

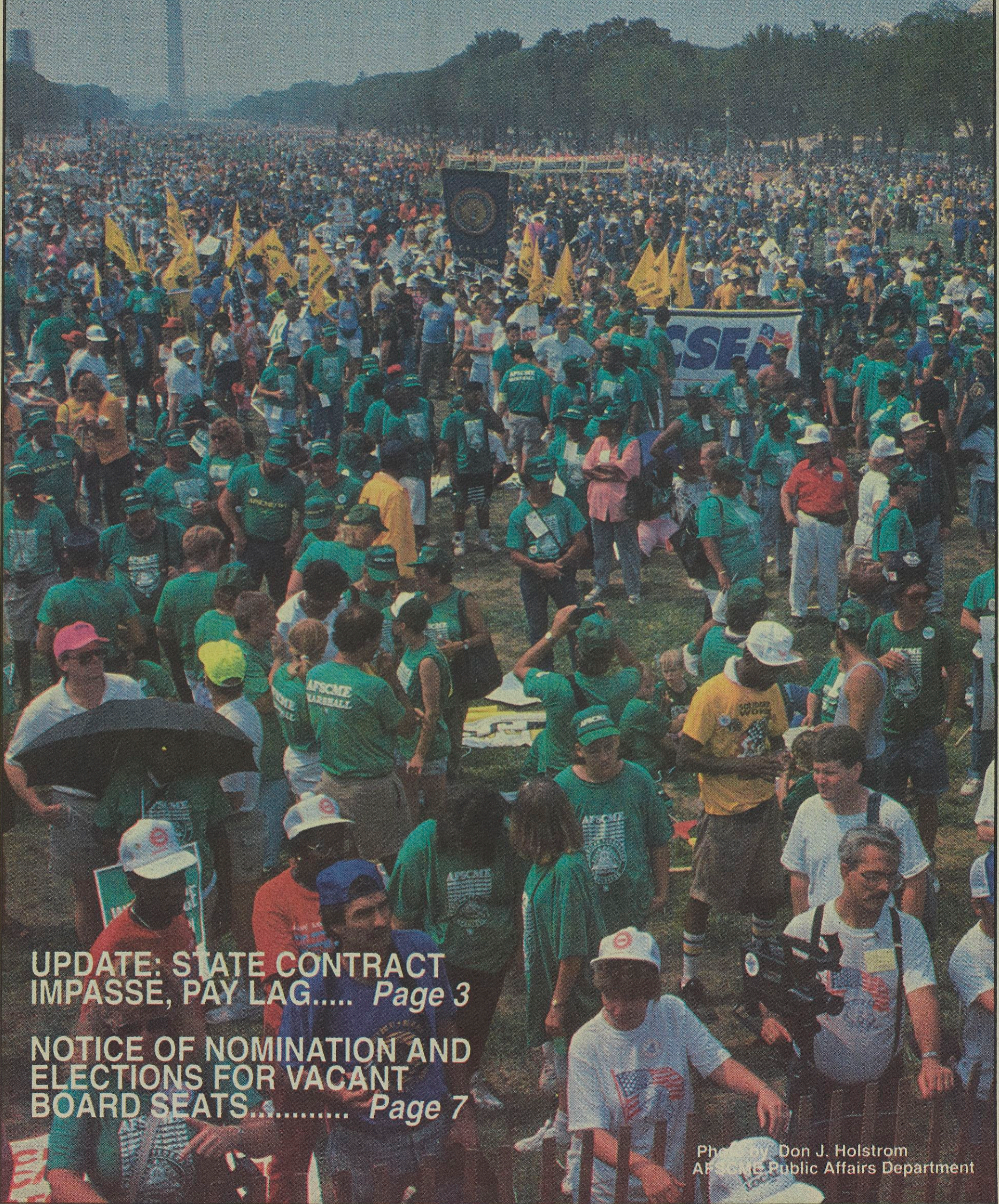
The Public Sector

Official Publication of
The Civil Service Employees Association,
Local 1000, American Federation of
State, County and Municipal Employees, AFL-CIO

Vol. 14, No. 13

1991 CONVENTION ISSUE

SOLIDARITY DAY '91



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IMPASSE, PAY LAG..... Page 3**

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Photo by Don J. Holstrom
AFSCME Public Affairs Department



Jablanski named Region IV director

ALBANY - CSEA President Joe McDermott has named Michael W. Jablanski Jr. as CSEA Region IV director.

Region IV includes 14 counties with 50,000 members.

Jablanski, a Hudson native, has a degree in Industrial and Labor Relations from LeMoyne. A US Marine Corp veteran, he served in the Cuban Crisis and Vietnam.

Jablanski began his career with CSEA as a field representative in Broome and Tioga counties. In 1989 he was promoted to collective bargaining specialist and is well versed in local government negotiations.

"I'm very excited about the opportunity to serve in the position of region director and I am looking forward to meeting and working with the elected officers and active members of CSEA Region IV," Jablanski said.



MICHAEL JABLANSKI

CSEA helps Orange County Infirmiry workers keep option for compensatory time in lieu of overtime pay

GOSHEN - Orange County Home and Infirmiry employees will continue to have the option to earn compensatory time, thanks to CSEA's action.

Infirmiry officials notified workers that as of Jan. 1, they would no longer have the option of taking compensatory time in lieu of overtime pay, CSEA Labor Relations Specialist Carl Rasmussen said.

CSEA filed a grievance, but on the hearing date, the union and county officials reached an agreement.

Under the agreement, any overtime earned prior to the agreement would be kept on the books and used as compensatory time or paid out; any

compensatory time earned after the agreement must be used within a year from the date earned. If the employee is unable to use the time, it will be cashed out at the rate in effect at the time.

Unit President Dave Score said the county was willing to discuss the issue because so many employees became involved.

"It certainly was a big victory because of the number of people who were willing to testify or do something about it," he said. "When we needed people to testify for the arbitration hearing, the room was filled with interested members, even some on their own time."

Changes set in EBF prescription program

Modifications in the CSEA Employee Benefit Fund (EBF) Prescription Drug Plan to contain costs will become effective on Nov. 1, 1991.

The cost-containment modifications will offset escalating prescription drug costs while allowing participating CSEA members to continue to enjoy the same low co-pay cost for the popular benefit.

The changes will reduce operational expenses in the face of rising prescription drug costs, enabling CSEA EBF to continue to provide a sound health care program at no increased cost to CSEA members, CSEA EBF Chair Joe McDermott said.

The changes will: reduce the quantity of pills available per prescription under the EBF mail service from a six-month to a three-month supply, estimated to save \$3.5 million annually; exclude several classes of drugs readily available without prescription over the counter, estimated to save \$500,000 annually; and require that prescriptions be written generically when a generic substitution is available, estimated

to save \$200,000 annually.

"These changes will allow CSEA EBF to continue a high quality drug prescription program with no increase in cost to our eligible members by containing the operating costs of the program itself," McDermott said.

CSEA EBF's drug program costs rose \$9 million from fiscal year 1990 to 1991, up to \$41 million.

Despite cost containment adjustments made last fall, expenditures are projected to exceed \$39 million in the current fiscal year.

The cost-containment modifications become effective Nov. 1.

For members whose doctors insist on prescribing brand name drugs, there will be an appeals process.

Reducing from six months to three the quantity of pills available per prescription by mail will reduce waste, ensure freshness of drugs and make it more economical and efficient for long-term prescriptions to be changed if needed.

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The resolutions to be considered at CSEA's 1991 Annual Delegates Meeting.

Corrections

In the August issue of *The Public Sector*, a cutline about protests by Niagara Bridge Commission employees, Candy Saxon was misidentified. She is Niagara County representative to the CSEA Board of Directors.

In the September issue, the president of CSEA Onondaga County Local 834 was misidentified. The Local 834 President is Dale King.

Also in the September issue, the identifications of members of the CSEA Region I Minority Committee were reversed. They were, from left: A. Holly Patterson Nursing Home Unit President Helen Dupree, Parks and Recreation Local 012 activist Bob Dorsey, Long Island Developmental Center Local 430 activist Cheryl Keels, Stony Brook Local 614 activist Alfredo Carlo, Local 430 President Gene Haynes and Barbara Jones, chair.

The Public Sector

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FACT FINDING!

State refuses to compromise, CSEA calls for fact finding panel

ALBANY — Blaming the Cuomo administration for a dogged unwillingness to compromise, CSEA has asked the Public Employment Relations Board (PERB) to appoint a fact-finding panel to resolve the current contract impasse.

"Through months of negotiations and mediation the CSEA negotiating team has sought an agreement that meets the needs of our members while recognizing the current fiscal problems of New York state," said CSEA President Joe McDermott.

"Sadly, management sees negotiations as a one-way street seeking concessions from the workers while offering nothing in return," McDermott said.

The state's imposition of a five-day payroll lag in the last fiscal year further

complicated negotiations, McDermott said.

"In effect, the state stole 2 percent of our wages. We insisted that any contract settlement include the return of that money," McDermott said. "We are confident the courts will rule the lag illegal."

Under the Taylor Law, which governs public sector labor relations in New York, PERB will now appoint a neutral fact-finding panel.

That panel will review both parties' justification for their positions and then write a non-binding settlement report.

The report may be rejected in whole or in part by either the union or management.

"Months of formal contract negotiations between CSEA and the state failed because the Cuomo administration refused to

negotiate meaningfully. Now the mediation process has broken down because the state is still unwilling to compromise,"

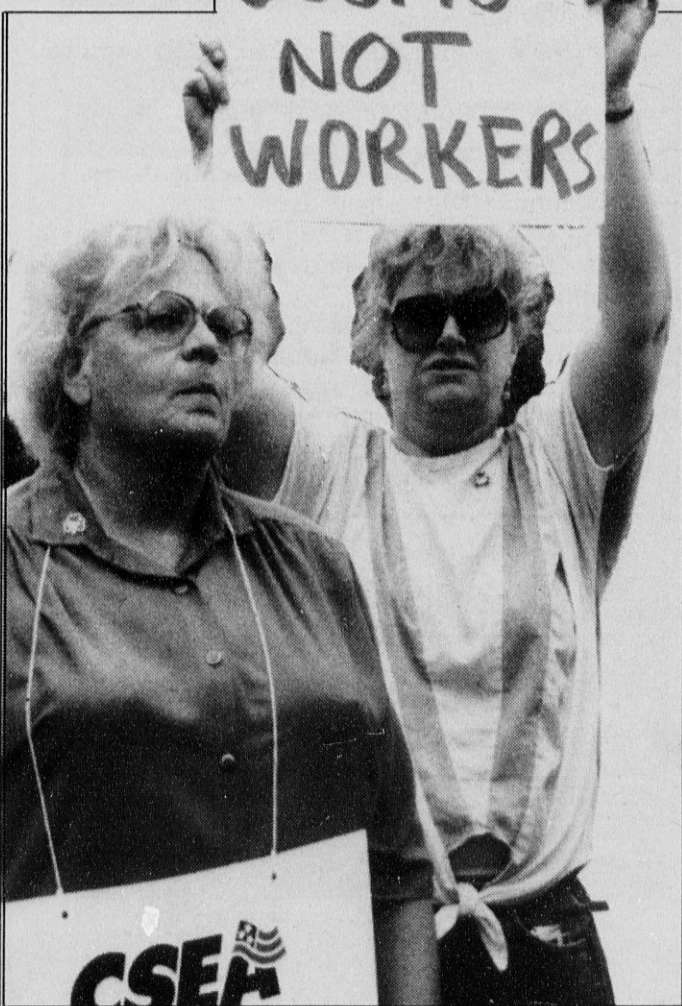
McDermott said. "I am confident that an impartial fact-finding panel will recognize the merits of CSEA's efforts and arrive at a fair and equitable contract."

If all or part of the fact-finding panel's report is rejected by either side, the dispute goes to the state Legislature, which may impose terms and conditions of employment for one year.

The contract talks at impasse involve approximately 100,000 CSEA members in the Operational Services, Institutional Services, Administrative Services and Division of Military Affairs state employee bargaining units.

CSEA blasts Governor

CSEA members tell Gov. Cuomo what they think of budget cuts and layoffs when he appeared at the SUNY Institute of Technology at Marcy.



A win for Council 82

Arbitrator's decision hits hard at state-imposed lag payroll

ALBANY — A victory for AFSCME Council 82 is one more wave in the onslaught by public employee unions against the state-imposed lag payroll.

"We couldn't be happier for our brothers and sisters in Council 82," CSEA President Joe McDermott said. "Step by step the courts and arbitrators are whittling away the state's 'case' for stealing our money."

Council 82, which represents corrections officers, won an arbitration over the 5-day lag payroll. The state deducted one day's pay from each paycheck for five pay periods. The money is to be paid back when employees leave state service.

But CSEA and other public employee unions, in separate legal actions, maintain that the lag payroll violates the terms of the 1988-91 contract which sets salaries for employees.

CSEA has a case in federal court

and a contract grievance pending to overturn the pay lag imposed on our executive branch members.

The arbitrator in the Council 82 case ruled that the state had no right to impose the lag and should repay Council 82 members the five days' pay plus 8 percent interest.

He ruled that the state violated its contract with the employees, because the contract promises management would not unilaterally try to change its terms through legislation.

In a similar case involving the pay lag of Office of Court Administration employees both state and federal courts have ruled the lag an illegal violation of a contract.

In another OCA case, CSEA won a similar ruling in state Supreme Court.

"Each of these rulings weighs heavily in our favor and against the illegal lag," McDermott said.

CSEA fights OCA ultimatum

CSEA is trying to protect job security of Office of Court Administration members despite management's ultimatum.

As this issue of *The Public Sector* went to press OCA officials were planning to layoff employees because the management officials refused to seek a compromise that provide fiscal savings while protecting jobs.

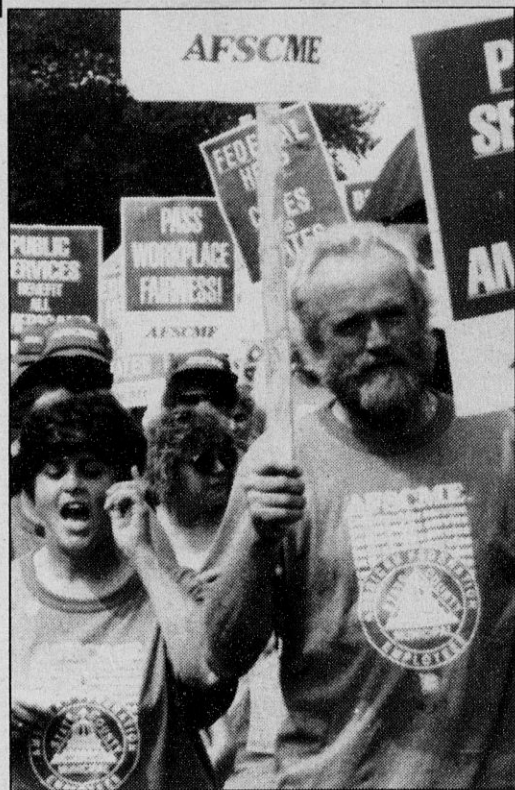
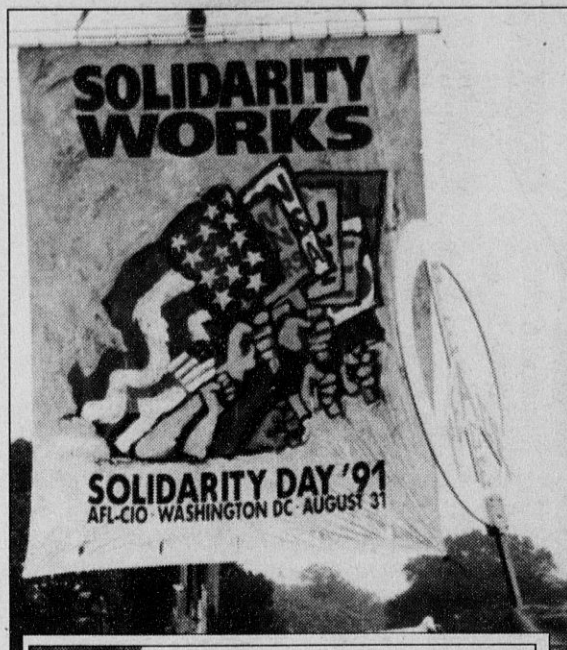
As OCA officials announced the

layoffs, they also sent an ultimatum to all the unions demanding givebacks with no guarantee that layoffs would be prevented.

CSEA rejected this ultimatum and continues to seek job security through the collective bargaining process.

CSEA will only accept a negotiated settlement that you ratify — not an ultimatum that provides no real job security.

325,000 MARCH!



Under a hot, late August sun, thousands of CSEA members joined the ranks of labor in Washington, DC, for Solidarity Day II on Labor Day weekend.

The spirit was reminiscent of the "Hot Day in February" rally in Albany when 20,000 public employees from across New York state protested budget cuts to state programs and services, local governments and school districts.

Only this time the crowd numbered more than 325,000, and the complaints are nationwide. New York is not the only state to suffer from the drastic federal cuts of the last 10 years.

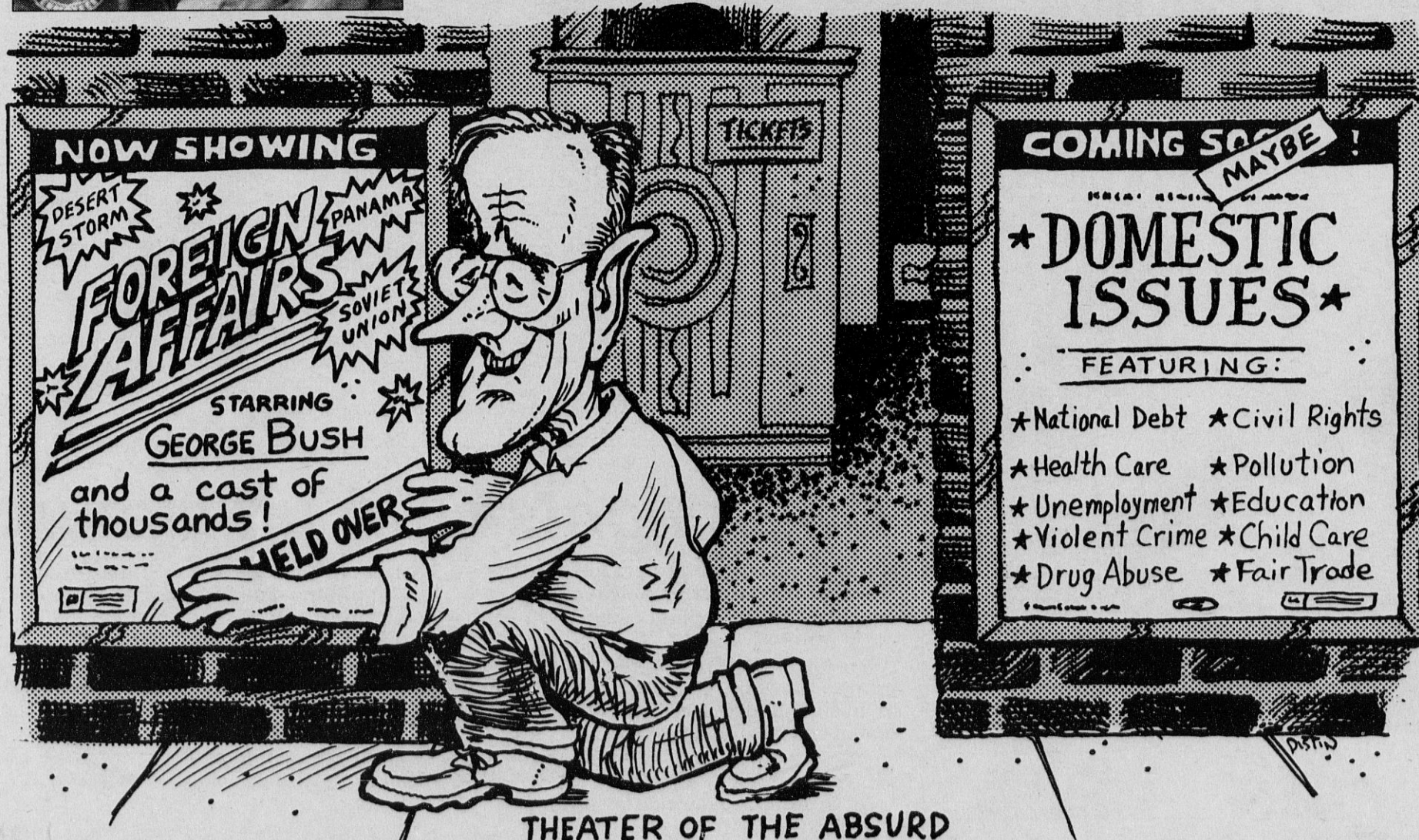
"The Reagan Revolution and its successor, the Bush Barrage, have been just that — revolting in their barrage against the working people of America," said CSEA President Joe McDermott. "I'm proud CSEA was such a powerful presence at this important event."

