

Interview Date: April 16, 2005

Subject: Elizabeth Moore: Assistant counsel to Governor Carey and Governor Cuomo,
Director of the Governor's office of Employee Relations.

Moore discussed her experiences with CSEA and her professional relationships with Governor Cuomo, Governor Carey and with CSEA president Joe McDermott. Moore explains that her relationship with CSEA began as an assistant counsel to the governor. With that title she drafted legislations and assisted in getting them through the state Legislature. In 1987 She was appointed director of the Governor's office of Employee Relations when she continued working through January 1991. At GOER she engaged in collective negotiations agreements and other amendments to the civil service law. One of her early jobs included addressing issues, involving the Tri-Borough Amendments, which provide for public employee contract provisions to remain in place until a successes agreement is concluded.

Moore shares her initial reactions and experiences with CSEA, she speaks about the professionalism of the unions representatives and its members. Moore explains in great detail her job description and her different experiences when visiting different work sites. Moore discusses how she saw the union change during a financial crisis in New York State in the late 1980's. During this time the union had recently elected a new president (Joe McDermott). She explains how difficult it was to work under those conditions, and how they worked to overcome economic challenges. Overall despite the financial crisis she was still pleased with the CSEA union leaders and her experiences with CSEA.

KEYWORDS:

Governor's office of employee relations

Civil Service Law

Labor Management Corporation

Labor management Committees

Mental Health and Mental Retardation Institutions

OMRDD

Contract Negotiations

DOT

Key People:

Joe McDermott

Bill McGowan

Danny Donohue

Tom Hartnett

Mario Cuomo

Hugh Carey

CSEA HISTORY PROJECT

ELIZABETH MOORE INTERVIEW

4/16/05

MS. MOORE: It's Elizabeth D. Moore, M-o-o-r-e. I would guess my relationship with CSEA dates to my being an assistant counsel to Governor Carey and Governor Cuomo for labor issues including public sector employee union issues. I drafted legislation and assisted in getting that legislation through the State Legislature and in 1987, I believe, I was appointed Director of the Governor's Office of Employee Relations and was there through January of 1991, so I engaged in collective negotiations with CSEA and I worked on other labor/management issues involving CSEA and chaired a number of labor/management committees.

INTERVIEWER: Sure. Do you remember when you first became aware of an organization called CSEA? What was your first point of contact?

MS. MOORE: I guess it was when -- well, I believe April of 1981. I went to Cornell School of Industrial Labor Relations and then to law school. I knew that I wanted to be involved in employment law. Both of my parents

were strong union members. My mother was a member of 1199, my father the ITU, International Typographers Union, so I had a strong interest in labor employment and union issues, and attended and went to Cornell ILR, as I said, so I tended to work in the area.

In 1981 I got a call... from somebody saying that Governor Carey was looking for somebody to handle employment issues in the Governor's Office from the legal point of view and, I guess, that was really the first contact I had with CSEA, was working... on legislation both to ratify the collectively negotiated agreements and other amendments to the Civil Service Law.

I think one of the first things I worked on early on was the Tri-Borough Amendments. Also extension to the Taylor Law and various legislation that either CSEA would be trying to get passed or the Governor would be trying to get passed, or looking for CSEA support.

INTERVIEWER: In those early years especially, what do you remember about the

dynamics between CSEA and the Governor's Office?

MS. MOORE: I think maybe it was -- CSEA lobbyists would lobby or work with me to get legislation passed and sometimes oppose legislation that we were trying to get passed. I think my initial reactions were very professional, unlike some lobbyists, you know, never got into the screaming, yelling, hollering. It was always professional, very well-equipped, knew the issues, respected differences in opinion.

We didn't always agree, obviously. Respected different -- and also they were very strong advocates for their members. I think those were my initial, sort of, reactions. CSEA was a -- even in difficult times, was good to deal with and in my career with collective negotiations in the State of New York there were often difficult times and they were often resulted in public outcries, in public disagreement, but privately and in terms of professional dealings, you know, my recollection is that things were always handled in a very professional way, even though they were strong advocates for their

causes.

INTERVIEWER: What -- what do you remember about Bill McGowan as president of CSEA?

(Laughter.)

