending despite the 13% annual inflation rate.

"No provision has been made," he said, "to increase the State Purposes Fund in a fashion which would permit current level state operations to continue while meeting the threat imposed by the inflationary spiral. The State Purposes Fund cannot be forced to bear more than its proportional share of economic cutbacks."

CSEA represents about 107,000 state employees in the Administrative, Institutional and Operational bargaining units. In his testimony, McGowan said these employees have borne the burden of the state's economic woes over the past seven years in the form of modest salary increases, numerous layoffs and cutbacks in programs. He said the proposed budget would worsen the already poor staffing patterns in state service and endanger continuity of efficient public services.

McGowan cited as an example that previously in the Department of Mental Hygiene the staff-to-patient ratio was one staff per .96 patients. Under the Governor's proposed budget, that ratio would drastically change to one staff per 1.25 patients, resulting in a further erosion in the level of care for the state's mentally handicapped.

"This union has taken the lead over the past several years in publicly fighting the declining conditions in this state's mental health and mental retardation institutions," he said. "When the state wouldn't listen, we took our case directly to the public through an information campaign financed solely by our members. Now that the issue has quieted down, the state purposes to return to the era of decline in care for the least represented segment of our society."

The union leader said CSEA and its membership want the State Purposes Fund aspect of the budget increased to at least continue present service levels in state operations.

"We also insist that if it is the policy of this state to cry poverty and take its economic woes out of the hides of its public employees, then maybe the leadership can tolerate some hardship as well and forego helicopters and elevators."

Delegates election announced

ALBANY — CSEA will be sending 223 delegates to the 1980 International Convention of the American Federation of State, County and Municipal Employees and the procedure for nomination and election of those delegates has now been announced by CSEA.

The June 9 to 13 convention will be the first in which an elected slate of CSEA delegates will participate since CSEA affiliated with AFSCME in April, 1978. The International holds its Conventions bi-annually and this year's convention site is Anaheim, California.

Under procedures dictated by federal laws regulating international labor unions, a complex process has to be used. Details of the nomination

and election process appear on page 12 of this edition of the Public Sector and will also appear in the next two editions.

A certain number of delegates will be elected within each of CSEA's six regions based on the number of members within the region. Nominations will take place at nominating meetings which will be held in all six regions on March 1. Details on the location, time and procedures of these meetings can be found in the official election notice on page 12.

"We intend to make this process as open and fair as our other internal elections," CSEA Executive Director Joseph J. Dolan said. "Under the direction of the CSEA Election Com-

mittee and in consultation with the International, we will proceed in an orderly and responsible manner to nominate and elect delegates to the International Convention."

The AFSCME Convention is held every second year to deal with proposed changes to the Constitution and By-Laws of the organization. Expenses incurred by elected CSEA delegates to the convention will be reimbursed by CSEA.

While the methods and procedures of both the nomination and election process are outlined in the notice appearing on page 12, any persons with questions concerning the procedures may contact: William M. Wallens, CSEA Counsel's Office, 33 Elk St., Albany, N.Y. 12224.

Court ruling

ALBANY — CSEA attorneys plan to appeal a recent State Supreme Court Appellate Division ruling that public workers are entitled to 30 calendar days, not 30 working days, of military leave per calendar year. That ruling reversed a lower court decision last June favoring CSEA's position that working days, not calendar days, should be the basis for military leave payment. CSEA said nearly 100 public employees who spent more than 30 days on ordered military duty, but not more than 30 working days, are adversely affected by the latest ruling.

OK Olympic work rules

LAKE PLACID — CSEA and the State have worked out an agreement regarding accommodations and working conditions for civilian state employees at the 1980 Winter Olympic Games in Lake Placid.

Such employees who have volunteered for Olympic duty will be housed in Building A at Camp Adirondack, and will be supplied with linen, laundry, housekeeping services and hot meals.

Those in State-supplied housing will be paid \$15 for each day of their assignment from Jan. 26 through March 2. This amount is the difference between the State Comptroller's approved rate and the cost of providing meals and lodging to these employees.

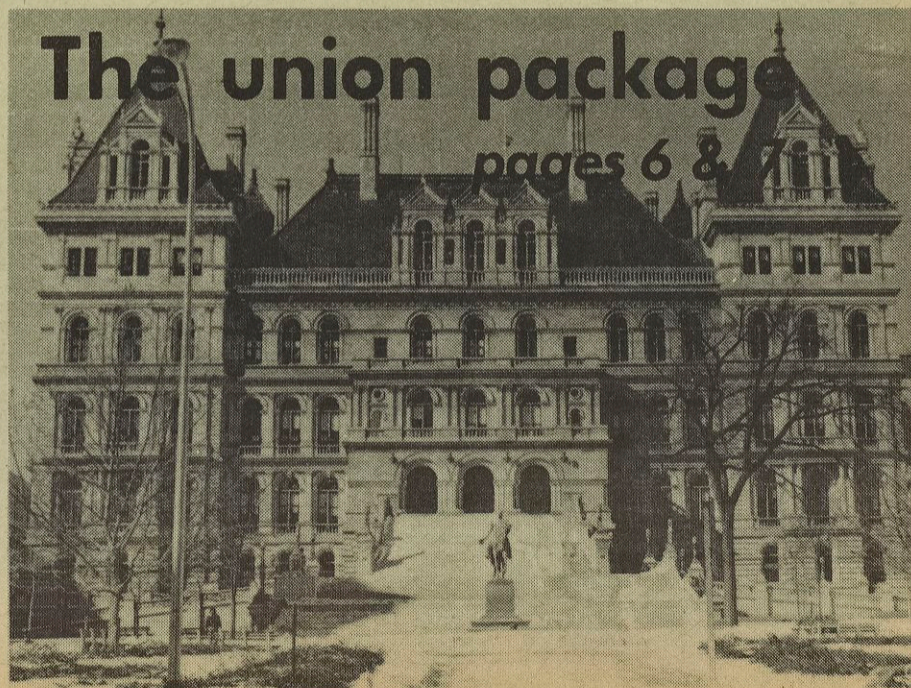
In addition, the State will arrange for access into the Olympic area for approved visitors of the employees, and bus service will be provided for travel to and from Lake Placid and the camp.

The State will also provide cable television and other recreational facilities for the employees for the duration of their stay.

Joint discussions between CSEA President William L. McGowan and representatives of the Governor's Office of Employee Relations will continue to address working-condition problems as they arise. The talks, according to the agreement, will be conducted "in a mutually cooperative and peaceful spirit, conducive to the success of the Olympics."

The union package

pages 6 & 7



Quarterly meeting held in Newburgh

NEWBURGH — The first joint CSEA Region III-State Office of Mental Health (OMH) quarterly meeting was held in Newburgh on Jan. 21.

Region III President James Lennon, who co-chaired the meeting with OMH Regional Director Dr. David McDonnell, said: "The meeting was to establish a dialogue for topics of mutual interest and concern of labor and management.

"In the future, this meeting could discuss big problems but will not involve itself in what should be handled at the local level."

Psychiatric centers involved in the meeting were Harlem Valley, Hudson River, Mid-Hudson Middletown, Rockland and Rockland Children's.

The agenda for the first meeting included:

- Regional resources.
- Facility closings.
- Performance evaluations.
- District Management.
- Shared Staffing.

At the conclusion of the meeting, Region III Director Thomas Luposello said: "A lot was accomplished at this first meeting. An exchange of information makes both union's and management's job easier."

Luposello, noting that union and management persons sat together around the table, said: "There were no sides reflected at the table.

Some of the information presented at the meeting included:

—Psychiatric centers in the region would be hit hard if the proposed budget passes the legislature, Lennon said.

— Action by CSEA may have saved a number of mental health jobs in the region.

—Rumors of facility closings were hurting morale at some facilities.



THE FIRST JOINT CSEA Region III-State Office of Mental Health quarterly meeting was chaired by CSEA Region III President James Lennon, center, and OMH Regional Director Dr. David McDonnell, right. At left is CSEA Region III Director Thomas Luposello.



CSEA REGION III staff and psychiatric center local officers attend the CSEA-OMH meeting on Jan. 21 including, from left, CSEA Field Representatives Flip Amodio and Thomas Brann and Rockland Psychiatric Center CSEA Local 421 President Eva Katz.

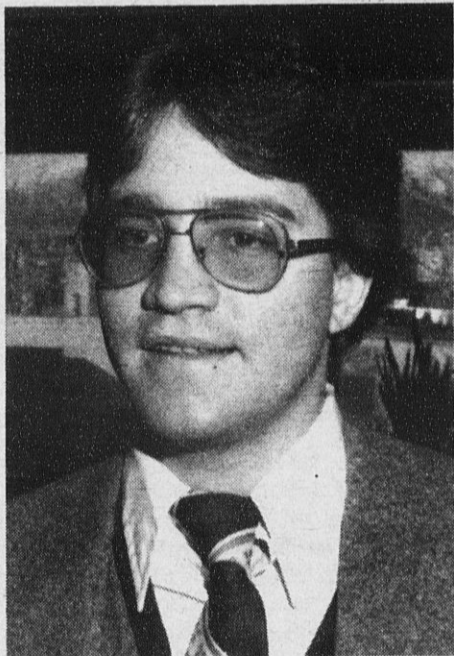
Intern assigned for Syracuse

SYRACUSE — William C. "Skip" Hidlay, a senior journalism major at Syracuse University, is the first Public Sector intern.

