

# Civil Service LEADER

America's Largest Weekly for Public Employees

Vol. XXXIII, No. 5 Tuesday, September 28, 1971 Price 15 Cents

## Metro Conference Report

See Page 8

### —In Four Units—

# CSEA UNDISPUTED STATE BARGAINER

## Security Unit Election Set Oct. 28 to Nov. 17 Wenzl: 'We're Ready'

ALBANY—The Civil Service Employees Assn. will contest Council 82, American Federation of State, County and Municipal Employees for the right to represent more than 7,000 uniformed personnel in the Security Services Unit.

CSEA was successful in its challenge of Council 82, the current bargaining agent, when it submitted to the State's Public Employment Relations Board, in late August, proof that more than 30 percent of the employees in the bargaining unit want Council 82 out as their bargaining agent.

As a result of the CSEA challenge, PERB has called for a new election. Ballots will be sent out to employees on Oct. 28 and will be counted at PERB headquarters on Nov. 18.

CSEA president Theodore C. Wenzl said: "The employees in the Security unit have had their fill of AFSCME's brand of 'no representation' over the last two years. They want a change and CSEA is ready to give it to them."

## CSEA Crushes AFSCME On Syracuse Vote

SYRACUSE — The Civil Service Employees Assn. has crushed an attempt by Local 400, AFSCME, to win representation rights for some 330 white-collar employees of the City of Syracuse.

Lee Frank, CSEA field representative in Syracuse who coordinated CSEA's election campaign, reported the final vote was 156 for the Syracuse City (Continued on Page 9)

## CSEA Charges Thruway Auth. Tries Harassment, Intimidation Against CSEA Representatives

ALBANY—The Civil Service Employees Assn. has called an emergency meeting of its Thruway chapter presidents and has demanded that the State Thruway Authority immediately drop charges against a CSEA representative who has been charged with insubordination.

CSEA president Theodore C. Wenzl said the charges brought against Vito Dandreaano of Amsterdam, a member of CSEA's board of directors and president of the Albany Division of the State Thruway chapter, are "unconscionable, and highlight a deliberate program of harassment and intimidation against employees being carried out by the Thruway Authority."

The CSEA leader said that his union has already filed an improper practice charge against the Authority with the State Public Employment Relations Board. The Thruway presidents, who represent the 2,100 employees in four regional regions from Buffalo to New York City and at Thruway headquarters in Elsmere, will meet Friday, Oct. 1 in Albany to consider what action CSEA will take against the Authority. "A job action is highly possible, if the charges are not withdrawn," Wenzl said. "Dandreaano's case vividly il-

lustrates the anti-employee sentiment of the Thruway management," he said. "We've had numerous reports of intimidation, harassment and coercion of our employees and we intend to put a stop to this treatment now!"

Wenzl said CSEA has reported these incidents to the Authority and have received nothing but empty promises.

He alluded to one situation in which a supervisor actually

## Employees Association Meets No Challenge On Bargaining Rights

ALBANY—As the official period for challenging representation rights in the four largest State worker bargaining units came to a close last week, the Civil Service Employees Assn. hailed the absence of any challenges as "a quiet but major victory" for CSEA.

Said Dr. Theodore C. Wenzl, president of the Employees Association which has held exclusive bargaining rights in the four units since 1969, "the inability of any competing union to muster sufficient support to challenge us in even one of these units can only indicate that State employees in general are happy with CSEA's efforts in their behalf."

"We knew this to be true two years ago, when CSEA beat almost all comers in the first official representation election among State workers. Their loyalty then was based upon CSEA's undisputed standing as the (Continued on Page 14)

grabbed an employee by the shirt in the Buffalo Division. "This was reported to Thruway executives at a labor-management meeting six weeks ago. No action has been taken."

Wenzl also cited the case of three secretarial employees from Albany who were on leave visiting clerical employees in the New York Division during the recent representation campaign involving CSEA and the challenger, the United Thruway Union.

"These employees were thrown out," he said. "Meanwhile representatives of our competitor who lost the election, were allowed access to all work areas during the campaign."

"The election outcome reaffirmed CSEA's status as bargaining agent for Thruway employees and even furthered our position. If the Thruway wants trouble instead of responsible employee-employer relations for (Continued on Page 14)

### Inside The Leader

Taylor Law Has Inconsistencies — See Page 9

State Civil Service Eligible Lists — See Page 13

CSEA Members Help Mother Nature — See Page 13

*Don't Repeat This!*

### Public Employees Should Not Have To Underwrite Govt.

AT its recent convention, the Civil Service Employees Assn. voted to demand a 15 percent increase in salary scales, to support legislation that would give public employees the right to strike after mediation and fact-finding procedures have been exhausted. (Continued on Page 3)

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# DON'T REPEAT THIS!

(Continued from Page 1)

and to support legislation that would recognize the "agency shop," the effect of which would be to require non-members to pay to the Association a fee equivalent to dues. The Convention also voted to support legislation to permit all public employees, including management and confidential employees, to maintain membership in public employee organizations and to permit such employee associations to bargain in behalf of employees who have retired.