CSEA joined its international union, AFSCME, at the head of the march for: solutions to local and state budget crises in maintaining public services and raising revenues fairly; national health care reform to guarantee comprehensive health coverage to all Americans, contain costs and eliminate wasteful administrative overhead; and basic collective bargaining rights for the 5.4 million state and local government workers in 24 states who are denied the right to bargain collectively.

Solidarity Day II highlighted other important issues, including civil rights, family and medical leave and the bill banning striker replacement.

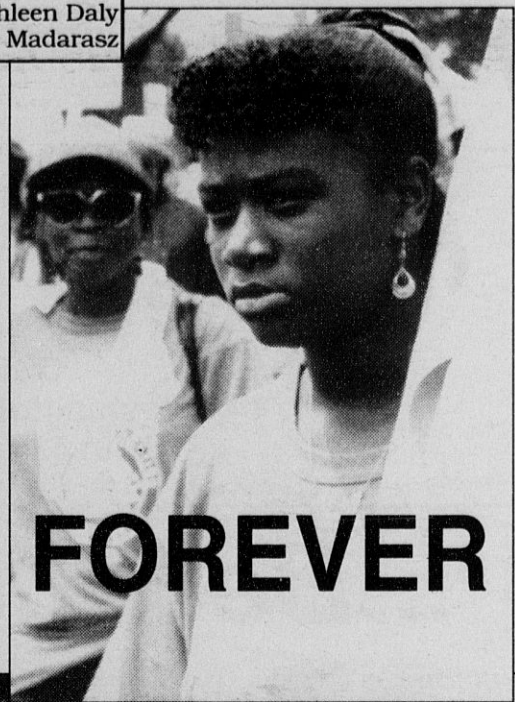
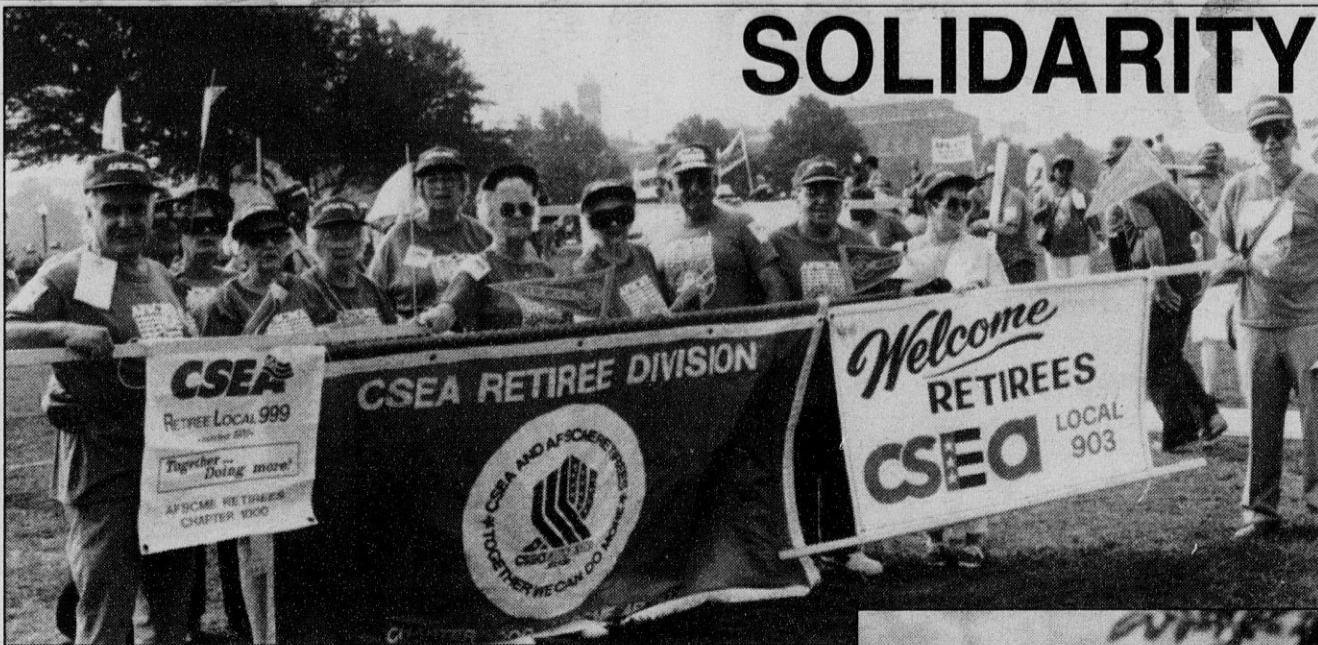
CSEA is urging its members, in fact, to write to their legislators urging the passage of those bills, said CSEA Federal Issues Coordinator Joe Conway.

"We need to carry the goals of Solidarity Day II beyond the march itself, beyond a single day and commit ourselves to achieving them," McDermott said. "We have the numbers, we have the strength and now more than ever we have to have the determination to fight for them."



THEATER OF THE ABSURD

SOLIDARITY



My heart-felt thanks to the thousands of CSEA members, their families and friends who devoted their time over the Labor Day weekend for a greater cause by participating in Solidarity Day. You helped raise the spirits of working men and women all across America and reinforced labor's resolve to continue the fight for justice and fairness in and out of the workplace. You were great!

--- CSEA President Joe McDermott

AFSCME PRESIDENT Gerald W. McEntee, left, and CSEA President Joe McDermott. CSEA's huge delegation helped swell AFSCME's contingent at Solidarity Day to 45,000 people, the largest group at the march and rally.



Statewide President

Joseph E. McDermott

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"...Because We Work."

If there is one fact that's abundantly clear in the aftermath of the state's budget fiasco, it is that *New York Works Because We Work*.

What's more, CSEA works for CSEA members.

While there's little satisfaction to be gained from the political donnybrook that produced an imperfect, overdue state budget, we can be proud of our continuing fight for fairness. We took some lumps but also got in our licks. Our message was heard and it made a difference. But our fight is far from over and it is clear that now more than ever, we must work together. There is strength in unity and we need all the muscle we have.

It is extremely frustrating that when state and local governments should be working with us on cooperative problem solving, they instead resort to heavy-handed and counterproductive policies. Our message exposed their irresponsibility.

Angry public employees heard

When 20,000 angry public employees came to Albany for a *Hot Day in February*, the state's elected officials heard and understood us loud and clear. Without our pounding, the Governor and the Legislature would have produced an even worse budget with severe consequences for millions of New Yorkers.

Instead, our efforts resulted in the restoration of nearly \$120 million to maintain essential state services. Our efforts resulted in the restoration of more than \$100 million in state aid to local governments. Our efforts resulted in the restoration of \$400 million in aid to school districts.

We must keep fighting, together. The final budget was still painful because of short-sighted political decision-making. CSEA's repeated efforts to demonstrate the foolishness of layoffs helped avert nearly 20,000 threatened dismissals of state employees. But one layoff is too many, especially among front line employees who do the work.

Fighting for fairness

Throughout the budget fight the CSEA-sponsored Fiscal Policy Institute (FPI) helped substantiate and articulate our argument for tax fairness. It's remarkable that the Governor, who vigorously opposed any personal income tax increase on wealthy New Yorkers, in the end accepted, in part, our call that people earning more than \$100,000 a year pay their fair share.

This was a small step forward but it is not enough. CSEA and FPI will continue to campaign for a truly progressive income tax and for closing corporate tax loopholes that cost the state millions annually by letting fat cat businesses off the hook.

It is also abundantly clear that with CSEA's help FPI has established itself as a credible and influential force on the New York state political scene.

Protecting local government and school district employees

The union will stay actively involved in minimizing the fallout of the state budget cuts on local government to be sure jobs and services are maintained. CSEA will insist that local government actions to deal with budget pressures are intelligent, cost-effective and in the best interest of our members.

The restoration of local government and school aid will help, as will the CSEA-backed Local Government Early Retirement Incentive legislation. CSEA believes this option should go a long way toward eliminating the need for layoffs in localities.

CSEA will also keep up the pressure for a similar early retirement incentive for state employees who were denied this benefit by the Governor's veto.

State contracts impasse

Efforts to resolve the drawn-out state contracts impasse moved to a higher level recently when CSEA requested the appointment of a factfinding panel. While your negotiating teams conducted themselves in a professional and realistic manner at all times, the state administration stubbornly refused to compromise throughout formal negotiations and mediation. We are ready to present our case for a fair and equitable contract to the factfinding panel.

Suing state over lag payroll

The ill-conceived payroll lag imposed on state employees was wrong in every way. Now that the courts and an arbitrator have agreed that imposing a lag violates a contract, there's no doubt that it will soon be payback time.

It will remain a high priority to change the penny wise and dollar foolish crisis management that shortchanges our members and the public. A prime example is the attempt to shift the burden of essential services onto localities that cannot afford them. We must resist this trend.

Demanding compassion and care in mental health policies

Nowhere is this morally-bankrupt policy more evident than in the shameful direction of the state Office of Mental Health. CSEA's report, *No Compassion, No Care: Abandoning the Mentally Ill*, detailed the deficiencies in the state's actions. It is appalling that the state has locked the front door to psychiatric centers while pushing patients out the back, leaving a wreckage of human lives in the wake. The needs have not gone away, they have gotten worse because of the state's irresponsibility and localities are being left to foot the bill. This is an issue that affects our members in both state and local government and in fact is an issue about human dignity. We will continue to fight for what is right.

Positive CSEA developments

CSEA has long been a leader among labor unions on occupational safety and health issues. This year we strengthened that leadership role and opened a whole new range of resources for our members by affiliating statewide with the regional Councils on Occupational Safety and Health (COSH). Tapping into this network will enable CSEA members to access the latest information on safety and health problems and develop effective responses.

CSEA responded effectively when the livelihood of about 35,000 members was threatened by tougher commercial drivers license (CDL) requirements. CSEA's involvement with New York state in implementing the federally-required changes helped facilitate the process and ensure fairness. Union information, preparation materials and classes led to an extremely strong passage rate on the required written test.

CSEA also made a giant stride forward in improving its ability to respond to the needs of its members through the creation of the union's A plus Institute. The Institute taps the resources of CSEA's field services, legal and education and training departments to provide a comprehensive training program for union activists. The program is designed to boost first-line responsibility and effectiveness in protecting the rights and interests of CSEA members.

New York Works Because We Work. But we must work together to succeed. I renew my commitment to you that CSEA will fight like hell. I ask for your help and support.

Executive Vice President

Danny Donohue

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Union makes you fearless

Franklin D. Roosevelt was right when he said "the only thing you have to fear is fear itself." Fear can take many forms; the fear of the unknown, for example, or the fear of things out of our control.

Our enemies want us to be afraid but our members should know that the union makes them fearless.

We are fearless because we are union.

We are fearless because we are all responsible for what the union does — and how it does it.

There is, however, one thing we should fear: apathy. We need to get more people

involved. We need to promote participation in union meetings.

We need to help people better appreciate what it means when we say that **they are the union.**

It's easy to sit on the sidelines and blame others. It's a lot harder to be in the front ranks providing leadership.

It's easy to bicker. It's harder to work together.

And it's time we start putting all our energies into working together.

CSEA is fighting for you at a time when they are looking for the easy way out.

CSEA is fighting for you and the salaries you make.

CSEA is fighting for you and the benefits you receive.

CSEA is fighting for all of you — from the smallest bargaining unit to the largest.

CSEA is fighting to maintain the kind of environment that makes New York a decent place to live and work.

CSEA is uniting in convention under the theme "New York Works Because We Work" which is just another way of saying **"public employees, where would you be without them."**

A reminder concerning local, unit election committees for 1992

CSEA statewide Secretary Irene Carr is reminding CSEA locals and units to begin thinking about appointments of election committees members.

While the deadline for forming the committees isn't until February, appointing members and starting preparations early will help the committees to work more efficiently.

Local and unit executive boards select election committee members and local and unit presidents submit the committee names to CSEA headquarters.

The term of office for local and unit officers is three years starting July 1, 1992.

The *Public Sector* will print more information on election committees as the election season nears.

Joseph McMullen wins Universities board seat

Joseph McMullen of Oneonta has been elected to represent Universities employees on CSEA's statewide Board of Directors.

McMullen won a three-way special election with 833 votes.

He is president of CSEA SUNY College at Oneonta Local 635 and has served as steward and on the Regional Joint Apprenticeship, Statewide Parking and Statewide Labor/Management committees.

McMullen ran against Jean I. Alverson of Delhi and Robert Vincent of Liverpool.

Notice of nomination and election for vacant board seats

Special elections to fill the remaining term of six vacant seats on CSEA's Board of Directors has been scheduled.

The terms of office will expire June 30, 1992.

The seats to be filled are Health, Ontario County, Mental Hygiene Region 5, Rockland County, Steuben County and Genesee County.

The elections schedule follows.

▲**Oct. 16**, start of the petitioning period; nominating petition request forms available from local presidents, regional offices and CSEA headquarters; nominating petitions available from region offices and CSEA headquarters.

▲**Throughout petitioning period (10/16 - 11/13)**, letters sent to successful petitioners advising them of dates; drawing for position on ballot; declination or confirmation of spelling of name as it will appear on ballot; requests for mailing labels from headquarters and submission of campaign material for *The Public Sector* (copy of rules and regulations to be inserted).

▲**Throughout petitioning period (10/16 - 11/13)**, Letters sent to unsuccessful petitioners advising of inadequate signatures and the Nov. 8 deadline to review non-qualifying signatures.

▲**Nov. 13**, deadline for nominating

petitions to be received at CSEA headquarters (5 p.m.).

▲**Nov. 20**, Deadline for review of non-qualifying signatures (5 p.m.); Election Committee meeting to resolve remaining protests; deadline for declinations (8 a.m.); deadline for confirmation of name as it will appear on ballot (8 a.m.); Drawing for position on ballot (noon), CSEA conference room, candidates or proxies may attend as observers; address labels available to candidates for mailing campaign literature.

▲**Nov. 25**, deadline for campaign articles for *The Public Sector* for publication in December issue.

▲**Nov. 29**, deadline for campaign literature to be submitted to CSEA headquarters for distribution (5 p.m.)

▲**Dec. 16**, ballots delivered to Post Office for mailing (5 p.m.).

▲**Dec. 23**, replacement ballots may be requested if original is not received.

▲**Jan. 13**, Deadline for return of ballots (8 a.m.); ballot count at headquarters.

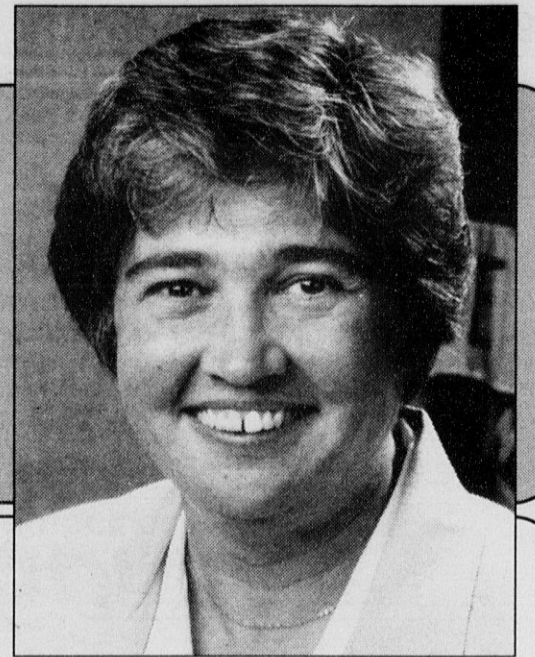
▲**Jan. 23**, end of protest period.

▲**February**, publication of election results in *The Public Sector*.

Statewide Treasurer

Mary E. Sullivan

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Force that cannot be denied

In unity there is strength.

There is no truer statement about unionism. And there is no more important time to take it to heart than now.

These are tough times for working people and the needs of our members demand our undivided efforts. Achieving a better standard of living and workplace dignity for all of our members must be our overriding concern in everything we do.

Whether in our units, locals, regions or statewide, there is much more important work to be done than fighting among ourselves.

It is far more important than individual political agendas, self-serving bickering and petty differences.

Unity does not mean total agreement on all issues throughout the union at all times. We are a democratic union and there is plenty of opportunity for difference of opinion on how to meet our objectives. Airing dirty laundry in public is a disservice to our members. It's healthy to have constructive exchange within our organization, but after the arguments have been heard, we have to put differences aside and work like hell for our members.

The stakes are far too high for us to do anything less.

We live in a rapidly changing world. How we respond to the challenges today will directly affect us tomorrow. We must accept that reality as an opportunity to strengthen our organization and our role.

CSEA has proven itself as a durable union for more than 80 years. We've done that by staying ahead of the times and changing as necessary. We are a leader in American Labor and a force in New York State. But **we can do better.**

The times demand that we tap the full reserve of our strength.

We can do better than the short-sighted politicians who pay lip service to labor-management partnerships and then resort to knee-jerk cutbacks at our expense when crisis hits.

We can do better in demonstrating the talent and ingenuity of public employees in finding better, cost-effective ways to deliver essential services.

We can do better in helping our members to better themselves by improving their skills and education to meet the needs of the workplace.

We can do better in ensuring that we negotiate fair contracts that meet the needs of our members on the job and at home.

We can do better in communicating our

message about tax fairness and social justice.

We have done all these things. But we can do better. In fact we *have* to do better.

When 20,000 public employees marched as one on a "Hot Day in February," we were heard loud and clear. When 5,000 of us joined with tens of thousands of other unionists in Washington for Solidarity Day we were heard loud and clear.

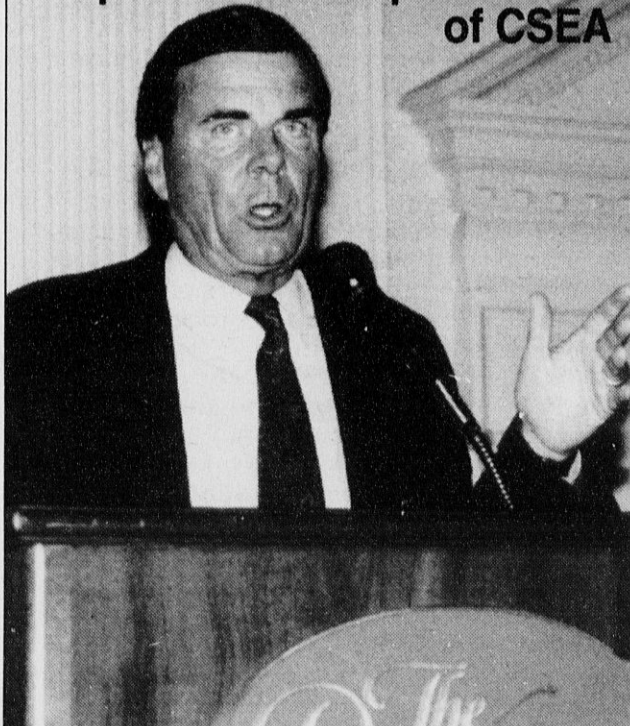
But our message must be repeated over and over again. What's more, it has to come through consistently in all the little things we do, not just the mass demonstrations.

It has to be crystal clear that there is unity of purpose in all the actions of CSEA.

Every grievance we fight, every contract we negotiate, every contracting-out attempt we oppose, every safety and health problem we investigate must send the message that CSEA demands what is right and fair. It must be clear that the strength of 265,000 CSEA members is behind every individual member who is wronged.

We demonstrate that strength through our unity. And when we do so, we are a force that cannot be denied.

