

## CONTRACT STAYS EFFECTIVE WHILE LAWSUIT DECIDED

MINEOLA — A four-year contract for Suffolk County Local 852 employees will remain in effect pending the outcome of a lawsuit challenging the collective bargaining agreement.

The contract is being challenged because the county Legislature passed a resolution in January 1982 guaranteeing exempt employees raises identical to those negotiated by the union. A taxpayer is now charging that this created a conflict of interest since the county's chief negotiator was himself an exempt employee.

A judge declared the contract invalid in February but both CSEA and the county appealed the decision and an automatic stay was granted.

CSEA Attorney Michael Smith reports an attempt on May 22 to get the stay lifted failed. County employees will continue receiving pay and benefits under the new contract pending the outcome of the legal battle.

## Details being ironed out to grant upgraded job titles for MH aides

ALBANY — Details regarding implementation of new job titles as Secure Care Treatment Aide I and Forensic Program Aides I and II are currently being worked out by CSEA and the Office of Mental Hygiene.

CSEA President William L. McGowan recently announced that the new positions will be assigned to state mental hygiene secure and forensic units. Grade 9 therapy aides appointed to the new titles will be moved up to a grade 11.

Grade 13 aides will be upgraded to grade 14.

Employees in the new positions will receive specialized training that covers emergency procedures and non-abusive physical intervention. No date has been set to begin the training programs.

In a related matter, negotiations are currently underway to upgrade licensed practical nurses.

The Public Sector will fully report on the upgradings as events warrant.

## June 15 deadline nears in region elections

ALBANY — It's time to vote for officers in CSEA's six Regions.

Members who have not yet receive ballots may now request replacement ballots by contacting the Independent Election Corporation of America (IECA) at (516) 437-4900.

All ballots must be returned to IECA, in Lake Success NY, by 6 p.m. on June 15. Ballots will be

counted at that time and results announced. Notification of election results will be sent to all candidates. The protest period ends on June 25.

As usual, candidates for CSEA office will be afforded an opportunity to observe the various election procedures. Any candidates, or proxies with written authorization from candidates, who wish to observe the procedures at IECA may do so.

Public

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### 'A MAJOR VICTORY WHICH PROVES PUBLIC SECTOR OSHA WORKS'

**Constant pressure forces state to move timetable up six months**

# Elimination of fire hazards will make plaza safer sooner

ALBANY — Fire hazards at the huge Empire State Plaza complex here will be corrected six months sooner than expected, a situation which CSEA statewide President William L. McGowan hails as "a major victory which proves public sector OSHA works."

The state Office of General Services (OGS) has notified the Labor Department that plans to correct the hazards will be made by Sept. 12 and actual construction completed by Oct. 31, 1985.

New fire wall corridors and walls will be built in the four Agency buildings in the downtown

Plaza so both employees and the general public will have more than one exit in case of fire.

The new timetable came after Labor Department Deputy Commissioner Theodore Testo rejected a construction schedule OGS released April 26 and which would have taken two years to complete. Testo told OGS it was "unacceptable" and he ordered a revised schedule be drafted "within 10 days" which outlines "the shortest time necessary to complete the work. . . ."

Federal and state safety and health

regulations, administered by the state Labor Department, require "Every building or structure . . . that the reasonable safety of numbers of occupants may be endangered by the blocking of any single means of egress (exit) due to fire or smoke, shall have at least two means of egress remote from each other. . . ."

CSEA first filed an OSHA complaint in 1982, demanding alternate exits. Since then the union has been the major force in getting the fire hazards corrected.

## Special Olympics to benefit once again from Local 670 walkathon

ALBANY — CSEA Labor Department Local 670 will sponsor its third annual Walkathon/Runathon to benefit the Special Olympics program on Wednesday, June 6 at the 2.5 mile inner oval of the state office building campus here.

Over the years, Local 670's project has raised more than \$17,000 for Special

Olympics.

"We hope to top the \$20,000 mark with this year's combined results from the walk and a raffle," says Labor Department CSEA Local 670 President Jeanne Lyons. "We invite other CSEA locals, members or interested groups to participate and help us raise funds," she added.

### FSA workers reminded about unemployment claims filing

ALBANY — Unemployment insurance claims should be filed by Faculty Student Association (FSA) employees out of work during the summer recess.

CSEA has been lobbying to maintain the benefits for FSA employees and it appears that the Labor Department will do so.

If claims are not granted by local offices, applicants should immediately file appeals for hearings before administrative law judges.



**IT'S UNDER GROUND  
AT SMITHTOWN...  
AND OVER HEAD AT  
WAPPINGERS FALLS  
... see page 20**



# Gains in insurance, pay part of Chautauqua pact

MAYVILLE — After overcoming a series of time-consuming stumbling blocks, the Chautauqua County Employees Unit of CSEA Local 807 has reached agreement on a three-year contract.

Negotiations went through mediation and fact-finding stages as well as a change in county administration before agreement was reached on a pact that boosts wages by 2.5 percent in the first year, and 6.75 percent in both the second and third year.

Other benefits gained for the 1,000-member unit include a six-step salary schedule, up from the previous five-step schedule; increase in mileage pay; clothing allowance for nurses; tool allowance for mechanics; numerous health insurance gains, such as an increase in semi-private health care coverage from 70 days to 180 days, and major medical increase from \$250,000 to \$1 million.

Also, employees may now get a cash buy-out for continued health insurance coverage after retirement, and a disciplinary procedure alternative to Section 75 of the Civil Service Law.

Unit President Dick Maggio, while not happy with the length of time needed to complete negotiations, was happy "to finally have an agreement in place."

Maggio said the agreement was "fair under the present economic conditions." He and Negotiating Committee Chairman Bill Beckerink thanked fellow committee members and praised CSEA Field Representative Mark Higgins for "a super job" in leading the negotiations.

Other committee members included Local 807 President Jim Kurtz, Gary Berndt, Carol Young and Jim Smith.



**CHAUTAUQUA AGREEMENT SIGNED** — County Executive John A. Glenzer, left, and CSEA Unit President Dick Maggio sign a new three-year agreement covering the 1000-member Chautauqua County Employees Unit of CSEA Local 807. Smiling their approval in the background are, from left, Director of Personnel Jane Fagerstrom, Personnel Relations Specialist Carol Svensen-Smith, CSEA Field Rep. Mark Higgins, and CSEA Negotiating Committee Chairman Bill Beckerink.



## Region II health fair fourth in series

**HEALTHY TURNOUT** — A crowd of CSEA members showed up at the Adam Clayton Powell Office Building for the fourth in a series of Region II health fairs. Above, Jardine Insurance Representative Burnette Andrews signs up a member of CSEA New York City Local 010.

**INFO FLIER** — A Local 010 member takes a look at a brochure describing the joint labor/management Committee of the Work Environment and Productivity.





# Cayuga workers respond to impasse, 'stalling only makes us stronger'

AUBURN — An angry crowd of more than 300 marchers recently overflowed sidewalks in front of the Cayuga County Office Building here to demonstrate to county legislators they want a contract.

The enthusiastic group was made up of CSEA members, their families, and supporters from private sector unions who turned out to protest the county employees' lack of a contract since Dec. 31. Negotiations have dragged on since October, noted President Mike Piscioti, leader of the Cayuga County Unit of Local 806.

"Time and time again we have come to the bargaining table with reasonable proposals only to be met by continued stalling or the ridiculous demands of the county negotiator," Piscioti said.

Another CSEA spokesperson said the county is offering a pact which includes an increase of \$100 for 1984, coupled with cutbacks in personal time, maternity leave and reduction in hours for highway personnel.

The recent mass demonstration, which took place prior to a formal

fact finder's hearing, was prompted by alleged remarks from a legislator indicating county employee morale was "high."

"We are sending a message to that particular legislator — and all Cayuga County legislators — that we are mad as hell! We are moving into our sixth month with no contract and county employees are disgusted and totally fed up with the unprofessional tactics of the county negotiator, as well as the utter disregard by the Legislature for the county employees who provide needed services.

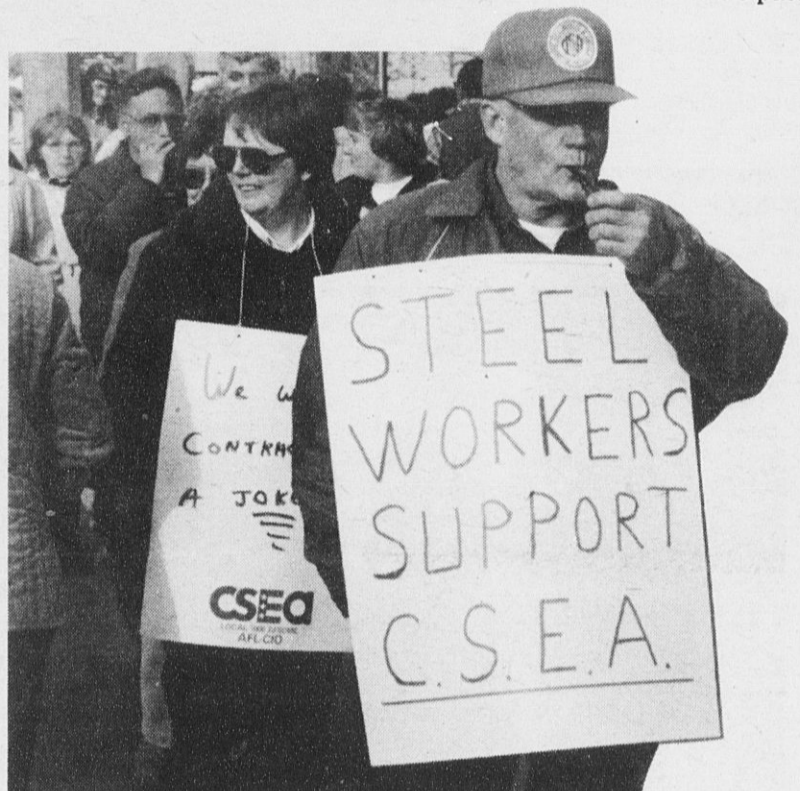
"If they are trying to divide us, they are making a big mistake. The stalling and delays have only made us stronger," Piscioti shouted to the line of picketers.

Joining Piscioti and his fellow county employees on the line were CSEA Regional President Jim Moore, Local 806 President Bruce Nolan, Region V Director Frank Martello, Collective Bargaining Specialist Tom Pomodoro and supporters from CSEA state locals, families, friends and private sector unions in the area.

A recommendation from PERB Fact Finder Eric Lawson is anticipated soon.



CAYUGA COUNTY UNIT PRESIDENT Mike Piscioti, left front, updates Region V President Jim Moore on the status of negotiations as the two picket with more than 300 county employees, families and supporters prior to a recent fact finder's hearing in Auburn. The county employees have been working without a contract since Dec. 31.



IN THE SPIRIT of union solidarity, support on the Cayuga County Unit picket line came from CSEA state employees and a number of private sector unions including steel workers, carpenters communications workers and others.



A CAYUGA COUNTY EMPLOYEE brought her youngsters to the picket line to march with several hundred of her fellow workers in protest of the lack of a contract and good faith bargaining.

**"Time and time again we have come to the bargaining table with reasonable propositions only to be met by continued stalling or the ridiculous demands of the county negotiator."**





CAYUGA COUNTY EMPLOYEES participate in informational picketing of the county office building during their lunch hour recently to show displeasure over stalled contract talks. Later more than 300 turned out for a giant protest prior to a preliminary fact-finding hearing at the Cayuga County Office Building in Auburn.