The policies adopted by the Convention are perfectly realistic and reasonable responses

of CSEA membership to the problems that confront them, to the overwhelming need for an arsenal of weapons to preserve rights gained over the years by the public employees from unrelenting attempts by public administrators to undermine and destroy them. The records of PERB document only in part the degree to which some public administrators have resorted to unfair tactics to degrade the public employees and their delegated representatives.

### Dedicated Representation

Yet in spite of the reasonableness of these policies adopted by

CSEA, and even before you could say "Dr. Theodore C. Wenzl," some dyspeptic editorial writers whipped out their ready-mix typewriters and whipped off some mixed-up apoplectic editorials denouncing the CSEA in language that might have been suitable only if CSEA had adopted resolutions praising Joseph Stalin, Hitler, and Chou En-lai.

Anyone who has familiarity with CSEA and its history of dedicated representation of public employees knows that CSEA is not strike happy and has no intention of calling a strike as a first rather than a last resort. It is indeed true that last June CSEA for the first time was on the verge of a strike, but it was brought to the brink only by the intransigence of Rockefeller Administration executives, who were prepared to fire civil service employees and to move about like cattle unfortunate patients in the State's Mental Hygiene institutions. A strike was averted when the State Administration adopted the constructive program advanced by CSEA against the Administration's foolhardy program.

The demand for a 15 percent salary increase is modest and moderate, when compared to living cost increases in the past two years and when contrasted with salary gains by employees in the private sector. There is no reason why the civil service employee should be expected or required to subsidize the cost of government. And the sooner public officials learn that simple fact the sooner will their concerns over strikes by public employees evaporate.

### Agency Shop

Nor is there anything unusual in the CSEA support of legislation for an agency shop. Certainly that is a common practice in the private sector. Free-loaders are not welcome at the cocktail party circuits frequented by the dyspeptic editorial writers, and they are intolerable among civil service employees.

Under the law, all civil service employees, whether they are Association members or not, receive equal pay in the same employee classification. Improvements in salary scales, retirement and sick benefits, and in all other working conditions that are won by CSEA in collective bargaining are benefits that become available to members and non-members alike. Yet the dues of the members finance the costs of research, attorneys, and all other skills and talents that make collective bargaining an appropriate procedure for negotiations. It is only reasonable to request those who share in the gains to pay their appropriate share of the costs that made their gains possible.

It is not unlikely that the next session of the State Legislature will demonstrate that legislators are more alert than editorial writers to the needs and rights of public employees.

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**SOLEMN MOMENT** — Representatives from the Maryland Classified Employees Assn. (MCEA) and Correction Dept. representatives from Maryland along with Civil Service Employees Assn. officials pay their respects to their comrades who died in the Attica Prison uprising recently. Left to right are Jack Weisz, CSEA representative on the Board of Directors from the N. Y. Correctional Services Dept.; Joseph Cook, director of field operations for MCEA; Thomas Christy, CSEA field representative; Donald

Keadle, correction officer at Maryland Correctional Training Institute and a MCEA chapter president; Jacob J. LeHenky, correction officer at Maryland House of Correction and a MCEA chapter president; James Powers, CSEA regional field supervisor; Howard N. Lyles, assistant superintendent of the Maryland Correctional Training Center in Hagerstown, and Alfred W. Korpisz, correction officer at the Correctional Training Center. The Maryland visitors also met with various correction officers and CSEA representatives to discuss the problems and events at Attica.

## Binghamton SUNY Officials Bow To CSEA Grievance; Set New Furnace Safety Measures

VESTAL—The Binghamton chapter, Civil Service Employees Assn., has won a major battle in the fight for the safety of employees assigned to the heating plant at the State University of New York at Binghamton which may have far reaching effects.

The hazard centered around the size of an opening in a generator furnace convector and the conditions under which the men were forced to work inside the unit.

Binghamton chapter representative Eleanor Korchak said the problem was first brought to the attention of SUNY-Binghamton officials in March 1969, and grievance procedures were begun in December 1970 after officials had failed to take appropriate action to rectify the situation.

According to the employees, the opening into which the men were forced to enter the convector is only 12½ by 16 inches, creating an unsafe hazard in itself.

### Specifics

The specifics of the contentions involve the method by which access to what could be referred to as an ash pit, or ash collecting area of the primary generator, and the use of high-pressure nozzles and brooms to clean the generators' water

tubes.

These generators are essentially mammoth furnaces consisting of a coal-fired fire chamber with tubes above it containing water heated by gas generated by the burning of coal on grates below the tubes. Beneath the grates, in the lower part of the generator, is a well-like area approximately nine feet deep.

When ash accumulations around these water tubes reach a certain point, heating plant employees, small enough to fit through the tiny entrance, are required to go into the convector area by way of a plank, crawling inside on their abdomens and, while standing on this plank, clean the area with the nozzles and brooms. During this process, the brooms' action, coupled with the air nozzle, blows the fly ash free and onto the men working in the confinement of the area. The ash allegedly gets into the eyes of the workmen despite the wearing of goggles and makeshift face masks and the corrosive nature of the ash destroys clothing and irritates naked flesh.