AFSCME President McEntee praises accomplishments of CSEA



CSEA statewide officers begin new 3-year terms

AFSCME President Gerald W. McEntee, left, was keynote speaker at the installation of CSEA's four statewide officers. CSEA President Joe McDermott, Executive Vice President Danny Donohue, Treasurer Mary E. Sullivan and Secretary Irene Carr recently began new three-year terms. McEntee praised the accomplishments of CSEA and pledged the full support and cooperation of AFSCME in helping meet the challenges of the future.

November is annual health care option transfer period for state workers

The month of November is the annual health care plan Option Transfer Period for state employees. Employees who wish to change Empire Plan or Health Maintenance Organization (HMO) options must do so during November by contacting their health benefits administrator, located in their agency personnel office.

State employees seeking information or enrollment in the Pre-Tax Contribution Program must do so during the month of November also, and enrollment in the Dependent Care Advantage Account program must be made by Nov. 15.

Personnel offices will provide basic information and any necessary forms needed for enrollment in the health plans or the tax exempt programs.

More detailed information concerning the annual Option Transfer Period will appear in the next edition of *The Public Sector*.

Statewide Secretary

Irene Carr

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Practicing what I preach

One thing you all know by now is that I practice what I preach.

For years I have encouraged elected secretaries to be more than just recorders of other people's actions. I have encouraged elected secretaries to take leadership roles and speak out on **all** the issues that affect us as working women and working men.

So let me conclude this report with a brief summary of the many varied activities that I have engaged in on behalf of the people "We Serve".

I have worked diligently to improve the internal elections process. CSEA, with 1,358 locals and units, needs a streamlined process with Election Committee members who know what to do and how to do it. I have encouraged the early appointment of committee members and have worked with the CSEA Education Department to provide ample training to those who oversee for us this most precious privilege - directly electing our own union officers.

In my role as chair of the AFSCME

Women's Committee as well as to fulfill one of my deepest held beliefs, I have been keeping close watch over our fight for pay equity. Let me add a note of warning, I am concerned about the local government studies being done by the Municipal Services Division of Civil Service. Keep an eye on them. Keep your Labor Relations Specialist informed about their activities in your bargaining unit.

The issue of child care continues to command my foremost attention. There is a valid concern that our members are not getting enough use of on-site centers. As a result, we are working on special demonstration projects in MH and OMRDD. In addition, we are also looking for additional sources of funds (such as Title 20 money) to help ease the burden on working mothers and working fathers. In addition, we must continue to make the Federal Family and Medical Leave Bill our top priority. Someday it will become the law.

Issues such as Elder Care and Dependent Care also command attention.

In seeking that goal, I want to give my special thanks to all the activists who have rallied with me as we march together to seek progressive change.

I want to especially cite the members of the 21st Century Committee (Dolores Gabay, Gloria Scott, Grace Vallee, Clara Pruitt and Mary Ann Bentham) who were so helpful in putting together our final report.

I want to thank the many long-time activists who retired during the past year. With them we lose many centuries of experience but their inspiration will carry us on. Let us be prepared to welcome the many new faces in our midst and let us put out a special effort to train them in the great tradition of CSEA.

Finally, I want to thank the thousands of members who signed my re-election petition. Even though I was unopposed, I will never take the office I hold for granted. I will continue to work with the other incumbent CSEA officers to make sure that the Union fulfills its mission 24 hours a day - seven days a week.

CSEA Secretary Carr elected vice president of NYS AFL-CIO

CSEA has gained a second vice president position with the New York state AFL-CIO with the election of CSEA statewide Secretary Irene Carr as an at-large vice president of the state labor federation. Elected by the federation's

executive council, she is the first CSEA woman to hold that position.

Carr joins CSEA President Joe McDermott as a NYS AFL-CIO vice president. McDermott is CSEA's representative on the statewide federation.

Dependent Care Advantage Account enrollment period open

An open enrollment period is underway and will continue until Nov. 15 for state employees who wish to participate in the Dependent Care Advantage Account (DCAAccount) program during 1992.

The DCAAccount program is a pre-tax benefit for employees of New York state who need to pay for dependent care in order to work. Eligible state employees who elect to participate will have a pre-determined amount deducted from their salary for qualified dependent care before taxes are applied to the salary. Because taxes will be applied only to the lower, adjusted salary, the employee will pay lower taxes every pay period and have a higher spendable income.

You may use your DCAAccount to pay for child care for children under 13 years old, including in your home, nursery school, kindergarten, day care center, before and after school programs and summer day camp. Services for dependent adults and disabled children over 13 years old are also covered under certain conditions.

Funding for administration of the DCAAccount program is provided by the Governor's Office of Employee Relations (GOER), CSEA, PEF, AFSCME Council 82, UUP and AFSCME District Council 37. The program is administered by the NYS Labor/Management Child Care Advisory Committee and GOER.

Enrollment information

All enrollment forms must be completed, signed and postmarked no later than Nov. 15. Employees who are participating in the 1991 program must re-enroll to continue participation in the program in 1992.

Enrollment forms are available from your agency employee benefits administrator or from the NYS Labor/Management Child Care Advisory Committee, Suite 1111, One Commerce Plaza, Albany, NY 12260 (518) 473-8091.

If you are transferred from one facility to another while enrolled, you must re-enroll to continue in the program. Fill out a change of

status form before you leave your original facility.

Here's how it works

You decide how much to contribute to your DCAAccount.

Your DCAAccount contributions come out of your salary, before taxes.

You pay your dependent care provider and obtain a receipt, or have the provider countersign a claim form.

You submit the claim form or countersigned claim form and are reimbursed from your DCAAccount.

Employee meetings scheduled

Employee information meetings are scheduled during September and October throughout the state. **Call the appropriate CSEA region office or the NYS Labor/Management Child Care Advisory Committee, (518) 473-8091**, for date, time and location of employee meetings in your area or for additional information.

81st
ANNUAL MEETING
CSEA
LOCAL 1000
AFSCME
AFL-CIO
1991
NEW YORK WORKS BECAUSE WE WORK

Long Island Region I



GLORIA MORAN
Happauge Atrium Building
300 Vanderbilt Motor Parkway
Happauge, NY 11788
(516) 273-2280

We will do it because we are survivors

Welcome, brothers and sisters, to the Eighty-First Annual Meeting of CSEA. For all of us, this past year has been devastating, and an emotional, physical drain on our lives.

We have been forced to take lag payrolls, layoffs and reductions in health benefits (prescription plan, ending of dual coverage, etc.). Many have had to take pay cuts because bumping rights have put them into a different classification.

You're told, though, to "Thank God" that you have a job. Unfortunately, when you bought the car, the house or perhaps decided to start, or add to, your family, your salary was higher. Yes, you may have a job — but it doesn't cut if you can't pay the bills!

If I had one wish, it would be for all people to have decent jobs and a good quality of life. There are no wishes, only hard times ahead for all of us. What do we do?

One solution is to look and seek out the politicians — starting in Washington, DC. I personally have a difficult time accepting many policies that the President of the United States has implemented. I cannot understand spending money for foreign aid when here, in his own backyard, people are homeless, children are being abused and go hungry, mental health facilities have been closed, education costs have

skyrocketed — the list goes on and on. We have asked for help, but to no avail. Solidarity Day in Washington, DC, was our first step to show all politicians our new strength. Let it be known we cannot exist unless the federal government gives back to our state the revenues they took from us years ago. This is one of the reasons we are suffering today. We **must keep the pressure on**, stand united and stay strong. We will do it. We are survivors!

In the midst of all of this chaos, Region I has had some positive happenings. Our Membership Committee, led by Marie Ardell, first vice president of Local 865, has been successful in signing up over 1,200 new members since September 1990. The committee is dedicated, caring and feels no task is too big to undertake. Thank you to all.

The Political Action Committee, led by Bill Walsh, first vice president of Local 852, has been productive. We have been successful in elections — replacing trustees, board members in school districts, supervisors — and now are gearing up for the November elections. A procedure I initiated to combine the efforts of the Regional Political Action Committee, the unit, and the local president was a huge success. Together, our combined efforts paid off! In Farmingdale, many attempts had been made to replace the old

library buildings, all met with no success. This time, our combined efforts made it happen — with the help of letters to the people, phone calls, etc., we did it. A new library building is scheduled for construction in the near future. My thanks to all of you who were involved.

Our LUTI program has been extremely busy throughout the year. Again, dedicated, caring and loyal trainers are taking an active role in their union. So far, more than 170 shop stewards have been trained throughout Nassau and Suffolk Counties. And, for the first time, the East End has been targeted for training sessions "out there."

Yes, I have been able to accomplish some good — only with the help of my sisters and brothers. We are just beginning. My goals are still the same: to reach out to the members and have new, young activists involved in the union. I have been fortunate in the year-and-a-half that I have been president to be able to start this momentum — and from what I can see, the momentum is building. More and more of you are taking a strong, active part in your union. It is **your** union, and it is what **you** make it.

We will look forward to 1992 together — no matter what the future holds. Remember to be strong — you are not alone.



Membership committee recognizes Moran's recruitment support

HAPPAUGE -- The CSEA Region I Membership Committee recently presented Region I President Gloria Moran with a membership committee jacket in recognition of her support of union recruitment and organizing efforts.

"The Long Island membership has increased substantially, thanks to the tireless efforts of the Membership Committee and others who have been motivated by the committee to organize within their own locals," Moran said. "I'll wear this jacket with pride!"

In photo at left, Region President Moran, right, accepts a jacket from Region I Membership Committee Chair Marie Ardell, left, and CSEA Organizer Max Sanchez.

Metro Region II



GEORGE BONCORAGLIO
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 New York, NY 10004
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Determined to smash complacency

Three thousand CSEA Region II members and their families answered the call to march on Washington for the massive Solidarity Day II rally August 31st.

At 1991's Labor Day weekend in our nation's Capitol, there would be absolutely no doubt where our priorities were in the pre-dawn hours as thousands of angry workers boarded buses, ready for yet another long hot day of protest. As union men and women, we are bound and determined to smash the complacency of politicians who have abandoned American workers and the cities and states where they live.

No one has felt the brunt of the 1980s decade of greed more than public employees and their families. Our nation is reeling under an unprecedented debt worsened by scandals in the banking industry. As in the past, public employees get left holding the bag for the inept and wasteful policies of government.

Meanwhile, services the public depends upon are bludgeoned beyond recognition. In these tough times, CSEA Region II members once again step up to answer back, "We're fired up; I can't take no more!"

Looking purely at statistics of union involvement, one might ask how it is that CSEA's numerically smallest regional membership in New York City has overwhelmingly the largest contingent of activists hitting the streets time and again? How is it that New York City CSEA members consistently lead the state in putting their money where their mouths

are by investing in political action through the PEOPLE dues check-off?

Actions are all that count now. Talk is cheap. That's why Region II activists don't just "talk" unionism; they live it and are justifiably proud of their reputation as movers and shakers within CSEA and the labor movement at large.

While our state has faced this lengthy period of fiscal chaos, layoffs and cutbacks, New York City CSEA has been a hotbed of activism. CSEA members picketed at Manhattan, Bronx and Creedmoor psychiatric centers as well as at the World Trade Center.

Our banners were flying as thousands of city union members, civic groups and religious organizations stormed downtown Manhattan disrupting evening rush hour traffic in support of higher taxes for wealthy New Yorkers.

Region II CSEA has taken an active role in coalition-building with other unions during this fiscal crisis, working with the Coalition to Save New York, the Jobs With Justice Coalition for universal health care, and the Financial Democracy Campaign. Moving boldly into the broader metropolitan area labor movement, CSEA this year will have a vote within the powerful New York City Central Labor Council (AFL/CIO).

While these times have been incredibly difficult, I am prouder than ever to stand with fellow CSEA activists who lead by example. The real leaders in this union understand that being effective means not forgetting where you came from, and often

means having to put your ego on the shelf for the good of the union.

CSEA Local presidents and activists from around the city came out in force to confront Mental Health Commissioner Dr. Richard Surles at Manhattan Psychiatric Center. They condemned his ill-conceived strategies that abandon the mentally ill and their families. Our message is always strongest when we band together in a common purpose.

We had no greater example of this than the joyous ticker tape parade that marched past Region II's Manhattan headquarters welcoming our troops home from the Persian Gulf. There was a common purpose and a common resolve to thwart a ruthless tyrant and we, as Americans, were willing to go to any lengths to stop Iraqi aggression.

Region II CSEA members who served in the Gulf War received recognition from their union. We saluted their bravery and spirit of sacrifice.

This same spirit of sacrifice should be an example to all union families in fighting just as hard to save America. The fight before us for health care, jobs, decent wages and education for our kids will not be over in a few short months.

But Region II and all union activists on the front lines of this battle, can stand proud that you have taken a leading role, knowing that each of us is responsible for keeping the dream alive. United, the Union Makes Us Strong! Divided, we and our ideals become casualties. Together let us find the courage we shall need to continue.

Falsely accused member exonerated, awarded \$6,000 back pay

BROOKLYN:- Falsely accused of patient abuse and suspended from his job, Kingsboro Psychiatric Center Local 402 member B. J. Rogers credits CSEA with doing "the right thing."

CSEA took the case to arbitration on behalf of Rogers, who was restored to his job and awarded \$6,000 in back pay and benefits.

CSEA Local 402 President Bob Nurse said the case was typical at Kingsboro where management all too often presumes employees are guilty rather than innocent.

"This incident has really crushed my

feelings about the state," said Rogers, a 14-year secure care treatment aide. "My record is clean and I was given commendations for client management classes I taught at the hospital. I've always been very compassionate towards clients and their problems. I'd be the last person to abuse anyone."

While suspended, Rogers exhausted more than 300 days of leave just to pay his bills, but the overtime income he lost cost him his house and car, he said.

"Instead of looking at my record, all I got was a kangaroo court," Rogers said.

"B. J. Rogers works with the most combative patients in the facility," Nurse said. "Here you have a person who has given so much to the job, willing to work overtime on another unit, especially with staff shortages. But the result is that he gets brought up on charges."

Labor Relations Specialist Marcia Schiowitz agreed that Rogers was victimized by a system that fails to provide enough staff to handle the patients.

"You are never the same after someone does something like this to you," Rogers said.

81st
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1991

**NEW YORK WORKS
BECAUSE WE WORK**

Southern Region III



PAT MASCIOLI
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Make your wishes clearly known

This organization, The Civil Service Employees Association, Inc., Local 1000 AFSCME, AFL-CIO, belongs to you. You are the elected representatives of the rank and file membership and your function at this convention is to let your elected leadership know exactly what it is that you want and expect of them. You accomplish this by participating in the business of the convention, and by your votes on the issues that come before you, especially on the proposals submitted by the Revision of the Constitution and By-Laws Report to the delegates.

Some time ago, when CSEA affiliated with AFSCME, the delegates made it quite clear that they would accept such affiliation only if CSEA was allowed to retain its autonomy. This affiliation was approved by the statewide CSEA Board of Directors, NOT THE DELEGATES! The delegates, at the next Convention (Annual Delegates' Meeting), supported a change in the CSEA Constitution and By-Laws that would prohibit any future affiliation or merger with another organization by the Board of Directors by requiring that it must be ratified by a majority vote of the delegates body in order to be effective (Article X).

The original affiliation agreement with AFSCME exempted CSEA from compliance with the provisions of the AFSCME mandated Constitution for Locals. There has been some erosion in this initial agreement. AFSCME has required that the dues structure of CSEA conform with the mandated minimum dues structure for AFSCME Locals. This is why we have an automatic dues increase each January. Also, during the first three years of the affiliation, AFSCME returned to CSEA in the form of "grants" sums that were roughly equivalent to the amount of the AFSCME per capita tax that we were now

required to pay. Subsequent to that time, Article IV, Section 3 (a) of the statewide CSEA By-Laws, "Refunds to Locals", was changed to read that such refunds to Locals would be made by CSEA based on 25% of an amount that was left "after the net per capita payment to AFSCME, based on the June 1 audit, has been deducted..." This provision lowered the amount that the Locals received from CSEA by approximately 30% to 35% of the 25% they formerly received.

The primary reason that active CSEA members wished to retain their own autonomy is because of the basic difference in the way CSEA operates as compared to the way AFSCME operated. CSEA provides a far greater degree of assistance to Local and Unit presidents than does AFSCME. CSEA provides paid staff assistance to help negotiate contracts and to administer the terms and conditions of existing contracts. In addition, CSEA has a Legal Assistance program for members that is second to none. AFSCME has a more substantial educational and training program wherein they train those members who are within the Locals and expect them to perform the major part of the work that the CSEA staff currently provides for you. AFSCME also has an extensive national lobbying program, in addition to lobbying programs for individual states. This has provided valuable assistance to CSEA as our lobbying efforts had been primarily limited to New York State and local governments. AFSCME's staff are utilized primarily for organizing, lobbying, education and training.

In the past, you, the duly elected delegates, have loudly made your wishes known and our direction was clear. However, over the past 3 years, at the Annual Delegates' Meetings, you have

approved a number of changes in the CSEA Constitution and By-Laws that conflict with other still existing provisions. In many cases, the approved changes are provisions to which you had been vehemently opposed in prior years. I realize that the presentation made by the Committee in obtaining passage of these new provisions was unclear and that you may have voted to make these changes without fully understanding their implications. Were those changes made by mistake or by intent? Did you want to change the structure of CSEA so drastically? Because you had previously defeated numerous reorganization proposals that would have accomplished similar objectives, it is still unclear to me just exactly what it is that you do want.

Once you let us know, I for one, will wholeheartedly support your objectives and do my best to assist you in attaining your goals.

Your elected officers have a two-fold function. The first is to lead when you, the delegates, have provided no direction. The second is to follow your directions when you have made them clear. Ultimately, together our purpose is to provide the members with the most effective union possible.

Now that we are operating under the Not-For-Profit Corporation Law, it is only through proposals for revisions to the Constitution and By-Laws that you can provide the direction that is needed by your leaders.

In the absence of such direction, the president and the statewide Board of Directors constitute the governing body of CSEA, subject only to those limitations and restrictions you have already placed upon them in the existing Statewide CSEA Charter and the Constitution and By-Laws.

Grievance strategy pays in stenographer's reclassification

NEW PALTZ - A 14-year employee has won an out-of-title grievance for work performed since January. And the state finally approved re-classification she applied for two years ago.

Fonda Rothblatt, a senior account clerk

with the state Department of Environmental Conservation, asked for the reclassification of her grade 9 job because of the duties she was performing.

Although the re-classification was approved last year, the state only recently

approved the reclassification funding.

Concerned with the state's bureaucratic foot-dragging, CSEA Mid Hudson State Employees Local 009 President Vinnie Lord advised Rothblatt to file a grievance.

"Vinnie was instrumental in this."

81st

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MEETING

NEW YORK WORKS
BECAUSE WE WORK

Capital Region IV



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Same game; different field, players

It isn't like it used to be. Aside from what may appear to be one of the great understatements in the long history of CSEA, these words, to me are the key for this Union.

In the formative years under the Taylor Law, this Union had a common singular purpose and, likewise, an equally common and singular enemy. Our purpose was quite simple to explain; organize and represent every single working individual eligible. Our enemy was just as easily recognizable then. Anybody, and I literally mean anybody, who opposed our purpose or who got in the way of achieving that goal was our enemy. This Union has not lost its purpose but CSEA now has a very different enemy. It just isn't like it used to

be. The game is still the same. The players have changed. The field is somewhat different. It is the rules that are so drastically and dramatically different.

Today, our enemy, the politicians, think they are a lot smarter. They flash a Pepsident smile; they shake our callused hand with their manicured hand that reaches to us from their expensive, tailored suits; they appear (only with the press available) to kiss our babies; they sign our contract with a real gold pen, then stab us in our back and then vacation in make-believe land. These slicksters, packaged and financed in their finest Madison Avenue styles, decided they needed a different approach to us. They weren't able to beat us at their game.

Instead of getting better, they just got prettier, which did fool some of us. In order to win they had to change the rules and alter the conditions toward their favor. Then they decided they couldn't live by their new rules; hence, lag you but not me!

Now we have to get back to how it used to be, how we understood it is supposed to be. The players who didn't play by the rules must be taken from the game. We, without any smiles, in our lagged wardrobes must exercise our right to fair employment practices once again. We must vote against all politicians who do not live by the rules. Then, and only then, the Union contract will be like it used to be —something you can trust.