—Photo courtesy of "The Auburn Citizen"

## NY stations among channels airing 'America Works' series


More than 100 public TV stations nationwide will air six all-new episodes of the highly-acclaimed labor series "America Works" beginning the week of Labor Day. And 67 of those stations, including four in New York state, will soon be showing rebroadcasts of 12 episodes of the series which had originally aired on commercial stations in 1983 and early 1984.

New York state public stations scheduled to air the summer schedule of rebroadcasts include WMHT Channel 17, Schenectady, beginning July 8; WSKG Channel 46, Binghamton, beginning June 11; and WNYC Channel 31, New York City, beginning June 7. Cable Channel L in New York City also will show the series beginning in July at a time and date to be announced.

Among the subjects, locations and unions treated in the 12 summer episodes are: energy costs (OCAW in Denver); hunger (steelworkers in Los Angeles); health costs (SEIU in Massachusetts); education (teachers in Texas); plant closings (UAW in Indiana); voter registration (public employees in Detroit); toxics in the workplace (electrical workers in Boston); job retraining (CLC in Des Moines); senior citizens health care (steel ILGWU and shoeworkers in Pennsylvania); industrial policy (national leaders); services to the unemployed (IAM in Milwaukee); and pay equity for women (AFSCME in Maryland). Subjects for the six new episodes will be announced.

"America Works" is produced by the Labor Institute of Public Affairs of the AFL-CIO, Washington, D.C.

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 GERS • **JOB RETRAINING** • HEALTH FOR SENIORS • **IND**  
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**DEPEW CONTRACT SIGNED** — Signing of a new three-year contract for members of the Depew Union Free School District Unit of Erie County Education Local 868 was cause for celebration recently. Among gains was a clause that prohibits any subcontracting of cafeteria employee jobs. Enjoying the moment are, from left, Local 868 President Jack Schlenker, Unit President Dave Tur and CSEA Field Representative Bob Massey.



# ORGANIZING

*There may be no truer adage than that a labor union is only as strong as its members make it. For that very reason, it is vitally important that non-members join as members to protect and improve union gains where unionism already exists, and that the pockets of unrepresented workers be identified and provided the opportunity to become a part of the American labor movement as well.*

*The right of workers to organize as a union and bargain collectively is one of the basic tenets of the American system. It is a right guaranteed in federal and state law. The campaign to bring that information to those who may not be fully aware of it, and to convince those who are to use that right, goes on daily throughout New York state and the nation.*

## Good teamwork helps Delaware County local hike membership

DELHI — If you want a surefire method for recruiting new CSEA members, you would do well to follow the example of the revived membership committee of Delaware County Local 813.

In describing the committee's latest success Eric Groh, Local 813 vice-president and organizing chairman, gave credit to the determination and hard work of his committee: Pat McClenon, Joyce Warren, Donna Gillette, Linda Utter and Ted Rotella.

In March of 1983, the committee decided to concentrate efforts in the county infirmary, the work site of three of the task force. Other targeted work locations included the county highway department, social services, sheriff's office, treasurer's office and county landfill.

Using printed aids provided by the statewide membership committee, and a suggested form letter designed by Region V Organizer Chris Jamison, the group posted and hand delivered a series of flyers and bulletins to increase awareness of the membership drive and point out the many benefits of joining CSEA.

"The printed information was very helpful," Groh said, "but we really started to see some progress and recruit success when we used the personal contact approach. When we talked one-to-one with non-members and explained the benefits of being a CSEA member, we began signing them up."

McClenon and Warren were the best at establishing personal contacts because they were on the floor (infirmary) all day long, said Groh. Gillette was helpful, too, because she served as shop steward at the infirmary on the 3-11 p.m. shift.

Committee members also indicated they had help from an unsolicited source — management. Reports of employee harassment for such incidental things as sick call-ins provided the recruiting committee with an added tool to sign new members.

"A few grievances and labor/management talks seemed to alleviate the harassment and, at the same time, steer potential new members to the union," Groh said.

Although there is room for much improvement in membership in several departments, the committee points proudly to the 90 percent figure at the county infirmary.

"Pat McClenon was the most successful recruiter, but we like to think of our success in terms of a team effort with much encouragement and support coming from (Local 813) President George Lawson. Our drive has leveled off somewhat, but we plan to gear up again in the near future," said Groh.



**SIGNING UP** — Delaware County Local 813 President George Lawson, left, inspects some CSEA posters and listens as Steward Pat McClenon, center, and Local Vice President Eric Groh deliver a sample of their CSEA recruiting message. Membership Chairman Groh, McClenon, and other members of the committee recently conducted a successful drive for new members in Delaware County.

"We have proven to ourselves that we can do the job, now we must continue our push for more members. The stronger we become in numbers, the stronger our bargaining position during negotiations," he said.

The goal of the Delaware County local is to double the number of new members in the next year. With his committee's spirit and determination, Groh thinks they probably will go over the top.

**HOLD IT!** Don't throw this copy of The Public Sector away! Pass it on to someone in your local or unit who's not a member; it's loaded with the kind of information about public employment and unionism not available

anywhere else. A lot of locals have been successful in using The Public Sector as part of their informational package in organizing new members. Try it, it works.

## Training sessions for new treasurers slated

SYRACUSE — Two training sessions have been scheduled for the convenience of new CSEA treasurers in Central Region V who were not in office at the time of the previous training programs.

One will be held in Syracuse June 6 at the Hotel Syracuse, downtown, in the Director's Room on the 10th floor. Registration will be at 6 p.m. with the program scheduled for 6:30 p.m.

The second will be June 7 at the Sheraton Inn on Genesee Street in Utica. Registration for the program, to be held at the Inn's Conference Center, is set for 6 p.m. with the program to begin at 6:30 p.m.

Registration forms, available from local and unit presidents, must be returned to Linda Fiorentino, 314 S. Bellinger Street, Herkimer, N.Y. 13350, by June 4. There is no registration fee.

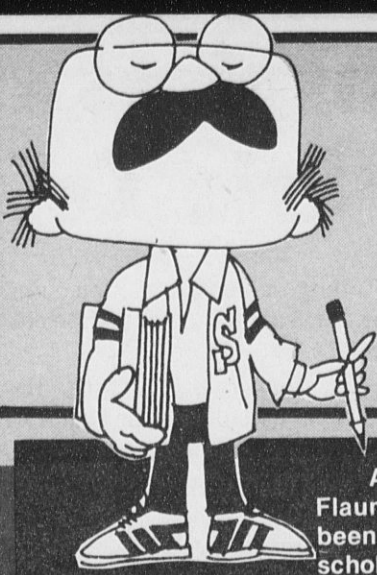


**Union  
the biggest  
in  
AFL-CIO**

AFSCME, CSEA's international union affiliate, is now the largest labor union, public or private, in the AFL-CIO.

AFSCME claimed the largest membership in the AFL-CIO in March when it paid per capita dues on 1,045,722 members, including CSEA members which comprise the largest local within AFSCME. That total surpassed the members of both the United Auto Workers and the Food and Commercial Workers, which had been ahead of AFSCME.





# CSEA Scholarship Winners for 1984

ALBANY — Winners of the Irving Flaumenbaum Scholarship awards for 1984 have been announced by Brian Ruff, chairman of the scholarship committee.

The Flaumenbaum scholarship program each year presents 18 \$500 one-time awards to college-bound high school seniors who are the children of CSEA members. Three of the scholarships, named in memory of the past Region I president who died in 1980, were given again this year in each of the union's six regions of the state.

Scholarship winners were selected on the basis of a combination of factors including financial need, academic performance, class rank,

scores on standardized tests such as SAT, and involvement in school and extra-curricular activities.

The Flaumenbaum scholarship is one of three education awards offered through CSEA's scholarship committee. The Thomas McDonough Memorial Scholarships, first awarded in 1983, are presented to six eligible former winners of the Flaumenbaum scholarships.

Another award, the P. J. Ciampa Scholarship, is open to children of CSEA members through the union's affiliation with AFSCME. The award offers full tuition at the University of Baltimore to winners who have completed two years of undergraduate studies elsewhere.

## LONG ISLAND REGION I

### MARIE LENA TUPOT

Marie is the daughter of Marie Tupot of Lindenhurst, a member of Suffolk County Local 852.

### LISA DANIELS

Lisa is the daughter of Carole Daniels of Lynbrook, a member of Nassau County Local 830.

### KENNETH B. RODWAY

Kenneth is the son of Roberta Rodway of Holbrook, a member of Kings Park Psychiatric Center Local 411.

## CAPITAL REGION IV

### MAUREEN McDERMOTT

Maureen is the daughter of John C. McDermott of Scotia, a member of Schenectady County Local 847.

### BONNIE CUMMINGS

Bonnie is the daughter of Margaret M. Cummings of Stephentown, a member of Law Department Local 672.

### BRIAN P. MORMILE

Brian's mother is Kathryn Mormile of Amsterdam, a member of Montgomery County Local 829.

## METROPOLITAN REGION II

### ROSE A. VELAZQUEZ

Rose is the daughter of Dorothy Velazquez of Astoria, a member of New York City Local 010.

### ANDREA BLACKWELL

Andrea is the daughter of Delores Easterling of Brooklyn, a member of State Insurance Fund Local 351.

### JACQUELINE HAYNES

Jacqueline is the daughter of Althea Flowers of Brooklyn, a member of Brooklyn Psychiatric Center Local 402.

## CENTRAL REGION V

### LAURA HOWARD

Laura is the daughter of Roger Howard of Fort Covington, a member of Franklin County Local 817.

### SUSAN ANN ZULLO

Susan is the daughter of Beverly Ann Zullo of Marcy, a member of Marcy Psychiatric Center Local 414.

### TAMMY REISMAN

Tammy is the daughter of Phyllis Reisman of E. Syracuse, a member of Onondaga County Local 834.

## SOUTHERN REGION III

### CHRIS M. RUBINO

Chris' mother is Maria Rubino of New Windsor, a member of Orange County Local 836.

### ERIK KLEIN

Erik is the son of Gloria Klein of Tappan, a member of Rockland County Local 844.

### MARSILIO LANGELLA

Marsilio's mother is Tina Langella of Yonkers, a member of Westchester County Local 860.

## WESTERN REGION VI

### TIMOTHY J. STRUBLE

Timothy is the son of Geraldine Struble of West Seneca, a member of Erie County Local 815.

### KAREN MACHNIAK

Karen is the daughter of Mildred Machniak of Tonawanda, a member of Buffalo State Employees Local 003.

### BONNIE GODSEY

Bonnie's mother is Diane H. Godsey of Marion, a member of Wayne County Local 859.

Scholarship presentations are tentatively scheduled throughout the regions for late June. Photos of winners will be published in a later edition of The Public Sector.



# Nassau Co. suit on pay equity inspires task force to 'uncover' abuse in Erie Co.

BUFFALO — The recent CSEA-AFSCME suit charging Nassau County with pay equity violations is already causing reactions all the way across the state in Erie County.

Following published news accounts of the suit charging Nassau County with violating Title VII of the Civil Rights Act and the Equal Pay Act, the Erie County executive has hastily assembled a task force to "uncover any gender-based discrimination among county employees."

The task force includes the county attorney, personnel commissioner and labor relations director. But there is no CSEA representation and only one female, a county legislator, was named to assist the task force.