### Initial Grievance

During the initial grievance, CSEA representatives alleged that:

- The employees were working in the heating plant generators under extreme pressure;
- The men were forced to work under intensive heat conditions;
- Safety goggles and face masks were grossly inadequate for the job;
- Equipment used in the cleaning process was of poor quality and not suited to the job;
- Entrance into the cleaning area was unsafe;
- Some men required to work in the area were not in the proper condition because of their size, their health or other ex-

tenuating circumstances, and

- The men were required to replace at their own expense clothing damaged because of their being forced to clean the area.

Chapter president Stanley Yaney and chapter representative Mrs. Korchak arranged a meeting with SUNY-Binghamton officials in January 1971, and resolved the situation to some extent when agreement was reached on the first three points. University officials, however, refused to reimburse the employees for their damaged clothing contending that the point could not be negotiated at the local level.

Despite the concern expressed by University officials over several of the points of contention, CSEA members and representatives elected to take their case to the appeals board on the grounds that the safety factors had still not been satisfactorily covered.

On Feb. 2, the initial appeal (Continued on Page 9)

## Flaumenbaum Thanks Friends For Letters

MINEOLA—Irving Flaumenbaum, president of the Nassau chapter and a director of the State Civil Service Employees Assn., expressed gratitude this week for more than 1,000 letters and cards received following a recent operation.

"I hope to see all these kind friends soon in the course of CSEA business, but the number of messages prevents me from making a prompt, written response to each," Flaumenbaum is recuperating from an operation for a long-standing gall bladder condition and has resumed his duties at the Nassau chapter office.

## Adamski Sends Condolences To Attica Victims' Families

BUFFALO — John Adamski, president of the Western Conference of the Civil Service Employees Assn., has reacted with sorrow and consolation to the tragic violence that resulted in the death of 10 employees at Attica Correctional Facility.

Adamski issued the following statement on behalf of the Conference:

"As president of the Western Conference of the Civil Service Employees Assn., and on behalf of all our members, I extend our deepest sympathy to the families who have suffered so much in the loss of their loved ones at Attica Correctional Facility.

"Words cannot truly express the feelings we have within us, the sorrows and frustrations. We stand ready to be of assistance to any of the aggrieved in their time of sorrow."

## Three Titles Under Fire

### CSEA Exams Panel Blasts 'Terrible' Test Conditions

Three State civil service titles were the object of attack recently in the report delivered by the work performance ratings and examinations committee. The report was made before the 61st annual meeting of the Civil Service Employees Assn., held at New York's Waldorf-Astoria Hotel.

Coming in for broadscale scathing was the Department of Civil Service, which conducts the exams.

In particular, the issue of the November 1970 tests for steno and senior steno was detailed. At that time, "terrible testing conditions" were said to exist. A committee effort to obtain new tests proved unfruitful.

"What is evident is that the Department of Civil Service has been aware of these conditions but did nothing to correct them. They agreed to take steps to rectify the deficiencies in the future, but agreed only to retest in Rochester and Mineola in spite of the serious complaints in three other centers.

"As a result," maintained the committee, "we asked CSEA to take this case to court which came up with a weird verdict that the conditions were bad, but the tests need not be readministered."

### Vigilance Pledged

The committee pledged to watch "like a hawk" to prevent a repetition of similar circumstances in the future.

Another court battle mentioned in the committee report centered on the associate accounting exam. The Department had struck out several answers on the basis of their premature release to certain employees. "Again, the Courts were sympathetic," said the committee, "but refused either to include the questions or, to re-test."

Other committee actions dealt

in the main with the move to eliminate orals and to restore the old system of review—permitting candidates to check their own answers against the approved ones.

According to Samuel Grossfield, committee chairman, the Department is obstinately opposed to getting rid of orals. "We have an obligation in the meantime," he says, "to point out the various shortcomings and deficiencies so, at least, these can be alleviated."

### Notes Breakthrough

Grossfield also called attention to the CSD's notification to proctors to have pre-rating review slips available. The old system of review will be tried out in one department this Fall, he said, terming this "a breakthrough, after several years of striving." The committee wants widespread implementation.

Other requests being pressed by the committee are the bid for more points for seniority and "greater relevance of questions which would be job-related."

A proposed change calls for more material on present job knowledge rather than skills needed for the promotional title.

Serving on the committee, along with Grossfield, are Alan Byer, Daniel Conway, Jacob Ronloff, and Frank Sanders, representing various areas of the State.

## Directors Elected In 2 Departments

ALBANY — Jane Reese and James Welch have been elected to the Board of Directors of the Civil Service Employees Assn. from the Social Services and Executive Departments, respectively.

The elections for the two departments were delayed because employees of training schools which were transferred from the Social Services Dept. to the Division for Youth in the Executive Dept., received ballots listing the Social Services candidates instead of Executive Dept. candidates.