MS. MOORE: There is -- I'm sure everybody you'd ask this question to will say -- it's probably the same answer. Bill was a character. We had a very, very difficult negotiation towards the end of his career as president of CSEA. He was, again, a very strong advocate for his people, for his members. He had a great staff, a diverse staff. Women were in positions of power and authority and he was -- he was, and he, you know, here I am negotiating on behalf of the State of New York and, again, always a professional relationship, always very -- I guess my initial reaction would be that some of these old school labor leaders would feel that Bill... a minority might be something that they wouldn't particularly accept or I'd have a tough time trying to fight my way through some of those issues.

Bill, from the first second I walked in

the door as Director of the Governor's Office of Employee Relations, I was -- that's who I was. We had a professional relationship. We're gonna disagree but I remember, you know, I remember he never treated me in any way other than, you know, I mean in a professional position and in a professional way that -- that I accepted that.

And as I said, he's kind of an old school labor leader in some respects but in that regard I had enormous respect, admiration and affection for him.

INTERVIEWER: Do you remember much about the personal relationship between him and Governor Carey, how they interacted with each other?

MS. MOORE: I didn't really -- I mean I wasn't on the front burner, front end of things when he was interacting with Governor Carey. I got to know him a little bit more with Governor Cuomo because then I was in a -- in a lead position in the labor front, so I honestly can't answer the question with -- about Governor Carey. Governor Carey only had about 16 months left on his term when I arrived to work for him.

INTERVIEWER: Okay.

MS. MOORE: He announced, I think, maybe a couple of weeks of -- bottom line that he wasn't gonna run for Governor again.

INTERVIEWER: Do you -- do you remember much about the role that CSEA played in helping to elect Governor Cuomo?

MS. MOORE: I -- I was not involved in the political side of things.

INTERVIEWER: Okay. So then tell me about the dynamic between McGowan and Cuomo when he became Governor.

MS. MOORE: Well, I think, Governor Cuomo again was -- had -- had a strong regard for the labor movement and for labor unions. He clearly had their support to be elected. And more importantly, I think he had enormous regard for the State work force and he had been in State government, obviously as Secretary of State, as Lieutenant Governor, and so he had essentially been probably in every single type of work force the State had and probably had met people in just about every title that the State

had, and as we all know there are many thousands of titles and he just enjoyed interacting with State employees and had enormous respect for -- not only for the State work force but for those that represented the State work force.

My recollection -- as I said, there were, you know, especially in tough economic times, there were times when there were clearly strong disagreements and tough negotiations but ultimately I think Governor Cuomo also realized that in order to do what he wanted to -- to accomplish what he wanted to accomplish as a Governor, he needed, of course, the support of the folks who were out there in the fields and out there in the world, out there in the state doing -- doing the things. I mean the State work force makes him look good or not as the case may be.

INTERVIEWER: Okay. So you talked about, you know, the interaction with CSEA when you were kind of dealing with the professional lobbyists. Obviously you must have had a very different perspective when you actually went over to the Governor's Office of Employee

Relations because there you're literally the boss for tens of thousands of State employees.

MS. MOORE: Right.

INTERVIEWER: What -- what was the -- the perspective change that you saw at that point?

MS. MOORE: Well, I was fortunate because my predecessor was Tom Hartnett and he had really worked to develop good professional working relationships with all of the public employee unions. The State had a strong history of labor/management cooperation, labor/management committees on a variety of areas, benefits, day care, literacy. There were a lot of programs that were really -- were joint ventures by the State as the employer and the Union that were to the benefit of the members of the Union and who were also, of course, State employees.

So I came in with a strong legacy in that area and obviously we worked to continue that and I remember chairing various labor/management committees with CSEA, with Bill McGowan and his chief people, and we really were

working to identify programs that would help State employees do their job better, do their jobs better, improve their lives because, you know, it was very important on both sides to ensure that people had the tools they needed to do their jobs, had the ability to -- day care, for example, to -- to work without having to worry about what their children or how to take care of their children or economically, so there were a lot of win/wins in those kinds of areas.

Don't get me wrong. It wasn't always sweetness and light but the good news was there were areas where we were in complete agreement in that ultimately what we were trying to do was improve -- and that's -- and I call it -- I'm using the words "State employee" but that's because they're also citizens and residents and people who use the services of the State of New York.