CSEAP fall courses available to CSEA ASU members

A series of job-related courses is being offered to CSEA state members in the Administrative Services Unit (ASU) under the Clerical and Secretarial Employee Advancement Program (CSEAP). The courses will be offered at various locations across the state.

Applications and course descriptions are contained in the CSEAP course catalogs available from CSEA state Local presidents or through state agency personnel, affirmative action or training offices. The catalog lists course titles; time, date and places where courses will be offered and course enrollment deadline information.

The Clerical and Secretarial Employee Advancement Program was established in 1979 by agreement between the State of New York and CSEA. CSEAP offers courses to employees appointed to titles created by the program and to state employees represented by CSEA in the Administrative Services Unit.

The job-related courses are designed to help CSEA ASU members acquire general knowledge and skills in a wide variety of areas, including communications, mathematics, office automation, secretarial practices and work management.

Following are titles of CSEAP courses being offered during October, November and early December. Check the CSEAP

catalog for time, dates and locations and registration deadlines.

Course titles: Basic Math; Beginning Accounting; Being Assertive: What, When and How; Can I Adapt? Viewing Change Positively; Catching Errors: A Proofreader's Guide; Communicating With The Public; First Impressions Last; Computers, Technology And The Workplace; Coping With Job Stress; Effective Problem Solving; Fundamentals of Writing; Goal Setting For Career Enhancement.

Intermediate Math: A skills Builder; Introduction To Math; Managing The Work

Flow; Managing Your Minutes; NYS Merit System: How To Make It Work; The Organized Secretary; Overview of NYS Government; Planning Meetings: The Secretary's Role; Principles of Good Human Relations In The Workplace; Level I (ASU); Public Speaking.

Resumes and Job Interviews; Presenting A Positive Image; Taking the Initiative; Growing Into The Secretarial Role; Understanding And Using Effective English; Understanding And Using State Documents, and Using And Interpreting Tables And Graphs.

"Stop Employee Abuse" campaign begins at state office campus in Albany

ALBANY - The CSEA Capital Region recently began a "Stop Employee Abuse" campaign on the State Office Building Campus.

CSEA state local presidents passed out informational fliers to union members as early as 6:30 a.m. as they reported to their job sites.

The first flier updates CSEA members on the union's actions on their behalf over the state's imposition of the lag payroll.

"When state management replies to legitimate union concerns by automatically calculating body counts of CSEA members, then you know that the state is not looking for any alternatives to the situation," C. Allen Mead, CSEA Capital Region president, said.

"We want our members and the tax payers we serve to better understand that we have to be in this fight for better government - better services - together."

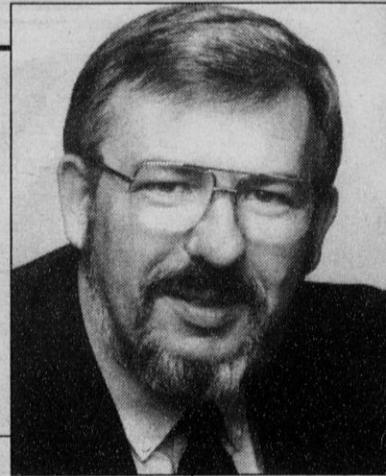
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1991

NEW YORK WORKS BECAUSE WE WORK

Central Region V



JAMES J. MOORE
 6596 Kirkville Road
 East Syracuse, NY 13057
 (315) 433-0050

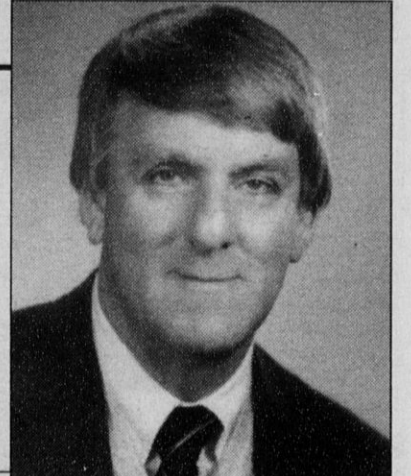
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1991

NEW YORK WORKS BECAUSE WE WORK

Western Region VI



ROBERT LATTIMER
 482 Delaware Avenue
 Buffalo, NY 14202
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Time to take another look at the gov

Less than six hours after New York State finally had a budget, our elected state leader was talking about "not talking about" running for President.

He likes to talk about how the country needs a tough leader for a tough time, to make tough decisions.

Since the fall of 1990, our governor has demonstrated, at least to this writer, a total disregard for his "public" family, the employees of New York State.

This Union never should have endorsed him last year. This year the delegates to our annual meeting should be discussing his impeachment. I imagine his announced trip to Japan will be as successful as his trip to Russia.

Laid off employees can't afford to buy

vodka and taxpayers are traveling to other states to buy their products as a result of the sharp increase in taxes.

I worked hard for Mario Cuomo in the primary against Ed Koch and I voted for him against Lou Lehrman. I will never vote for him for President even though the thought of him moving on is appealing. This year he has reached out to our family in a manner that should bring about a divorce!!!!

* Tried to lay-off 40-plus department of environmental conservation CSEA employees and allowed 24 of his management folks to make over \$90,000 a year.

* Increased funds for his totally useless Regional Mental Hygiene offices yet has

targeted thousands of direct care MH staff.

* Reduced services to every city, town, village, school and county by cuts in and to local government and school districts.

* His DOT commissioner is preparing for the winter by reducing the number of our members plowing snow and keeping the roads open by 50%.

But Mario won't be here to dodge the snow drifts, he will be out looking for electoral votes and talking about not talking of running for president.

Do I sound bitter? You bet I am. I for one think he has turned his back on the very folks he knows helped him the most to get to his current position.

This Union should be the first to call for his impeachment.

About commitment and honest effort

We marched in Washington in 1981 and afterward we felt better. Little else resulted.

We marched in Washington Labor Day Weekend 1991. This time there must be more than just a good feeling.

There was a lot of energy and enthusiasm on August 31st. Except for the heat, humidity and torturous travel, it was an upbeat day.

However, no meeting, rally or march accomplishes anything of substance unless there is adequate follow-up.

Labor leaders must transmit that energy and enthusiasm to the members. Our top priority must be to convince members that

they can make a difference.

One way to facilitate this is to deliver a message to both major political parties.

We are fed up with your platitudes, your lip service, your inability and reluctance to deal with the tough issues. This nation has major problems at all levels, and if you don't have the guts to deal with them, we will find someone who does.

We must lay it on the line. It must go out to all: President Bush, Congress, especially "friendly" Democrats, governors, state and county executives and legislators, city, town and village elected office holders.

You produce and then we will be supportive.

The Russian people have done similar things in the past few weeks. They have accomplished much under trying, dangerous circumstances. A complete reversal of the structure of their nation.

Can we do less?

I appeal to fellow labor leaders everywhere. Cut the petty bickering, put aside your personal agendas, rise above the pettiness.

We can accomplish much if we really care enough to make a commitment and an honest effort.

KEEP INFORMED: Call CSEA's Current Issues 1-800-342-4146
 Update for the latest news (Then hit 5 on your touch-tone phone)

CSEA Retirees CSEA Retirees CSEA Retirees CSEA Retirees CSEA Retirees CSEA Retirees CSEA Retirees CSEA Retirees CSEA Retirees CSEA Retirees CSEA Retirees CSEA Retirees CSEA Retirees CSEA Retirees CSEA Retirees

New York works because we worked -- and still do!

KERHONKSON -- "As retirees, our work is cut out for us. Our needs are simple -- to maintain a secure and dignified retirement for all public sector retirees," said CSEA Retiree Executive Committee Chair Charles Peritore at the CSEA Retiree Division's

Seventh Annual Meeting. CSEA President Joe McDermott presented the Donald Webster Memorial Mission Achievement Award to Sol Bendet. Irene Hills, president of CSEA Retiree Local 910 accepted the award for Bendet.

"While Sol may have retired from his job, I'm proud that he hasn't retired from our union," McDermott said.

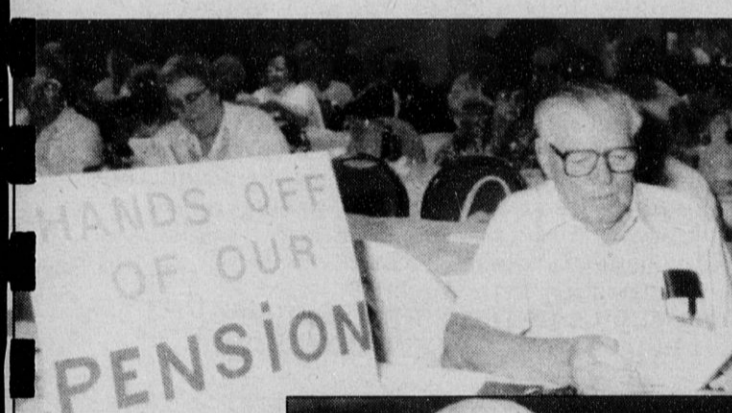
AFSCME Secretary-Treasurer William Lucy told the delegates that CSEA is responsible for much of the recent growth in the AFSCME Retiree Program. (Continued on page 15)



CSEA RETIREE Executive Committee Chair Charles Peritore, right, talks with CSEA Retiree Programs Director Kathleen Cahalan.



AFSCME SECRETARY-TREASURER William Lucy, above, addressed the CSEA Retiree Annual Meeting. AT LEFT, a group of delegates.



HANDS OFF -- Local 919 member Al Freeman sends a message in photo above: "Hands off our pension!" AT RIGHT, Local 921 president Victor Coster, left, and Local 921 member Carmine LaMagna listen to a speaker.



(Continued from page 14) Also addressing the retiree delegates was Assembly member Paul Harenberg, chair of the Assembly Aging Committee, who urged the retirees to consider the needs of older women and health care reform as part of their legislative agenda.

The delegates also passed a motion to continue affiliation with the AFSCME Retiree Program. Retiree delegates attended workshops that covered topics including aging and public sector activism, the political action process and national health care.



CSEA PRESIDENT Joe McDermott, right, talks with Retiree Local 910 delegates Marie Salvatore, left, and Irene Hills, Local 910 president.

Constitution and By-Laws

NOTE: The underscored () language is new material for insertion into the Constitution or By-Laws. The language enclosed in brackets ([]) is old language proposed for removal from the Constitution or By-Laws.

The Constitution and By-Laws Committee has met ten (10) times since the Annual Delegates Meeting in 1990. The meeting dates were February 21, 1991; April 24, 1991; April 25, 1991; May 16, 1991; June 18, 1991; July 1, 1991; July 2, 1991; July 10, 1991; July 11, 1991; and August 7, 1991. The Constitution and By-Laws Committee has, amongst its functions, the recommendation to the Delegates on proposed amendments to the CSEA Constitution and By-Laws. The Committee reviews suggestions made by individuals and Locals and it accepts referrals from the Delegates and Board of Directors. Additionally, the Committee can initiate proposals which it deems to be in the best interest of the Association. All recommendations of this Committee are made to the Delegates, together with the reasons for the recommendations.

THE FOLLOWING ITEMS ARE PRESENTED TO THE DELEGATES FOR A SECOND READING. IF PASSED BY A TWO-THIRDS VOTE, THE AMENDMENTS WILL BECOME PART OF THE CSEA CONSTITUTION.

(1) The following amendments to Article VIII, Sections 1 and 2 are submitted to the Delegates by the Committee as a result of recommendations made by Charles Peritore, Chairperson of Retiree Division.

"ARTICLE VIII

Delegates

Section 1. ACTIVE MEMBERS. TEXT REMAINS SAME.

Section 2. RETIRED MEMBERS. The Chairperson of the Retiree Executive Committee, or in his or her absence, the Vice Chairperson, shall be a non-voting delegate to the annual delegate meeting of CSEA, provided however that on issues and motions relative to the Retiree Division, the Retiree Delegate shall have both the right to speak before the Delegates and one vote for each Retiree Local of the Retiree Division.

Explanation: The proposed language represents the current practice of CSEA and the Committee endorses it. Moreover, this practice is set forth in Article IV, Section 4 of the Retiree Division Constitution. Since it affects a structure governed by the Constitution of CSEA, Inc., it belongs in that Constitution.

THE COMMITTEE RECOMMENDS ADOPTION OF THIS AMENDMENT.

(2) The following amendment to Article IV, Section 2 is submitted to the Delegates by the Committee as a result of recommendations made by Charles Peritore, Chairperson of Retiree Division.

"ARTICLE IV

Organization of the Association

Section 2. BOARD OF DIRECTORS. The power and authority to transact all business of the Association shall, subject to the power and authority of the Delegates at meetings of the Association, be vested in a Board of Directors which shall consist of the following:

(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, and members of the Executive Committee of the Local Government Division.

(b) Non-Voting Members - The non-voting members of the Board of Directors shall be the Chairpersons of all Standing Committees as established in Article VI, Section 1 of the By-Laws and the Chairperson or Vice Chairperson of the Retiree Division Executive Committee.

Non-Voting Members of the Board of Directors shall not introduce, second, or debate any action before the Board except matters affecting the non-voting member's own Committee, provided however that the Chairperson of the Retiree Executive Committee, or in his or her absence, the Vice Chairperson, shall have one vote at a meeting of the Board of Directors on matters concerning the Retirees.

The Board of Directors shall establish and appoint committees to be known as Board Committees. The Board Committees shall consist of only voting members of the Board of Directors and each committee shall elect its own Chairperson."

Explanation: The representative of the Retiree Division is now permitted to vote at the Delegates' meeting on issues affecting Retirees. This same privilege should apply at meetings of the Board of Directors.

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 amendment of Article VIII is submitted to the Delegates by the Committee as a result of the recommendations made by C. Allen Mead, Region IV President.

"ARTICLE VIII

Delegates

Section 1. DELEGATE STATUS. TEXT REMAINS SAME.

Section 2. DELEGATE DUTIES.

(a) It shall be the responsibility of each Delegate to any Association meeting to attend the general business sessions.

(b) It shall be the responsibility of the delegation in attendance at any Association meeting to report on the business and other programs of that Association meeting to their Local Executive Board.

Explanation: At last year's Delegates' meeting, a proposal was made to place the elected Delegates' duties and responsibilities in the Constitution, consistent with all other elected officials' duties/responsibilities being set forth in the appropriate CSEA Constitution. Last year's proposal required the Local President to ensure attendance from his/her delegation at all Education and Training Sessions held during any Association meeting. Last year's proposal also required all Delegates to report back on the meeting's business to their Executive Board at its first meeting following the Association meeting. These items were specifically objected to by the Delegate body when it defeated the proposal.

At the request of Region IV President Al Mead, the Committee has substantially modified the prior proposal to eliminate these objectionable elements. As submitted this year, the proposal sets forth the responsibility of the

delegation as elected CSEA officials to: (1) attend the general business sessions; and (2) report back on the business meeting and other sessions to its Executive Board. Delegates to the Annual Meeting attend on behalf of their Locals. Accordingly, Delegates should be required to report to the Local membership, sharing with the membership information obtained at the educational programs and informing the membership of the actions taken at the general business meetings.

THE COMMITTEE RECOMMENDS ADOPTION OF THIS AMENDMENT.

(2) The following amendment of Article VII is submitted to the Delegates by the Committee as a result of the recommendations made by Edward Carafa, Local 860 President:

"ARTICLE VII

Local Government Division

Section 3. LOCALS.

(a) LOCALS. [A] One Local may be formed by members in the Local Government Division in any county, or in any Region containing one or more counties, upon the approval by the Board of Directors. One Local non-teaching employees of school districts may be formed in each county provided fifty percent (50%) of the eligible school district Units, but in no event less than 200 school district members, shall request formulation thereof. Each such Local shall make available to the duly authorized representative of the Association at the request of the President or the Board of Directors at reasonable intervals, all Local records for inspection by the Association."

Explanation: Last year the Board of Directors and the Delegates determined that it was appropriate for units that could be self-sufficient and that wished to become Locals in their own right to petition to become Locals. Such request was premised upon the desire of the unit members to become their own Local, with both the duties and responsibilities therefore and the related financial responsibilities thereof. The Committee believes that as long as the initiation of the request to become a separate Local remains with the unit members to be affected, it is appropriate that the Constitution allow this flexibility. In more recent times, issues regarding rebates, service, voice and vote have become the basis for challenges to CSEA's representation rights. The Committee believes that CSEA must remain flexible and responsive to its members' various needs in this regard and that the instant proposal would preclude CSEA from fulfilling its members' wishes for more direct participation in the Union.

THE COMMITTEE RECOMMENDS DISAPPROVAL OF THIS AMENDMENT.

(3) The following amendment of Article VIII is submitted to the Delegates by the Constitution and By-Laws Committee as a result of the suggestion made by Secretary Irene Carr.

"ARTICLE VIII

Delegates

Members of each Local shall elect from their membership one or more delegates and/or alternates to represent the members of the Local at all meetings of the Association, except that the Local President, Vice Presidents in ranking order, Secretary and Treasurer, shall, by virtue of their offices, automatically be designated as delegates and/or alternate delegates. [Prior to July 15 of each year, each Local shall file with the Secretary of the Association an accurate list containing the names and addresses of its delegates and

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alternate delegates for the ensuing year.] It is the responsibility of each Local to notify the Office of the Statewide Secretary of any change affecting the status of the delegate listing at the time of such change. Such delegate or delegates shall have one vote for each one hundred (100) members or fraction thereof in such Local, based upon the paid membership in the Association on the first day of June preceding the meeting. The number of votes each Local or Department is entitled to cast shall be determined by the Membership Committee.

All members of the Board of Directors who are not elected delegates shall have all the rights and privileges of delegates at meetings of the delegates except the right to vote. REST REMAINS SAME."

Explanation: The existing language requiring an accurate delegate list once a year prior to July 15 no longer fits with either Association practice or needs regarding updated delegate information. In practice, update forms are completed by Local Presidents as changes happen and the master file thus is updated continuously. In those few instances where the Statewide Secretary does not receive updated information continuously or where there are changes between submission of the Local's lists and the opening of the Annual Delegates Meeting, the registration process for those delegates for whom the Secretary does not have updated information is unnecessarily difficult and time-consuming. To eliminate these problems that arise from outdated information, this language requires that the Statewide Secretary be made aware of any and all changes in delegate information as such changes occur.

THE COMMITTEE RECOMMENDS APPROVAL OF THIS AMENDMENT.

(4) The following amendment of Articles VI, VII and VIII is submitted to the Delegates by the Committee as a result of the recommendations made by Edward Carafa, Local 860 President.

"ARTICLE VI
State Division
Section 3.

(a) LOCALS. TEXT REMAINS SAME.

(b) The By-Laws of Locals and Units with a membership in excess of 2,000 members shall be required to provide for membership on the Executive Board of each such Local or Unit at least 1% of the Local or Unit's actual membership. These Executive Board members must be elected at large from the entire membership of the Local or Unit unless the Local or Unit has specifically stipulated in its By-Laws the specific conditions, departments, divisions, or geographic locations from which the Executive Board Member is to be elected, in which case only those members in such departments, divisions, or geographic locations, or meeting the stipulated conditions, shall be entitled to vote for specific Executive Board Members. The 1% figure shall include, for a Local, the elected Officers, elected Statewide Board Member(s) and Alternate(s), Elected Delegates and elected Alternate Delegates to CSEA Delegate Meetings, all Unit Presidents and a sufficient number of additional Executive Board Members to achieve the 1% figure. In a Unit, the 1% figure shall include all elected Officers, any elected Delegates to the CSEA Delegates' Meetings and any elected Delegates to the Local's Executive Board who are members of the Unit, any Section Presidents

and a sufficient number of additional Executive Board Positions to achieve the 1% figure.

"ARTICLE VII

Local Government Division
Section 3.

(a) TEXT REMAINS SAME.

(b) TEXT REMAINS SAME.