## 24 Hr. Free Phone Service In Effect In Syracuse Area

SYRACUSE — Members of the Civil Service Employees Assn. residing or working in Seneca, Cayuga or Onondaga counties can take advantage of a 24-hour telephone service being sponsored by the Syracuse chapter, CSEA.

Members needing immediate service can call one of the four telephone numbers in order to contact a field representative. The numbers to call are:

- Seneca County . . . 568-6005
- Cayuga County . . . 253-9767
- Onondaga County . 685-3451
- City of Syracuse . 422-2319

The area code for all numbers is 315 and all calls to these numbers are toll free, Richard Cleary, chapter president, noted.

# Effects Of State Mental Hospital Closings Being Felt By Patients, Employees & Public

(From Leader Correspondents)

The effects of the closing of State Mental Hygiene Dept. facilities around the State are being felt by patients, employees and the general public, a survey by Leader correspondents has determined.

The effects are being felt in other institutions which have been geared up to accept the transferees from the closing hospitals.

As in any hard-fought battle such as that now being waged to block the closing of the Sampson State School for the Mentally Retarded, there are minor skirmishes and major engagements which are, on occasion, likely to result in casualties both of a physical nature and from a legal or moral standpoint.

Such was the case this past week as concerned parents, employees and private citizens stepped up their efforts to prevent the transfer of patients from that institution, the only one in the State geared for the education and rehabilitation of adults suffering mental retardation.

The chronology began on the previous Friday, when a citizens group, Friends of Sampson, headed by the Rev. Alton Stivers of Watkins Glen, held a news conference during which several reports were issued by group members, many of them knowledgeable in the field of mental hygiene, who had toured several of the institutions designated by the State as ultimate destinations for residents now under care at Sampson.

## Unannounced Visits

Those making the unannounced visit to the J. N. Adams Hospital division of the West Seneca State School, the Syracuse State School, the Craig Colony School and Hospital, and the Rome State School, included at least one team of parents, a social worker, and a supervising nurse from Sampson.

In the reports, these witnesses cited severe cases of overcrowding, understaffing and inadequate facilities at every institution visited.

One supervisor at the Craig infirmary, commenting on the tentative transfer of residents to Craig from Sampson, was quoted as saying, "We don't want them. We don't need them."

Apparent excessive restraint of residents of all ages at these institutions was evident according to the witnesses, because of the overcrowding and understaffing situations.

In at least one case, witnesses cited children, who had allegedly been abusive to others, locked in a day room at the West Seneca State School.

## Cheerless Setting

Inadequately furnished living quarters, the absence of personal touches in those quarters, practical but cheerless clothing and a lack of toys and other items were also pointed out by the observers, as were dilapidated buildings, allegedly devoid in some cases of even elementary safety equipment, such as heat-sensitive water sprinklers.

Despite the fact that in almost every case, the observers reported staff members undaunted in their desire to be of help, despite the obstacles to be overcome, the general consensus among the "Friends of Sampson" group was that the Sampson residents would obviously fare no better elsewhere, and would

## Special Leader Report

In every instance be far worse off at another institution.

Following a full weekend of planning strategy, some 100 Friends of Sampson sympathizers converged at the entrance to Sampson to physically block the transfer of residents to a vehicle, escorted by State troopers, for the trip to the Sunmount State School near Tupper Lake.

The Friends of Sampson learned that the transfer was not entirely successful.

## Patient Walked Away

Michael Grady, a Sampson attendant, said, "One unidentified resident who had boarded the bus apparently decided he didn't want to go after all. The resident," he said, "removed his nametag, walked to the front of the bus, and simply got off."

Unsuspecting attendants, apparently believing the man not to be a patient, let him pass unchallenged to return to the comfort and familiarity of Sampson.

Friends of Sampson organizers were later advised that the State had obtained a court injunction prohibiting the interference by the group with the transfer of Sampson residents. The court papers bore the names of Rev. Stivers and John and Mary Doe.

Undaunted, but determined to obey the court injunction, some 50 members of the ad hoc group returned to the Sampson grounds on Tuesday to demonstrate their opposition to the transfer of 23 more Sampson residents—in this case, to the Syracuse State School. Grady, among those participating in the Tuesday protest, said on Tuesday, "The number of State troopers escorting the bus had increased to 40." As the bus approached, the demonstrators—wearing black armbands and carrying banners and placards—several of which bore slogans commemorating the onset of the Jewish holidays—joined hands and watched silently. At this point, a former employee at Sampson, and a former CSEA member, 55-year-old Paul Fitzsimmons, left the group, went to his automobile, and returned to the roadway with a gallon jug.

## Self-Immolation

Pouring the contents onto the road, Fitzsimmons suddenly struck a match and stepped into the midst of the flames. As the gasoline-filled flames shot skyward, nearby troopers rushed to Fitzsimmons, whose trousers had caught fire, knocked him away from the flames, and into a partially-water-filled roadside ditch where the flames from his garments were doused.