INTERVIEWER: Sure. Did you do much traveling in that capacity, in getting out to --

MS. MOORE: I loved it.

INTERVIEWER: -- all those in the field to see what folks were actually doing in

the State work force?

MS. MOORE: One of the great things about being an employment lawyer, even in my current career, some of the best things I did was visit in as many work sites as I possibly could. I went to correctional facilities, mental health and mental retardation institutions, DOT. I remember being on the Barge Canal. State Police, I mean, any place that I would have the opportunity to visit and talk to people who were doing the jobs, I just found it so valuable.

And the one thing -- not one. One of the things that really struck me about the State work force, and I'll never forget going to I believe it was a mental retardation, OMRDD, facility, was the care. I mean these are individuals who are severely disabled who in many cases, I suspect, wouldn't even know if they were getting good care or bad care and the beyond-the-call-of-duty care that employees were giving these folks and the commitment to quality care and to trying to address their needs was

just, in my mind -- for people who were not highly paid, was in my mind really remarkable.

So I loved getting out and going to as many workplaces and talking to as many people as I could.

INTERVIEWER: M-m h-m-m. Tell me about what State contract negotiations are like. What -- tell us about the process itself and what actually happens between CSEA and the State in a -- in a proceeding like that.

MS. MOORE: Well, that's a very, very big question and just sort of briefly, I had a staff of negotiators who -- and so did CSEA. Just to start with, we essentially start to identify issues that would have to be dealt with in the collective nego...collective bargaining process.

We, of course, had agreements that were already in place, so that we didn't -- we weren't starting from a blank document. You already had lots of things. I mean we would go on to the State agencies. My staff and I would go to the State agencies and ask what -- what areas do we need to -- to look at, what -- if you

could have your wish list, what would be your wish list?

So each agency commissioner would identify their priorities, what they would like us to accomplish, and what wasn't working in terms of their negotiated provisions. I assume CSEA did the same kinds of things and then we'd start, even before official negotiations, just talking about these areas so that both sides would be educated and informed about what was gonna be discussed at the table.

Formal negotiations would start. Oftentimes we would break into various committees. For example, there might be a health benefits committee, just because that's such a huge issue, just to deal with that type of -- that area of the contract. There would be agency driven committees as well, where there were large work forces for agencies. We would have, you know, agency negoti...agency personnel with my staff and the union staff to start working through particular problems or particular issues as well.

Ultimately we would get to the big

table and I'll -- but I'll never forget the first time sitting at the CSEA table, it looked like 500 people (laughter) going down on that side of the table and I had my maybe 50 or 60 people and we'd be in this gigantic room and we would literally just start -- just start negotiating, start talking about each of the issues, getting feedback and I might go nuts on some issues that Bill McGowan or Danny or one of those folks, but my (inaudible) might go nuts on some of the issues I might raise and we'd just start working through, basically provision by provision, where we could -- where we could wind up. It would take months.

INTERVIEWER: What ultimately makes the process work?

MS. MOORE: I think what I said earlier, which is professional people who -- who have good ethics, good integrity, whose word is reliable, who ultimately -- yes, we had different agendas in many respects, but ultimately, I think, all of the people at the table -- we had to -- we as an employer had to care about the State work force because, as I

said, you know, the State isn't going to work if the work force isn't working.

And obviously the Union cared because this was their members and these were people that they -- they represent so, you know, I think trying to accomplish things that were win/win kinds of -- of situations, but even when we had to deal with bad news and bad situ...bad problems, trying to do it in a way that was inclusive so that we could -- we would -- even if it was bad news, we would be dealing with it in a way that would be least harmful or the best result for -- for all sides.

INTERVIEWER: M-m h-m-m. Now, I mean, when you -- when you say that you would handle this through your State agencies and have many people from those State agencies involved in the negotiations, what was the dynamic between your office and the Governor's Office? I mean, did you have kind of an agenda when you went into the negotiations from the Governor's Office and obviously is -- you're trying to reach an agreement, is there like a dynamic process of feeding back and trying to get some guidance

on --

MS. MOORE: Absolutely.

INTERVIEWER: -- what's acceptable?