Hidlay will be helping cover CSEA Central Region V for The Public Sector through early May 1980. He will be working under the direction of Public Sector Executive Editor Roger Cole and Associate Editor Dr. Gerald Alperstein.

He will be working closely with Region V Director Frank Martello, his field staff and Region V President James Moore.

Hidlay, 21, a native of Bloomsburg, Pa., has worked as a reporter on the Berwyn (Pa.) Enterprise, a daily newspaper, for three summers.



William C. "Skip" Hidlay

Huntington library contract

HUNTINGTON — The employees represented by the Huntington Library Unit of CSEA Local 852 will receive pay increases of at least 22 percent over the next two years, CSEA Field Representative James Walters reported.

The unit unanimously ratified the increase Jan. 25 for the second and third years of a five-year contract with wage reopeners, he said.

During the next two years, the employees will receive five percent each year plus cost-of-living adjustments of six percent each December and June, Walters said.

If the cost of living goes over 12 percent, the wage reopener goes into effect, he said. President of the unit is Nora Marshall.

Saratoga infirmary problem

BALLSTON SPA — Efforts to resolve a long-standing problem involving employees of the Saratoga County infirmary are continuing, according to Local 846 President John Miller. He said he and members of his executive committee are determined to continue to negotiate a solution acceptable to all.

At issue is a long-standing practice by the county of charging infirmary employees for a meal whether or not it is eaten. The current charge is 75 cents a day — \$7.50 a pay period.

The meal is prepared for the day shift's lunch and is kept on steam tables for the second and third shifts (3-11 p.m. and 11 p.m.-7 a.m.).

Miller said the county has made two proposals to the union:

- The county will not supply food for any infirmary personnel.
- The county will supply food for only the day shift and charge only the day shift employees.

Miller said neither proposal is acceptable because while virtually all the approximately 80 second and third shift employees want the food program ended, the same is not true for the day shift.

He said about half the 150 day shift employees want the program continued while the other half want the program ended.

Calendar of EVENTS

FEBRUARY

- Capital Region
- 13 — Region IV Political Action Committee meeting, 5 p.m., Regional Headquarters, 1215 Western Ave., Albany.
- 16 — Binghamton 002 Valentine Dinner-Dance, 6:30 p.m., Banquet Master's Restaurant, Endicott.
- 16 — Fulton County Local 818 dinner-dance, Eagle's Club, Johnstown.
- 16 — Rockland County Local 844, leadership conference, 9 a.m., Sheraton Inn, Nanuet.
- 23 — Region VI meeting, 10 a.m., Buffalo Convention Center, Buffalo.
- 25 — Long Island Region I delegates meeting, Musicaros, Melville.
- 29-March 2 — Region V Conference, Hotel Syracuse, Syracuse.

MARCH

- 1 — Babylon Town Unit of CSEA Local 852, second annual dinner-dance, 9 p.m., Musicaros, Walt Whitman Road, Melville.
- 1 — Metropolitan Region II general membership meeting, 14th Street Armory, New York City.
- 6 — Southern Region III Executive Committee meeting, 7:45 p.m., Holiday Inn, Newburgh.
- 9-11 — Delegates meeting, Albany.

APRIL

- 7-9 — Long Island Region I spring conference, Gurneys Inn, Montauk.

CSEA / AFSCME



NEWARK DEVELOPMENTAL CENTER CSEA LOCAL 417 members recently raised more than \$400 on behalf of the Special Olympics Fund with a raffle of a 10-speed bicycle donated by the Local and won by Sarah Taylor. Tim Paradise, a silver medalist in floor exercise events at last summer's Special Olympics in Brockport, drew the winning ticket. In the photo, from left, are NDC Acting Director Charles Soper, CSEA Local 417 President Tony Cinquigrana; Special Olympics area representative Essie Barnes; Tim Paradise, and NDC Administrator Sylvester Zielinski.

Reach accord in Watervliet

WATERVLIET — The City of Watervliet Unit of the Civil Service Employees Assn. and the city council have come to terms on a two-year contract for employees after an impasse in negotiations was declared in November.

The new contract calls for salary increases of seven percent in each year, retroactive to January 1, 1980. The council has also agreed to pay for a \$5,000 life insurance policy for each employee and to raise the longevity rate by two cents per hour in the second year of the contract. Early in negotiations, the city refused to pay for an insurance policy and threatened to stop longevity payments entirely.

Other benefits include increases in uniform allowances and reimbursements for eyeglasses and eye examinations. A new vacation schedule was also established.

The union went to impasse in November when the city refused to grant several major proposals. At the time, Capital Region CSEA field representative Joseph Bakerian accused management of not being attuned to the negotiating process and said its attitude was "demeaning and insulting" to the employees.

Gasoline reimbursement obtained

BABYLON — The Town of Babylon Unit of CSEA Local 852 obtained reimbursement of money for those employees who recently had been required to pay for gasoline used in town-owned cars during the work day, Unit President Cathy Green has reported.

In September 1979, the town required those employees driving town-owned vehicles during the workday and to and from work to supply a minimum of five gallons of gasoline

Ellenville agreement

ELLENBURGH — Town of Ellenburgh highway department employees represented by the Civil Service Employees Assn. have ratified a two year contract, retroactive to January 1, 1980, providing them a 40 cents per hour raise each year. The increase is equivalent to ten percent.

The contract also calls for the retention of all existing benefits, which include a town paid retirement plan, 11 paid holidays and sick, personal and vacation leave time.

According to Capital Region CSEA field representative Charles Scott, who assisted the negotiating team, the talks were difficult at times and approached the fact finding stage, but the team, led by unit President Ronnie Minkler, remained united.

Local constitution change

ALBANY — The CSEA's Model Local Constitution was amended by the union's Board of Directors last week to formalize an unwritten union policy concerning delivery of services to the membership.

By an overwhelming majority, the Board approved an amendment which requires any local seeking to expend funds to provide services already provided by CSEA, to seek advance Board approval.

The amendment requires that when the union is providing a service for its

members such as in collective bargaining, research, etc., any local that wants to hire outside assistance in these areas may do so only with the advance approval of the Board.

The change, a full description of which will appear in the next edition of the Public Sector, protects the union from possible liability which could occur under the Duty of Fair Representation which legally obligates the union to provide and maintain certain services for its members.

If a local could purchase services outside the control of CSEA, President William McGowan told the Board, then ultimately the union would be held legally responsible for the consequences.

Mr. McGowan also noted that the union maintains expert services in all areas of employee representation and that expenditure of local rebates for that same purpose would be a waste of membership dues.

CSEA / AFSCME
in the public service

Compensation awarded to 3 employees

GLENS FALLS — Three part time employees of the City of Glens Falls Recreation Department were awarded a total of more than \$2500 as compensation for personal, sick and vacation leave time denied to them over a two year period, after the Civil Service Employees Assn. representatives put pressure on the city to settle a grievance which had been pending for two years.

According to Glens Falls CSEA Unit President Mike Kelly, part time employees were not covered under the CSEA contract with the city, until an agreement put into effect in 1977 called for coverage of those working an average of 20 hours per week. The city, however, refused to grant the time off and certain medical benefits to three employees, Robert Clark, John David and Champ Rierdon, who fell into this category. Though the union immediately filed a grievance, city administrators continually put off the hearings.

Kelly, who took over as unit president some months ago, enlisted the aid of Capital Region CSEA Field Representative William Lochner to take the matter to an arbitrator. Prior to the arbitration hearing, however, the city called a meeting with the union and agreed to the monetary award.

In addition, the city recognized the right of 20 hour part time employees to contract coverage and benefits in the future.

Kelly indicated that he and the employees were satisfied with the settlement and praised Lochner for his assistance.

Agreement is announced

NEWBURGH — The Newburgh City School District Unit of the Orange County Local of CSEA has come to a tentative agreement with the city school district for a two-year contract.

Unit president Frank LaRocca announced the agreement which is retroactive to July 1, 1979 and runs to June 30, 1981.

According to LaRocca the tentative pact provides for a 5 percent or \$500 increase — whichever is greater — for each of the two years and, for hourly employees, a 15 cent per hour increase for each of the two years. These amounts will be applied to the salary schedule.

Other elements of the agreement include a provision for mileage reimbursement equal to the state rate, additional stipends for professional library staff based on post-graduate work, some modifications in vacation procedures for custodial staff during the Christmas and Easter vacation periods and the establishment of a labor-management committee.

The unit represents about 200 people, mainly in custodial, cafeteria, clerical, maintenance and teacher aide categories.

CSEA Field Representative John Naughter assisted unit officers and negotiators in the contract talks.

Meetings set

NEW YORK CITY — One general membership meeting was held recently and two others are being planned for members of Department of Labor CSEA Local 350.

Local 350 President George Caloumeno said the meetings cover such topics as the evaluations, stewards, the local's executive committee, committees of the local and meeting the new local officers.

Members of the local who work in New York City met on February 11, at 2 World Trade Center, 44th floor.