Fitzsimmons was rushed to Geneva General Hospital, where he was treated for first-degree burns and later released. Now a free-lance writer, Fitzsimmons said his action was motivated by a deep and sincere desire to

dramatize the plight of those who are to be affected by the closing of the Sampson State School.

## Official No Help

Meanwhile, Grady charged that on both days, while all these incidents were taking place, an assistant commissioner of Mental Hygiene was present—yet failed to make an effort whatsoever to effect a peaceful and orderly operation.

As these developments were unfolding, Rabbi Irving Biegel, Jewish chaplain at Sampson, was attempting to delay the continuation of transfers from Sampson until the conclusion of the Jewish holiday observances. Rabbi Biegel had wired a departmental official in Albany, issuing his appeal. The rabbi's efforts were bolstered through the offices of Manhattan Congresswoman Bella Abzug, who finally succeeded in delaying the transfers—at least until Thursday.

The identity of the individual who directly ordered the suspension was not immediately determined.

Friends of Sampson, confronted with the court injunction, said: "We are still not beaten yet!"

Grady told The Leader: "We will continue to oppose the transfers, in some form or another, peaceful or otherwise. We absolutely refuse to die on the vine. There are," he asserted, "other avenues available and we intend to explore them fully."

## Sad Situation

He added: "It is a sad, sad situation when the only thing the State will listen to is violence or a riot! We can't even get into the courts to present our case," he said.

"They have refused to even listen to our side in an impartial court of law."

Until additional strategy is developed, the Friends of Sampson have elected to continue to dramatize their opposition to what they contend is the tragic uprooting of these unfortunates, by wearing black armbands until, as Grady put it, "the last patient is removed from Sampson."

Thus far, 86 patients have been transferred and 614 others are awaiting removal.

Grady said the black armbands are already having their effect on State officials—at least at the subordinate levels.

## Aides Suspended

Four employees at the Willard State Hospital, all CSEA members, were suspended indefinitely on Thursday by a Willard building supervisor who objected to the employees' wearing of the armband. Grady said the employees were told that they, in his words, "would remain suspended until they felt they could

perform their duties without the armbands."

Grady noted the suspension followed a supervisors' meeting at Willard, and was ordered, to the best of his knowledge, without the knowledge or approval of the Willard administrator.

Meanwhile, in the Buffalo area, the long-dreaded end of the Gowanda State Hospital farm was speeded recently when hospital officials placed 126 Holstein cows on the auction block.

"We'll have about 450 hogs left. I guess they will be eaten up as we go along," said Kenneth Volk, farm manager.

## On Borrowed Time

The farm was phased out in the budget-cutting measures invoked this year by the State Legislature. It has been on borrowed time since the budget was passed and the State implemented an employee-cutback program that particularly hit the Gowanda work force.

The auctioning of the cows and the subsequent shutdown of the hospital's dairy operation on Wheaton Rd., Town of Collins, was the first physical sign of the shutdown.

Recalling last Spring's notice of manpower cutbacks, Volk said "we are all on preliminary termination notices."

Besides Volk, 12 other full-time employees work the farm.

One who retired during the Summer was not replaced and five furloughed employees have not been called back to work or replaced.

## Uncertainty Exists

Volk, who has worked on the farm for 28 years, said an air of uncertainty exists regarding the attrition program mandated by the fiscal cutback.

He thinks the decision to phase out the farm was ill-advised.

"We have always shown a profit, although that wasn't the purpose. But the real benefit of patient therapy cannot be counted in dollar and cents," he contends.

Outdoor work by the patients, he added, resulted in savings in supervision and treatment. Also, he pointed out that if the cutback continues, the hospital will lose the value of crops grown on the fields north of Gowanda.

The dairy operation of the farm produced 2,000 quarts of milk daily that were sold through commercial channels.

The proceeds went to the State, but were offset by the milk bought from a commercial dairy for use at the hospital. The hospital's farm once supplied processed milk for the hospital, but the processing end of the operation was curtailed about five years ago.

## CSEA: Closing Date Nearing For Bargaining Spec. Entries

Oct. 1 is the indicated closing date for applicants intent on filing for collective bargaining specialist with the Civil Service Employees Assn.

This particular title, paying \$14,375 on entrance, offers two approaches: open-competitive and promotional.

Those taking the promotional channel need now be in a post with the CSEA at G-20 or higher, and will be rated on background and education. CSEA staffers at G-23 may apply for a lateral transfer.

Open-competitive candidates are required to produce a bachelor's in one of three fields: labor relations, industrial relations or public administration.

Supplementing that, you'll be asked for three years of work history on one of these specialty areas. Your exposure must have dealt in part with the negotiating of labor-management contracts.

## Experience Alternative

The CSEA Albany Office notes, too, that experience which involves contracts may be offered as a substitute for education, if the candidate wishes.

In any case, attainment of a driver's license and the ability to meet specified physical, character and residence requirements must precede appointment.

In terms of required aptitudes and skills, CSEA wants applicants who have "integrity, reliability, thoroughness, resourcefulness and good judgment" plus "the ability to understand and carry out complex oral and written directions." Possessing good powers of observation and the ability to meet and deal effectively with others will likewise be considered a strong asset.