INTERVIEWER: Absolutely. And the Governor's agenda would have been a broad agenda. I mean he wasn't necessarily gonna worry about things that have been -- individual facilities, which might be my worry to some extent, but the broad agenda was obviously there was a monetary agenda, you know, a cost agenda. And ensuring that work rules that might have caused difficulties for a commissioner or for an agency to accomplish its -- its mission were dealt with in an appropriate way, so I think, you know, two broad-based agenda items were costs, ensuring that agencies had the appropriate tools to be able to accomplish their missions, and I guess the third agenda which was I think also extremely important was -- and I mentioned before, ensuring that State workers had the tools, whether professional tools or work/life balance tools to accomplish what they needed.

I mean we recognized that in order for

us to recruit the best and the brightest in the State's work force we had to ensure that we were competitive with other employers, for example. We had to -- and in some respects more -- be more competitive in certain areas and also ensure that things that would improve people's abilities to ...to move up -- the literacy program is a classic example of that.

We took -- you took folks who may have had literacy issues and it really was amazing to us when we -- when we studied that, how many State workers were not as literate as they might be and this was like a no-brainer. I mean let's -- let's put some resources for both sides. Let's put some resources to ensure that people do get that skill set so that they do have the opportunity to move up from what might be considered entry level jobs.

Day care is another classic example of if we're going to recruit people who were -- who are not going to worry about what's going to happen to their kids while they're working, we had to do something in that area.

Health insurance is another very, very

important area, not only -- let's think of somebody and the care of somebody when they're sick, but also on the preventive side and let's do some assessments to see whether or not we can identify things that will help people not become ill or sick or not be able to work.

INTERVIEWER: M-m-m. Given the time frame that you were at the Governor's Office of Employee Relations, I mean you certainly went from relatively some highs to some lows --

MS. MOORE: Right.

INTERVIEWER: -- because I think probably, you know, towards the end of your tenure there was a very difficult time --

MS. MOORE: Absolutely.

INTERVIEWER: -- fiscally for New York State. How did -- how did that change the relationship in terms of what you actually wanted to do?

MS. MOORE: Well, the first thing we had to do was sort of educate the -- the Union that this is really a very bad economic situation and all parts of the State are gonna have to suck up a little bit, suck it in, and --

and help us get through this. You know, it was -- it was -- it was, you know, a very, very bad fiscal situation. Obviously a substantial portion of the State's costs are in the work force, and I mean we had to basically go to each of the Union leaders and say, "You have to help us get through this. Otherwise we are not going to have much of a state left when all is said and done."

You know, the Union leaders -- you know, the last thing anybody wants to do is -- is talk about giving up something or giving back something, so -- and it was understandably, extremely difficult conversations that had to occur.

INTERVIEWER: M-m h-m-m. And at that time you were also dealing with a new president at CSEA in Joe McDermott.

MS. MOORE: Right, right, right, right.

INTERVIEWER: Can you kinda give your relationship with Joe?

INTERVIEWER: Okay. Liz, tell me about the dynamics of your relationship with Joe McDermott and the time in which he assumed the

CSEA presidency.

MS. MOORE: Well, Joe assumed the presidency at a -- at a very, very difficult fiscal environment for the State of New York. We were going through an incredibly tough financial crisis and revenues were not coming in. As you may recall, the entire country was in a recession and -- and the State was -- was seeing a great deal of the revenues -- tax revenues were not coming in. Costs had gone up dramatically, and we were in a kind of looking around to find ways to save money.

The State work force is a huge part of the State's cost so one of the areas we had to identify and look at very quickly was where we could get money from the State's work force. Joe comes in newly elected into that and obviously wants to (a) serve his members to the best of his capacity; (b) must look good.

It's kind of hard to look good when the State's saying, well, you know, we can't give you wage increases; in fact, we're going to look for give-backs and we're going to look for things, ways that we can try to find to find

dollars.

Joe, as was all the CSEA members I dealt with, was again very, very professional in that regard, a very strong advocate for his members, which is -- and, of course, it was expected. But probably had to work harder and use more energy in that regard because he was kind of facing, well, why don't you give us this instead of this. He was facing, what do ya mean, you're going to take back? What do ya mean, you're going to cut? And what do ya mean, you're going to lay off?

And, you know, those are words that for any Union are, you know, horrific, so Joe had a very, very difficult time. But in terms of, again, he was a professional. He was knowledgeable, intelligent and, you know, understood where to compromise and understood where to hang tough. I would -- you know, I could always respect that.