County Legislator Mary Lou Rath said the decision to form the task force stemmed from the Nassau County suit where CSEA-AFSCME has charged the county with paying women less than men holding comparable jobs. AFSCME President Gerald McEntee has said this case would be used

to win equity for county workers nationwide.

In Nassau County a 1983 CSEA-AFSCME study found that women comprise 56 percent of county employees in the lowest 14 salary grades. Nine out of 10 of those women are in the lowest three grades.

The suit demands back pay for the affected workers and a halt to the county's unlawful employment practices. The county would also be required to take affirmative action to comply with the law in the future.

The Erie County task force will examine job descriptions, specifications, titles and pay scales.

"There is no place for any discrimination in public employment," said a news release quoting County Executive Edward Rutkowski. "If we find that any exists, however unintentional or latent it might be, we will take appropriate action to root it out."

## Suspension of bus driver revoked in arbitration

SYRACUSE — "When I needed union help, CSEA was right there to go to bat for me!"

With those few words Diane Stinnett, a six-year veteran bus driver for the Syracuse City School District, expressed her reaction to the news that an arbitrator's decision had revoked a 10-day suspension-without-pay imposed by the district.

The case centered around an incident that occurred June 30, 1983, when Stinnett was alleged to have left her job site without permission.

Stinnett was called in by her supervisor and later by the personnel department to be informed that the school district would seek to suspend Stinnett for 10 days without pay. On the advice of CSEA Unit President Dave Kennedy, Stinnett filed a grievance. With the aid of CSEA legal assistance, the issue went to arbitration and the suspension was denied.

In its post-hearing brief, CSEA contended that the employer had failed to prove neglect of duty or misconduct under the terms of the present contract.

According to Terry Moxley, CSEA field representative, the present agreement was specifically negotiated to include language that states the burden of proof in such a case lies with the employer.

In his decision to revoke the suspension, the arbitrator said that the district "under the circumstances of this dispute has not sustained the burden of proof" and that the suspension penalty was not in accordance with the agreement between the parties.



GOOD NEWS — Diane Stinnett, Syracuse City School District bus driver, learns of her grievance arbitration victory from Vice President Glenn Steele, left, and President Dave Kennedy of Syracuse Schools CSEA Unit 6. The unit is part of CSEA Onondaga County Local 834.

## County nurse reinstated after charging boss of sex harassment

CANANDAIGUA — Ontario County has been ordered to reinstate a county health facility nurse who was fired after she and other employees filed sexual harassment charges against the facility's administrator.

Local 835 member Mary Jane Wood has been totally exonerated of 19 charges brought against her and will receive back pay and benefits she would have received since her firing on June 2, 1983.

The charges against Wood included patient abuse, incompetency and poor record keeping and were filed a few weeks after she and several other staff workers accused the facility's administrator, Gerald Cole, of sexual harassment.

The county took the sexual harassment charges as a challenge to its authority, the arbitrator said.

"The challenge was suppressed," wrote arbitrator Robert E. Stevens, "and suppressed ruthlessly without regard to the character, professional status or reputation of the women involved."

Wood said she feels vindicated and confirmed that she wants her job back.

"I just want to thank the union and all my friends who stood by me," she added.

Steve Ernhout, local vice president and grievance chairman, called on the county to reinstate Wood as a head nurse, a position she held on a provisional basis before being demoted to a regular staff nurse and eventually fired.

Her decline in rank also coincided with the filing of the sexual harassment charges.

Ernhout also called for the resignation of Cole, who he said was "trying to hang her" for the sexual harassment allegations.

The arbitration proceedings were handled in the local's behalf by CSEA Attorney James T. Hancock.

## Amsterdam workers will still have two unions, CSEA, AFSCME

AMSTERDAM — CSEA and AFSCME will continue to represent workers in the city of Amsterdam's Department of Water and Sanitary Sewers, according to the decision of the three-member Public Employment Relations Board (PERB).

The city was seeking a certification vote in an effort to unite all water and sewer employees under one collective bargaining agent in the city's newly combined Department of Water and Sanitary Sewers, which previously had been an independent water department and a city sewer department. The water department employees are represented by AFSCME Local 1614 and the sewer employees are part of CSEA Local 065.

In rejecting the city's appeal, PERB Chairman Harold R. Newman noted that the two unions "had an undisputed history of effective representation of the employees in both units over an extended period of time." The two-union history is "indicative of separate communities of interest," he said.

CSEA Attorney Richard Burstein said he hoped that this ruling would enable the city and the unions to return to the bargaining table. Both CSEA and AFSCME members have been working without a contract since December.

## CSEA charge against DFY upheld

ALBANY — The Appellate Division of state Supreme Court has upheld a charge by CSEA against the Division For Youth that the hiring of Rose Washington as director of DFY's Tryon School in Johnstown was improper.

The court findings stated that the DFY exhibited "an incredible abuse of discretion" when it appointed Washington to head Tryon School in October 1980.

CSEA had complained that in selecting Washington, DFY had bypassed other qualified applicants and that Washington did not meet the minimum standards to even qualify to take the civil service exam for the position.

Washington left Tryon School last August to accept another position in New York City.



Last in a series

## Region II seminar a success

NEW YORK CITY — Political action, organizing and an overview of the functions of a number of CSEA departments were topics of discussion at the last in a series of Region II seminars designed to provide local presidents and field staff with information they need to represent members.

Political Action Director Tom Haley outlined the services provided by CSEA's Legislative and Political Action Department, which include political action training, the solicitation and submission of proposals to the Legislature, and political endorsements and fund raising.

Haley stressed the importance of membership involvement in the PEOPLE committee, the fund-raising arm of CSEA and AFSCME. "For CSEA, the PEOPLE program is the only source of revenue for making political contributions in federal elections," Haley said. "It is therefore very important that members get actively involved."

An overview of internal and external organizing strategies was presented by Region II Field Representative and Organizer Martin Blumstein, who emphasized the importance of union representation. "Simply put," said Blumstein, "having CSEA represent you means dignity and security on the job."

Ella Louise Wadsworth, supervisor of the Membership Records Department, clarified the roles and responsibilities of the department,



**POLITICAL ACTION** Director Tom Haley outlined services provided by his department and emphasized the need for membership involvement in the PEOPLE committee, which raises funds for the union's political contributions.

which maintains computerized records of CSEA's 250,000 members.

Wadsworth urged participants to inform the records department of any changes in name, social security numbers or addresses, and other relevant data. "Our records are only as accurate as the information you provide," she said. "Your assistance is needed to keep our records current."

The functions of the Treasurer's Office were presented by Cathy Bruno, supervisor of general accounts. Bruno said that among other duties

and functions, the office handles all of CSEA's finances, assists local with financial affairs and conducts training seminars for new local treasurers.

Region II President Brenda Nichols gave credit for the series' success to the late Region II President Frances Dubose Batiste, who formulated the seminars.

"Frances believed wholeheartedly in building unionism through education. It is with her spirit, and in her memory, that we carried out this program and that we will continue to carry on the momentum she started."



**CSEA EXECUTIVE DIRECTOR** Bernard Zwinak makes a point to participants in the Region II seminar.

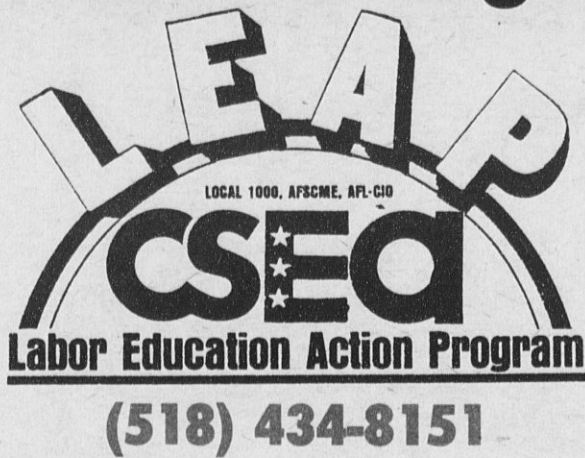


**EDUCATION AND TRAINING** Specialist Sean Turley, left, and Director Sally Bouton write down suggestions from Region II members who took part in recent seminar.



# Member takes LEAP to higher education

Single parent finds union's tuition-free program answer to her longtime dream



By Anita Manley  
CSEA Communications Associate

NEW PALTZ — For Elizabeth (Betty) Kearney, a single mother of four, getting a college education was a dream she once considered nearly impossible.

But thanks to CSEA's innovative Labor Education Action Program — LEAP — this month Kearney will become the proud recipient of an associate degree in business administration from Ulster County Community College. Come fall, she'll begin working towards a bachelor of science degree at the State University College at New Paltz.

"Once the (education) bug bites, you want more," says Kearney. "And you find you're really capable of more than you think."

A member of SUC New Paltz Local 610 who works as a senior clerk in the college's International Education office, Kearney is a shop steward and former local secretary, vice president and president. She says ever since she became involved in CSEA she has been interested in studying labor law.

"In the union, I found I could help the members with their problems. But I wanted to be able to help them better by educating myself more."

The union's LEAP program offers a large variety of courses to CSEA-represented employees in the Administrative, Operational and Institutional Services bargaining units only. It also provides tuition-reimbursement for college courses, with the amount of reimbursement dependent on the participant's course grade.

Kearney took advantage of both programs, paying nothing for her tuition and taking LEAP-sponsored courses that were applicable to her job. She says not only have all of the courses helped her on the job and with her union responsibilities, but they have given her the confidence needed to begin taking civil service exams. She is now on a number of civil service lists waiting for the chance to advance in her job.