## State CSD Shuts Filing For 2 Titles

The State Civil Service Dept. has scuttled two more titles from their Continuous Recruitment Series. Tagged for cancellation are the jobs of senior public health educator and medical inspector trainee.

No further opportunity for retest exists, declared the CSD, nor will a review of questions for those titles be permitted, in view of the cancellation decision.

## Madison Makes Bid For Custodial Help

Madison County residents alerted that entries for custodian are being taken continuously and exams given frequently.

Applicants for these jobs need a year of building cleaning or maintenance background or the equivalent. They will be subject to a written exam involving building operations and simple maintenance.

Salaries vary by school district. Requests for applications should be made to the County Civil Service Commission in Wampsville.



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**Appoint Walsh**  
 Governor Rockefeller has picked John M. Walsh of New York City as a member of the State Public Health Council, for a term ending in 1973. Walsh, vice president-public affairs for the New York Telephone Co. since 1967, was named to succeed Dr. Herman Hilleboe, who resigned.

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TUESDAY, SEPTEMBER 28, 1971

## What Do You Want? Big Talk or Results

THE failures over the years of the American Federation of State, County and Municipal Employees Union to effectively bargain for employees in New York State outside New York City—where they have never been challenged—has come back to haunt its leadership.

AFSCME has been trounced solidly in elections in recent weeks by the Civil Service Employees Assn. in Syracuse and on the New York State Thruway, and couldn't generate enough interest among other employees to even put up token opposition to CSEA in the four Statewide bargaining units represented by CSEA at the present time.

Meanwhile, CSEA has presented the State's Public Employment Relations Board with sufficient evidence to show that a representation election is necessary in the Security Unit. The AFSCME won rights to represent these 7,000 State employees last time out, but has yet to provide anything but a "me-too" attitude on benefits won legitimately at the bargaining table by CSEA experts.

Despite fiery statements by the AFSCME leadership before the last election on what employees were going to get; their constant rumblings that CSEA was no good; their half-truths about their strength and their bragging about their "highly qualified collective bargaining specialists," AFSCME has proved nothing except to let the employees they were supposed to represent down—and down hard.

When the chips were down on the austerity budget and the lay-offs, it was CSEA that led the way back.

We are sure that the employees who were stuck with the ineffectual leadership provided by AFSCME during their first opportunity to prove themselves on the State scene will remember this when voting for collective bargaining representative next month.

### SOCIAL SECURITY

Questions and Answers

Students 18 to 22 who collect social security are reminded to report their earnings and any changes in school enrollment, attendance, or marital status to their social security offices.

The reminder comes from social security officials here.

"If a student beneficiary leaves school or starts attending on a part-time basis, he needs to notify social security immediately," a spokesman said. "Either of these changes in

his status as a student will stop his monthly benefits if he is 18 or over."

A student's total yearly earnings from part-time or temporary jobs as well as self-employment can also affect his benefits, the spokesman said.

"Any student who knows his earnings for this year will exceed \$1,680 should report this to social security," he said. "Otherwise, he might receive payments which would have to be made up later."

#### Reduction Rationale

Social security benefits are reduced by \$1 for every \$2 if the student beneficiary earns between \$1,680 and \$2,880 in a year. Benefits are reduced by \$1 for every \$1 earned if he earns over \$2,880 a year.

## Civil Service Television

Television programs of interest to civil service employees are broadcast daily over WNYC-TV, Channel 31. This week's programs are listed below. For more details, phone the station at 566-3122.

Tuesday, Sept. 28

1:30 p.m.—Around the Clock—Police Dept. training series.  
6:30 p.m.—Return to Nursing—"Inhalation Therapy." Refresher course for nurses.  
7:00 p.m.—Around the Clock—Police Dept. training series.  
8:30 p.m.—Your Right To Say It: "School Systems—Problems and Solutions." Guest is Dr. Michael Bakalis, State superintendent of public instruction.  
9:00 p.m.—The Police Commissioner—Report on ongoing Police Dept. activities.

Wednesday, Sept. 29

6:00 p.m.—Return to Nursing—"Patient With Diabetes." Refresher course for nurses.  
6:30 p.m.—Around the Clock—Police Dept. training series.  
7:00 p.m.—On the Job—"Mask Maintenance." Fire Dept. training series.  
8:00 p.m.—Urban Challenge.

Thursday, Sept. 30

1:30 p.m.—Around the Clock—Police Dept. training series.  
6:30 p.m.—Return to Nursing—Refresher course for nurses. "Patient With CVA," Part I.  
7:00 p.m.—Around the Clock—Police Dept. training series.  
9:00 p.m.—The Police Commissioner—A report to the public.

Friday, Oct. 1

1:30 p.m.—Around the Clock—Police Dept. training series.  
9 p.m.—Community Feedback: "How Effective Are Local School Boards?" Zeke Clements, former principal of Brownsville's JHS 263.  
7:00 p.m.—On the Job—"Mask Maintenance." Fire Dept. training series.