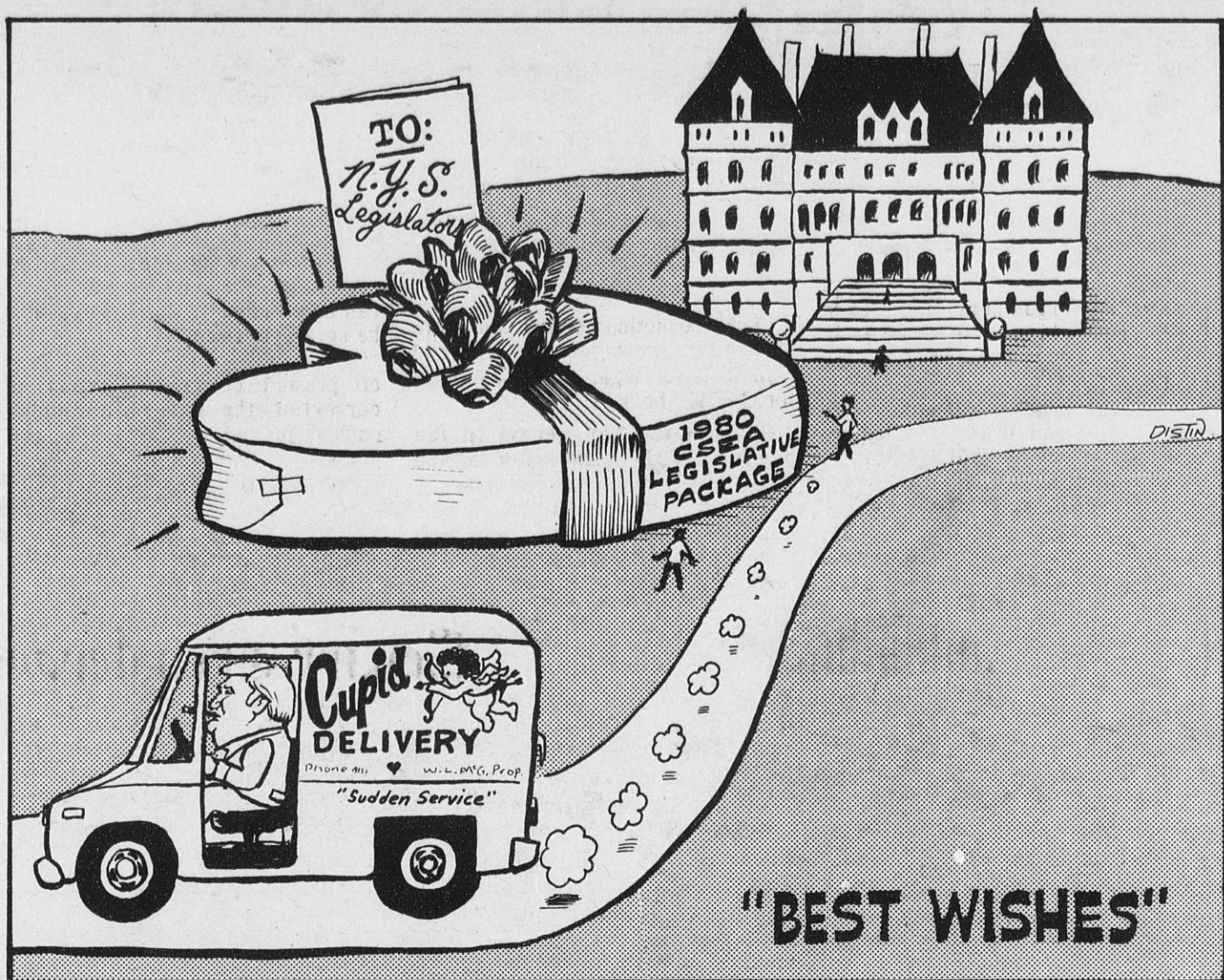
The two meetings being planned will be for members of the local who work in Nassau and Suffolk counties and in Westchester and Rockland counties, Caloumeno said.

New officers

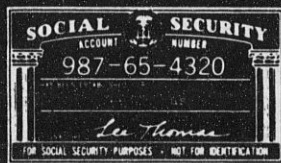
NEW HAMPTON — Officers of Local 448 at the Mid-Hudson Psychiatric Center here were recently installed by CSEA Region III president James J. Lennon.

The officers are Margaret Zettle, president; Gary Weyant, vice president; Armando Verrasi, treasurer; and Josephine Davis, Secretary.

In addition, Lennon recognized the appointment of Shirley Grebeldinger as Local 448's representative on the Agency Performance Evaluation Appeals Board.



questions and answers



CSEA/AFSCME
the union that works for you

Medicare Can Cover Health Care in Home

Many people in the local area are not aware that Medicare health insurance can help pay for care provided in the person's own home, a social security representative said recently.

Medicare provides hospital insurance and medical insurance for most people 65 and over and for many disabled people under 65. Hospital insurance helps pay the cost of inpatient hospital care and for certain follow-up care and medical insurance helps pay the cost of doctor bills and many other medical care expenses.

Sometimes people do not need full-time skilled care in a hospital or skilled nursing facility, but still have a condi-

tion that prevents them from leaving home to receive the health services they need. People in this situation can get part-time skilled health services in their home from a home health agency.

Both Medicare hospital insurance and medical insurance can help pay for covered home health services when certain conditions are met.

When Medicare can cover home health care, it can pay for the following services:

- Part-time skilled nursing services.
- Physical therapy.
- Speech therapy.

If a person needs one or more of these three services, then Medicare can also pay for

the following services:

- Part-time services of an occupational therapist, home health aide, or medical social worker.
- Medical supplies and the use of medical appliances furnished by the home health agency.

Medicare cannot pay for full time nursing care at home, drugs and biologicals, meals delivered to a person's home, or homemaker services.

For more information about home health care, ask for a copy of the leaflet, "Home health care under Medicare" at any social security office. The address and telephone number of the nearest social security office can be found in the telephone directory.

KEEP CSEA INFORMED ON MAILING ADDRESS

In the event that you change your mailing address, please fill out the form below and sent it to:

CSEA, Inc., P.O. Box 125, Capitol Station, Albany, New York 12224. This form is also available from local presidents for CSEA members, but is reproduced here for convenience.

Change of Address for 'The Public Sector'

Please allow 3-4 weeks for change to take effect.
My present label reads exactly as shown here (or affix mailing label)

Name _____	Local Number _____
Street _____	
City _____	State _____ Zip _____

MY NEW ADDRESS IS:

Street _____

City _____ State _____ Zip _____

Agency where employed _____

My social security no. _____ Agency No. _____

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Region II locals set up EAP

NEW YORK CITY — Three locals have functioning Employee Assistance Programs (EAP) in Metropolitan Region II, according to Regional EAP Coordinator Felton King.

King said five other locals are in the process of organizing their own EAPs, though his goal is to see each of the region's 20 locals have functioning EAP.

He urges all local presidents in the region to call him at 698-1440, extensions 135 and 136, to get the ball rolling on establishing local EAPs.

EAP, a statewide program established under the CSEA-State contracts, provides confidential referrals

for State Employees seeking help with alcohol, drugs, family, money, legal and other problems, King said.

"This can be especially important in reducing patient abuse, absenteeism and other alcohol and drug-related problems.

"Such reductions benefit the state by causing more productivity and lead to lower legal assistance costs for CSEA," he said.

He said the key person in the program is the coordinator of the local's EAP, whose confidentiality is protected by law. The coordinator must be a person approved of by both the union and by management. The

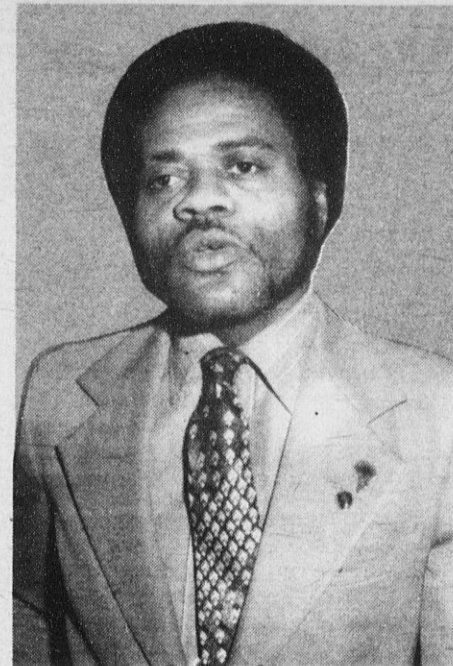
coordinator is a 100 percent released-time position.

In addition to the coordinator is a committee of union and management which promotes EAP and can assist the coordinator if needed, he said.

Both the union and management can recommend to an employee that he seek help from EAP.

King said one aim of EAP is to head off possible disciplinary actions by correcting the personal problems causing the need for the disciplinary actions.

FELTON KING, CSEA Region II EAP Coordinator.



Court employees contract explained at meeting

NEW ROCHELLE — The contract between CSEA-represented employees of the State Office of Court Administration (OCA) was explained to members of Judiciary Local 332 at a meeting on Jan. 21.

Local 332 represents OCA employees in the former county courts in Rockland, Putnam, Orange and Dutchess counties and in most of the former city courts in those four counties and in Westchester County.

Explaining the new contract was CSEA Collective Bargaining Specialist Emanuel Vitale. The meeting was chaired by Local 332 President Pat Neelon.

Also attending the meeting were Southern Region III President James Lennon and Field Representative Thomas Brann and Judiciary Board of Directors Representative Thomas Jefferson.



1) CSEA COLLECTIVE BARGAINING SPECIALIST Emanuel Vitale explains the CSEA-OCA contract to members of Judiciary Local 332 at meeting in New Rochelle on Jan. 21.

2) SOUTHERN REGION III PRESIDENT James Lennon, left, discusses the new CSEA-OCA contract with Judiciary Local 332 President Pat Neelon, center, and Judiciary Board of Directors Representative Thomas Jefferson at the Jan. 21 New Rochelle meeting.