(c) The By-Laws of Locals and Units with a membership in excess of 2,000 members shall be required to provide for membership on the Executive Board of each such Local or Unit at least 1% of the Local or Unit's actual membership. These Executive Board members must be elected at large from the entire membership of the Local or Unit unless the Local or Unit has specifically stipulated in its By-Laws the specific conditions, departments, divisions, or geographic locations from which the Executive Board Member is to be elected, in which case only those members in such departments, divisions, or geographic locations, or meeting the stipulated conditions, shall be entitled to vote for specific Executive Board Members. The 1% figure shall include, for a Local, the elected Officers, elected Statewide Board Member(s) and Alternate(s), Elected Delegates and elected Alternate Delegates to CSEA Delegate Meetings, all Unit Presidents and a sufficient number of additional Executive Board Members to achieve the 1% figure. In a Unit, the 1% figure shall include all elected Officers, any elected Delegates to the CSEA Delegates' Meetings and any elected Delegates to the Local's Executive Board who are members of the Unit, any Section Presidents and a sufficient number of additional Executive Board Positions to achieve the 1% figure.

"ARTICLE VIII

Delegates

(a) Members of each Local shall elect from their membership one or more delegates and/or alternates to represent the members of the Local at all meetings of the Association, except that the Local President, Vice Presidents in ranking order, Secretary and Treasurer, shall, by virtue of their offices, automatically be designated as delegates and/or alternate delegates. REST REMAINS SAME.

(b) TEXT REMAINS SAME.

(c) TEXT REMAINS SAME.

(d) The By-Laws of Locals and Units with a membership in excess of 2,000 members shall be required to provide for membership on the Executive Board of each such Local or Unit at least 1% of the Local or Unit's actual membership. These Executive Board members must be elected at large from the entire membership of the Local or Unit unless the Local or Unit has specifically stipulated in its By-Laws the specific conditions, departments, divisions, or geographic locations from which the Executive Board Member is to be elected, in which case only those members in such departments, divisions, or geographic locations, or meeting the stipulated conditions, shall be entitled to vote for specific Executive Board Members. The 1% figure shall include, for a Local, the elected Officers, elected Statewide Board Member(s) and Alternate(s), Elected Delegates and elected Alternate Delegates to CSEA Delegate Meetings, all Unit Presidents and a sufficient number of additional Executive Board Members to achieve the 1% figure. In a Unit, the 1% figure shall include all elected Officers, any elected Delegates to the CSEA Delegates' Meetings and any elected Delegates to the Local's Executive Board who are members of the Unit, any Section Presidents and a sufficient number of additional Executive

Board Positions to achieve the 1% figure."

Explanation: By letter, the Committee Chair advised the proposer that the subject of the proposal suggests changes in the model Local and model Unit Constitutions. The Chair advised that since the Committee was working on proposals for the Statewide Constitution and preparing for the Annual Delegates Meeting in October, proposals for amendment of the Region, Local and Unit constitutions would be reviewed after the first of next year for report to the Board of Directors. This procedure is consistent with the Committee's past procedures for dealing with the model Constitutions. The Chair further advised that the Committee would take up the proposal after Convention.

By return letter, the proposer insisted that the proposal to modify the composition of Unit and Local Executive Boards by mandating their size and composition be considered as part of the review of the Statewide Constitution. Accordingly, the Committee is reporting out this proposal as follows:

The proposal seeks to mandate the size and composition of Unit and Local Executive Boards. The proposed mandated size of a subdivision's executive board would be 1% of the membership of the subdivision. For instance, for a unit of 6,500 members, the Executive Board would have to be 65 in number. In addition, the proposal provides that the Unit's representatives on a Local Executive Board must be voting members of the Unit's Executive Board as well.

The size, composition and voting rights of a subdivision's Executive Board have been matters for the model Local and Unit Constitutions, subject to modification by each Local's or Unit's own by-laws. The Committee believes that the composition, size and voting rights of a Local/Unit Executive Board is not a proper subject for the Statewide Constitution and should continue to be a matter for the individual subdivisions to address in their own by-laws.

THE COMMITTEE RECOMMENDS DISAPPROVAL OF THESE AMENDMENTS.

(5) Last year the delegates defeated a proposal regarding the filling of Local Government Executive Committee vacancies which provided that the affected Local Presidents would select the replacement who then would receive an appointment letter signed by the Association President. The proposal was defeated based upon issues with respect to how Local Presidents would select such replacements. The year prior, the delegates defeated a proposal which provided that the Local Presidents would recommend and the Association President would appoint Executive Committee replacements. This proposal was defeated because it did not allow for member election of Executive Committee representatives.

The issue of vacant Local Government Executive Committee seats remains unresolved. The Committee proposes that the State Executive Committee's constitutional procedures be adopted for the Local Government Executive Committee. This would in effect codify the current practice for special elections to fill vacant seats on the Local Government Division Executive Committee. Accordingly, the Committee proposes the following:

"ARTICLE VII

Local Government Division
Section 1.

Constitution and By-Laws

(a) LOCAL GOVERNMENT 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 Local Government Executive Committee which shall consist of the officers of the Association and one representative from the Local Government County Locals of each county having 100 or more members as of the preceding January 1st, and one Local Government Educational Local representative from each CSEA Region elected by the Local Government Educational Local members within each Region ... Vacancies in the office of Local Government Executive Committee representative including termination of employment within the appropriate political subdivision may be filled for the remainder of the term by members of the Association employed in such political subdivision at 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; however, where the unexpired term of office is six (6) months or less, the President of the Association may fill such vacancy without an election with the approval of the Board of Directors."

Explanation: This language is identical to the language in the Statewide Constitution as pertains to vacancies on the State Executive Committee (Article VI, Section 1). For the past three years at least, the practice has been to apply this same language to vacancies on the Local Government Executive Committee. The Committee's proposal places conforming language in the Constitution directly addressing vacancies on the Local Government Executive Committee.

THE COMMITTEE RECOMMENDS ADOPTION OF THIS AMENDMENT.

(6) The following is submitted to the Delegates by the Committee as a result of the recommendation made by Tom Warzel, Chair of the Methods and Procedures Committee.

"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 ... [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 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; however, where the unexpired term of office is six (6) months or less, the President of the Association may fill such vacancy without an election with the approval of the Board of Directors.] 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 the President of the Association, without an election with the approval of the State Executive Committee.

REST REMAINS SAME.

Section 2. NOMINATIONS. TEXT REMAINS SAME.

Section 3. LOCALS. TEXT REMAINS SAME.
ARTICLE VII

Local Government Division
Section 1.

(a) LOCAL GOVERNMENT 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 Local Government Executive Committee which shall consist of the officers of the Association and one representative from the Local Government County Locals of each county having 100 or more members as of the preceding January 1st, and one Local Government Educational Local representative from each CSEA Region elected by the Local Government Educational Local members within each Region ... Vacancies in the office of Local Government representative including termination of employment with the political subdivision may be filled for the remainder of the term by the President of the Association, without an election with the approval of the Local Government Executive Committee.

(b) PRIVATE SECTOR REPRESENTATIVE.
TEXT REMAINS SAME.

Section 2. NOMINATIONS. TEXT REMAINS SAME.

Section 3. LOCALS. TEXT REMAINS SAME."

Explanation: The recommendation suggests that the dollar cost and the time involved in running special elections to fill vacant executive committee seats are excessive. The proposal would drastically cut back both the cost and the time involved in continuously running special elections. The Committee has heard the delegates debate the earlier proposals involving Local Presidents' recommendations and Association President appointment. These proposals have been defeated. The Committee has supported these proposals in the past because of the cost and the inefficiency of special elections. The Committee proposes that this proposal be reconsidered by the Delegates as a way for CSEA to cut back on costs and time so as to redirect resources to other areas. Given the Committee's past recommendations on related proposals and the Delegates' expressed concern that Board seats be filled by direct election, the Committee reports the above proposal without recommendation.

THE COMMITTEE REPORTS THE ABOVE PROPOSAL WITHOUT RECOMMENDATION.

(7) The following amendment of Article VII is submitted to the Delegates by the Committee as a result of the recommendations made by Edward Carafa, Local 860 President.

"ARTICLE VII

Local Government Division
Section 1.

(c) For each Local Government Executive Committee member that a Local is entitled to elect, an additional Alternate Local Government Executive Committee Member shall also be elected. All such nominees shall run for the Position of Local Government Executive Committee Member and the one(s) achieving the highest number of votes shall be declared the Local Government Executive Committee member(s) and the one(s) receiving the next highest number of votes shall be elected as the Alternate County Executive Committee Member(s). In the event that an elected Local Government Executive Committee Member is unable to attend any meeting of the Statewide Board of Directors for any reason whatsoever, an elected Alternate Local Government Executive Committee member shall be eligible to attend such meeting in the place and stead

of the elected Local Government Executive Committee Member and to have all the rights and privileges of the elected Local Government Executive Committee Member, including the right to vote. In the event any elected Local Government Executive Committee Member should become permanently unable to attend such Statewide Board Meetings or should become ineligible to continue in such position, an elected Alternate Local Government Executive Committee Member shall assume the position of Elected Local Government Executive Committee Member for the remainder of the term and shall be entitled to all of the rights and privileges of the elected Local Government Executive Committee Member. If a Local is entitled to more than one Local Government Executive Committee Member, the elected Alternate Local Government Executive Committee Member who received the highest number of votes shall become the first such elected Alternate, with additional Alternates numbered according to the number of votes each received; number 2 having received the second highest number of votes; number 3 having received the 3rd highest number of votes, etc."

Explanation: This proposal in effect sets up a shadow Local Government Executive Committee by creating alternate positions for each elected executive committee position. The suggested purpose is to ensure that vacant Local Government Executive Committee seats are filled automatically. The Committee understands the rationale here but finds the recommended solution to be unnecessary, cumbersome, difficult to administer, potentially disruptive and inefficient. The Committee's proposal set forth above addresses the concern raised by this proposal.

THE COMMITTEE RECOMMENDS DISAPPROVAL OF THIS AMENDMENT.

(8) The following amendment of Article VII is submitted to the Delegates by the Committee as a result of recommendations made by Edward Carafa, Local 860 President.

"ARTICLE VII

Local Government Division
Section 1.

(a) LOCAL GOVERNMENT 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 Local Government Executive Committee which shall consist of the officers of the Association and one representative from [the] each Local Government County Local[s of each county] having 100 or more members as of the preceding January 1st, and one Local Government Educational Local representative from each CSEA Region elected by the Local Government Educational Local members within each Region. One additional member of the Local Government Executive Committee shall be elected by the members of the Local Government Executive Committee to represent Local Government County Locals which have membership of less than 100 on the preceding January 1st. In addition to the foregoing, each Local Government County Local[(s) of any county] having 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 Local Government Executive Committee may create one or more subcommittees to perform such duties as the Local Government Executive Committee shall delegate. The representative(s)

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of a Local Government County Local(s) shall be elected by such Local(s) for a three (3) year term of office to be coincidental with the term of office for members of the State Executive Committee. No statewide officer shall be eligible to be a candidate for any position on the Local Government Executive Committee."

Explanation: In 1988 and 1989, the Delegates voted on language to clarify how Local Government Executive Committee representatives are elected, i.e. by geographic county. This proposal reverses the clarification of 1988/1989. In addition, the issue of additional Local Government Locals is permitted under Article VII, Section 3 of the Statewide Constitution. The Board of Directors and the Delegates over the past couple of years have determined that it is appropriate for units that can be self-sufficient and wish to become Locals in their own right to be able to petition to become Locals. The Committee agrees that as long as the initiation of the request remains with the unit members to be affected, it is appropriate that the Statewide Constitution continue this flexibility. CSEA must remain flexible and responsive to its members' various needs in regard to service, voice and vote. The instant proposal would preclude CSEA from fulfilling its members' wishes for more direct participation in the union.

THE COMMITTEE RECOMMENDS DISAPPROVAL OF THIS AMENDMENT.

(9) The Committee has been made aware of certain legal implications for our Locals and Units which arise as a result of CSEA representing private sector employees. These implications arise under the various federal statutes that govern unions which represent private sector employees. The two areas in which the federal oversight is most obvious are: financial disclosure and accountability; and union elections. By virtue of placing our private sector members in our existing locals and units, all such CSEA subdivisions become subject to the oversight and jurisdiction of the U.S. Department of Labor. In order to minimize the impact of having private sector members, the Committee proposes that a separate division be created to encompass our private sector brothers and sisters, thereby insulating our existing Locals and Units from LMRDA jurisdiction. CSEA, Inc. will remain subject to LMRDA jurisdiction as long as it continues to have private sector members. At the same time, we will be providing a governing structure for our private sector brothers and sisters as well as for representation on the Board of Directors and at the Annual Delegates Meeting. Accordingly, the Committee recommends the following amendments:

"ARTICLE IV

Organization and Association

Section 1. DIVISIONS. The Association shall be organized into four divisions to be known as the State Division, the Local Government Division, the Private Sector Division and the Retiree Division. Members who are employees of the State shall be in the State Division, and members who are employees of the political subdivisions of the State [and of private sector employers in positions represented by CSEA] shall be in the Local Government Division ... Members who are employees of private sector employers in positions represented by CSEA shall be in the Private Sector Division. Retired members shall be in the Retiree Division

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 Local Government Division, and the Chairperson of the Private Sector Executive Committee.

Section 4. DIRECTORS' COMMITTEE.

The Board of Directors shall elect from its membership a Directors' Committee, to consist of not less than ten and not more than twenty-two members. Such committee shall include the officers of the Association, the Chairperson of the State Executive Committee [and], the Chairperson of the Local Government Executive Committee, and the Chairperson of the Private Sector Executive Committee, and as many other members as the Board deems necessary not to exceed twenty-two. Such Directors' Committee shall be vested with the Power and authority of the Board of Directors when the Board is not in session.

ARTICLE VII

Local Government Division

[(b) PRIVATE SECTOR REPRESENTATIVE.

There shall be one statewide representative on the Local Government Executive Committee elected by members of CSEA who are in private sector Locals.]

ARTICLE VIII

Private Sector Division

Section 1. PRIVATE SECTOR EXECUTIVE

COMMITTEE. The power and authority to transact business relating to employees represented by CSEA who are employed in the private sector shall, except as otherwise provided herein, be vested in a Private Sector Executive Committee which shall consist of the officers of the Association, and a representative from each private sector local who shall be the Local President of each such local. The representative shall serve on the Executive Committee for a term of three years to be coincidental with the term of office or his/her presidency. The Private Sector Executive Committee may create one or more subcommittees to perform such duties as the Private Sector Executive Committee shall delegate. The Private Sector Executive Committee shall elect from its membership one member to be known as the chairperson of the Private Sector Executive Committee. No statewide officer shall be eligible to be a candidate for any Position on the Private Sector Executive Committee.

Section 2. LOCALS.

(a) A Local may be formed by members of the Private Sector Division in any bargaining unit represented by CSEA, upon approval of the Board of Directors. Each Local shall make available to the duly authorized representative of the Association at the request of the President or the Board of Directors at reasonable intervals, all Local records for inspection by the Association.

(b) Any private sector Local existing as of the implementation of the Private Sector Division shall continue as a Local and shall be assigned to the region in which it is located.

ARTICLE [VIII] IX

Delegates

Members of each Local shall elect from their membership one or more delegates and/or alternates to represent the members of the Local at all meetings of the Association, except that the Local Presidents, Vice Presidents in ranking order, Secretary and Treasurer, shall, by virtue of their offices, automatically be

designated as delegates and/or alternate delegates. Prior to July 15 each year, each Local shall file with the Secretary of the Association an accurate list containing the names and addresses of its delegates and alternate delegates for the ensuing year. Such delegate or delegates shall have one vote for each one hundred (100) members or fraction thereof in such Local, based upon the paid membership in the Association on the first day of June preceding the meeting. The number of votes each Local or Department is entitled to cast shall be determined by the Membership Committee. All members of the Board of Directors who are not elected delegates shall have all the rights and privileges of delegates at meetings of the delegates except the right to vote. When State and/or Local Government Division and/or Private Sector Division Delegates meet in official session, the motions passed with regard to items affecting solely their respective divisions and not the Association general policy shall be presented to the delegate body by the respective Chairpersons for informational purposes only. REST REMAINS SAME.

ARTICLE [IX] X

Funds

TEXT REMAINS SAME

ARTICLE [X] XI

Affiliation and Merger

TEXT REMAINS SAME

ARTICLE [XI] XII

Amendments

TEXT REMAINS SAME"

Explanation: CSEA represents

approximately 2,000 private sector employees. We have followed our members and our jobs into the private sector so as to ensure that the governmental interest in subcontracting and in shedding governmental services is not seen as a way to avoid paying decent wages, providing acceptable terms and conditions of employment and necessary benefits to workers. Because we have private sector members, CSEA is subject to the jurisdiction of certain federal statutes, most particularly the Labor Management Reporting and Disclosure Act (LMRDA). The LMRDA, in addition to providing a bill of rights for Union members, provides for very extensive financial reporting by any and all unions subject to LMRDA jurisdiction. LMRDA also provides for the supervision of union elections based upon complaints filed during the course of elections. As you know, CSEA has had its statewide elections as well as its Region President elections supervised in the past by the federal Department of Labor. To ensure that there is minimal impact on our Locals and Units with respect to the extensive financial disclosure requirements of the LMRDA and to minimize the involvement of the Department of Labor in our Local and Unit elections, a separate private sector division is being proposed. By placing all private sector members in their own Locals and Units within the respective Regions, public sector units and locals will remain free from LMRDA jurisdiction and requirements. CSEA, Inc. of course will remain subject to LMRDA jurisdiction as long as we have any private sector members.

The proposal creates a Private Sector Division which closely parallels our existing structure. There is one Private Sector Board seat to be filled by the elected Chairperson of the Private Sector Executive Committee. That Committee is composed of the officers of the Association (as is the State and Local Government Executive Committees) and the

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Local Presidents of each private sector local. Existing private sector locals will continue being assigned to their appropriate region. In addition, other private sector locals will be created by bargaining unit, in their region, upon Board approval.

THE COMMITTEE RECOMMENDS THE ADOPTION OF THIS PROPOSAL.

(10) The following amendment of Articles VI and VII is submitted to the Delegates by the Committee as a result of the recommendations made by Corinne Oliver, President of Local 628.

"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. REST REMAINS SAME."

"ARTICLE VII Local Government Division Section 1.

- (a) REMAINS SAME.
(b) REMAINS SAME.

(c) FACULTY STUDENT ASSOCIATIONS.

There shall be one statewide representative on the Local Government Executive Committee elected by members of CSEA who are in FSA Locals."

Explanation: The proposer offers that FSAs have more in common with the Local Government and Private Sector Divisions than with the State Division and that FSAs are increasing and should have a Statewide Representative on the Local Government Executive Committee. This proposal is no longer necessary based upon the Committee's proposal to create a Private Sector Division.

THE COMMITTEE RECOMMENDS DISAPPROVAL OF THIS AMENDMENT.

(11) The following amendments are submitted to the Delegates by the Committee as a result of the recommendations made by Edward Carafa, Local 860 President.

"ARTICLE VII Local Government Division Section 1.

(b) PRIVATE SECTOR REPRESENTATIVE.

There shall be one statewide representative on the Local Government Executive Committee elected by members of CSEA who are in private sector [Locals] Units."

"ARTICLE III Membership

Section 1. MEMBERS.

(b) PRIVATE SECTOR MEMBERS.

The President, subject to the approval of the Board of Directors, may [issue Local charters or] authorize the enlargement of the jurisdiction of existing Local Government Local charters to include other appropriate groups of workers [not specifically enumerated in this Article,] whose employment while not in the public sector is such a type and nature that it is the same or similar to work traditionally performed by public sector workers. Workers within such jurisdictions shall be eligible for the types of membership defined in this Article."

"ARTICLE IV

Organization of the Association

Section 1. DIVISIONS. The Association shall be organized in [three] four divisions to be known as the State Division, the Local Government Division, the Private Sector Division and the Retiree Division. Members who are employees of the State shall be in the State Division, [and] members who are employees of the political subdivisions of the State [and of private sector employers in positions represented by CSEA] shall be in the Local Government Division and private sector employees in positions represented by CSEA shall be in the Private Sector Division. Members who are employees of any public authority, public benefit corporation or similar autonomous public agency may, with the approval of the Board of Directors, elect as a unit to affiliate with a State Department or a State or Local Government Local with the consent of such State Department or Local and shall thereupon become members of the division with which they have affiliated. Retired members shall be in the Retiree Division, which shall be governed by the Retiree Division Constitution to the extent that it is not inconsistent with the Constitution of the Civil Service Employees Association, Inc."

"ARTICLE VII

Local Government Division Section 1.