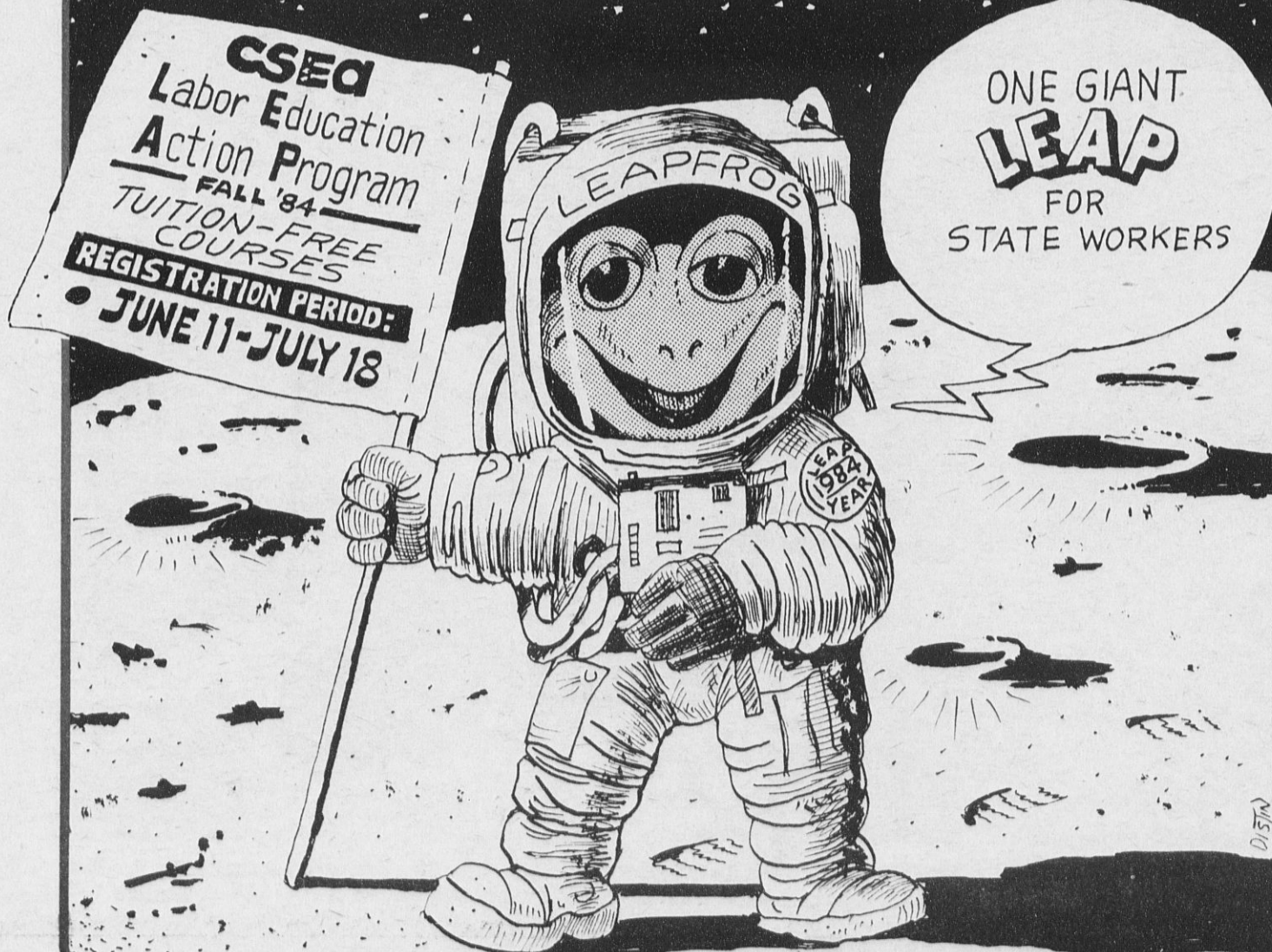
Now that her B.A. degree is imminent, Kearney looks forward to working toward her B.S. degree in the fields of law and society, where she will



UPWARD BOUND — Elizabeth Kearney, a CSEA employee at the State University College at New Paltz, receives an associate's degree from college this month and plans to go on for a bachelor's degree. Her success in higher education was made possible through CSEA's LEAP program.

again combine LEAP courses with tuition reimbursement. Her big goal is to earn a law degree someday.

With her success in the arena of higher education, Kearney now encourages others to take advantage of LEAP's educational opportunities. So does SUC New Paltz Local President Dale Sutton. Says he: "Betty is living testament to how members can advance themselves with LEAP."



## Fall courses to be announced week of June 11

ALBANY — Hundreds of course offerings, with subjects ranging from accounting to zoology, will soon be announced for the fall semester of the Labor Education Action Program (LEAP).

Course announcements and application blanks will be available through state agency training offices or from CSEA local presidents beginning the week of June 11. Completed applications must be received at the CSEA/LEAP office in Albany no later than July 18 in order to be processed.

The tuition-free courses are available to CSEA-represented employees in the Administrative Services, Operational Services and Institutional Services bargaining units only. Classes will be conducted by more than 75 public and private colleges and BOCES across the state.

Last year, about 6,500 CSEA members took advantage of these educational programs funded under the ASU, ISU and OSU contracts.



# CANAL OPEN WITH CONDITIONS POOR AT SEVERAL SITES AFTER WINTER LULL

By Charles McGeary  
CSEA Communication Associate

SYRACUSE — If other sections of the 524-mile New York State Barge Canal are in the same sorry condition as those in central New York at Sylvan Beach, Three Rivers, Phoenix and Minetto, the requiem for our once proud and noble waterway may have already begun.

Since the March incident at the Phoenix Lock that resulted in the collapse of 160 feet of retaining wall, CSEA has continued to monitor that site while inspecting other areas for similar problems. At four checkpoints in the Central New York area, the physical condition of canal retaining walls, breakwaters and other facilities is deplorable and border-

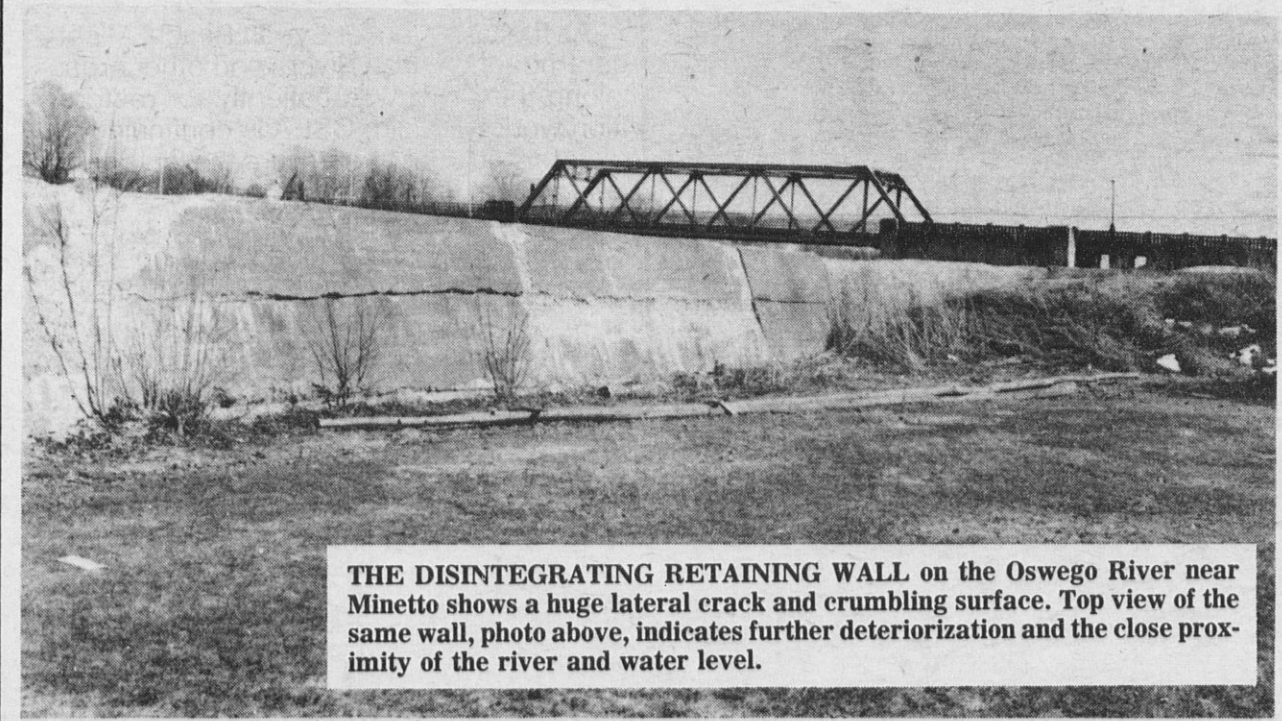
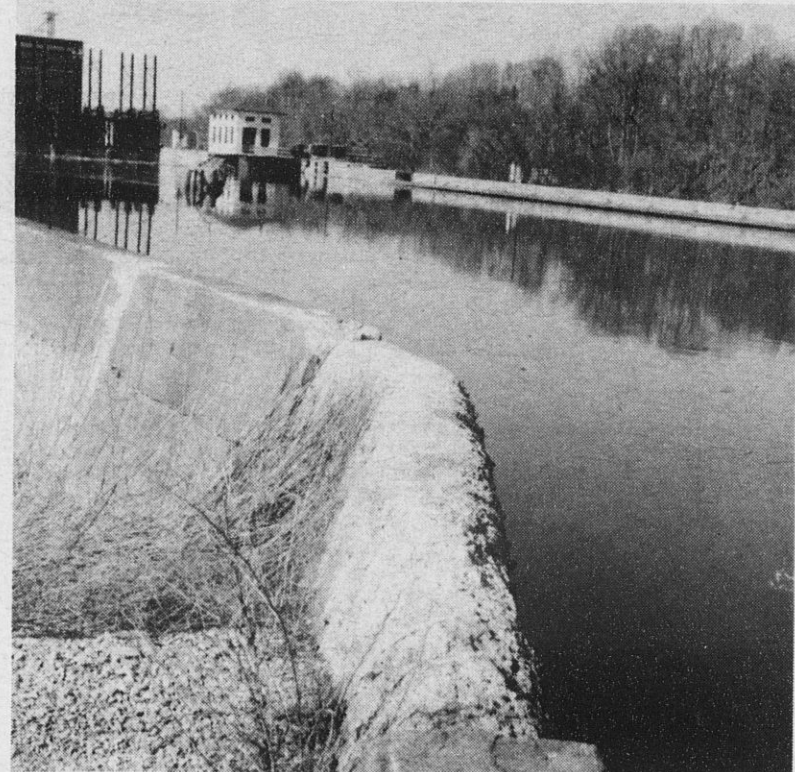
ing on dangerous.

In spite of the \$13.6 million budget for 1984 canal operation, there has been no widespread effort to begin the repair work or increase the number of canal personnel required to properly maintain the waterway. A walk-through of canal terminal buildings indicates a shortage of manpower, in contrast with rows of valuable machines sitting idle for the lack of experienced hands.

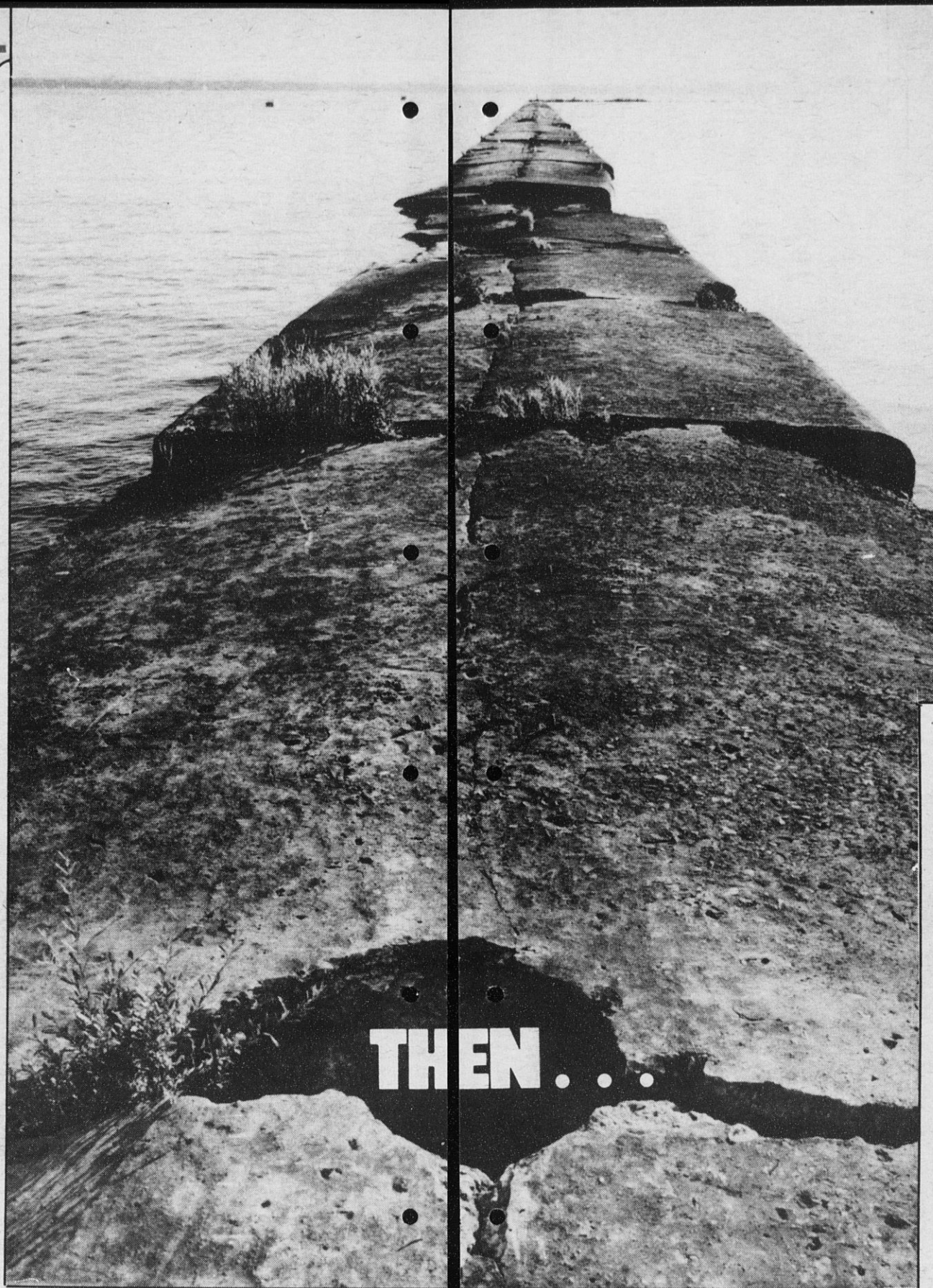
A CSEA representative recently visited several locks and areas of the canal system between the Oswego locks and the eastern end of Oneida Lake at Sylvan Beach. These are his findings.