3) WHITE PLAINS COURT EMPLOYEES, from left, Dorothy M. Pela, Shannon G. Koss and Roslyn Bazzo attend the Local 332 meeting in New Rochelle.

4) DETAILS OF THE CSEA-OCA contract are explained to, from left, Constantine Konios, New Rochelle court, and Isaac Welburn, Mount Vernon court.



Push is on in support of union's legislative objectives

A message from the president

Dear Sisters and Brothers:

1980 promises to be the most political year of the decade. Our members will help elect a President, a United States Senator, the entire New York State Congressional delegation, and a new New York State Senate and Assembly. The importance of these elections is further heightened by the fact that 1980

will be a redistricting year. This means, of course, that the party which controls the New York State Legislature in 1980 will, in all likelihood, continue to control it for at least the first five or six years of the decade.

I am personally gratified at the dramatic increase in political activity and legislative clout at both the local and State levels which CSEA has achieved in the past several years. In addition, our affiliation with AFSCME has provided us with desperately needed input on the Washington political scene. We have made great progress but there is much that remains to be done. As

long as one public employee in New York State must negotiate without the protection of a fair collective bargaining law or go to work without the protection of an Occupational Safety and Health Act, our job is not done. Our members are not asking for "wine and roses;" we are demanding "meat and potatoes." We don't seek preferential treatment, but we deserve equal treatment.

Our legislative goals for the '80's will not be achieved by wishing. They can only be achieved by working. I call upon all of you to join me in this struggle. None of us expects all of our legislative goals to be achieved

this year, but all of us expect that they will be achieved. With your help and hard work we can together fulfill that expectation.

Fraternally,

William L. McGowan

William L. McGowan
President



CSEA's 'bread and butter' 1980 legislative proposals

1. OSHA

State and local government employees are presently the only employees in New York State who do not benefit from a program designed to make the work place safe. This bill would mandate minimum health and safety standards for public employees no less than those promulgated pursuant to the Occupational Safety and Health Act of 1970.

2. BOARD OF TRUSTEES FOR RETIREMENT SYSTEM

The Employees' Retirement System is presently administered by the Comptroller, who is also the sole trustee of the more than \$11 billion in assets. Public employees who are members or pensioners of that system have no voice in investment decisions made by the Comptroller, unlike those in the five pension systems in New York City and the New York State Teachers' Retirement System. This proposal would guarantee voting membership on the Board of Trustees for the Employees' Retirement System, and investment decisions would require the vote of at least one such member.

3. INJUNCTIVE NOTICE

The Taylor Law presently allows the issuance of a temporary restraining order against a strike. The violation of such orders may result in fines and jail terms. This bill would give unions and employees the right to notice and an opportunity to be heard before the issuance of a temporary restraining order.

4. NO UNION LIABILITY FOR A STRIKE CAUSED BY AN EMPLOYER IMPROPER PRACTICE

This bill would prevent the imposition of penalties upon an employee organization representing employees in a unit where an improper employer practice was responsible for a strike.

5. LIVERPOOL

The Liverpool case recently decided by the Court of Appeals unduly restricts the arbitration of contract disputes under the Taylor Law. In the field of arbitration there is generally a presumption that the parties agreed to arbitrate a contractual difference. This bill would restore the presumption of arbitrability for N.Y.S. public employees which disappeared because of Liverpool.

6. TRIBOROUGH

The New York State Court of Appeals has recently overruled the Triborough doctrine, which required that the terms of an expired collective bargaining agreement be continued until a new agreement is negotiated. This bill would make it an improper employer practice to refuse to continue such terms.

7. COURT EMPLOYEES COVER-IN (GRANDFATHER)

Employees in the Unified Court System represented by CSEA who are subject to the reclassification scheme mandated by Chapter 966 of the Laws of 1976 will be granted permanent status in the competitive class if they have performed the duties of their respective positions for a period of one year prior to the effective date of this proposal.

8. MILITARY BUY-BACK FOR VETERANS OF WWII, KOREA AND VIETNAM

This bill would allow the veterans of WWII, Korea, and Vietnam to purchase up to three years of credit in the retirement system for service in those wars.

9. MINIMUM WAGE FOR PUBLIC EMPLOYEES

Public employees are unfairly discriminated against by the minimum wage provisions of the New York State Labor Law. This proposal would guarantee that public employees, like private employees, receive a guaranteed minimum wage.

10. DELETE EXAMINATION FEES

The Department of Civil Service has recently instituted a \$5.00 examination fee for open-competitive examinations, which this bill would eliminate for present employees of the State and its political subdivisions.

11. CONTRACTING OUT FOR THE PROVISION OF GOODS AND SERVICES

The decision of a public employer to contract out for goods and services, in addition to abolishing public employee jobs, is frequently more expensive than providing those services directly, particularly in the long run. This bill would require the State and local governments to file a financial impact statement prior to signing such a contract.

12. RETIREE SUPPLEMENTATION

Federal retirees receive cost-of-living increases based on increases in the Consumer Price Index every six months. By contrast, those retired from state or local government service receive no automatic cost-of-living increase, and in fact, those who retired on or after April 1st, 1970 have received no supplementation at all, despite the fact that the cost of living has almost doubled since 1970. This bill would provide a modest increase for all pre-April 1st retirees, depending upon the cost-of-living increase since the date of retirement.

13. \$2,000 DEATH BENEFIT

This bill would make State employees who retired before September 30th, 1966 eligible for a death benefit in the amount of \$2,000. Individuals who retired after that date are presently eligible for a benefit in the amount of \$2,000 or \$3,000, depending upon the date of retirement.

14. HEALTH INSURANCE IN RETIREMENT

This bill would provide that the surviving spouse of a retiree who had family coverage in his health insurance plan would be allowed to continue such coverage after the employee's death, at no more than 25% of the full cost.

15. EDUCATION LAW PARTY

The Education Law presently encourages the contracting out of transportation services by contractors by giving private contractors a more favorable state-aid formula. This bill would eliminate that advantage.

16. MEMORIAL DAY

The General Construction Law should be amended to provide that Memorial Day will be celebrated the last Monday in May, rather than on the 30th of May.

17. PERMANENT AND MANDATORY AGENCY SHOP

The 1977 Agency Shop legislation, continued additional two years during the 1979 legislative session would be made both permanent and mandatory for both State employees and those of political subdivisions.

18. REPEAL OF 2 FOR 1

Public employees determined to have been on strike are fined two days pay for every strike day. This bill would eliminate the second day's penalty.

19. ARMORY EMPLOYEES

Civilian employees of the Division of Military and Naval Affairs would become "public employees" under the Taylor Law, and therefore could organize and bargain collectively with the State of New York.

20. INDEMNIFICATION IN POLITICAL SUBDIVISIONS

Although Chapter 466 of the laws of 1978 substantially amended Public Officers Law §17 to provide a uniform procedure for the defense and indemnification of State employees who are sued in civil courts for acts which arise out of the course of employment, the change was not extended to employees of the political subdivisions and other public entities. This bill would make that procedure uniform for all public employees.

21. DEPUTY SHERIFFS' RE-OPENER

This bill would allow sheriffs, under-sheriffs, and regular deputy sheriffs directly engaged in criminal law enforcement activities to elect participation in the retirement plan provided for by Retirement and Social Security Law §§89-a or 89-b, where such participation is presently barred by the failure to make a timely election.

22. U-GRADES, STATE UNIVERSITY SYSTEM

The Chancellor of the State University presently determines which positions shall be removed from the classified service and placed in the unclassified service. This decision would be returned to the Civil Service Commission.

23. UNIVERSITY OF BUFFALO BUY-BACK

This bill would allow State employees who were employed by the University of Buffalo prior to its acquisition by the State of New York to purchase retirement credits from the New York State Retirement System for the time of employment by the University, with electing employees contributing both individual and employer contributions together with appropriate interest.

24. SUFFOLK COUNTY DISTRICT ATTORNEY INVESTIGATORS

This bill would implement a provision in the collective bargaining agreement between CSEA and the County of Suffolk allowing investigators to elect the twenty-year retirement plan.

25. 20-YEAR RETIREMENT PLAN FOR CORRECTION OFFICERS

This proposal would amend the Retirement and Social Security Law to provide that correction officers employed by counties would be eligible to participate in a 20 year retirement plan.

26. EMPLOYEE BENEFIT FUND COVERAGE FOR PART TIME AND SEASONAL EMPLOYEES

This bill would enable seasonal and part time employees who are now eligible for participation in the State dental and prescription drug/Major Medical plans to participate in benefits afforded through an employee-benefit fund administered by the employee organization representing the employees, and is intended to implement an agreement between CSEA and the State of New York.

27. NON-UNIFORMED PERSONNEL DEATH BENEFIT

Employees of correctional facilities who have died as a result of personal injuries sustained in the line of duty, who are not public safety officers, would be entitled to a benefit of \$50,000.

28. LOBA

The final resolution of an impasse in negotiations would be resolved with a system of Last Offer Binding Arbitration under which a panel consisting of 1 member appointed by the public employer, 1 member appointed by the employee organization, and 1 public member appointed jointly, would select the most reasonable final offer of either the public employer or the union.

29. NASSAU AND SUFFOLK COUNTY SNOW DAYS BILL FOR STATE EMPLOYEES

State employees in the counties of Nassau and Suffolk would not be required to charge leave to cover absences on January 20 and 21, 1978 and February 6, 7, and 8, 1978.