(b) PRIVATE SECTOR REPRESENTATIVE.

There shall be one statewide representative on the Local Government Executive Committee elected by members of CSEA who are in private sector Locals.]"

Explanation: The issues presented in these amendments are addressed in the Committee's proposal to create a Private Sector Division. Accordingly, these proposals are either redundant or inconsistent with the creation of a Private Sector Division.

THE COMMITTEE RECOMMENDS DISAPPROVAL OF THESE AMENDMENTS.

(12) The following amendment of Article VIII is submitted to the Delegates by the Committee as a result of the recommendations made by Catherine Green, Local 852.

"ARTICLE VIII Delegates

Members of each Local shall elect from their membership one or more delegates and/or alternates to represent the members of the Local at all meetings of the Association, except that the Local Presidents, Vice Presidents in ranking order, Secretary and Treasurer, shall, by virtue of their offices, automatically be designated as delegates and/or alternate delegates. Prior to July 15 each year, each Local shall file with the Secretary of the Association an accurate list containing the names and addresses of its delegates and alternate delegates for the ensuing year. Such delegate or delegates shall have one vote for each one hundred (100) members or fraction thereof in such Local, based upon the paid membership in the Association on the first day of June preceding the meeting. The number of votes each Local or Department is entitled to cast shall be determined by the Membership Committee. All members of the Board of Directors who are not elected delegates shall have all the rights and privileges of delegates at meetings of the delegates except the right to vote.

When State and/or Local Government Division Delegates meet in official session, the

motions passed with regard to items affecting solely their respective divisions and not the Association general policy shall be presented to the delegate body by the respective Chairpersons for informational purposes only.

Region officers not in the capacity of Local Delegates shall be delegates at all delegate meetings of the Association. They shall have all the rights and privileges of delegates at meetings except the right to vote, provided, however, that Region Presidents may vote at all meetings of the Association. Allowed expenses [may be paid by the Region] shall be paid by CSEA, Inc."

Explanation: The proposal seeks to have CSEA, Inc. pick up the Annual Meeting costs of region officers who are not elected as delegates but who attend the Annual Meeting. Presently these expenses are paid by the Region. There is no constitutional role or responsibility for such regional officers who choose to attend the Annual Meeting. In addition there are serious financial implications for CSEA, Inc. to pick up these costs across all regions. Presently there are 9 region officers who are not also elected delegates from their respective locals. We must look to the possibility that all 32 elected region officers could be non-voting delegates. The average cost per delegate is as much as \$1,600. If CSEA were to be required to pay the expenses of the present 9 non-delegate region officers, the cost to the union could be \$14,400. For all 32 region officers, the cost could be as much as \$51,200. Given the excessive cost of this proposal and the lack of voting status of these individuals, the rationale for CSEA to finance these "guests" is lacking.

THE COMMITTEE RECOMMENDS DISAPPROVAL OF THIS PROPOSAL.

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 IV, Section 3 of the By-Laws is submitted to the Delegates by the Constitution and By-Laws Committee as a result of the suggestion made by Treasurer Mary E. Sullivan.

"ARTICLE IV Finance

Section 3. REFUND AND REIMBURSEMENT.

(c) REFUNDS TO UNITS. All recognized Units established by Locals shall receive a rebate of not less than twenty-five percent and not more than fifty percent of the per capita rebate extended by the Association to a Local based upon the collection of the membership dues and agency shop fees collected from the employees in the Unit. A Local with more than one Unit shall ensure that its percentage rebate is uniform for all of its Units. If a Local does not receive a rebate due to its failure to comply with all the provisions of the mandated Local Constitution and this Constitution, the Local is still obligated to pay rebates to Units which have complied with reporting standards, providing there are sufficient funds in the Local treasury."

Explanation: Whereas the percentage rebate from the Association to Locals is uniform at 25%, there is no present requirement that Locals in turn ensure a uniform percentage rebate to their respective Units. In many Locals, Units get varying percentage rebates and in some cases, no rebates at all. The CSEA

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constitutional requirements compel that Units receive a percentage of dues/fees generated from their Unit for purposes of conducting Unit business. Fundamental concepts of fairness as well as the duty of fair representation suggest that this percentage should be uniform across all Units within a Local. Differing size and location of Units do not justify the lack of Unit rebate or the existing disparities in Unit rebates. The present inconsistencies provide a basis for resentment and misunderstanding as to the appropriate role and responsibilities of Units and Unit officers, as well as the possibility of limitations on a Unit's ability to fulfill all of its representation responsibilities.

THE COMMITTEE RECOMMENDS ADOPTION OF THIS AMENDMENT.

(2) The following amendment of Article IV, Section 3 of the By-Laws is submitted to the Delegates by the Constitution and By-Laws Committee as a result of the suggestion made by Edward Carafa, Local 860 President.

"ARTICLE IV

Finance

Section 3. REFUND AND REIMBURSEMENT.

(a) REFUNDS TO LOCALS. Each duly organized Local of the Association which has complied with all of the provisions of the mandated Local Constitution and this Constitution and By-Laws shall receive from the Treasurer an annual payment of twenty-five percentum (25%) of the membership dues and twenty-five percentum of the agency shop fees collected from the employees in such Locals after the net per capita payment to AFSCME, based on the June 1 audit, has been deducted. The expense of the delegates to regular or special meetings of the Association shall be paid by the Local from such funds as hereinafter provided. Nothing herein shall be interpreted to authorize the Statewide Treasurer to withhold from any Local the rebate to which it is entitled and for which it has qualified.

Explanation: Existing constitutional language specifies the authority to withhold a subdivision's rebate. Failure to comply with Constitutional and Financial Code requirements, including reporting of election results, generally serves as a basis for withholding of rebates. The Office of the Statewide Treasurer from time-to-time has cause to otherwise withhold rebates in order to fulfill both constitutional and fiduciary responsibilities. To include the proposed language would, in effect, tie the hands of the Treasurer in regards to fulfilling that officers legal responsibilities.

In addition, rebate monies are the monies of the membership and not of the Local itself. At times it is the responsibility of the Office of the Treasurer to ensure that the monies intended for members' services and operations are not diverted by other issues. The model Unit Constitution provides that the property and funds of a dissolved Unit became property of the Local only if the Unit is not reorganized within one year or a successor Unit is not designated. The Constitution provides the basis for the action taken in withholding rebate monies. This is particularly true as relates to reorganized subdivisions.

THE COMMITTEE RECOMMENDS DISAPPROVAL OF THIS AMENDMENT.

(3) For all the reasons set forth earlier regarding the need to insulate private sector

Locals and Units from public sector Locals and Units, the following by-law amendments would be necessary as a result of the creation of a separate private sector division.

"ARTICLE II

Meetings

Section 1. ANNUAL MEETING. The Annual Meeting of the Association shall be held on call of the President between the 15th day of September and the 15th day of November in each year. The President shall give notice of the date of such meeting to the President of each Local, Region and members of the Board of Directors before April 15th in each year. Each year the Annual Meeting shall last for five days. Prior to the convening of the general session, meetings shall be conducted which shall be consistent with the internal make-up of CSEA with direction toward bargaining unit seminars and State Department meetings for the State Division delegates and appropriate workshops for the various components of the Local Government and Private Sector Divisions. Standing Committees, which are submitting reports to the delegate body, shall conduct an open forum during the first two days of the meeting. Separate sessions of the State Division [and], Local Government Division and Private Sector Division shall be held prior to the general meetings

Section 2. BOARD OF DIRECTORS. TEXT REMAINS SAME.

Section 3. DIRECTORS' COMMITTEE. TEXT REMAINS SAME.

Section 4. STATE EXECUTIVE COMMITTEE. TEXT REMAINS SAME.

Section 5. LOCAL GOVERNMENT EXECUTIVE COMMITTEE. TEXT REMAINS SAME.

Section 6. PRIVATE SECTOR EXECUTIVE COMMITTEE. Meetings of the Private Sector Executive Committee shall be held upon call of the President. Upon the written request of ten or more members of the Private Sector Executive Committee, the President shall call a special meeting of the Committee within ten (10) days. Such request must set forth the reason for calling the meeting and the proposed agenda.

Section [6] 7 SPECIAL MEETINGS. TEXT REMAINS SAME.

Section [7] 8 NOTICE AND QUORUM.

(a) NOTICE. Notice of all meetings of the Association, the Board of Directors, the Directors' Committee, the State Executive Committee [or], the Local Government Executive Committee or the Private Sector Executive Committee shall be given in the official publication or by mailing or by telegram to each delegate or committee member at least three days before the date of such meeting. The President may call an emergency meeting upon 24 hours notice.

(b) QUORUM. The presence in person or by proxy by one-third of the members entitled to vote shall be necessary to constitute a quorum at all delegate meetings of the Association, the Board of Directors, the Directors' Committee, the State Executive Committee [or], the Local Government Executive Committee or the Private Sector Executive Committee. The presence in person of one-half of the members entitled to vote for all committees of the Association shall constitute a quorum.

Section [8] 9 PROXIES. Members of the State Executive Committee [and], the Local Government Executive Committee and Private Sector Executive Committee who are unable to attend a meeting are empowered to appoint, by

written designation filed with the Secretary of the Association, a member of their Local or Department to act in their place. No officer of the Association shall be represented by proxy.

Section [9] 10 ORDER OF BUSINESS. TEXT REMAINS SAME.

Section [10] 11 PARLIAMENTARY PROCEDURE. TEXT REMAINS SAME.

Section [11] 12 SERGEANT-AT-ARMS. TEXT REMAINS SAME.

ARTICLE IV

Finance

Section 2. DUES, [AND] AGENCY SHOP FEE AND UNION SHOP FEE.

(a)(1) Effective December 31, 1989, the annual membership dues, [and] agency shop fees and union shop fees of the Association shall be: members and persons paying an agency shop fee or union shop fee who earn under \$5,000 a year, the rate shall be seventy dollars (\$70); for those earning \$5,000 to \$9,999 a year, the rate shall be one hundred dollars (\$100); for those earning \$10,000 to \$15,999, the rate shall be one-hundred seventy-five dollars (\$175); for those earning \$16,000 to \$21,999, the rate shall be two hundred dollars (\$200); for those earning \$22,000 and over, the rate shall be two hundred twenty-five dollars (\$225). Effective January 1, 1990, and annually thereafter, the amount of dues set forth above shall increase by the percentage used by Association's International Affiliate, AFSCME, to adjust its annual minimum dues, except that for those members and persons paying an agency shop fee or union shop fee who earn under \$5,000 a year, such increase shall take effect January 1, 1991, and annually thereafter. No local, unit or region has the right to assess additional dues from members or agency fee payers or union shop payers.

(a)(2) Annual amount of three percent (3%) of the dues or agency shop fee or union shop fee paid by an individual shall be appropriated by the Association for political or ideological purposes REST REMAINS SAME.

(a)(3) The State Treasurer shall promulgate rules establishing an agency shop fee refund or union shop fee procedure which satisfies the requirements of the United States and New York State Constitutions and of Section 208 of the New York State Civil Service Law and of Section 14(b) of the National Labor Relations Act as applicable in that persons choosing not to belong to CSEA shall not be compelled to participate in CSEA's support of activities or causes of a political or ideological nature only incidentally related to terms and conditions of employment. The rules shall specify procedural details relating to notice, dispute resolution and distributions of agency shop fee and union shop fee refunds.

Section 3. REFUND AND REIMBURSEMENT.

(a) REFUNDS TO LOCALS. Each duly organized Local of the Association which has complied with all of the provisions of the mandated Local Constitution and this Constitution and By-Laws shall receive from the Treasurer an annual payment of twenty-five percentum (25%) of the membership dues and twenty-five percentum of the agency shop and union shop fees collected from the employees in such Locals after the net per capita payment to AFSCME, based on the June 1 audit, has been deducted. The expense of the delegates to regular or special meetings of the Association shall be paid by the Local from such funds as hereinafter provided.

Constitution and By-Laws

(b) Where, as a result of reorganizing an existing Local or Locals, a new Local is created, the new Local shall be entitled to a payment from the reorganized Local or Locals. Such payment shall be in an amount equal to six (6) months refund as provided in subdivision (a) above for each member and agency fee and union shop fee payer reassigned from the reorganized Local to the new Local."

Explanation: CSEA represents approximately 2,000 private sector employees. We have followed our members and our jobs into the private sector so as to ensure that the governmental interest in subcontracting and in shedding governmental services is not seen as a way to avoid paying decent wages, providing acceptable terms and conditions of employment and necessary benefits to workers.

Because we have private sector members, CSEA is subject to the jurisdiction of certain federal statutes, most particularly the Labor Management Reporting and Disclosure Act (LMRDA). The LMRDA, in addition to providing a bill of rights for Union members, provides for very extensive financial reporting by any and all unions subject to LMRDA jurisdiction. LMRDA also provides for the supervision of union elections based upon complaints filed during the course of elections. As you know, CSEA has had its statewide elections supervised in the past by the federal Department of Labor.

To ensure that there is minimal impact on our locals and units with respect to the extensive financial disclosure requirements of the LMRDA and to minimize the involvement of the Department of Labor in our local and unit elections, a separate private sector division is being proposed. By placing all private sector members in their own locals and units within the respective regions, public sector units and locals will remain free from LMRDA jurisdiction and requirements. CSEA, Inc. of course will remain subject to LMRDA jurisdiction as long as we have any private sector members.

The proposal creates a Private Sector Division which closely parallels our existing structure. There is one Private Sector Board seat to be filled by the elected Chairperson of the Private Sector Executive Committee. That Committee is composed of the officers of the Association (as is the State and Local Government Executive Committees) and the Local Presidents of each private sector local.

Existing private sector locals will continue being assigned their appropriate region. In addition, other private sector locals will be created by bargaining unit in their region, upon Board approval.

THE COMMITTEE RECOMMENDS THE ADOPTION OF THIS PROPOSAL.

(4) The following amendment of Article II, Section 1 of the By-Laws is submitted to the Delegates by the Constitution and By-Laws Committee as a result of the suggestion made by Edward Carafa, Local 860 President.

"ARTICLE II

Meetings

Section 1. ANNUAL MEETING. The Annual Meeting of the Association shall be held on call of the President between the 15th day of September and the 15th day of November in each year. The President shall give notice of the date of such meeting to the President of each Local, Region and members of the Board of Directors before April 15th in each year. Each year the Annual Meeting shall last for five days. Prior to the convening of the general session,

meetings shall be conducted which shall be consistent with the internal make-up of CSEA with direction toward bargaining unit seminars and State Department meetings for the State Division delegates and appropriate workshops for the various components of the Local Government Division and the Private Sector Division. Standing Committees, which are submitting reports to the delegate body, shall conduct an open forum during the first two days of the meeting. Separate sessions of the State Division and the Local Government Division (including the Private Sector Representative) shall be held prior to the general meetings. ... REST REMAINS SAME."

Explanation: With the adoption of the Committee's proposal for a Private Sector Division and the By-Laws resulting therefrom, this proposal is redundant and unnecessary.

THE COMMITTEE RECOMMENDS THE DISAPPROVAL OF THIS AMENDMENT.

(5) The following amendment of Article IV, Section 2 of the By-Laws is submitted to the Delegates by the Constitution and By-Laws Committee as a result of the suggestion made by Treasurer Mary E. Sullivan.

"ARTICLE IV

Finance

Section 1. FISCAL YEAR. TEXT REMAINS SAME.

Section 2(a). DUES AND AGENCY SHOP FEE. TEXT REMAINS SAME.

Section 2(b). NEW MEMBERS. TEXT REMAINS SAME.

Section 3. RETIRED MEMBERS. The annual membership dues of retired members shall be [nine] ~~twelve~~ dollars [(\$9.00)] ~~(\$12.00)~~ effective October 1, [1980] 1991. REST REMAINS SAME."

Explanation: One of the terms of the permanent affiliation agreement between AFSCME and CSEA with respect to our Retiree Division requires that dues for CSEA retiree members be at least the minimum amount established by AFSCME. The proposed increase was approved by the Delegates to the 6th Annual CSEA Retiree Convention providing that the affiliation with AFSCME became permanent. The Retiree Executive Committee recommended to the CSEA Board of Directors that the affiliation be permanentized and the Board adopted this recommendation. The Delegates to the 7th Annual Retirees Convention approved the Executive Committee's recommendation at their Annual Meeting in August 1991.

THE COMMITTEE RECOMMENDS ADOPTION OF THIS AMENDMENT.

(6) The following amendment to Article VI, Section 4 of the By-Laws is submitted to the Delegates by the Constitution and By-Laws Committee as a result of the suggestion made by Tom Warzel, Chair of Methods and Procedures Committee.

"ARTICLE VI

Committees

Section 4. SPECIAL AND AD HOC COMMITTEES. The Special Committees of the Association shall be as follows: Armory, Auditing, Human Rights, Memorial Scholarship Fund, Plaque, [Civil Service], Social Services, Probation, School Employees Committee, and such other committees designated by the President of the Association. Members of these committees shall be appointed by the President of the Association for the duration of the President's term of office or until successor

appointments have been made. Special Committees shall meet as required and review matters pertinent to the committee assignment and/or upon call of the Association's President. The membership of these committees shall not be less than seven, nor more than eleven, and the make-up of such committees shall include representation from each Region and proportional representation for the Local Government Division on such committees that affect Local Government problems. The membership of the Region Political and Legislative Action Committee(s) shall not be less than seven."

Explanation: This proposal eliminates the Civil Service Committee. CSEA's response to most Civil Service proposals requires prompt and knowledgeable answers. The CSEA professional research staff handles civil service matters on a routine basis. Civil Service legislative matters are handled by the CSEA Legislative and Political Action Department. Civil Service Law litigation is handled by the Legal Department. Each of these areas is amply covered by trained professional staff who are familiar with the civil service rules, regulations, laws and procedures. Since the Committee itself must seek the input of these various departments when dealing with a civil service issue, the Methods and Procedures Committee recommends the abolition of the Civil Service Committee as redundant and unnecessary.

THE COMMITTEE RECOMMENDS ADOPTION OF THIS AMENDMENT.

ALL CORRESPONDENCE WITH RESOLUTIONS AND/OR PROPOSED AMENDMENTS RECEIVED BY THE COMMITTEE AS OF THE CONSTITUTIONAL DEADLINE OF JULY 9, HAVE BEEN REVIEWED. APPROPRIATE RESPONSES HAVE BEEN DIRECTED TO THE INDIVIDUALS. LISTED BELOW ARE PROPOSED AMENDMENTS THAT THE COMMITTEE CHOSE NOT TO REPORT OUT WITH THE RATIONALE FOR SAID DECISION:

FINISHED BUSINESS

(1) Proposal of Betty Lennon of Local 612 and Henry Brennan of Local 426 that slate voting be authorized.

Resolved by Board action at its October 22, 1990 meeting - Motion #8.

UNFINISHED BUSINESS

(1) Proposal of William McMahon of Local 688 that candidates for Statewide and Region officers be elected by their respective Executive Boards rather than by the membership as a whole.

Analysis incomplete.

The Committee would like to thank both Vicki Burton and Allan Teitler for their time and efforts in working with the Committee this year and in assisting with the preparation of this report.

Respectfully submitted,
Terrence Melvin, Chairperson
Rita Wallace, Vice Chairperson
Sabina Shapiro
Steve Gonzalez
Richard Noreault
Barbara Reese
Robert Simoni

1991 Resolutions

The Resolutions Committee met at CSEA Headquarters on August 12, 1991. In attendance were: Irene Carr, Committee Advisor, Marge Flynn, Chair, Diane Klement, Denis Midnet, Rajeeyah Muwwakil, Robert Nurse, Henry Walters, Ruth Moore, Judy Remington, Sam Longo, Lyman Switzer, Thomas Finger and Karen Spotford. At this meeting the following resolutions were discussed: *

* Resolutions will be read by Marge Flynn, Chair of the Resolutions Committee, after the appropriate committee report.

RESOLUTION #1

Submitted by CSEA Statewide Officers, August 7, 1991.