Sunday, Oct. 2

7:00 p.m.—On the Job—"Mask Maintenance." Fire Dept. training series.  
10:30 p.m.—Mayor Lindsay: Discussion with guests, newsmen and audience about pressing issues of the day.

### Buffalo CSEA Chapter Hears Meeting Report

(From Leader Correspondent)

BUFFALO — Highlights of the State meeting of the Civil Service Employees Assn. were given at a recent meeting of the Association's Buffalo chapter.

A total of 143 members and delegates attended the session in the Plaza Suite Restaurant and approved the chapter's 1971-72 budget, which was presented by Grace Hillery.

Frederick Huber, chapter president, chaired the meeting and revealed that A. Victor Costa, head of the CSEA's restructuring committee, was the scheduled speaker for October's meeting.

Over 500,000 students, 18 to 22, get monthly social security payments because a parent collects disability or retirement benefits or has died.

Students can continue to get benefits to age 22 if they continue as full-time students and remain single.

## Civil Service Law & You

By RICHARD GABA



Mr. Gaba is a member of the New York State Bar and chairman of the Labor Law Committee of the Nassau County Bar Assn.

### Managerial/Confidential

(First part of a four-part article)

CHAPTER 503 of the laws of 1971 made certain important amendments to the Taylor Law with regard to managerial and confidential employees. These amendments raise the following questions:

- (1) Membership and office holding of managerial and confidential employees in employee organizations.
- (2) Inclusion of managerial and confidential employees in negotiating units.
- (3) Definition of managerial and confidential employees.
- (4) Procedure to be used by PERB for implementation of exclusion of managerial and confidential employees from negotiating units.

(1) Membership and office holding of managerial and confidential employees in employee organizations.

THE TAYLOR LAW was amended by adding a new section 214 to the Civil Service Law. This section provides that no managerial or confidential employee "shall hold office in or be a member of any employee organization which or seeks to become pursuant to this article the certified or recognized representative of the public employees employed by the public employer of such managerial and confidential employee." It is apparent that the purpose of this section is to prevent managerial and confidential employees from being in any way formally associated with the employee organization which they may be involved with in their capacities as public employees. This has been a concern since the inception of the Taylor Law. The initial concern about such membership was that this "may result in a conflict of interest." I PERB 540. Nevertheless, this opinion of PERB counsel did state, "There is nothing in the Taylor Law that would bar these persons from membership in the organization." Shortly thereafter, a more explicit opinion of PERB counsel was issued on this subject. It was his opinion that such membership "may result in one of two adverse effects on public employer-employee relations:

1. The employer will suffer an unfair disadvantage with all its dealings with employee organization; or
2. The employee organization will be employer dominated." 2 PERB 551.

BOTH THESE effects are extremely tenuous. The former effect may easily be resolved by efficient administrative practice that would separate the terms and conditions of employment received by rank-and-file employees from those of management. Too often, management employees are faced with the practice of having their own terms and conditions of employment directly related to those of employees who come under their supervision. The self-interest generated by this relationship is caused, not by the Taylor Law, but by poor administration.

AS FOR THE latter effect, it completely overlooks the democratic nature of public employee organizations. By weight of numbers alone, the rank-and-file employees may control their employee organization. On the other hand, if the employees feel that management will intimidate or otherwise control employees' organizational activities as a result of their subservient job relationship, then employees have a readily available remedy of merely voting to exclude such management employees.

IN ADDITION, this opinion of counsel also stated that "it would appear to be a prerogative of the public employer to refuse its managerial employees permission to be a member of an employee organization representing its rank-and-file employees." Thus, if the public employer actually believed it was adversely affected by having managerial employees remain as members of an employee organization, it could attempt to prohibit such membership by inserting a "yellow dog" (no membership) provision as a condition of employment. Since the new section 214 has no enforcement provisions for its violation, however, the legality of that approach is most unlikely. In addition, the same arguments would be raised against the inclusion of such a condition of employment as have been raised against the agency shop. In one case, non-membership is a prerequisite, and in the other the membership or agency fee is the condition. Furthermore, this whole section is now being challenged in a suit brought by CSEA with regard to its legality and particularly the constitutional right of free association of individuals.

## Halt Engin. Filing

Suffolk's Civil Service Dept. has announced the cancellation of both the open-competitive and promotional exams for assistant engineer. The cancellation will remain until further notice.