30. HEIGHT OF BUS SEATS

Transportation Law §142(17) (3-a) would be amended to require motor vehicles seating 11 passengers or more, and used in the business of transporting school children, be equipped with a padded seat back at least 24 inches in height, rather than 28 inches in height.

Activity increases markedly

ALBANY — The level of union activity associated with CSEA's 1980 legislative goals has increased markedly.

Within the past few days CSEA's Legislative and Political Action office has conducted a series of informational meetings around the state to explain the union's legislative proposals for 1980. And during this same brief span of time, CSEA representatives participated in the annual legislative breakfast for lawmakers, sponsored by the Public Employee Conference, of which CSEA is a key member among the 28-union coalition.

This was quickly followed by CSEA's annual legislative seminar for union activists. Dozens of union members from across the state participated in the February 2nd program in Albany. This in turn was followed by CSEA's own annual legislative breakfast for state lawmakers, held on February 6 in Albany. During that program, CSEA introduced its 1980 legislative proposals to the lawmakers, the 30-point "bread and butter" package listed on these pages.

Photos and stories concerning those and other union activities as CSEA's legislative push begins in earnest will appear in future issues of The Public Sector.





Constitution and By-Laws

Changes in the Constitution and By-Laws of the Civil Service Employees Association have a direct effect upon the day-to-day operation of the union, and therefore upon the membership itself.

Traditionally, the largest block of time devoted at CSEA conventions is given over to consideration of such changes. This will undoubtedly be true at the upcoming meeting of the union delegates.

As the official publication of CSEA, "The Public Sector" has a legal obligation to publish proposed changes prior to delegate sessions. More

importantly, however, we feel an obligation to the membership to present such proposed changes for informational rather than legal, purposes.

The membership has a right and a need to know what major changes are being considered that affect them directly. Therefore, we are publishing the report of the CSEA Constitution and By-Laws Committee to the upcoming special delegates meeting March 9, 10 and 11 in order to (1) meet our legal obligation, and (2) keep the membership informed of events that are important to them.

Report of Revision of Constitution and By-Laws Committee To the Special Delegates Meeting Convention Center Albany, New York March, 1980

Key: *Italics*—New Material
Brackets—Removal of Old Material

The Constitution and By-Laws Committee has met twice since the Annual Delegates Meeting in October, 1979. The meeting dates were December 4, 1979 and January 15-16, 1980. Because of the limited time available at this Special Delegates Meeting, the Committee is reporting on completed work only, and all other amendments will be reported out at a future meeting.

The following item is presented to the delegates for a second reading and, if passed, will become part of the CSEA Constitution:

The following amendment, which would create a new Article X to the Constitution, is a result of a resolution submitted to the Committee by Barbara Stack, 1st Vice President, Local 674. If this amendment passes a second reading, the present Article X "AMENDMENTS" would be renumbered to Article XI as noted below.

"ARTICLE X AFFILIATION AND MERGER

Any affiliation or merger of The Civil Service Employees Association, Inc. with another organization after approval by the Board of Directors must be ratified by a majority vote of the delegate body in order to be effective.

ARTICLE X — No change — becomes *ARTICLE XI*.

Explanation: The Committee recommends adoption of this amendment.

The following items are presented to the delegates by the committee as proposed amendments to the constitution. The presentation to the delegates at this meeting constitutes a first reading of these amendments.

(1) The following amendments to Article VI, Section 1 and Article VII, Section 1 are the result of a recommendation submitted to the Committee by Sue Buczinski, Board of Directors Representative, Mental Hygiene, Region 5. If these amendments pass a second reading, it will be necessary to amend Article IV, Section 5(b)3 of the Constitution as noted below:

"ARTICLE VI STATE DIVISION

Section 1. STATE EXECUTIVE COMMITTEE. The power and authority to transact business relating to state employees shall, except as provided herein, be vested in a State Executive Committee. The State Executive Committee shall consist of the officers of the Association, and one representative from each State Department. The Judiciary, the State University, the Waterfront Commission and state public authorities as one unit, shall be deemed State Departments. The Faculty Student Associations and Teachers' Retirement System shall as a unit be deemed a State Department. In addition to the foregoing, each State Department with more than 3,000 members as of January 1 in the year of an election, shall for the term of office beginning the following July, be entitled to one representative on the State Executive Committee for each 3,000 members or major fraction thereof. The State Executive Committee shall elect from its membership one member to be known as the Chairperson of the State Executive Committee. The State Executive Committee may create one or more subcommittees to perform such duties as the State Executive Committee shall delegate. Each department representative shall be elected by ballot by the members in that person's department in the manner prescribed in the By-Laws. No person shall be eligible for nomination unless that person shall have been a member in good standing of the Association on or before June 1st of the year preceding the year in which the

election is held. They shall hold office for a term of two years or until their successors shall have qualified. Commencing with the term of office beginning July 1, 1983 and each term thereafter, the term of office shall be three years. Vacancies in the office of the State Department representatives including termination of employment with the Department may be filled for the remainder of the term by members of the Association employed in such department at a special election to be called by the Board of Directors within fourteen days after the first meeting of the Board subsequent to the time that such vacancies occur under rules established by the Board. *No statewide officer shall be eligible for nomination to or serve as an elected member of the State Executive Committee except for the 1981 elections in which case a member may be a candidate for statewide office (Region President) and a candidate for member of the State Executive Committee; however, a member elected to both positions shall be ineligible to serve in both capacities.*

"ARTICLE VII COUNTY DIVISION

Section 1. COUNTY EXECUTIVE COMMITTEE. The power and authority to transact business relating to employees of the political subdivisions of the state shall, except as otherwise provided herein, be vested in a County Executive Committee which shall consist of the officers of the Association and one representative from each County Division Local, and one County Educational Local Representative from each CSEA Region elected by the County Educational Local members within each region. In addition to the foregoing, each County Division Local with more than 10,000 members as of January 1 in the year of an election shall, for the term of office beginning the following July, be entitled to one additional representative. The County Executive Committee may create one or more subcommittees to perform such duties as the County Executive Committee shall delegate. The representatives of a County Local shall be elected by such local for a two-year term of office to be coincidental with the term of office for members of the State Executive Committee. Commencing with the term of office beginning July 1, 1983 and each term thereafter, the term of office shall be three years. The County Executive Committee shall elect from its membership one member to be known as the Chairperson of the County Executive Committee.

No statewide officer shall be eligible for nomination to or serve as an elected member of the County Executive Committee except for the 1981 elections, in which case a member may be a candidate for statewide office (Region President) and a candidate for member of the County Executive Committee; however, a member elected to both positions shall be ineligible to serve in both capacities.

"ARTICLE IV ORGANIZATION OF THE ASSOCIATION

Section 5. OFFICERS.

(b) NOMINATIONS.

3. Such election shall be by secret ballot. The names of the committee members selected by the various Regions shall be filed with the Secretary and Executive Director of the Association not later than January 1st. The Nominating Committee shall select at least two nominees for the offices of President, Executive Vice President, Secretary and Treasurer. The State Division members of the Nominating Committee shall also select at least two nominees for each position on the State Executive Committee. In all cases an incumbent shall be one of said nominees if the incumbent consents to become a candidate. No nominee shall be eligible as a candidate for more than one statewide office. [However, a position on the State Executive Committee or County Executive Committee shall not be deemed a statewide office.] REST OF SECTION REMAINS THE SAME.

Explanation: The Committee concurs with Ms. Buczinski's recommendation that no member of the Board of Directors of CSEA should hold two voting seats. For the following reasons, the Committee recommends adoption of these amendments:

- CSEA is paying for full-time officers;
- It is unlikely that an individual can act effectively in both a Region President position and as a departmental

representative on the Board of Directors at the same time;

(c) An individual elected to a Region President position is not as closely in touch with departmental problems as is someone working within the department on a daily basis;

(d) Except for the election in 1981, the timetable for future elections will be in step to allow an individual to resign from his or her current position to accept a new office.

(2) The following proposed amendment to Article VII of the Constitution was referred to the Committee by the delegates after having been acted upon affirmatively by the delegates from the County Division:

"ARTICLE VII

Section 1. COUNTY EXECUTIVE COMMITTEE.

The power and authority to transact business relating to employees of the political subdivisions of the state shall, except as otherwise provided herein, be vested in a County Executive Committee which shall consist of the officers of the Association and one representative from each County Division Local, and one County Educational Local Representative from each CSEA Region elected by the County Educational Local members within each region. In addition to the foregoing, each County Division Local with more than [10,000] 3,000 members as of January 1 in the year of an election shall, for the term of office beginning the following July, be entitled to one additional representative for each 3,000 members." REST OF SECTION REMAINS THE SAME.

The Constitution and By-Laws Committee has explored all of the potential methods for dealing with the overall problem which is the focal point of the proposed amendment. The amendment as proposed would provide for additional representation on the County Executive Committee for locals in the County Division whose membership is in excess of 4,500 members. Currently, the Constitution provides for one additional position on the County Executive Committee for a local which has in excess of 10,000 members. The proposed amendment would track a portion of the language set forth in Article VI dealing with election to the State Executive Committee in that it would provide for multiple representation for each 3,000 members or major fraction thereof assigned to a County Division local. At first glance, the proposed language seems equitable in that it equates the formula for representation on the County Executive Committee from the County Division locals with the formula for representation on the State Executive Committee by State Departments.