WHEREAS, New York State, in 1987, enacted a series of changes in its tax system which have eroded the state's tax base and decoupled growth in tax collections from growth in the state's economy, and

WHEREAS, the state's actions in 1987 have resulted in an income tax which grows more slowly than the state's personal income growth so that the overall tax rate on the richest 1% of New Yorkers, who make \$1,448,000, is lower than the overall rate on middle income families earning \$44,200, and

WHEREAS, the anti-competitive effect of adverse state tax changes has resulted in a system where middle income taxpayers are paying 23% more of their incomes in taxes than the most affluent New Yorkers, and

WHEREAS, the richest New Yorkers - those in the top 1% - will pay just 11.3% of their incomes in state and local taxes this year - 6% less than what they paid in 1985, and

WHEREAS, New York State's present tax system allows not only very wealthy individuals but big corporations to escape paying their fair share of taxes, and

WHEREAS, corporations are contributing an ever smaller share of the state budget, for example, corporate taxes comprised 8.1% of all taxes collected in 1981 but by 1990 they were only 4.6%, and

WHEREAS, New York's ten largest corporations paid an average effective tax rate of 3.9% while all other corporations pay an average rate of 9%, and

WHEREAS, New York has taken repeated actions intended to close loopholes and increase corporate taxes over the past five years without actually realizing the additional revenues that were expected,

NOW, THEREFORE, BE IT RESOLVED that the Civil Service Employees Association calls upon the Governor and the state legislature to adopt a policy of tax fairness, and

BE IT FURTHER RESOLVED, that the state policy include recommendations made by the Fiscal Policy Institute, including:

1. Raising the income tax on the wealthiest New Yorkers, and
2. Ending legalized tax avoidance by big corporations.

ACTION TAKEN: Referred to Legislative & Political Action Committee.

RESOLUTION #2

Submitted by Nicholas LaMorte, Special School Employees Committee Chairperson

WHEREAS, the New York State Education Law mandates that it shall be the duty of a district superintendent to assemble all the

teachers of the district by towns or otherwise, for the purpose of conference on the course of study for reports of and advice and counsel in relation to discipline, school management and other school work and for promoting the general good of all the schools of the district; and

WHEREAS, the New York State Education Law further states that teachers shall be entitled to compensation for days actually in attendance upon such conference; and

WHEREAS, non-instructional or educational support employees are just as vital to the operation of a district; and

WHEREAS, in order to provide the most efficient, effective service as well as promoting the general good of all the schools in the district; and

WHEREAS, few school districts conduct Superintendent Conference Days for non-instructional employees; and

WHEREAS, the CSEA has developed A *Workbook For Conducting School Superintendent Conference Days*;

THEREFORE BE IT RESOLVED, that CSEA units advocate to school district administrators to allow non-instructional employees the opportunity to participate in Superintendent Conference Days.

BE IT FINALLY RESOLVED, that CSEA pursue through legislative action an amendment to the New York State Education Law that would include non-instructional employees in Superintendent Conference Days.

ACTION TAKEN: Referred to Legislative & Political Action Committee.

RESOLUTION #3

Submitted by Willie Terry, Local 460 President

WHEREAS, August 9, 1991 marked the 35th anniversary of the historic march by 20,000 South African women on Pretoria to protest against the pass law system and other oppressive laws; and

WHEREAS, as a result of this heroic and militant action in 1956, August 9th was commemorated as South African Women's Day; and

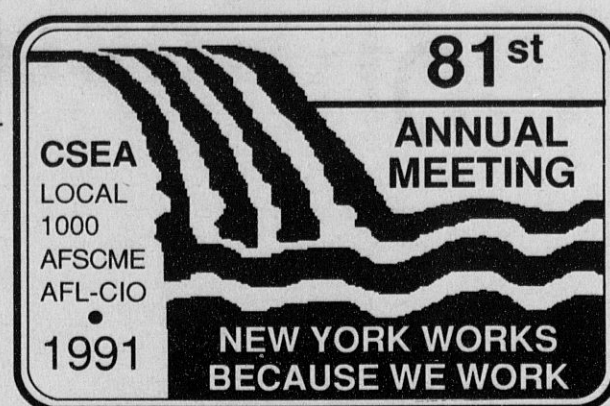
WHEREAS, in 1981, the United Nations' General Assembly declared the day as an International Day of Solidarity with the struggling women of South Africa and Namibia; and

WHEREAS, CSEA/AFSCME and other trade unions have been in the forefront of the struggle for women's equality in the workplace and in society at-large; and

WHEREAS, CSEA/AFSCME has, for many years, demonstrated solidarity with the movements for trade union rights and freedom in Southern Africa.

THEREFORE BE IT RESOLVED, that CSEA, acting in convention, call upon the CSEA Statewide Women's Committee to use the occasion of South African Women's Day each year to send greetings of friendship and solidarity to the women in the Congress of South African Trade Unions (COSATU) and, through that organization, to all other women workers in South Africa; and

BE IT FURTHER RESOLVED, that this 81st Convention of CSEA call upon the Statewide Women's Committee to foster and to promote sister-to-sister relationships between CSEA, the women in COSATU and the African



National Congress (ANC) Women's Section.

ACTION TAKEN: Referred to Special Human Rights Committee and the Standing Women's Committee.

RESOLUTION #4

Submitted by Willie Terry, President - Local 460

WHEREAS, there are more than twenty million computers currently in use in the workplace; and

WHEREAS, the medical effects of the emission of non-ionizing and ionizing radiation (X-Rays) are not known; and

WHEREAS, medical research has confirmed that VDT operators suffer from more eye strain, eye irritation, blurred vision and problems with eyeglasses; and

WHEREAS, VDT operators report more general stress related complaints; and

WHEREAS, medical research has documented that VDT operators experience more headaches, shoulder, arm, neck, and back pain; and

WHEREAS, several studies indicate that VDT operators who spend more than six hours a day on these terminals, are more likely to complain of sleeplessness, irritability and feelings of being overworked; and

WHEREAS, there are no laws that currently govern the production, design and material content of this relatively new piece of technology.

THEREFORE BE IT RESOLVED, that CSEA join with other organizations that aggressively support legislation that mandates uniform standards for office conditions and furniture where VDT's are used including standards for office ventilation, lighting, desks, workstands, chairs, and footrests; and

BE IT FURTHER RESOLVED, that CSEA urge contract language guaranteeing VDT operators **break** away from these terminals daily.

ACTION TAKEN: Referred to Standing Safety and Health Committee and Legislative and Political Action Committee.

RESOLUTION #5

Submitted by Joel Schwartz, Local 446 President

WHEREAS, in 1935 Congress passed the National Labor Relations Act (NLRA), which gave workers the right to engage in collective bargaining and recognized the legitimate rights of workers to strike. In 1938, the Supreme Court undermined the effectiveness of NLRA, by ruling that employers had the right to fire strikers and replace them with new workers. Despite this ruling, employers generally recognized the right of workers to withhold their labor and to strike, and did not, as a rule, permanently replace striking workers; and

WHEREAS, in 1981, President Ronald

1991 Resolutions

Reagan, in one of his first presidential acts, revoked the right of workers to strike and fired 12,000 air traffic controllers and, at the same time, hired 12,000 permanent replacement workers; and

WHEREAS, a clear message was sent to management, and throughout the 1980's, 50,000 workers in the United States lost their jobs to permanent replacement workers. Workers at Hormel, Phelps-Dodge, TWA, Boise-Cascade, International Paper, AT&T, Chicago Tribune, Magic-Chef, Continental and Eastern Airlines, Colt Firearms, Greyhound and, more recently, Daily News workers, all know first hand the results of management's attempts to destroy the collective bargaining process and unions in the United States; and

WHEREAS, the best tool that workers have to bring management to the negotiating table is their right to withhold their labor and their previously recognized right to strike; and

WHEREAS, the vast majority of strikers are provoked by management demanding unfair give-backs; and

WHEREAS, the United States and South Africa are the only two industrialized nations in the world that allow the employer to permanently replace workers who strike,

THEREFORE BE IT RESOLVED, that CSEA will join with other organizations to lobby legislation (H.R.S., S.55) that recognizes the legitimate right of workers to strike, and prohibits employers from hiring permanent replacement workers during a labor dispute.

BE IT FINALLY RESOLVED, that CSEA recognizes the right to a decent job as a basic human right and views the hiring of permanent replacement workers as a violation of human rights as defined by the United Nations Charter.

ACTION TAKEN: Referred to the Legislative and Political Action Committee.

RESOLUTION #6

Submitted by Billy Walsh, Chair of CSEA Solid Waste Task Force.

WHEREAS, solid waste management is reaching the crisis point across New York State and is causing an increasing burden on the finances and other resources of municipalities; and

WHEREAS, that crisis affects CSEA members directly and indirectly as public employees and taxpayers because of the costs and problems associated with the required closing of landfills, development of alternative disposal methods, localities considering the quick fix of contracting out solid waste services, higher disposal costs for consumers and localities limited ability to pay for other public services as a result of draining solid waste expenses; and

WHEREAS, New York State is increasing its regulatory role and placing greater restrictions and responsibilities on municipalities without providing adequate financial assistance to meet the requirements; and

WHEREAS, there is a lack of a comprehensive, coordinated and cost-effective response to the solid waste crisis, including efforts to limit the creation of solid waste, develop viable recycling alternatives, utilize existing technology to keep existing landfills open and environmentally safe and encourage lifestyle changes designed to end the throw-away mentality of consumers; and

WHEREAS, it has been more than a year since the release of CSEA's Solid Waste Task

Force report **Throwing Away Our Future** which outlined these concerns, and government's response has remained inadequate while the solid waste crisis has grown worse;

THEREFORE, BE IT RESOLVED, that CSEA shall seek whatever measures are within its power to stimulate public sector initiatives and alternatives to help solve the state's solid waste crisis with the responsibility shared fairly between the state and municipalities; and

CSEA shall recommit itself to ongoing education efforts to familiarize its members with the severity of the solid waste problem and what they, as union members and individuals, can do to effect changes and contribute to improvements in the situation.

ACTION TAKEN: Referred to the Standing Education Committee.

RESOLUTION #7

Submitted by Willie Terry, Local 460 President and Joel Schwartz, Local 446 President.

WHEREAS, South Africa continues to violate the United Nations Charter on Human Rights; and

WHEREAS, Nelson Mandela and the Black Majority still cannot vote and elect leaders of their choice; and

WHEREAS, the legal reforms undertaken by the South African Government have not ended apartheid because Blacks still cannot live where they want, or receive equal treatment in social services, housing, jobs or health care; where Blacks are forced to attend segregated, inferior and overcrowded schools, and are still considered second-class citizens in their own land; and

WHEREAS, the apartheid system continues to be the main source of violence, where proof was recently discovered that the South African government has been arming and funding puppet organizations that foment so called "Black on Black" violence, to give the world the impression that Blacks can't govern themselves. Over 6,000 people have died as a result of this violence; and

WHEREAS, the deadline for the release of political prisoners was April 30, 1991, yet as of this writing, not only were there still over 1,000 political prisoners in South Africa, but the government creates new political prisoners daily, as it continues to arrest and prosecute leaders of the anti-apartheid struggle; and

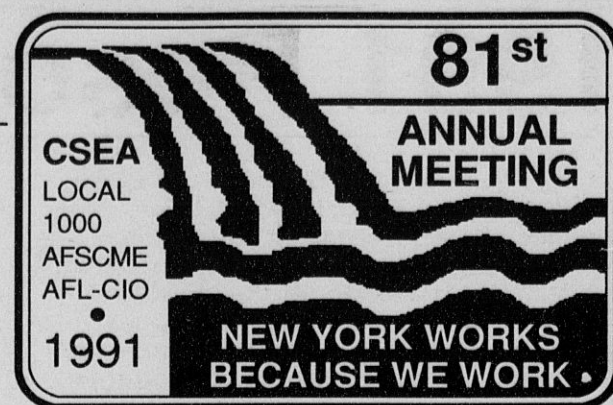
WHEREAS, the South African government, because of worldwide pressure and isolation, and internal South African opposition, has released Nelson Mandela, un-banned the African national Congress (ANC) and other organizations including the Congress of South African Trade Unions (COSATU) but where some exiled members of these organizations still cannot return to South Africa, and where the un-banned organizations still operate under restrictions; and

WHEREAS, the United States, Britain and other European countries have recently lifted sanctions against South Africa, contrary to worldwide popular opinion; and

WHEREAS, the aim of the apartheid government is not democracy, but to maintain white domination in a new form.

THEREFORE, BE IT RESOLVED, that CSEA communicate the following points to the South African government;

1) That CSEA condemns the racist system of



apartheid and demands the most elementary of rights people enjoy in a democracy, the right of **all** South African citizens to vote and elect leaders of their choice.

2) That CSEA demands an end to the South African government-sponsored violence.

3) That CSEA calls for the release of all political prisoners, freedom for all organizations to operate freely, and the right of all exiled South Africans to return to their country.

BE IT FURTHER RESOLVED, that CSEA write to President Bush and lobby our Congress people, opposing the lifting of United States sanctions, and instead, call for tighter sanctions, by supporting H.R. 1111, sponsored by Ron Dellums.

Also that CSEA continue to demand that Comptroller Ned Regan divest the New York State Employees' Retirement System of all stock invested in companies that do business with South Africa, and that CSEA lobby in support of Assembly Bill 4942, sponsored by Denny Farrell which would accomplish these ends in New York State.

In addition, that CSEA call on all its members to maintain the boycott of Shell Oil, Coca-Cola and all banks that do business with the South African government.

BE IT FURTHER RESOLVED, that CSEA continue to print articles in *The Public Sector* educating our members about what is happening in the anti-apartheid struggle.

BE IT FURTHER RESOLVED, that CSEA establish communication with COSATU and other trade unions in South Africa.

BE IT FURTHER RESOLVED, that CSEA call for the networking and coalition of AFSCME locals nationally, community groups, religious groups, students and other labor organizations, to keep the pressure on apartheid.

BE IT FINALLY RESOLVED, that CSEA will fight against apartheid until it is no more; that is, when the flag of a freely elected, democratic government with a constitution ratified by **all** the people, finally comes to pass in South Africa.

ACTION TAKEN: Referred to Ad Hoc Committee Against Apartheid In South Africa, Standing Education Committee and Legislative and Political Action Committee.

RESOLUTION #8

Submitted by Charles Peritore, Chair - Retiree Executive Committee.

WHEREAS, the average annual pension allowance for pensioners of the New York State and Local Employees Retirement Systems was \$6,129 in 1990; and

WHEREAS, inflation is eroding pensioners' buying power. Increases in health insurance premiums, reductions in health insurance benefits, increases in school and property taxes further erode retirees' pensions; and

WHEREAS, New York State's approach to increasing public pensions has been on an ad-hoc basis through "pension supplementation".

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These ad-hoc increases have been relatively arbitrary and have only loosely reflected increases in cost-of-living as measured by the Consumer Price Index (CPI). Currently, New York State provides a pension supplement to employees who retired prior to January 1, 1983 and have attained age 62 or are retired on a disability. Since, the enactment of this pension supplementation in 1988, the CPI has increased 15.9%; and

WHEREAS, many states provide some kind of automatic adjustment of pension, most of which are based on the increase in CPI. Northeastern states such as Connecticut, New Jersey, Vermont and Maine have some form of a COLA; and

WHEREAS, retirement with dignity is the goal of most retirees. Retirees should be assured of income in retirement that will allow them to maintain their standard of living;

THEREFORE, BE IT RESOLVED, that CSEA supports State legislation to provide a permanent, annual cost-of-living adjustment consistent with increases in the CPI, capped at 5%. The adjustment would be based on the first \$15,000 of the maximum retirement allowance, payable to all disability retirees and all other retirees at age 55 or retired at least 10 years (whichever is earlier), and be constitutionally guaranteed.

ACTION TAKEN: Referred to the Legislative and Political Action Committee and the Retiree Executive Committee.

RESOLUTION #9

Submitted by Charles Peritore, Chair - Retiree Executive Committee

WHEREAS, the cost of health care in the United States is constantly on the rise with no apparent end in sight. In the face of spiraling insurance costs, employers are attempting to slash benefits, shift costs, or change plans; and

WHEREAS, as local governments across the state twist and squirm under worsening budget problems, some are thinking and doing the unthinkable to relieve the pressure - reducing or eliminating health coverage for retirees. In the past year, the Comsewogue School District, Oneida County, Dutchess County, and the Port Jervis School District have all attempted to change retiree health benefits; and

WHEREAS, this trend is not isolated to local governments. Changes in the Empire Plan have been made for State retirees and retirees of participating agencies in the plan. The changes include a mandatory generic prescription substitution requirement, new co-payments for certain outpatient services, and higher co-payments for prescriptions; and

WHEREAS, changing retiree health benefits can be described as a violation of an employers commitment and obligation to its former employees. Municipalities may have the legal authority to change retiree health benefits, but they need to decide what is moral; and

WHEREAS, CSEA has been able to convince some municipalities not to reduce retiree health benefits. Retiree health benefits have limited statutory protection and are a permissive, not mandatory subject of bargaining;

THEREFORE, BE IT RESOLVED, that CSEA support state legislation to prohibit public employers from reducing or changing retirees' health insurance benefits.

BE IT FINALLY RESOLVED, that CSEA use every available avenue to protect retiree health benefits.

ACTION TAKEN: Referred to the Legislative and Political Action Committee and the Retiree Executive Committee.

RESOLUTION #10

Submitted by the Region IV Child Care Advisory Committee

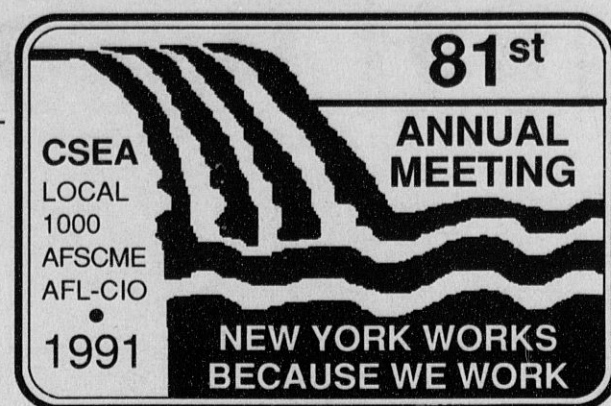
WHEREAS, the condition of children in the United States has deteriorated substantially over the last twenty years. One in five children live in poverty making our nation's children the poorest group in society. We have the highest child poverty rate among the eight industrialized nations. For example, 12 million children in our rich land go without the basic necessities of life. This number is greater than the total population of Illinois, Pennsylvania, or Florida. One hundred thousand American children are homeless **each** night. The Bipartisan National Commission on Children reported that, "America's future as a democratic nation, a world leader and an economic power will depend as much on youngsters who are ill educated, alienated or poor as on those who are more advantaged"; and

WHEREAS, likewise, over the last 30 years the makeup and condition of the American family and workforce have changed drastically. Work and family are no longer two separate worlds. What happens in the family has an impact on the workforce and vice-versa. AFSCME reports that 45% of its members are parents, almost one in five have at least one child under seven years old, 22% have children between seven and twelve, and many more have grandchildren.

Today, one family out of four is a single parent family, typically with a working mother as head of household. Sixty-one percent of CSEA members are women. The New York State Industrial Cooperation Council has reported that most of these employed women will become pregnant at some time during their working careers and work until their ninth month of pregnancy. More than half will return to work before their child's first birthday. Mothers, married and single parent, of young children make up the fastest growing segment of our workforce. Today, 58% of women with children under age 6 are working and need child care. By 1995, two-thirds of mothers with pre-schoolers and three quarters of mother's of school aged children will be employed.

The rapid increase in the number of employed women has also affected male employees. Today, 60% of men in the labor force have wives that also hold jobs outside the home. Ninety-six percent of fathers and more than 60% of mothers are employed. As of 1988, 63% of married couples with children had both spouses working; and

WHEREAS, the poor condition of children and the changing face of the American family and workforce clearly illustrates the intense need for good quality, yet affordable, child care. A 1989 Gallup poll resulted in **only** 28% of parents feeling satisfied with the available child care. In 1990, the average annual cost for an infant in a licensed child care center ranged from \$4,000 to \$11,000. Child care for infants, school-age children, and children with special needs are in very short supply. Then, consider that workers' earnings lag behind the



rising cost of living. Between 1973 and 1989, the median wage of hourly workers **fell** by 29% among men younger than 25. As earnings among young men have fallen further below what it takes to support families, their marriage rates have also fallen. Therefore, the number of mothers and children in one parent families increase, thus completing the cycle; and

WHEREAS, many families also provide care to older relatives. An estimated 2.2 million care givers are providing unpaid care to 1.2 million elders. Only 5% of people over 65 are in nursing homes. Seventy-five percent of our elders are living with or nearby their families. As a result of "baby boomers" reaching old age, 19 million people will become dependent by the year 2040. In the 21st century, employees with dependent elders will become more numerous than those with dependent children. So that, in addition to child care, dependent care is becoming increasingly more important.