INTERVIEWER: You mentioned something interesting earlier, and that was the importance of trying to communicate with the -- the Union about the seriousness of the problem. How

important was the Union in helping to communicate that to the State workers?

MS. MOORE: Well, critical. I mean that was -- that was -- that was their job and then we could talk to the press, we could talk to -- I did rad... I remember I had a radio show called, I think it was "Ask the Director of Employee Relations." I forget what the name of the show was, but I did call-ins and you know, we'd take calls from State workers or from around the state, but I couldn't sit down with the local presidents or the regional executives and -- and really explain to them in great detail.

But Joe had to do that and Joe had to be the guy who -- who told the story. I mean maybe I'm missing the meaning, but I'm not sure they would necessarily believe anything that I was saying. They did believe what the Union president was telling them.

INTERVIEWER: M-m h-m-m. What -- what is the most difficult part of being Director of the Governor's Office of Employee Relations?

MS. MOORE: The most difficult part.

I really enjoyed it. There wasn't much that was -- not fun. I mean I think the tough times that we ran into towards the end of my tenure were probably the -- the hardest thing because, you know, you're dealing -- it was constant bad news. It was constant we're gonna lay off people. I remember State workers being very, very concerned who's going, who's staying, how we gonna avoid layoffs, and the CSEA president would be saying, we're not gonna have any layoffs.

It was, you know, dramatic. People didn't know what -- you know, I think the best thing you can do for State workers in some respects is make -- is to -- is to have their lives be predictable and this was a period of a lot of uncertainty and a lot of unpredictability. Nobody knew for sure whether or not they were next on the list or they were, you know, what their salary is gonna be or which benefits were gonna -- or whether we would have lag payrolls.

I mean, you remember we had this whole concept of lag payrolls and people -- the

payroll date moved and our -- in fact, I recall that there were even times when we had to have emergency legislation just to have a payroll. I wasn't even paid.

I mean that's a horrible thing to do to people, to say, well, we're not sure that you can get paid on payday. You know, you're gonna get your pay eventually but, you know, all those kinds of things were just -- that's the hard part, when you can't recognize people who are doing the same job who are working hard and you have to look at them and say, well, I'm sorry, but we don't have money to --

INTERVIEWER: That was at a time when the State -- when there were some issues and they were using scrip, wasn't it?

MS. MOORE: I believe so, yeah, yeah, yes.

INTERVIEWER: It was a nightmare for --

MS. MOORE: It --

INTERVIEWER: --working all of the logistics of that out.

MS. MOORE: It was -- it was hard. I

mean we'd have people -- I mean literally employees calling, am I gonna get paid? I can't pay my mortgage, my rent, my day -- my childcare, whatever. That's -- that was the hardest part because you knew folks were working as hard as they usually worked and we were not necessarily able to live up to the promises that we had made in terms of compensation benefits, days off, you know, that stuff.

INTERVIEWER: The -- you know, one term I always remember Joe talking about was, and I think he referred to it as right sizing, and do you remember him talking about the idea that the State should find the right number of people that it needed and not have to have an ebb and flow of adding people and having layoffs, but to just kind a have more consistency in the size of the work force?

MS. MOORE: Yeah, I do. And I remember Governor Cuomo talking about all the -- all -- it was all the government we need and no more government than we need or words to that effect.

INTERVIEWER: M-m h-m-m.

MS. MOORE: I think, in effect, it's the same kinds of fat but, yes, your right sizing goes to predictability or what Joe was essentially saying to us was: You know, I want somebody who comes to work for the State of New York tomorrow to have a predictable career, a predictable job, and not to have to worry at any given time that, well, am I going to be laid off, so in doing -- in ensuring that the State work force had good work force planning, and that was one of the things we talked to CSEA a lot about was work force planning.

How can we ensure if we -- if we -- if we -- if we can predict that "X" number of people are going to enter our mental health and mental retardation facilities, what would be the appropriate size work force? If we know that "X" are not going to be in -- in our facilities and are going to be going to outplacement facilities or residential homes, what size work force do we now need for that and how do we ensure -- how do we train people if they're not going to be working in the facility? Can we find other things that we can train them to do

so they can do -- you know, work in the residential homes or other places.