## AT MINETTO: An accident just waiting to happen

AT MINETTO, near Oswego, the retaining wall that holds back the Oswego River is in such a state of disrepair that, given the right weather conditions, the possibility of a major accident is evident even to a layman's eye. From roadside ground level, a huge lateral crack stretches across the entire center of the 10-12 feet high wall. The top and sides of the wall have been crumbling away for years with no apparent sign of repair. To compound the Minetto problem, a canal employee reported that boats using the wall for a temporary mooring have actually felt the wall move during the docking procedure. No date could be learned as to the last repair work at Minetto.



THE DISINTEGRATING RETAINING WALL on the Oswego River near Minetto shows a huge lateral crack and crumbling surface. Top view of the same wall, photo above, indicates further deterioration and the close proximity of the river and water level.



## AT SYLVAN BEACH: The breakup of a breakwater symbolic of canal conditions

AT SYLVAN BEACH, at the eastern end of beautiful Oneida Lake, the largest body of water totally within the state, similar deterioration of the canal continues. Sylvan Beach merchants, Oneida Lake Association and other concerned citizens have pleaded with state authorities to correct conditions at the 400-yard-long breakwater that protects the beach and nearby amusement park area from the ravages of winter ice and, in summer, when wind

conditions make the shallow lake treacherous. In 1978 an improvement campaign was launched by several groups acting through their state legislative representatives. The net result was a wire fence and a "no trespassing" sign to deter swimming and fishing from the crumbling breakwater. What was formerly a breakwater performing a vital function now looks more like a naval gunnery test area.

THE 1978 PHOTO at left shows the breakwater wall at Sylvan Beach. The effects of many winters and ice damage have already taken their toll on the gateway to one of New York State's prime recreational areas and Great Lakes.

IN MAY, 1984, nothing remains of the Sylvan Beach breakwater, below, except giant slabs of concrete rubble.



AT PHOENIX, scene of the recent collapse of 160 feet of wall, the state has not begun to remove the giant slabs of concrete that remain on the bottom of the canal approach to Lock One. An unconfirmed report says authorities may opt for a private contractor to remove the tons of debris.

AT THREE RIVERS, near Syracuse, conditions are also poor. Retaining walls are in much need of repair to correct serious leaning; crumbling and sinkholes continue to undermine and weaken the canal wall structure.

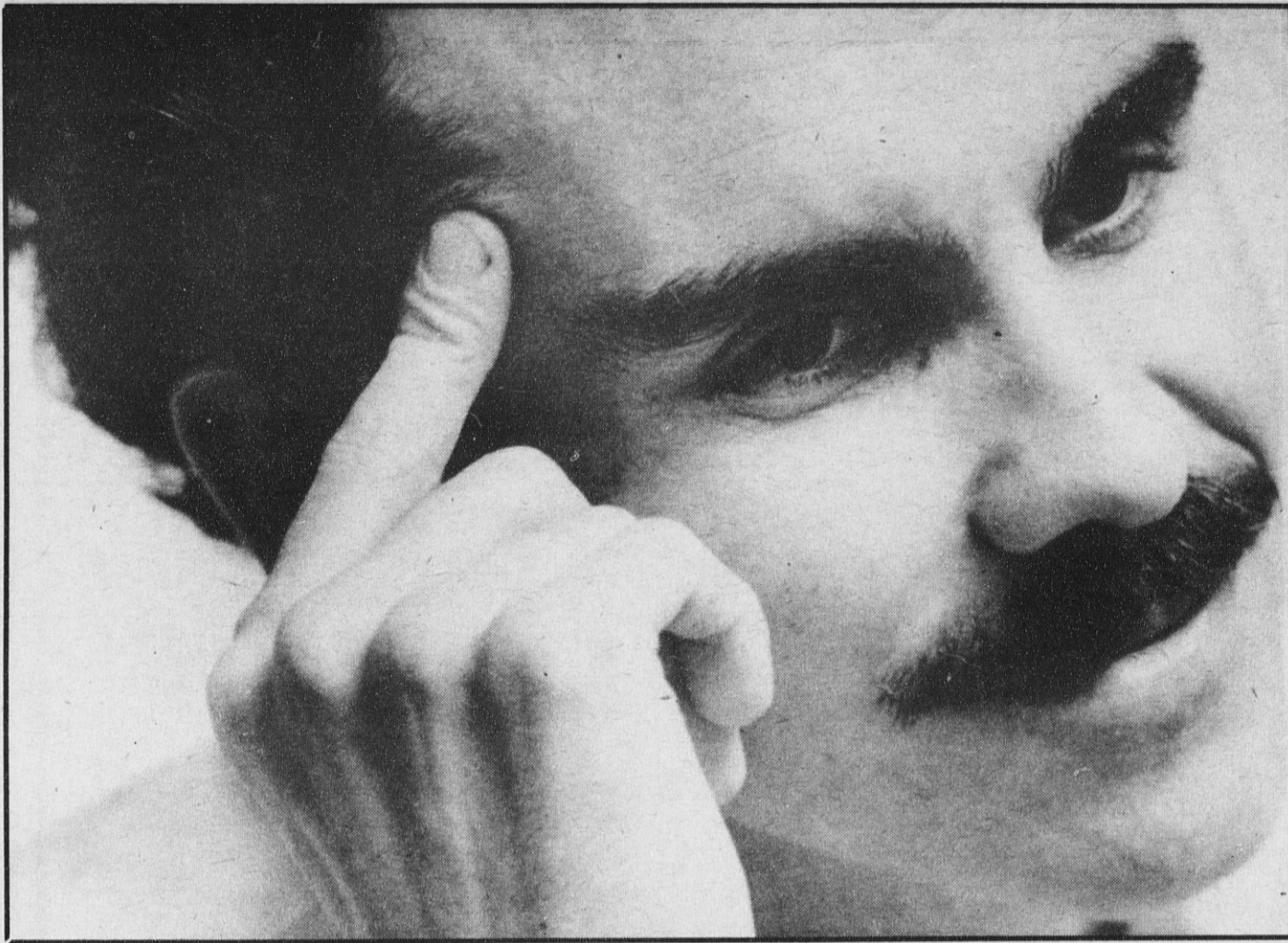


BARGE CANAL LOCAL 502 PRESIDENT Frank Zammiello Jr., a tireless fighter for the restoration of the canal to a useful waterway, points out the state's cursory effort to correct the breakwater problem with a fence and "no trespassing" sign.

As the taxpayers of Sylvan Beach, Minetto, Phoenix, Three Rivers and other areas along the canal wait patiently for restoration work to begin, CSEA is continuing its determined fight to pressure the legislature and inform other authorities as to the problems. Through flyers, posters, bumper stickers, petitions and advertising campaigns, the union has also extended an appeal to recreational boaters and other concerned citizens to join the fight.

The proud and historic barge canal — part of our national heritage since the early 1800's — must not be allowed to die say those who work it and those who use it. They feel, strongly, that in terms of commercial transportation by water, flood control, irrigation, and for thousands of recreational boaters, the New York Barge Canal is, and should continue to be, a valuable and cherished feature of the Empire State.





# A NEW LEASE ON LIFE

**BRUCE MURRAY**, an employee of Onondaga County, is reportedly making satisfactory progress after undergoing a heart transplant operation in New York City. The 34-year-old CSEA member of Local 834 is the first Syracuse resident to undergo the operation.

## County employee's heart transplant prompts local's appeal for organ donors

By Charles McGeary  
CSEA Communications Associate

SYRACUSE — Twenty-four hours after surgeons at Manhattan's Presbyterian Hospital opened his chest, removed his diseased heart and replaced it with a healthy one, Bruce Murray was sitting up in bed and drinking a soft drink.

The 34-year-old Onondaga County employee, a member of CSEA Local 834, became the first Syracuse resident to ever undergo the delicate operation.

Since 1977 Murray has suffered from cardiomyopathy, a disease of the heart muscle, and was recently told by heart specialists he could not expect to live more than a year without the operation.

The hospital procedure called for Murray to be in New York to begin waiting for the cardiac transplant team to locate a heart donor. According to a hospital spokesperson, the average wait for a donor heart is two weeks. He did not have long to wait. The next day he was told the four-member organ recovery team was on its way to pick up the donor heart of a 17-year-old who had been killed in a road accident.

Murray invited reporters to view the 4½ hour operation that was, in the words of one of the surgeons, a "1-2-3 textbook operation."

According to a hospital official, patients stay in the transplant isolation unit for three to four weeks. When they leave the hospital they are supposed to remain in the New York area for another six to eight months of regular checkups. During this time, patients are taught about their medication and the importance of a proper diet and daily exercise.

Two weeks after receiving his new heart, Murray experienced his first rejection episode. The surgeon who performed the May 11 operation said it is normal for the body of a heart transplant patient to balk at the new organ. Murray's condition later stabilized.

While Murray continues his long recovery period in New York, his fellow Onondaga County employees follow his progress and have begun a drive to encourage organ donations.

Pat Callahan, president of CSEA Onondaga County Local 834, expressed the feelings of many of her fellow members by saying, "We can all learn from Bruce Murray's display of courage and his desire that others be made aware of the importance of organ donations.

"Bruce was given a new lease on life through the thoughtfulness of a young man he never knew," Callahan said. "By following that example, he hopes that others will consider the precious gift of an organ that could save a life."

TOPICS OF MUTUAL CONCERN were discussed in depth when CSEA local officials representing Office of Mental Hygiene and Office of Mental Retardation and Developmental Disabilities employees in CSEA Region VI met recently in Buffalo. From left are Buffalo Psychiatric Center Local 403 President Joe Polito; Gowanda Psychiatric Center Local 408 President Joe Hageman; Elaine Mootry of West Seneca Developmental Center Local 427; Monroe Developmental Center Local 439 President Creola Shelton; Mary Cartwright of Local 439; and Wayne Jones of Local 408.