The Committee recognizes the apparent inequitable situation which the amendment purports to deal with, namely, the reality that a local in the County Division with only 100 members is entitled to a representative on the County Executive Committee, whereas a local with as many as 20,000 members is entitled to only two representatives on that committee. However, in analyzing the entire composition of the CSEA Board of Directors through the composition of the State Executive Committee and County Executive Committee, the Constitution and By-Laws Committee seeks to address not only the imbalance currently existing within the County Executive Committee but also the imbalance that currently exists between the County Executive Committee and the State Executive Committee. Currently, membership records reflect the fact that the State Executive Committee and the County Executive Committee both have approximately 90,000 dues paying members, while the County Executive Committee, pursuant to existing constitutional language, has 62 members and the State Executive Committee has only 41 members. Since membership on these committees automatically comprises membership on the Board of Directors, it is clear that while the two major divisions within the Association have approximately the same number of dues paying members, representation on a major governing body within the Association is grossly inequitable.

In an effort to address both of the inequities referred to, the Committee met for two days for the sole purpose of attempting to formulate a solution which would accommodate the needs of both the membership in the County

Division and the membership in the State Division. In addition to its own analysis, the Committee reviewed reports of the Methods and Procedures Committee compiled through the past years relating to the same problem. While these reports contained some factual information, the recommendations and findings regarding a restructuring of the Board were inconclusive. After analyzing the proposed amendment referred to above, the Committee rejected it for two primary reasons. First, based upon current membership records, the amendment would have the effect of increasing the number of seats on the County Executive Committee from 62 to 71, thereby increasing the number of members on the Board of Directors by 9. Increasing the number of members on the Board of Directors from its current size would serve no useful purpose and would create a chaotic type atmosphere. Second, and most important from the point of view of equity and fairness, the proposed amendment would widen the gap between the number of members on the Board representing the State and County Executive Committees, a move which the Committee unanimously rejects in that it would further erode the voting power of the State Division on the Board of Directors.

In formulating an amendment which the Committee believes will be fair and equitable to the membership in both divisions, the Committee examined three general areas relating to the composition of members on the Board of Directors.

1. Utilize a weighted voting system at meetings of the Board of Directors allowing those members of the Board of Directors representing a higher proportion of the membership to cast a corresponding higher number of votes on issues before the Board. For example, a State Department representative or County Local representative whose membership comprises 3,000 persons would have 30 votes each (one per 100 members), whereas a representative from a State Department or County Local whose membership is 200 would have two votes on each issue. County Locals or State Departments having 15,000 members would correspondingly have 150 votes. After careful analysis of this proposal, the Committee rejected it for the reason that it would make meetings of the Board of Directors unduly long and confusing in that it would require roll call votes on practically every issue for which a vote was needed to fairly and accurately determine the exact wishes of the membership's representatives. In addition, the accuracy of each vote would always be in question because virtually every member of the Board would be casting different numbers of votes than every other member.

2. Initiate a completely new method for electing the Board of Directors and eliminate the State and County Executive Committees and their roles as members of the Board. This proposal was one considered by the Methods and Procedures Committee and published in one of its recent reports. The proposal contemplates moving the composition of the Board to a region concept. For example, the Board of Directors of the Association would be the officers and/or executive committee of each region. In addition, some consideration could be given for at-large representation to reflect the difference of membership within each region. While this proposal does not contain the same disadvantages as proposal No. 1, it involves a complete realignment of the Association, a move which the Committee feels would not be in the best interest of the Association. For example, this procedure does not guarantee a broad based representation from as many State Departments and County Locals as is feasible without a drastic change in the method by which Region Executive Boards and Officers are elected. The Committee spent a considerable amount of time analyzing various possibilities within this concept and concluded that there was no feasible alternative which would allow for orderly elections based upon a prorated distribution of the membership in various State Departments and County Division Locals within each region and throughout the State. In summary, the Committee felt this approach would be too drastic and not in the best interests of CSEA.

3. The third general alternative considered by the Committee and the one ultimately adopted was a realignment of the existing seats on the Board of Directors. Within this category, the Committee considered changing formulas for the election of members for both the County and State Executive Committees, as well as changing the number of members required by a State Department and a County Local in order to elect a member to their respective Executive Committees. The Committee concluded that a universal formula applicable to both the State and County Executive Committees was inappropriate because of the distribution of membership and the method of election; that is, from departments in the State Division and from Locals within the County Division. The Committee concluded that the current method for election of representatives to the State Executive Committee is the best method for electing State Division representatives. It provides for a broad base of representation and addresses the needs of the Union in its representation of members assigned to various State Departments within the New York State governmental structure. Having concluded

that this method was appropriate for electing representatives to the State Executive Committee, the Committee examined the method of election of representatives to the County Executive Committee and ways in which this method could be changed within the two areas of concern, namely (a) a method which would produce a reduced number of representatives on the County Executive Committee to reflect the fact that the total membership between State and County Divisions is approximately equal and, therefore, membership on the Board of Directors through the State and County Executive Committees should also be approximately equal; and (b) a formula which would provide for a more equitable distribution of representatives on the County Executive Committee, taking into account the number of members within each local. Within these two constraints, the Committee examined various formulas and methods for electing representatives to the County Executive Committee. After weighing the pros and cons of these methods, the Committee recommends an amendment to the Constitution as stated below, which would have the following effect.

The total number of members on the County Executive Committee would be reduced from 62 to 46, bringing this number closer to the number of members on the State Executive Committee (41). The method would allow County Division Locals with 2,000 or more members direct representation on the County Executive Committee. The method would allow locals with more than 2,000 members an additional representative for each 2,000 members or major fraction thereof, thereby recognizing the "one man, one vote" principle within the County Division. The method would provide for at-large elections within each region for those County Division Locals which do not have a minimum of 2,000 members. This approach more closely follows representation in the State Division where a State Executive Committee member is representative of more than the local to which he/she is assigned. In formulating this proposal, the Committee recognized that the negative aspect of the proposal is that smaller County Division Locals will no longer have direct representation on the County Executive Committee, but will have representation from an at-large election from the region where the local is assigned. While this Committee recognizes this negative affect, it recognizes that the overall impact is not as drastic as it may appear since attendance records for meetings of the Board of Directors during the past fiscal year (10/1/78 through 9/30/79) indicate that representatives from 14 County Division Locals did not attend any meetings of the Board of Directors. In most cases, these locals represented only a small number of members in terms of the overall membership in the County Division. In two other cases, the County Executive Committee representative appeared at the Board meetings on only one occasion during the period reviewed and in one other case, the County Executive Committee representative appeared on only two occasions. Since, on the overwhelming number of occasions and on a regular basis, 16 of the 62 County Executive Committee representatives were not present at Board meetings, the effective representation on the Board by County Division representatives was 46, which is the exact number the Committee's proposal will permit if adopted by the delegates. A few locals, however, whose membership is less than 2,000 and whose representatives did attend a substantial number of Board meetings will be provided representation on an at-large basis under the new proposal.

For a better perspective of the effects of the new proposal, the Committee has prepared the following outline showing the composition of the County Executive Committee under the current system, as well as the composition under the proposed system.

(Based upon membership records as of June 1, 1979)

REGION CURRENT SYSTEM PROPOSED SYSTEM

Region 1

Nassau County Local	2	10
Suffolk County Local	1	4
Educational Locals	1	Nassau Educ. 1 Suffolk Educ. 2
Total	4	17

Region 2 Does not apply

Does not apply

Region 3

Dutchess County Local	1	
Orange County Local	1	1
Putnam County Local	1	
Rockland County Local	1	
Sullivan County Local	1	
Ulster County Local	1	
Westchester County Local	1	5
Educational Locals	1	
Total	8	9

Region 4

Albany County Local	1
Clinton County Local	1
Columbia County Local	1
Essex County Local	1
Fulton County Local	1
Greene County Local	1
Montgomery County Local	1
Rensselaer County Local	1
Saratoga County Local	1
Schenectady County Local	1
Schoharie County Local	1
Warren County Local	1
Washington County Local	1
Educational Locals	1
Total	At large 5 14 5

Region 5

Broome County Local	1	
Cayuga County Local	1	
Chemung County Local	1	
Chenango County Local	1	
Cortland County Local	1	
Delaware County Local	1	
Franklin County Local	1	
Herkimer County Local	1	
Jefferson County Local	1	
Lewis County Local	1	
Madison County Local	1	
Oneida County Local	1	
Onondaga County Local	1	2
Oswego County Local	1	
Otsego County Local	1	
St. Lawrence County Local	1	
Schuyler County Local	1	
Seneca County Local	1	
Tioga County Local	1	
Tompkins County Local	1	
Educational Locals	1	
Total	At large 6 21 8	

Region 6

Allegany County Local	1	
Cattaraugus County Local	1	
Chautauqua County Local	1	
Erie County Local	1	2
Genesee County Local	1	
Livingston County Local	1	
Monroe County Local	1	1
Niagara County Local	1	
Ontario County Local	1	
Orleans County Local	1	
Steuben County Local	1	
Wayne County Local	1	
Wyoming County Local	1	
Yates County Local	1	
Educational Locals	1	*
Total	At large 4 15 7	

* Educational employees are currently 32 members short of their own representative. At large number would change to 3 if Educational Locals acquire their own representative.