THEREFORE BE IT RESOLVED, that CSEA continue to support working families, on-site child/dependent care centers, elder care givers, and family and medical leave legislation; and

BE IT FURTHER RESOLVED, that CSEA remain committed to finding ways of providing or assisting in the provision of quality, affordable child and dependent care for its members. Whether through advocating for federal, state or local legislative initiatives or through its steadfast support of existing on-site child/dependent care programs, the collective bargaining process, local and statewide labor-management committees, coalitions made up of community groups, non-profit child care providers and referral, other unions, etc.; and

BE IT FINALLY RESOLVED, that CSEA encourage its Regions to form Child/Dependent Care Advisory Committees. These committees will help assess and monitor the needs of our members, on-site child care centers, and dependent care programs, and bring these concerns to the attention of our leadership, in addition to increasing the flow of information and assistance between the network of New York State on-site child care centers.

ACTION TAKEN: Referred to the Special Human Rights Committee.

RESOLUTION #11

Submitted by Joseph E. McDermott

WHEREAS, union officers serve a vital function in representing CSEA-represented public employees in collective bargaining, contract administration and numerous other employment related issues; and

WHEREAS, union officers are elected by their constituents to act as such representatives; and

WHEREAS, effective union representation requires the continuity and consistency that

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comes from experience and training; and
WHEREAS, reductions in force often result in the layoff of elected union officers, thereby disrupting the continuity and consistency of experienced union representation; and

WHEREAS, CSEA deems it a priority that elected union officers remain in office during times of reductions in force and related job abolitions so as to most effectively represent CSEA unit members during these difficult times.

THEREFORE BE IT RESOLVED, that CSEA consider, as a top bargaining priority, that CSEA elected officers be protected from layoffs resulting from reductions in force and related job abolitions and that such protection become a part of each and every collective bargaining agreement negotiated with CSEA, its Locals and its Units to the greatest extent possible.

ACTION TAKEN: Committee made the decision to report out but no recommendation was made.

RESOLUTION #12

Submitted by Danny Donohue

WHEREAS, Joseph Patrick Thomas Doherty began his ninth year in federal prison on June 18, 1991; and

WHEREAS, he has never been convicted of — nor even charged — with the commission of any crime in this country; and

WHEREAS, in the past eight (8) years, federal immigration judges have consistently rendered decisions in favor of Mr. Doherty and against the government in every proceeding initiated by the government; and

WHEREAS, Mr. Doherty would never dishonor those who have supported him by failing to respect and scrupulously abide by any and every condition imposed on him in conjunction with the grant of bail.

THEREFORE BE IT RESOLVED, that America has always been a place of asylum for the oppressed and a haven for the politically persecuted; and

BE IT FURTHER RESOLVED, that CSEA petition President George Bush and the Attorney General to implement the provision of House Concurrent Resolution No. 62, introduced by U.S. Representative Thomas Manton on February 28, 1989, which calls upon the Attorney General to grant bail to Joseph Doherty and, ultimately, political asylum; and

BE IT FINALLY RESOLVED, that copies of this Resolution be forwarded to President Bush and the Attorney General.

ACTION TAKEN: Referred to the Special Human Rights Committee.

RESOLUTION #13

Submitted by Salvatore Mogavero, Retiree Local 903

WHEREAS, in the AFSCME Affiliation Agreement, President McDermott was on the committee which made the 40,000 members of the CSEA Retiree Division going into the AFSCME Retiree Council get three representatives on the council; and

WHEREAS, they accomplished the aforementioned and there are now three elected officers of the Retiree Executive Committee as the representatives of the CSEA Retiree Division on the AFSCME council; and

WHEREAS, the Retiree Division is now asking for equal treatment on the State level.

THEREFORE BE IT RESOLVED, that the Chairperson and the elected officers of the Retiree Executive Committee of the Retiree Division shall be non-voting delegates of CSEA, except that in matters concerning the retirees, they shall have the right to speak before the delegates; and

BE IT FURTHER RESOLVED, that they shall have one vote for each Retiree Local of the Division; and

BE IT FINALLY RESOLVED, that these votes may only be used on issues and motions relative to the Retiree Division.

ACTION TAKEN: Referred to the Standing Constitution and By-Laws Committee. Out of order as a resolution.

RESOLUTION #14

Submitted by the Statewide Officers

WHEREAS, fighting for safer workplaces and protecting the lives and health of members is a top priority for CSEA; and

WHEREAS, nearly 20 years have passed since passage of the federal Occupational Safety and Health Act, although the terrible toll of workplace injuries, illnesses and fatalities continues; and

WHEREAS, over 1,600 public employees were killed on the job in 1988 and over a quarter of a million suffered disabling injuries. The full extent of hazards in the public sector is unknown because adequate injury and illness statistics do not exist for public employees, nor do these statistics cover occupationally related illnesses; and

WHEREAS, the Occupational Safety and Health Act of 1970 does not provide for mandatory coverage for public employees, although public employees do some of the most dangerous and unpleasant work our society demands to provide safe and pleasant lives for Americans; and

WHEREAS, CSEA members are on the frontier of new occupational health and safety hazards including infectious diseases, indoor air pollution, violence in the workplace, video display terminals and toxic wastes; and

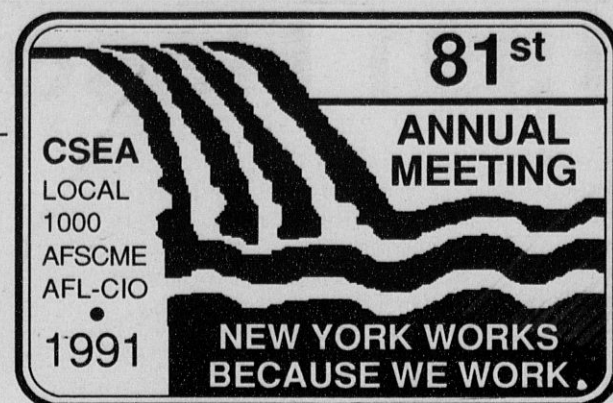
WHEREAS, the problem of understaffing and working alone in dangerous situations is increasing in many industries as management cuts back on labor in order to save money; and

WHEREAS, workplace health and safety problems are directly linked to general environmental problems.

THEREFORE BE IT RESOLVED, that CSEA continue to provide technical assistance and hold Local and Regional conferences as appropriate; and

BE IT FURTHER RESOLVED, that CSEA Regions and Locals make every effort to educate their members on health and safety hazards and solutions and provide adequate support staff; and

BE IT FURTHER RESOLVED, that CSEA Locals set up strong health and safety committees and actively seek to introduce language into contracts and/or legislation specifying the employer's obligation to provide a workplace free from recognized or suspected hazards, the right of employees to refuse hazardous work, and management's obligation to abide by all OSHA standards and



regulations; and

BE IT FURTHER RESOLVED, that CSEA support the strengthening of the Clean Air Act, the Resource Conservation and Recovery Act and other legislation to protect the environment, and which will include strong worker protection and training programs covering public employees; and

BE IT FURTHER RESOLVED, that CSEA urge OSHA and EPA to issue regulations covering anesthetic waste gases, infectious diseases, stress, confined space entry, pesticides, indoor air pollution, ergonomics, back injuries and video display terminals, and that OSHA address the issue of understaffing as a health and safety hazard; and

BE IT FURTHER RESOLVED, that CSEA explore the use of product liability suits and the prosecution of employers under criminal statutes where willful disregard of the law results in injury, disease and death; and

BE IT FURTHER RESOLVED, that CSEA declare every April 28 to be Workers' Memorial Day and work with other unions to make the day a major event to remind the American public of the toll of workplace injuries, illnesses and death; and

BE IT FINALLY RESOLVED, that CSEA strongly urge Congress to improve the federal OSHA law to include coverage for all public and private sector workers, the Right-to-Know Act, training and education, mandatory safety and health committees, the right to refuse life-threatening work, better reporting of occupational injuries and illness, stronger standards and better enforcement.

ACTION TAKEN: Referred to the Standing Safety and Health Committee.

RESOLUTION #15

Submitted by the Statewide Officers

WHEREAS, official reports of child abuse have risen by more than 200% over the last decade and an estimated 1,200 children died of abuse last year; and

WHEREAS, despite the dramatic increase in child abuse, the federal government has failed to adequately address the problem and has not significantly increased the funding for child welfare programs; and

WHEREAS, thousands of CSEA caseworkers who work in foster care and child protective services are unable to ensure the safety of these children because they face crushing caseloads and inadequate support services in a system that is critically overburdened and underfunded.

THEREFORE BE IT RESOLVED, that CSEA urge federal, state and county officials to make a strong commitment to protecting children who have been abused or neglected, through increased funding for child welfare services including foster care and child protective services; and

BE IT FURTHER RESOLVED, that CSEA continue its efforts to reach out to other child advocacy groups and professional

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organizations at the federal and state levels to garner their support for increased funding and the provision of quality services to abused and neglected children including the establishing of reasonable caseload sizes and adequate staffing levels; and

BE IT FURTHER RESOLVED, that CSEA continue to use its resources to work with its affiliated Regions and Locals in coordinating activities which call to statewide attention the plight of abused and neglected children.

BE IT FINALLY RESOLVED, that CSEA strongly oppose any efforts to scapegoat the workers for a system that is totally overwhelmed - including criminal or civil charges against caseworkers unable to prevent the death or abuse of children in their caseload because of their workload and similarly oppose efforts to diminish collective bargaining rights and that the CSEA provide support to Regions and Locals who face such situations.

ACTION TAKEN: Referred to the Special Social Services Committee

RESOLUTION #16

Submitted by the Statewide Officers

WHEREAS, the need for training and retraining of our nation's workforce is critical if we hope to compete in today's world economic market. Millions of Americans are unable to earn a decent living and need assistance in finding jobs and in boosting their productivity. Many others have lost their jobs due to plant closings. These dislocated workers need retraining to make the transition to a new career; and

WHEREAS, despite the obvious need for an adequately funded employment and training system, the federal government has cut funding for employment and training programs from \$18 billion in 1978 to less than \$5 billion today, including a more than 20 percent reduction in funding for the Employment Service over the last decade; and

WHEREAS, the State of New York has suffered devastating layoffs in State and Local Government sectors and relocations due to the current budget crisis; and

WHEREAS, this lack of funding has forced states to combine and curtail services so that they are unable to provide adequate services to either the unemployed who need training or those who simply need help finding a job. In addition, the reduction of funds has forced states to close more than 600 Employment Service offices and cut staff by more than 30,000 workers; and

WHEREAS, CSEA members work in public agencies which serve the unemployed and underemployed. Further, CSEA members provide employment and training services to those in need of work.

THEREFORE, BE IT RESOLVED, the CSEA work closely with other labor unions, advocacy groups, governmental associations and members of the academic community to develop a comprehensive employment and training system which provides adequate assessment, referral, training and education services to those New Yorkers who are out of work or who want to upgrade their skills. This system should maintain the central role of the state to oversee the system and ensure that quality services are provided to the unemployed at the local level; and

BE IT FURTHER RESOLVED, that CSEA urge Congress to renew its commitment to

employment and training programs and provide adequate funding for these programs; and

BE IT FINALLY RESOLVED, that CSEA continue to oppose and defeat any attempt to privatize the operation of our State's employment and training system. It is only through a locally based and publicly operated system that we can ensure that the needs of all those unemployed seeking services are met.

ACTION TAKEN: Referred to Political and Legislative Action and Standing Education Committees.

RESOLUTION #17

Submitted by the Statewide Officers

WHEREAS, CSEA members are exposed to thousands of toxic chemicals on the job, many of which cause cancer, reproductive effects, and other serious chronic and acute health problems; and

WHEREAS, CSEA members are now covered by Right-to-Know laws which require labeling of chemical containers, training about the dangers of chemicals and how to protect yourself, and provision of Material Safety Data Sheets; and

WHEREAS, most employers of CSEA members are not complying with the requirements of Right-to-Know laws. Most members have not received adequate training or information; and

WHEREAS, most Material Safety Data Sheets that CSEA members receive do not contain much of the information required by the law, and most are very difficult for the average member to understand.

THEREFORE BE IT RESOLVED, that CSEA urge federal and state OSHA to better enforce the Right-to-Know laws; and

BE IT FURTHER RESOLVED, that CSEA urge OSHA to work out a standard format for Material Safety Data Sheets which can be understood by the average person, and that OSHA work to better enforce accurate and complete contents of Material Safety Data Sheets.

ACTION TAKEN: Referred to Standing Safety and Health Committee.

RESOLUTION #18

Submitted by the Statewide Officers

WHEREAS, the percentage of Americans who vote is the lowest among the Western democratic nations; and

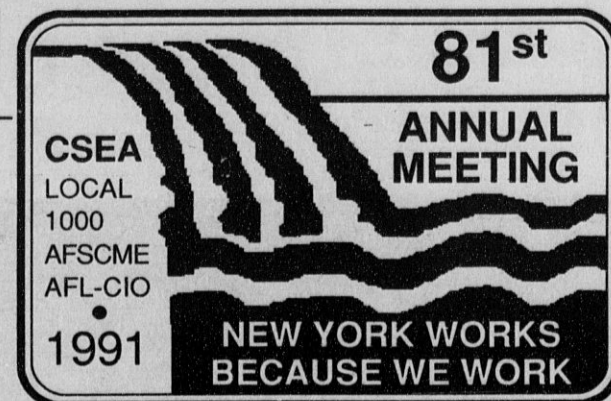
WHEREAS, in other democratic nations, voting is considered a right of every citizen, while in the United States it is considered a privilege that must be earned by following cumbersome regulations and procedures set by individual states and localities; and

WHEREAS, CSEA feels it should be the right of every citizen to cast his/her ballot on election day; and

WHEREAS, the "National Voter Registration Act" is being considered by the United States Congress; and

WHEREAS, if this bill becomes law, it will allow for the following: voter registration by mail; "motor voter" - automatic voter registration when applying for a driver's license or ID card; and agency-based voter registration; and

WHEREAS, the law will also outlaw the purging of voters' names from the polls for



nonvoting.

THEREFORE BE IT RESOLVED, that CSEA encourage members across the state to contact their congressional leaders and strongly urge them to support the "National Voter Registration Act" which would make voting the right of every citizen.

ACTION TAKEN: Referred to Political and Legislative Action Committee.

RESOLUTION #19

Submitted by the Statewide Officers

WHEREAS, every day CSEA members work to protect and preserve the environment; and **WHEREAS**, CSEA members are continually fighting for tougher toxic and infectious waste standards, cleaner air and water, and safe and healthy work environments; and

WHEREAS, CSEA members across the state are active in local environmental groups fighting to reduce pollution in their communities; and

WHEREAS, tougher environmental laws and regulations will create new jobs in some areas and eliminate jobs in others, and our State has a responsibility to assist workers whose jobs are eliminated as a result of enhanced environmental protection.

THEREFORE BE IT RESOLVED, that CSEA support the efforts of these members by fighting to elect politicians who recognize that Americans want a planet that is clean enough not just for us, but for our children and grandchildren; and

BE IT FURTHER RESOLVED, that CSEA fight in Congress, in the State Legislature, and in our workplaces for regulations requiring the use of less toxic pesticides and other materials, clean air and water, and safe and environmentally sound disposal of wastes; and

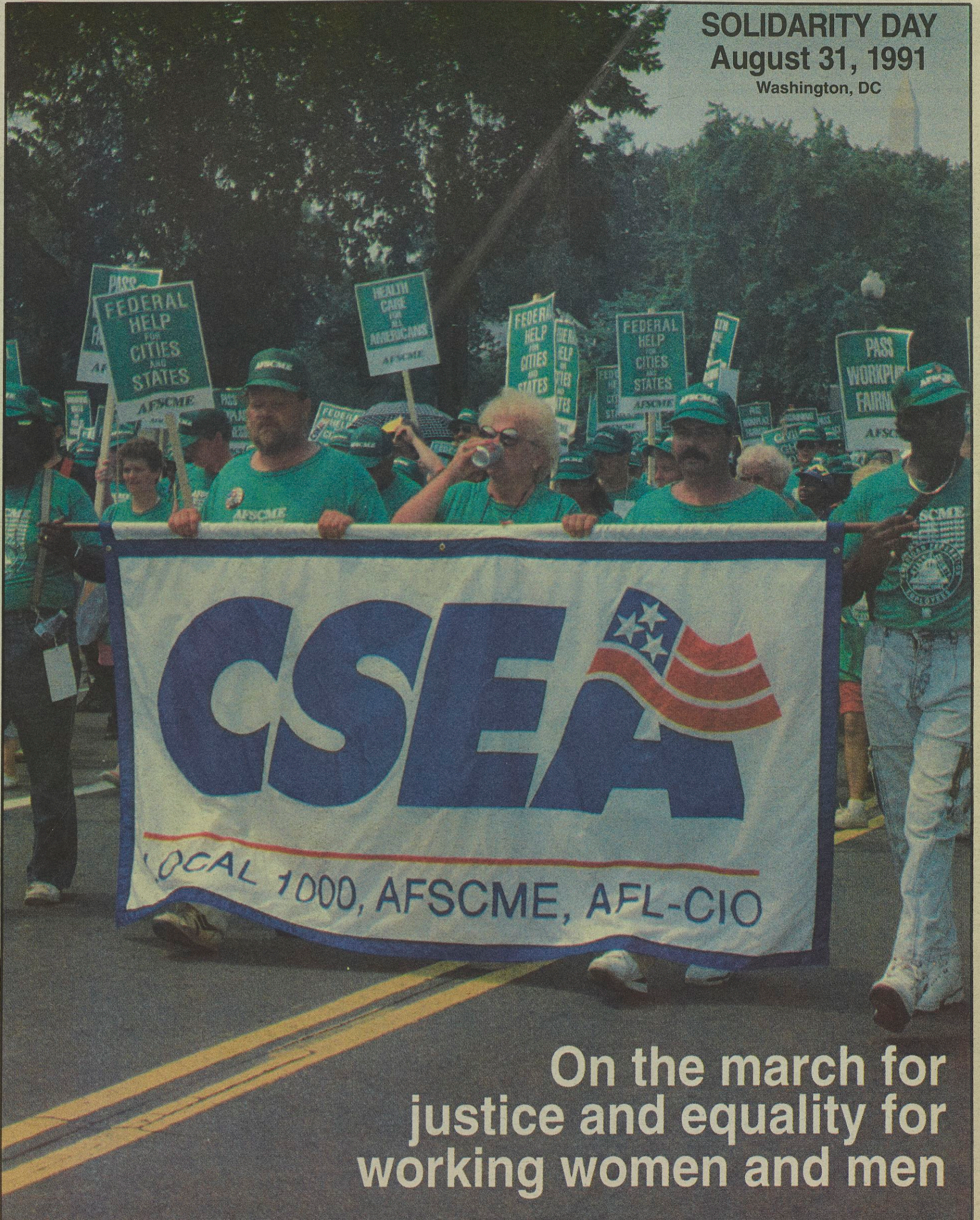
BE IT FURTHER RESOLVED, that CSEA support the strengthening of the Clean Air Act, the Resource Conservation and Recovery Act and other legislation to protect the environment, and which will include strong worker protection and training programs covering public employees; and

BE IT FURTHER RESOLVED, that CSEA support legislation providing workers displaced by environmental laws or regulations with severance pay, retraining, extended unemployment insurance, moving expenses, and other assistance leading to new employment; and

BE IT FINALLY RESOLVED, that CSEA join with other public sector unions throughout the world to educate citizens of every nation that the protection of the environment belongs in the public sector, as it is too fragile and important to be governed by private interests.

ACTION TAKEN: Referred to Political and Legislative Action and Standing Safety and Health Committees.

SOLIDARITY DAY
August 31, 1991
Washington, DC



On the march for justice and equality for working women and men