# In appreciation...

## A moment for MHTAs



MHTAs from wings 312 and 313 of Brooklyn Developmental Center show off appreciation awards.

NEW YORK CITY — Mental hygiene therapy aides at Brooklyn Developmental Center (BDC) were honored here recently in what was called a "long overdue" joint labor/management tribute to their vital role in client care.

"We are honoring a group around which our whole program revolves," BDC Director Thomas Shirtz told the 33 MHTAs chosen by their co-workers to accept "appreciation" awards. "This event is long overdue. It is about time we recognize how important you are."

Sponsored by CSEA Local 447 and the labor management Human Relations Committee

(HCR), the festive daylong event was attended also by parents and legislators who praised the strength, courage and resourcefulness of therapy aides.

"You are the mothers, fathers, speech pathologists, doctors, nurses and teachers of these clients," said HCR Chairwoman Sheryl Morse. "You are the backbone of the facility."

Legislators including Congressman Ed Townes, Office of Minority Affairs, Representative McKinley Jones and Assemblyman Bill Boylan also acknowledged the "special" qualities of MHTAs.

"It takes a very special kind of person to get in-

involved, and to do the job that you do with patience, caring and love. I'm glad to be here to share this day with you," said Boylan.

CSEA Local 447 President Denise Berkley called the event "a huge success" and a much needed recognition of "often overlooked" therapy aides.

"MHTAs provide the most direct care to clients day in and day out," said Berkley. "Yet they are often overlooked and taken for granted. MHTAs deserve to be recognized today and every day for the crucial, multifaceted role they play."



UNITED STATES CONGRESSMAN Ed Townes addresses MHTAs at the awards ceremony. Looking on is Brooklyn Developmental Center Director Thomas Shirtz.



AN EMPLOYEE looks over display of photos featuring co-workers during the recognition day celebration.



# CSEA'S LEGISLATIVE PROGRAM FOR 1984

## STATUS REPORT AS OF MAY 18, 1984

### AGENCY SHOP

S.4358 A.5827 In Senate, Assembly committees

This bill received bi-partisan support from those legislators who felt that non-members should be required to contribute toward the cost of services provided them by the unions. Public employee unions have demonstrated a responsible and aggressive attitude in bargaining on behalf of all of those they represent, not just union members. The law should be made both permanent and uniform for all public employees in New York State.

### LIMITED RIGHT TO STRIKE

S.6530 A.5138 In Senate, Assembly committees

Several other states, including Alaska, Hawaii, Idaho, Minnesota, Montana, Oregon, Pennsylvania and Wisconsin allow public employees, other than those engaged in essential services, the right to strike where both parties have participated in impasse resolution procedures which have been unsuccessful. This bill is modeled after the Hawaii approach, and would provide a right to strike for public employees who do not have resort, by law or agreement, to an impasse resolution procedure which culminates in final and binding interest arbitration.

### EMPLOYER IMPROPER PRACTICE

Introduction pending

Where a public employee strike has been caused by an employer improper practice, the penalties against the union and individual employees would be mitigated.

### LOBA FOR POLITICAL SUBDIVISION

S.3728 A.4832 In Senate, Assembly committees

The final resolution of an impasse in negotiations would be resolved with the system of last offer binding arbitration, under which a panel consisting of one member appointed by the public employer, one member appointed by the union and one member appointed jointly, would select the most reasonable final offer of either the public employer or the union. This bill is particularly designed for the political subdivisions, and is to be utilized as an optional method to finally resolve an impasse.

### U-GRADES

S.3903 A.5109 In Senate, Assembly committees

This bill amends the Civil Service Law and the Education Law to prevent the Chancellor of the State University from unilaterally changing positions in the university from the classified service to the unclassified service in derogation of the constitutional concepts of merit and fitness.

### MARTIN LUTHER KING DAY

S.8319 A.8696 In Senate committee, PASSED Assembly

This General Construction Law presently sets forth public holidays. Although Dr. Martin Luther King Day is designated as a public holiday, the law does not provide for its public celebration. This bill would change that provision so that Dr. Martin Luther King Day would have the same status and importance as other public holidays.

### SECTION 75 REVISION —

#### INDEPENDENT HEARING OFFICER

S.152 A.1982A In Senate, Assembly committees

Civil Service Law Section 75 presently provides the procedure by which an employee of the State or political subdivision with permanent status may be terminated for incompetence or misconduct. CSEA and the State have negotiated an alternate disciplinary procedure which ends in final and binding arbitration. Under Section 75 however, the hearing is to be held by the appointing authority or his designee. As a result, the employer becomes the prosecutor, judge, and jury, a most unfair procedure. This bill would require the selection of an independent hearing officer.

#### ATTORNEY FEES — WORKERS' COMPENSATION

S.2402A A.2826A In Senate, Assembly committees

Present law requires an injured employee to file a claim for workers' compensation or death benefits where injury or death arose out of and in the course of employment, and prevents an employee from suing the employer directly. Unlike a direct suit, benefits under the Workers' Compensation Law are severely limited to a percentage of an employee's average weekly wage. Where an employer controverts or denies the claim, a hearing must be held. If the employee retains a licensed representative or an attorney, those fees are taken out of the extremely minimal award. This bill would require fees to be paid by the carrier, in addition to the award, where the employee is successful.

#### LAYOFF UNITS

S.3544 A.6194 In Senate, Assembly committees

This bill amends the Civil Service Law to provide that the layoff unit in a political subdivision with a population of fewer than 50,000 shall be all of the departments or agencies in the political subdivision, rather than the single department or agency as is the present case. A political subdivision could "elect out" of these provisions by filing an appropriate resolution.

#### LOCAL CIVIL SERVICE NOTIFICATION

S.4180 A.7781 In Senate, Assembly committees

This bill would require the personnel officer or local civil service commission to provide written notice of proposed rule changes to persons interested, and is similar to the procedure presently provided for the New York State Civil Service Commission under the Administrative Procedure Act.

### COMMUNITY SERVICE BOARDS

S.4048 A.3036 In Senate, Assembly committees

This bill would allow employees of the Department of Mental Hygiene to serve on Community Service Boards.

### MILITARY LEAVE (30) WORKING DAYS

S.2398A A.2146A PASSED Senate, in Assembly committee

The New York Court of Appeals, New York's highest court, has recently determined that the provisions governing military leave for public employees provides for paid military leave for 30 calendar days, instead of 30 work days. As a result, employees who work on the second shift or who have pass days on other than weekends, may be required to attend ordered military drills without being paid. This bill would merely restore the practice as it existed prior to the Court of Appeals decisions.

### WHISTLEBLOWER

S.1153 A.8552 In Senate, Assembly committees

This bill protects public and private employees from retaliatory personnel action by an employer against an employee who discloses policies or practices reasonably believed to pose a threat to public safety or health, or who discloses substantial mismanagement, gross waste of funds or abuse.

### VETS MEDICAL LEAVE

A.1210 In Assembly committee

This bill would provide veterans of World War II, Korea, and Vietnam with the ability to attend appointments at VA hospitals or other similar medical facilities without charge to leave credits, for treatment and care related to service-connected disabilities.

### STENOGRAPHERS FEES —

#### COLLECTIVE BARGAINING AGREEMENT

S.8744 A.10860 In Senate, Assembly committees

Under the Employee Rights category, we need a bill which would implement a collective bargaining agreement between CSEA and all other unions representing court reporters within the State of New York and the Office of Court Administration with respect to the amount of money to be paid for the production of transcripts.

#### HEART BILL — CORRECTION OFFICERS

S.6042 In Senate committee

This bill would provide a presumption that diseases of the heart occurring in correction officers were caused by employment for retirement system accidental disability hearings.

#### TIER III REVISION

S.7373-A A.8442-A In Senate, Assembly committees

The bill would provide for various improvements in the Tier III section of the retirement system.

#### FIRST \$20,000 EXEMPTION

Introduction pending

This bill would allow the first \$20,000 of a pension allowance to be exempt from Federal Income Tax and would prevent retirees from being taxed on the income resulting from tax exempt securities.

#### RETIREE EARNINGS

A.2726 In Assembly committee

This bill would increase the amount a retiree from the State of New York or its political subdivisions could earn without loss or diminution of retirement allowance. It is the intent of the committee that such amount keep pace with the amount provided with respect to federal social security.

#### DENTAL PLAN

S.1706 A.2242 In Senate, Assembly committees

This bill would allow retirees to be eligible for dental insurance under the group coverage.

#### HEALTH INSURANCE — 25% OF COST FOR DEPENDENTS

S.3783 A.4829 In Senate, Assembly committees

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

#### CORRECTION OFFICER 25 YEAR PLAN

S.5598 A.5437 In Senate, Assembly committees

This bill would provide, on a local option basis, a 25 year half pay retirement plan for correction officers of political subdivisions.

#### ROME COMMUNITY STORE

S.3396A A.5432A In Senate, Assembly committees

This proposal would provide retirement system credits for employees of the Rome Community Store in the Department of Mental Hygiene who have been denied service credit for years of service prior to June 21, 1973, because the Retirement System has determined that they were not authorized retirement credit prior to that date.

CONTINUED



# CSEA'S LEGISLATIVE PROGRAM FOR 1984

## EARLY RETIREMENT —

### POLITICAL SUBDIVISION & PUBLIC AUTHORITIES

#### Introduction pending

This bill would grant an additional three (3) years retirement service credit similar to that provided by Chapter 17 of the Laws of 1983, upon local option, for employees of the political subdivisions and public authorities. Each such participating employer would be required to make the necessary contributions to fund the early retirement option applicable to them.

### STENOGRAPHERS FEES

#### Introduction pending

This bill would increase the transcript fee in areas not covered by the agreement between CSEA and OCA.

### MONROE COUNTY TRANSFER

S.8467 A.10929

This bill is intended to insure that employees of the Monroe County Sheriff's Office who are transferred to the City of Rochester will continue to be employed.

### VDT SAFETY

S.6528A A.7158A In Senate, Assembly committees

This bill would provide for establishment of health and safety standards for operation of VDT equipment.

### EQUAL PAY FOR EQUAL WORK

#### Introduction pending

This bill would amend Civil Service Law Section 115 to make New York State's public policy of equal pay for equal work applicable to the political subdivisions as well.

### BOARD OF TRUSTEES

S.686A A.737A In Senate, Assembly committees

The Employees Retirement System is presently administered by the Comptroller, who is also the sole trustee of more than \$18 billion in assets. Public Employees who are members or pensioners of that system have no voice in investment decisions made by the Comptroller, unlike those in the five pension systems in New York City and the New York State Teachers Retirement System. This proposal would guarantee public employee and retiree voting membership on the Board of Trustees for the Employees Retirement System.

### PARITY BILL

S.7285 S.2253 A.8555 A.9733 In Senate, Assembly committees

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

### CONTINGENCY BUDGET

S.1333 PASSED Senate, referred to Assembly committee

This bill would provide for a local school board to adopt an alternate budget procedure which would provide for continuation of cafeteria services and transportation services after a regular budget has been defeated by the voters.

### BUS SEATS

#### Introduction pending

The Transportation Law would be amended to require motor vehicles seating eleven passengers or more and used in the business of transporting school children, to be equipped with padded seat backs at least twenty four (24) inches in height, rather than twenty eight (28) inches in height.