The issue of more equitable representation on the Board of Directors is one which has plagued the Association for several years. It is the Committee's belief that the following proposed amendment to the Constitution, supported by the foregoing analysis and justification, will serve to eliminate the current inequities in the composition of the Board of Directors both within the representation on the County Executive Committee, as well as between the representation on the County Executive Committee and the State Executive Committee. The Committee, therefore, recommends the adoption of the following proposed amendment.

Delete Article VII, Section 1 as it currently exists.

"ARTICLE VII

Section 1. COUNTY EXECUTIVE COMMITTEE. The power and authority to transact business relating to employees of the political subdivisions of the state shall, except as otherwise provided herein, be vested in a County Executive Committee which shall consist of the officers of the Association and one representative from each County Division Local and each County Educational Local with 2,000 members. In addition to the foregoing, each County Division Local and County Educational Local shall be entitled to a representative for each additional 2,000 members or major fraction thereof as of January 1 in the year of an election. Locals from each Region with less than 2,000 members shall elect a representative at large for each 2,000 members or major fraction thereof based on aggregate figures for that Region as of January 1 in the year of an election. The County Executive Committee may

(Continued on Page 10)

Constitution and By-Laws committee report

(Continued from Page 9)

create one or more subcommittees to perform such duties as the County Executive Committee shall delegate. The representatives of a County Local and County Educational Local shall be elected by such local for a two-year term of office to be coincidental with the term of office for members of the State Executive Committee. The representatives at large shall be elected by locals with less than 2,000 members on a Regional basis for a two-year term of office to be coincidental with the term of office for members of the State Executive Committee. Commencing with the term of office beginning July 1, 1983 and each term thereafter, the term of office shall be three years. The County Executive Committee shall elect from its membership one member to be known as the Chairperson of the County Executive Committee."

It should be noted that if the above amendment passes a second reading, it will be necessary to change Article IV, Section 2(a) of the Constitution as follows:

"Section 2. BOARD OF DIRECTORS.

(a) Voting Members — The voting members of the Board of Directors shall be the Officers of the Association, members of the Executive Committee of the State Division, members of the Executive Committee of the County Division [who represent locals having 100 or more members as of the preceding January first, one additional member of the County Executive Committee, to be elected by the members of the County Executive Committee, representing County Division locals which have membership of less than 100 on the preceding January first], the immediate past president of the Association during the term or terms of the immediate past president's successor provided that such past president shall be a member of the Association and not a paid employee of the Association."

The following items are presented to the delegates by the committee as proposed amendments to the By-Laws. If passed at this meeting, the amendments will become effective immediately.

(1) The following amendment to Article I, Section 6 was submitted to the Committee by Mr. M. Rea, Region 4 delegate, at the October, 1979 Delegates Meeting:

"ARTICLE I OFFICERS

Section 6. HONORARIUMS. The Board of Directors may establish honorariums for each officer of the Association in an amount to be determined by the Board of Directors.

Honorariums for the Board of Directors may only be established by the delegate body. Establishment of any honorarium or increase in any existing honorarium may not take effect during the term of office of the incumbent.

The establishment of any honorarium or the increase in any existing honorarium must be approved by the appropriate body prior to the beginning of the election procedure for the next term of office for the position or positions affected. All newly created honorariums or any changes in honorariums shall be published in the official paper of the CSEA within thirty (30) days of the change."

Explanation: This amendment was referred to the Committee by the Delegates. The Committee recommends adoption of the amendment because of the obvious intent of the language expressed in the amendment. Honorariums for the paid positions within the Association should be known in order that individuals can decide on an informed basis whether or not they wish to seek election to a particular office. The amendment would impose no undue burden upon the organization and would simply require full notice to all when honorariums are established or changed.

(2) The following amendment to Article I, which would create a new section, was submitted to the Committee by James J. Lennon, Region 3 President, at the October, 1979 Delegates Meeting:

"ARTICLE I OFFICERS

Section 6. The Officers of the Association, President, Executive Vice President, six Vice Presidents who are Region Presidents, Secretary and Treasurer, shall by virtue of their office be designated as voting delegates at all meetings of the Association."

It should be noted that if this amendment passes, it will be necessary to renumber the existing Section 6 HONORARIUMS to Section 7.

Explanation: The Committee recommends adoption of this amendment in order to clear up any confusion as to the rights of the Statewide Officers at Delegates' meetings.

(3) The following amendment to Article V, which would create a new section, was submitted as a referral to the Committee to formulate appropriate language by Joseph E. McDermott, Region 4 President, at the October, 1978 Delegates Meeting:

"ARTICLE V

EXPULSION OF MEMBERS

Section 4. Any member of the Association who publicizes through the media a political endorsement in the name of a unit, local or region of the Association or as an officer thereof contrary to the endorsements and positions approved by the Statewide and/or Region Political Action Committees shall be subject to immediate suspension from membership by the President of the Association. The procedure outlined in Section 3 hereof shall be followed within ten (10) days of the suspension."

Explanation: In order to ensure that endorsements authorized on behalf of CSEA by the appropriate Political Action Committee are fully effective, it is necessary to prohibit individuals who occupy official positions within CSEA from publicizing contrary endorsements in the name of CSEA. There is no limit on an individual's right to announce his/her own personal endorsement; however, when the individual identifies himself/herself with CSEA, the endorsement is misleading to the CSEA membership and undermines the entire purpose of CSEA's political action program. In view of the foregoing, the Committee recommends adoption of this amendment.

COMMITTEE ON REVISION OF CONSTITUTION AND BY-LAWS

Mary Ann Bentham, Chairperson
Carol Craig
Nick Dellisanti
Kirk Scott
Raymond J. O'Connor
Marie Romanelli
John Francisco
Nicholas J. Cimino
Amelia Clay

COMPETITIVE PROMOTIONAL EXAMS

(State Employees Only)

Filing Ends February 18, 1980

Title	Salary	Exam No.
Senior Municipal Research Assistant	\$16,420	36-941
Senior U I Hearing Representative	\$16,420	36-942
Associate U I Hearing Representative	\$19,210	36-943

Filing Ends February 19, 1980

Associate Biostatistician	\$21,345	36-429
Administrative Analysis Promotion Series M-1 and M-2	\$26,390	39-440
Director of Administrative Analysis I and II		
Principal Administrative Analyst		
Supervisor of Administrative Analysis		
Associate Statistician	\$21,345	36-427
Head Clerk	\$13,885	36-961
Head Clerk (Payroll)	\$13,885	36-962
Head Clerk (Personnel)	\$13,885	36-963
Associate Examiner of Municipal Affairs	\$21,345	36-949
Principal Examiner of Municipal Affairs	\$26,390	36-950
Associate Aquatic Biologist (Marine)	\$19,210	36-973
Principal Marine and Wildlife Biologist	\$23,755	36-739
Associate Budget Examiner	\$25,000	39-430
Associate Budget Examiner (Employee Relations)	\$25,000	39-431
Associate Budget Examiner (Management)	\$25,000	39-432
Associate Budget Examiner (Public Finance)	\$25,000	39-433
Principal Budget Examiner	\$30,800	39-434
Principal Budget Examiner (Employee Relations)	\$30,800	39-435
Principal Budget Examiner (Management)	\$30,800	39-436
Principal Budget Examiner (Public Finance)	\$30,800	39-437
Assistance Public Buildings Manager	\$14,680	36-971
Public Buildings Manager	\$16,420	36-972
Principal Clerk (Collection)	\$11,060	36-974
Principal Payroll Audit Clerk	\$11,695	36-975
Mental Hygiene Therapy Assistant I	\$11,060	36-969
Mental Hygiene Therapy Assistant I	\$11,060	36-968
Supervisor of Vocational Rehabilitation Unit	\$21,345	36-976
Administrative Services Manager I	\$13,125	36-913
Administrative Services Manager II	\$16,420	36-938

Filing Ends February 25, 1980

Chief Recreation Therapist	\$21,345	39-419
Head Recreation Therapist	\$18,225	39-420

STATE OPEN COMPETITIVE JOB CALENDAR

FILING ENDS FEBRUARY 25, 1980

Title	Salary	Exam No.
Automotive Facilities Inspector	\$13,125	25-107
Automotive Facilities Inspector (Spanish speaking)	\$13,125	25-107
Canal Structure Operator	\$ 9,330	25-166
Community Client Services Assistant	\$11,060	25-169
Crime Victims Compensation Claims Examiner (NYC only)	\$ 9,025	20-939
Electronic Computer Operator	\$10,440	25-149
Motor Vehicle Referee (Downstate)	\$23,755	29-284
Motor Vehicle Referee (Upstate)	\$23,755	29-285
General Research	\$12,395	25-170
Economic Research	\$12,395	25-171
Statistical Research	\$12,395	25-172
Research Specialist II (Alcoholism)	\$16,420	25-156
Research Specialist III (Alcoholism)	\$21,345	25-157
Research Specialist IV (Alcoholism)	\$26,390	25-158
Public Buildings Manager	\$16,420	25-168
Public Buildings Manager, Assistant	\$14,680	25-167
Rehabilitation Counselor	\$17,320	25-181
Rehabilitation Counselor, Trainee	\$14,680	25-182
Stockroom worker	\$138/\$160 per week	25-155
Supervisor of Vocational Rehabilitation Unit	\$21,345	25-173

Evaluation of Training or Experience and/or Oral Test

Filing Ends February 25, 1980

Optician	\$11,695	28-024
Optometric Technician	\$ 9,865	28-025

Evaluation of Training or Experience and/or Oral Test

Filing Ends March 3, 1980

Archivist I	\$13,125	27-999
Archivist II	\$16,420	28-000
Archivist III	\$21,345	28-001
Director for County Services Programs, Assistant	\$34,220	27-997
Recreation Therapist, Chief	\$21,345	28-021
Recreation Therapist, Head	\$18,225/\$18,250	28-022
Mental Hygiene Education Program Coordinator		
Assistant	\$16,420	27-982
Mental Hygiene Education Program Coordinator	\$21,345	27-983

Metro CSEA Local 350 levels charges

Management harassment, interference alleged against Department of Labor

NEW YORK CITY — Charges of managerial interference, harassment of union officials and "a concerted effort to render this local impotent . . ." have been leveled against the Department of Labor by CSEA officials.