So there was a lot of -- of work force planning that was going on because of the changing demographics in the work -- of the State and the work force and the changing needs of the State. Technology was being adopted at a much higher level at that point.

You know, this was the -- the very beginning days of computers. There were no such things as laptops or cell phones, but we were seeing that technology was going to play a critical role as we went forward and how to ensure that we have trained people that can use that technology? And obviously they're gonna go out and hire a bunch of new people. You have all these folks here. Let's figure out a way for them to -- to be trained in this technology.

And yet what impact is that technology gonna have on the size of the work force and shouldn't we plan now for that 5 or 10 or 15 years from now as opposed to getting where its, oh, so we don't need these people any more.

INTERVIEWER: Sure. I guess kind of

a, you know, related issue to the issue of the work force planning is that when you do get into a layoff situation or a downsizing in State government, it's -- it's a rather complicated process that -- that takes effect.

MS. MOORE: It's very complicated and not only is it complicated but it has an enormous impact. People think, well, it's just in some areas of the State, some parts and some localities, some regions in the State. The State's work force is a huge part of the economy, so you take out -- you know, if you reduce the work force by 10 percent, 15 or 20 percent, you're not just impacting the people who you've reduced. You're also impacting businesses that serve those workers, schools that have the children of those workers if they have to move someplace else, if you're -- if you're consolidating work locations, so there -- there are lots of ramifications that -- that follow from doing those kinds of significant downsizes.

INTERVIEWER: M-m-m. Can -- can you think of any -- any specific stories that kind

of illustrate Joe McDermott or Bill McGowan, any specific things that kind of get at the essence of the people you were dealing with?

MS. MOORE: Well, I really -- I really can't think of anything specific, as I said, other than to say I think in my tenure you had the first director who was a woman and my executive dep was a woman, and I do recall, as I said, you know, the fact that -- even though that was the case, you know, these -- these -- both of these gentlemen who were -- yeah, I'll call 'em old school labor leaders, were extremely professional and respectful and collegic, as we entered into relationships with them and as we entered into negotiations, et cetera, so I think that's one of them.

And the second thing, of course, all the Union reps I dealt with were committed, absolutely committed to the agenda of their members. It wasn't about their leadersh...their agendas. It was about what would make the members' lives better, and I think that was important too.

McGowan was a character and I'm

picturing him now, a little bit bow-legged, you know, he'd walk you very, very quickly everywhere and used to always being very vigorous and very -- a lot of energy.

Joe was a little bit quieter in that regard. I mean to say a change in style, because we went from Bill who was a very vigorous, active, energetic, talkative, and Joe was much more acute -- not that he wasn't vigorous, but he was -- not that he was placid or anything, but it was just a different, a completely different style, much lower key, much more of a listener and it was -- it was a good time. You know, we enjoyed dealing with them.

INTERVIEWER: Why do you think CSEA has been able to succeed for four score or a hundred years now?

MS. MOORE: I think some of the things I just said. I mean the leadership that I dealt with, and I suspect the leadership that goes back a long way and that goes forward, I did deal with Danny Donohue in my counsel to the Governor capacity a little bit, you have -- you had great leaders who really, as I said, had

their members' best interests at heart.

But at the same time, understand that there was in the context of how do we make this government work, how do we ensure the services -- the services that we need to provide are being provided, so there's a larger context of -- of recognizing the essential mission of government and the essential delivery of government services.

And thinking ahead, which I also thought was terrific. I mean many times when, you know, McGowan or McDermott would come to me with, hey, what if we did this? And it wasn't necessarily to put more money in the members' pocket. It was to provide better services or assist members in providing better services.

And the same thing going back, if I went and said, how about we do this kind of program, you think it could really be helpful, he would -- and they'd say, yeah, let's do it, so that kind of visionary approach to both being -- ensuring that members got the services, benefits, compensation that they deserved, but also that the services that the State provided

their members, were not just to the citizens of the State but were available to them.

INTERVIEWER: All right. Did I miss anything?

MS. MOORE: I think -- that's it.

INTERVIEWER: Great. Well, that's it.

MS. MOORE: Thank you.

INTERVIEWER: Thank you. We really appreciate it.

(Whereupon, the interview of Elizabeth Moore was concluded.)