### SUPPLEMENTATION

S.8298 A.10080 In Senate, Assembly committees

In order to offset inflationary increases occurring during the last year, this bill would add to the supplementation provided by Chapter 422 of the Laws of 1981 and continued in 1983. The increase in the amount of supplementation would vary from year to year, be computed on the first \$10,500 of annual retirement allowance, and be available for those who retired at age 55.

### VETS BUY-BACK — WORLD WAR II

S.3734A A.4831A In Senate, Assembly committees

Veterans of World War II would be allowed to purchase up to three years of credit in the Retirement System.

### VETS BUY-BACK, WORLD WAR II, KOREA, VIETNAM

S.860C A.1005C In Senate, Assembly committees

Veterans of World War II, Korea and Vietnam would be allowed to purchase up to three years of credit in the Retirement System.

## HEALTH INSURANCE — UNUSED SICK LEAVE

S.1532 A.2019 In Senate, Assembly committees

This bill would allow an unmarried spouse of an active employee of the state who died on or after April 1, 1979, to continue individual coverage and exhaust any accumulated and unused sick leave up to 165 days.

## TIER I AND II REOPENERS

S.3905A A.5107A In Senate, Assembly committees

This bill would allow employees who were on the payroll prior to the cutoff date for eligibility in the lower tier and who, through no fault of their own, were both eligible for membership and reasonably believed they had properly applied for the membership, to file to become members of the lower tier.

## UNIVERSITY OF BUFFALO

S.3229 A.4009 In Senate, Assembly committees

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

## SECTION 75 REVISION — PROTECTION FOR NON-COMPETITIVE POSITIONS IN POLITICAL SUBDIVISIONS

#### Introduction pending

At present, Civil Service Law Section 75 provides tenure protection for individuals in the state service only who occupy positions classified to be non-competitive class. This bill would extend that protection to employees of the political subdivisions with at least five years of continuous service in the non-competitive class.

## ABOLISH MINI-PERBS

S.8751 In Senate committee

This bill would abolish mini-PERB's other than the New York City Office of Collective Bargaining.

## SOUTH AFRICAN DIVESTMENT

S.6757 A.5034 In Senate, Assembly committees

This bill would amend Section 199-b of the Retirement and Social Security Law to require the divestment of monies of the retirement funds invested in entities doing business in or with the Republic of South Africa, and allows a three-year period for such divestment to occur.

## BUS DRIVER TERMINATION

S.1834 A.2390 In Assembly committee

This bill would prohibit the Commissioner of Education from establishing a rule requiring the termination of any bus driver when he or she reaches the age of 65.

## OMH, OMRDD, SUNY FILL LEVELS

In budget, Chapter 53 of the Laws of 1984

The 1984-85 State Budget includes language requiring the above identified agencies to maintain established fill levels or ratios or to provide explanation for the failure to do so.

## ELIMINATION OF 2-FOR-2 PENALTY

S.4336 A.5158 In Senate, Assembly committees

## CERTAIN BENEFITS- STATE AGREEMENTS

#### Introduction pending

A proposal to implement provisions of section 7.7 of the agreements between CSEA and the State relating to employees with 5 years or more of continuous service and payment of the lump sum of fiscal year 1984-85.

## PUNITIVE DAMAGES

#### Introduction pending

This bill would allow municipalities to indemnify employees in punitive damage claims.

## VETERANS IDENTIFICATION RECORDS

S.7494 A.8770 In Senate, Assembly committees

This bill requires the maintenance and distribution of records identifying veterans for use in calculating accurate fiscal notes for veterans' buy-back bills.

## IRA EXTENSION

S.8252 A.11316 In Senate, Assembly committees

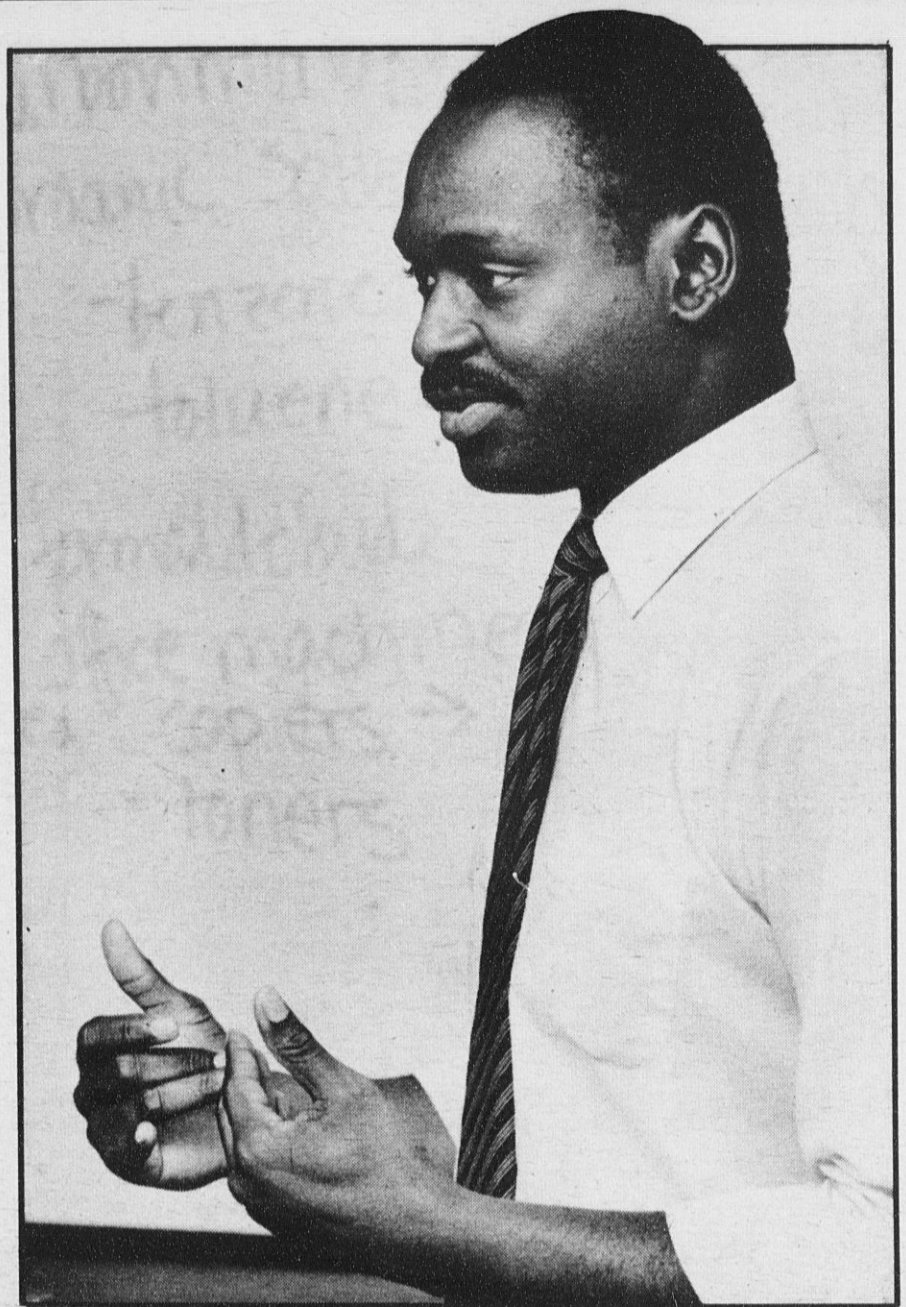
This bill amends Chapter 220 of the Laws of 1982 to make IRA deduction authority permanent.







**TALK ABOUT TOXINS** — Mitchell Brathwaite, CSEA Occupational safety and health specialist, makes some points about poisons during seminar on ways to resolve problems with occupational hazards, old and new.



**CONTRACT CONCERNS** — St. Clair Payne of Manhattan Children's Psychiatric Center expresses a concern about upcoming contract negotiations. Waiting to speak is Denise Berkley, president of Brooklyn Developmental Center Local 447.



**WHAT'S DUE-ING?** — CSEA statewide Treasurer Barbara Fauser hands out some information from her office to Ana Diaz, Brooklyn Developmental Center Local 447 treasurer. Looking on is CSEA Internal Auditor David Knutti. The information table was one of nearly 20 set up at the workshop to provide help to union officers and delegates.





# Combatting contracting out

By Brian K. Baker  
Assistant Editor

NEW YORK CITY — Contracting out is a serious problem for state workers and how to win a battle against the loss of their jobs to the private sector was the concern of union leaders who attended a seminar on the subject at the State Workshop here.

Reasons for not contracting out and strategies to use against such a threat were key points made in a presentation by CSEA Coordinator of School District Affairs Larry Scanlon and AFSCME Labor Economist Alice Grindstaff.

According to Grindstaff, the best way to fight contracting out is to attack early.

"As soon as you even hear a rumor of subcontracting you should contact your local president and get the machinery going. The sooner you recognize a problem of subcontracting and respond, the better off you'll be," said Grindstaff.

It's also best to involve organizations other than the union in the struggle, she said.

"You cannot fight contracting out only as a union. You have to make it a public issue and to do that you have to get everyone you can involved and form a coalition."

Scanlon noted that in school districts bus drivers have been successful in preventing contracting out by organizing around "winnable issues" and getting the PTAs and other community groups involved.

"In the case of transportation programs, we've organized within the community and emphasized the safety issue," he said. "We ask who they're going to hire and whether they'll take people from outside the district."

Grindstaff highlighted several reasons why the state should not contract out public services. Among them is the higher costs that it often means.

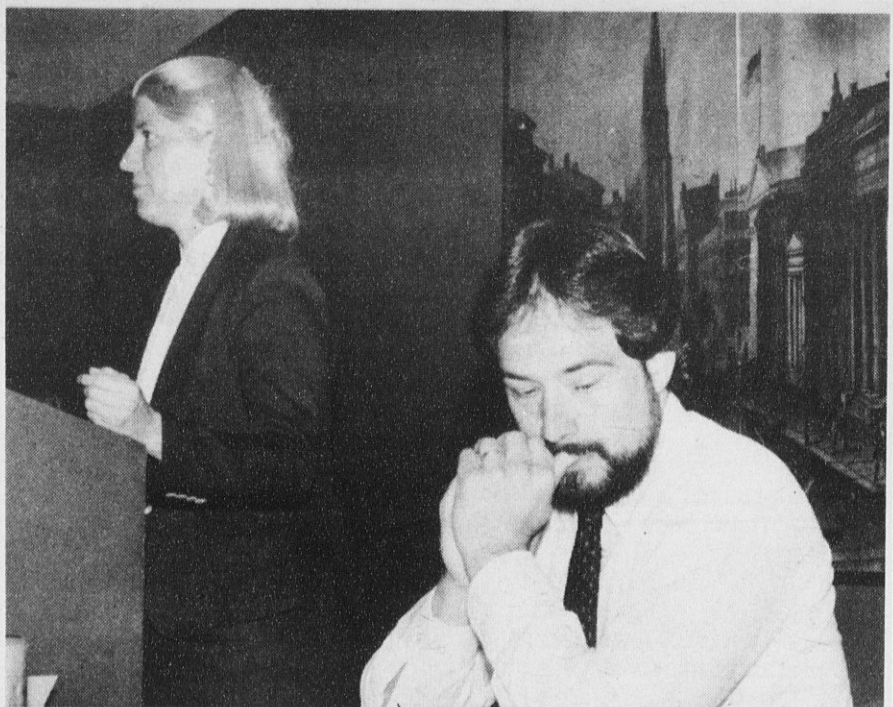
"It often costs much more because of the costs of contract preparation and monitoring as the added expenses incurred through private companies' having to make a profit and pay taxes," she said.