George Caloumeno, President of Metro Department of Labor CSEA Local 350, charges that "Some management personnel in the Department of Labor are making a concerted effort to render this local impotent to properly represent our members." Specifically, Caloumeno says the local grievance chairman, Michael Isaacoff, is being continually harassed and is being prevented from functioning as he should under the CSEA/State contracts.

CSEA Field Representative Al Sunmark called the treatment of Isaacoff "harassment and interference with the operation of the union."

The situation reached its height on Jan. 22 when Isaacoff was presented with a memorandum from his supervisor, Thea Maitinsky, which severely limited his ability to function as grievance chairman.

The memorandum caused Sunmark to file an Improper Practice against the Department of Labor with the Public Employment Relations Board. He called the policies in the memorandum violations of the contract.

"I find particularly obnoxious Maitinsky's contention that Isaacoff can only investigate grievances through the second step," Sunmark said. The memorandum reads:

"State policy on employee organization leave, as set forth in the Employee Relations Manual, permits its use for 'investigation' of grievances up to the point where a grievance reaches the Department-level hearing (under the old agreement, Step 3; under the new agreement, (Step 2)."

Caloumeno says Maitinsky invented a new category of the

grievance process — preparation time — which is not part of the contract. The memorandum reads:

"All other activities in connection with grievances (e.g. consulting with counsel or with the local president) fall into the category of 'preparation time' for which employee organization leave is not authorized."

Other objectionable parts of the memorandum include:

- "Employee organization leave will not be allowed unless it has been requested and approved in advance. The only exception will be an allowance of up to 30 minutes per day for disposition of brief telephone inquiries and unsolicited desk visits," the memorandum reads.

- "You will be held accountable for low productivity not attributable to approved employee organization leave . . ." the memorandum reads.

The memorandum was presented to Isaacoff at an informal labor-management meeting called to work out the harassment problem which Isaacoff said has been going on since early fall 1979.

Instead of attempting to discuss the problem, the memorandum was presented. CSEA withdrew from the meeting after the memorandum was presented.

"This was the union's good faith attempt to solve a problem without going to an IP. They turned it into a coercive meeting," Sunmark said.

Backing Maitinsky and her memorandum at the meeting were Unemployment Insurance Appeals Board Chairman Louis Sitkin and Fred Purcell and Joseph Kearney of the Department of Labor Office of Employee Relations.

"Can you believe they wanted us to negotiate rights already won at the bargaining table, such as the union's access to employees?" Caloumeno asked.

Caloumeno hopes the harassment of Isaacoff is the work of these middle managers and is not the result of official Department of



LOCAL 350 PRESIDENT George Caloumeno.

Labor policy emanating from the leadership of the department.

A situation on Jan. 24 leads Caloumeno to believe the harassment may not be a department policy.

On that date, Isaacoff and Michael Manister, both members of the Brotherhood Committee, were denied permission to attend a committee meeting by Maitinsky, Caloumeno said. He said her denial was in opposition to department policy.

Caloumeno said he was forced to contact the second-ranking commissioner in the department, William O'Toole, to have Isaacoff and Manister released from work to attend the committee meeting.

Isaacoff described in part the harassment he has been subjected to since October 1979 as follows:

- His residence was watched by a member of the department's investigation section one day when he was out sick.

- He has been criticized for producing less work on the job since becoming grievance chairman.

- Management has wanted the names of persons with whom he meets, speaks on the telephone and speaks at his desk.

- A memorandum has been placed in his file for his so-called excessive use of the telephone.

- He has heard rumors that his telephone is going to be removed.

- The essence of a confidential memorandum he wrote to Maitinsky was made public.

- On a number of occasions, he was assigned work at a time when he had previously scheduled grievance work. (Isaacoff is one of approximately 60 employees who do the same work.)

- Maitinsky refused to speak with an employee regarding a potential disciplinary with Isaacoff present.

Caloumeno said in addition to the harassment of Isaacoff, another official of the local, Grievance Representative John Gianguercio, has been harassed and investigated to the point where he is becoming reluctant to get involved in grievance matters.

And, Caloumeno further charged, the department might be applying restrictions selectively since the questioned memorandum to Isaacoff apparently has no application to another union, PEF, which represents some Labor Department employees.

'Stop Arthritis' telethon

NORTH AMITYVILLE — The Long Island CSEA Region has voted a \$1,000 advance contribution to help stimulate CSEA participation in the annual "Stop Arthritis" telethon on WOR-TV Channel 9, Feb. 16 and 17.

The donation was one of many, including \$100 gifts by the Suffolk Educational Local 870 and Pilgrim Psychiatric Center Local 404, pledged in advance.

CSEA will be represented on the telethon by Long Island President Irving Flaumenbaum, CSEA President William L. McGowan and

others.

Advanced gifts will be announced, and additional pledges will be received and recognized on the air. Mr. Flaumenbaum said CSEA members may also contact the Long Island CSEA Regional Office at 740 Broadway, North Amityville, New York 11701, telephone (518) 691-1170 with pledges for this telethon. CSEA support has been a key factor in the growth of the arthritis fund for the last four years. Flaumenbaum said the disease is the number-onecrippler of working people.

CSEA Safety Hotline

The Civil Service Employees Assn. has established a toll-free 800 hotline to receive information relative to unsafe working conditions and reports on job-related mishaps. If you believe you know of any unsafe work conditions, please call:

800-342-4824

Notice: nomination procedure to elect delegates to 1980 AFSCME convention

Delegates to the AFSCME Convention to be held in Anaheim, California from June 9 to June 13, 1980, will be elected from members in good standing of CSEA as of February 1, 1980.

Delegates will be elected on a Regional basis. Each CSEA Region will elect the number of delegates to which it is entitled in accordance with the AFSCME and CSEA Constitutions. Based on the formula set

forth in the AFSCME Constitution, the following number of delegates will be elected from the six CSEA Regions:

Region 1—56	Region 4—38
Region 2—24	Region 5—35
Region 3—35	Region 6—35

Expenses for the delegates for transportation and room and board at the AFSCME Convention will be paid by CSEA.

Nominations Procedure

Any member in good standing as of February 1, 1980, shall be entitled to be nominated as a delegate to the AFSCME Convention. Any member in good standing as of March 1, 1980 shall be eligible to nominate delegates to the AFSCME Convention.

Nominations will be made at a meeting to be conducted in each Region on Saturday, March 1, 1980. The meeting will continue until such time as all those present who desire to make nominations have been given the opportunity to do so.

Persons nominated for delegates from a particular Region must be members of that Region and be nominated by members from that Region.

Persons nominated need not be present at the nomination meeting.

A qualified member may nominate as many candidates for delegate as he/she desires, not to exceed the total number of delegates to be elected from his/her particular Region.

To make a nomination, the nominator

must provide the name, address, social security number, and work location of the nominee. In order to assist in the nominating process it would be beneficial if each nominator presented a list of nominees at the meeting containing the necessary information.

A person who is nominated more than once may have his/her name appear on the ballot only once. If nominated as part of a slate, the nominee's name will appear on the ballot as a member of that slate and not elsewhere.

Each nomination must be seconded by a qualified member at the time the nomination is made.

Nominations may be made by slates; that is, a number of individuals who will appear on the ballot as running together or under a particular designation. Persons nominated by slate will appear on the ballot in the order in which they are nominated.

The ballot will provide that individuals who are running on a slate can be elected individually, separate and apart from the slate.

Nomination Meeting Locations

All meetings will be held on March 1, 1980 at the following locations and times.

Region I — Holiday Inn, Long Island Expressway Exit 55, Hauppauge, L.I., 10 a.m.
Region II — 9th Regional Armory, 125 West 14th Street at 6th Avenue, Manhattan, 2 p.m.
Region III — Holiday Inn, Route 17K, Newburgh, 10 a.m.

Region IV — Knights of St. John Hall, Washington Avenue Extension, Albany, 10 a.m.
Region V — Hotel Syracuse, 500 S. Warren Street, Syracuse, 10 a.m.
Region VI — Holiday Inn, 200 Oak Street, Batavia, 10 a.m.

Elections Procedure

Ballots will be mailed to members sometime between April 1, 1980 and April 15, 1980.

In accordance with the AFSCME Constitution, returned ballots will be counted no earlier than twenty (20) days after mailing date.

Nominees will have the opportunity to campaign from the time they are nominated until the ballots are counted.

In accord with Federal law, candidates desiring to mail campaign material may

utilize the facilities of CSEA, Inc., 33 Elk Street, Albany, NY for the purposes of labeling and mailing. Expenses for these processes will be borne by the candidate and paid for in advance.

Ballots will be prepared, mailed and counted under the supervision of the CSEA Election Committee.

Candidates or their observers are entitled to be present during the addressing, stuffing, mailing, pickup and tabulation of the ballots.