Poorer service for the public is a possible result and another reason for not subcontracting because "private companies do only what the contract specifies and no more," said Grindstaff.

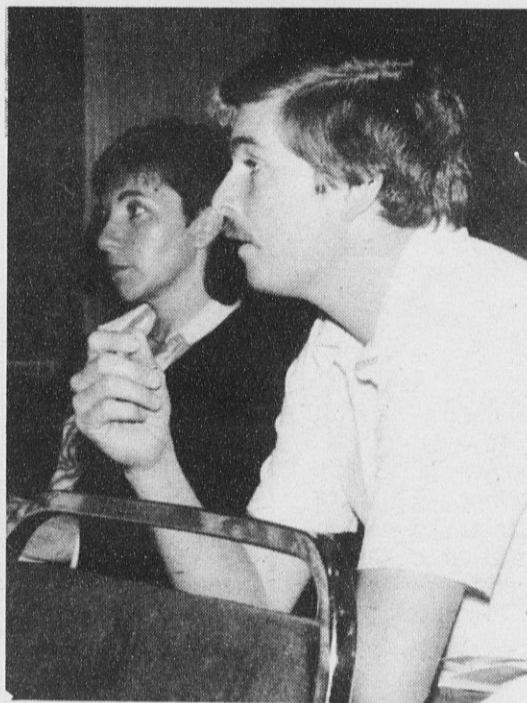
Other reasons include: increased chance for corruption through bribery, kickbacks and payoffs; failure of contractor to perform service because of bankruptcy, financial problems or lack of equipment; ballooning costs after a very low price in first contract; problems of drawing up contracts that ensure a government gets what it wants for the price it pays; contract irregularities including bidding among "price-fixing" contractors; less accountability to the public since government will be unable to make a contractor respond to public needs except through renegotiation.

Scanlon said that by creating an awareness of the problem, communicating with union leaders, organizing, researching, and running a positive campaign which shows how public servants can do a job better, subcontracting of state work can best be avoided.

"Getting involved in the political process is always very important, especially with the state," he said. "If you're a union officer, offer to testify at a public hearing, for instance. You have to inform and motivate not just your members, but the public, too."



**ALICE GRINDSTAFF, AF-SCME labor economist, addresses participants in a State Workshop seminar on contracting out. Reviewing notes on the topic is CSEA Coordinator of School District Affairs Larry Scanlon, who also spoke.**



**ATTENTIVE LISTENERS at the seminar were Treasurer Lila Stein of SUNY Farmingdale Local 606 and Unit President Allan Windover of Transportation Albany Local 676.**

Contracting out is increasing not only in the traditional areas of consulting and refuse collection, but in such service areas as building maintenance, food service, security and health care. Scanlon and Grindstaff say that if public employees are to survive, they must debunk the myth that the "private sector can do it better."

Scanlon also suggests that in a campaign against subcontracting public employee groups use a strategy that is positive rather than negative.

"A negative campaign is one in which you go after the contractor. But a positive campaign is much better to use. That's one in which you show how you can do it much better and cheaper," said Scanlon.



**BENEFITS** — One of many information tables at the State Workshop was staffed by members of CSEA's Employee Benefit Fund (EBF). Pictured at the information table are, from left: Jason McGraw, EBF director of marketing and communications; Louis Mannellino, EBF trustee; Paulette Carroll, EBF representative; and John Gully, board representative for the Department of Taxation and Finance.





## Fact-finding report OK'd by Warren County employees

LAKE GEORGE — Warren County employees have voted to accept the recommendations of Fact Finder Sigmund Giambruno as a basis for a contract settlement with the county. The county has indicated it will also accept the report.

In his 13-page report, Giambruno attempted to resolve a dozen items which had forced the parties to impasse after five bargaining sessions failed to produce a negotiated agreement. The employees have been working without a contract since Jan. 1.

The major road block to a negotiated agreement was management's insistence that the workers accept a 2.5 percent salary increase in their base salaries this year plus a 2.75 percent like next year. CSEA Collective Bargaining Specialist Harm Swits and Warren County Unit President Doug Persons, chairman of the unit's bargaining team, repeatedly rejected the county's economic offer as "totally unacceptable."

The fact finder agreed with the union's position and recommended a 6 percent salary increase for this year and a 5.5 percent increase for next year. He also recommended that the workers in grades 1 and 2 receive an additional cash increase before the county calculated the recommended settlement.

The fact finder, appointed by the Public Employment Relations Board, also supported CSEA in its proposal for a credit union, retaining joint labor-management meetings, retaining tuition aide for job-related courses, increasing stand-by pay and keeping the employee's share of family health insurance costs at the current level. He strongly recommended that job tenure be granted to non-competitive workers after one year of service rather than after three years, which the county wanted.

## Union files IP against library

LINDENHURST — CSEA has charged Lindenhurst Memorial Library with not paying agreed raises to its CSEA workers. The improper practice charge is a result of the library's changing the salary schedule and not following the terms of its agreement with the CSEA unit.

Following a demonstration by employees outside the library last January, the library trustees and the CSEA bargaining unit came to terms on a new contract. However, the library has decided not to issue the 8 percent raise, including increments, agreed to in the contract.

The library instead is applying the raise so that the senior people receive an increase as little as 3 percent.

"For some reason, the library has departed from the method of calculating raises used in the past," said Unit President Laura Tursi. "The way the library is calculating our raises amounts to a \$4,717 loss for this bargaining unit as a whole."

The bargaining unit, part of CSEA Suffolk County Local 852, had been without a contract for seven months before the agreement. In the three months since the agreement, the unit and the library have been unable to agree on how to calculate the increase.

"The community approved the library budget to fund our increase," Tursi said. "I can't see any reason for the library trustees not to abide by the terms of our contract."

## Region I Workshop held

McAFEE, N.J. — More than 200 CSEA members from the union's Long Island Region attended the 11th Annual Region I Workshop here recently. Five seminars drew enthusiastic crowds.

A seminar on workers' compensation was conducted by Elliot Levine of the firm of Kotler & Vitale, Huntington. Linda Berry, director of higher education and opportunity programs at Skidmore College, Saratoga Springs, spoke on the subject of self-assessment and goal-setting at another well-attended session. A seminar on developments in public service law was presented by Attorney Pauline Kinsella of the Albany law firm of Roemer & Featherstonhaugh. CSEA Director of Communications Michael P. Moran conducted a seminar on improving the public image of the union. He was assisted by Assistant Director of Communications Melinda Carr. A discussion dealing with insurance was led by Al DeLuca and Art Morales of Jardine Insurance Brokers, Inc.



**BREAKING** for coffee between seminars at recent regional workshop were Long Island Region President Danny Donohue, left, Connie Wunderlich of Suffolk County Educational Local 870, and CSEA Executive Vice President Joseph E. McDermott.



**HOSPITALITY** is extended by a group of Long Island Region women leaders to CSEA statewide Treasurer Barbara Fauser, center, during recent regional workshop. From left are Nassau Retirees Local 919 President Bertye Rees; Annette Hunt of Nassau County Local 830; Fauser; Long Island Region Treasurer Jean Wichmann; and Carol Craig, chairwoman of the regional education committee, which arranged the workshop program.



**SELLING PINS** to help boost the upcoming International Games for the Disabled were Nassau County Local 830 members Joan McEntee, left, Ida Scalise and Ken Zwerling. Hundreds of CSEA members are working on preparing facilities for the games, to be held June 16-30 in Uniondale.



# More Smithtown sites identified as potential methane timebombs

**"EACH SITE PRESENTS A VERY SERIOUS POTENTIAL HAZARD"**



MITCHELL BRATHWAITE, left, CSEA occupational health and safety specialist, has inspected the Smithtown Municipal Services Facility, background, and three other town work sites for possible methane gas contamination. Brathwaite is discussing the problem with Smithtown sanitation head Duane Rhodes.

By Joel Bruinooge  
CSEA Communications Associate

SMITHTOWN — CSEA has widened the scope of its investigation into a serious methane gas explosion last month at the Smithtown landfill facility that injured three employees.

CSEA Occupational Safety and Health Specialist Mitchell Brathwaite has identified three other Town of Smithtown facilities where a methane gas explosion danger may threaten employees. Brathwaite called for the state Department of Labor to inspect each worksite.

Smithtown's Senior Citizens Center, Highway Department headquarters, and Highway Department annex at Kings Park were all built on or near old landfills. "Each site presents a very serious potential hazard," says Brathwaite.

The danger created by methane gas escaping from landfills was dramatically brought to the public's attention in early May when three CSEA workers were seriously burned in the methane gas explosion at the Smithtown Municipal Services Facility.

Injured in the May 4 blast were Local #52 members Frank Detelich, 29, a maintenance mechanic; William Maccaro Jr., 22, a laborer; and Vito Lasurdo, 21, a laborer. All three were injured when an explosion occurred in a room housing electrical equipment.

CSEA Unit President William Maccaro Sr., whose son was among the three injured, complained as long ago as last summer of methane gas in the very room where the explosion occurred. A subsequent inspection by the Department of Labor found no methane, but several CSEA members say the building was vented prior to the DOL inspection after the department provided prior notice of their pending investigation.

That angers union officials, who point out that New York state requires such inspections be unannounced except in case of imminent danger or where special preparations are necessary. "DOL can't claim imminent danger existed because they waited more than two months to inspect," says Brathwaite. "Special preparations were not needed, since you want to test for methane under the real conditions that exist during the workday."

## Fund aiding injured men established

A fund to aid the three CSEA members injured in the methane gas explosion at the Smithtown landfill facility has been established. Contributions should be sent to:  
Smithtown Employee Burn Fund  
Bank of Smithtown  
1 East Main Street,  
Smithtown, New York 11787

## WHILE IN WAPPINGERS FALLS, THE CONCERN IS ABOUT

# ASBESTOS



UNIT PRESIDENT Mary Jane McNair

WAPPINGERS FALLS — Office personnel in the Wappingers Central School District who are long-term employees at Roy C. Ketchum High School have been urged to take advantage of an offer to undergo a chest X-ray to detect any effects of asbestos.

CSEA Unit President Mary Jane McNair explained that the National Institute of Occupational Safety and Health (NIOSH) recently discovered the presence of asbestos in the ceiling tiles in an old section of the high school.

While NIOSH made interim recommendations for cleaning and maintenance of the building until preliminary findings could be verified, acting School Superintendent Lawrence Gilmour decided to close the school building to all staff and students as a precautionary measure.

Following thorough testing, the school was reopened with the exception of the old section.

Samples taken in the district's other 13 school buildings indicated no asbestos present.

McNair said she is encouraging all long-term and retired employees to sign up for the screening. There will be no charge. Results will be given to each individual and, if desired, his or her physician. Group results will be included in the NIOSH final report.

NIOSH noted that employees who have had chest X-rays in the last 12-18 months need not be X-rayed again. NIOSH personnel will examine the films with the consent of the employee.

McNair praised Gilmour for his concern for the employees. "I want to be sure and mention that Mr. Gilmour has been extremely cautious in his concern with the employees," she said.

Anyone interested in having the screening should leave their name and address with Gilmour's office. They will be contacted as soon as final arrangements have been made for the X-ray.