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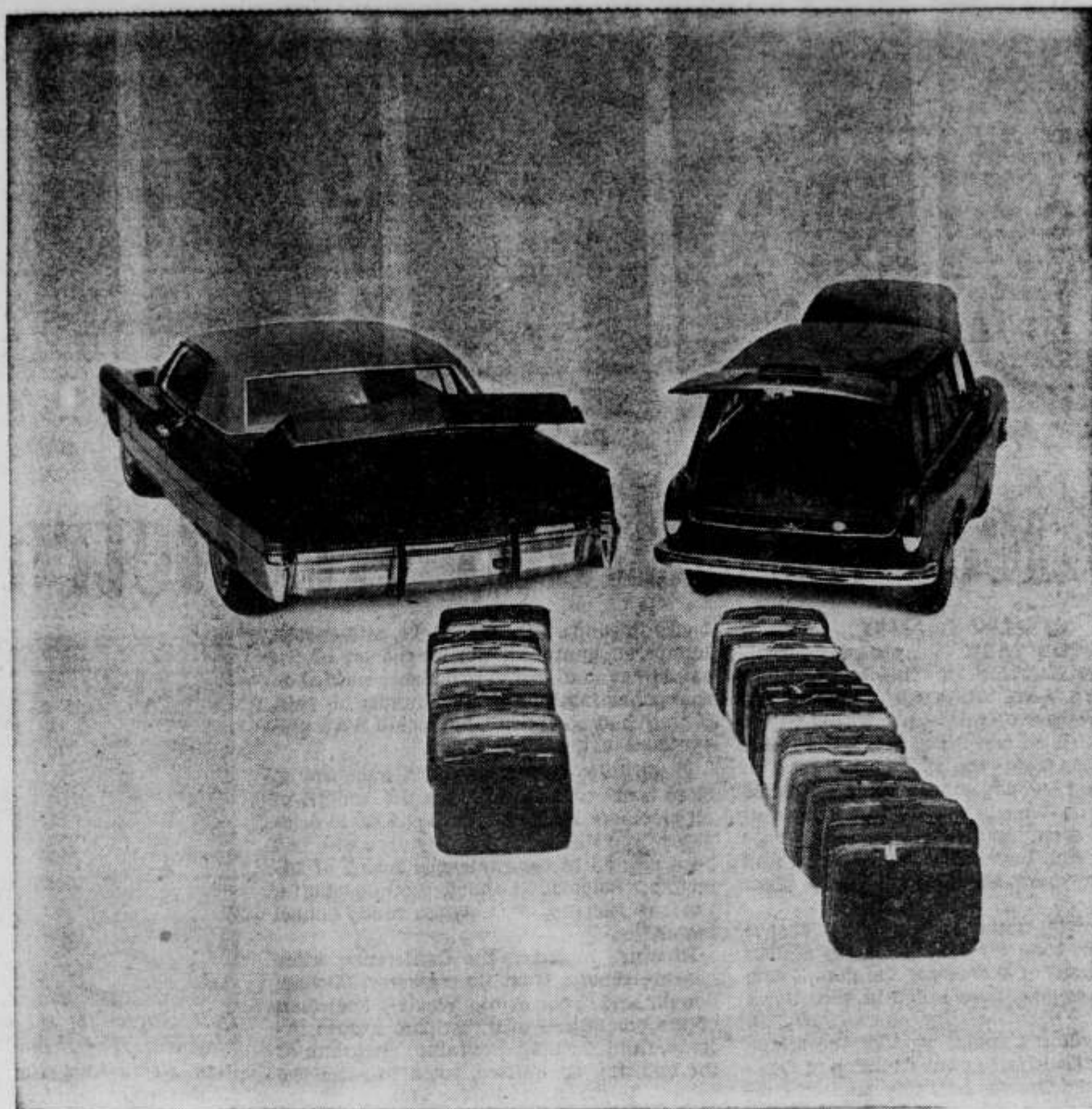
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AUTHORIZED  
DEALERS

# PRESENT REPORTS TO DELEGATES . . .



Randolph V. Jacobs



Jack Weisz



Philip Wexler



Michael Sewek



Anthony Fontaino



J. Featherstonehaugh

# Attica On Minds At Metro Meeting

By MARVIN BAXLEY

NEW HYDE PARK — Appearing at the September meeting of the Metropolitan Conference here, Statewide Civil Service Employees Assn. president Theodore C. Wenzl called on top State officials to seek more advice from "the man on the job."

Referring to judgements made at Attica State Prison, Wenzl said, "I think it is about time that some top officials seek the advice of people who have been around more and who know more about the business than they do."

Conference president Randolph V. Jacobs had set the tone for the meeting by calling for a moment of silence for the guards and the inmates who were killed in the Attica tragedy.

He then laid a major part of the blame for the Attica affair at the doorstep of Governor Rockefeller for having permitted cut-

backs in funds. These cutbacks, said Jacobs, hampered improvements in the lot of the employees and in improvements needed in the penal institution. The funds, he said, if they had been available, could have prevented the inmate uprising.

Jacobs also called for CSEA members to close ranks and to work for the benefit of all members. He then introduced those delegates from the New York City area who had been elected to the Statewide Board of Directors: Solomon Bendet, Ronnie Smith, Vincent Rubano, Jack Weisz and Michael Sewek.

In other business, the Conference, after hearing reports from its treasurer, Michael Sewek, and from Philip Wexler, chairman of the committee to investigate a dues increase, and Anthony Fontaino, chairman of the auditing committee, voted to raise the

(Continued on Page 14)



Host chapter for the meeting was the Department of Employment, D of E members shown here are, from left, William DeMartino, Ralph Fabino, chapter president John LoMonaco, Paul Greenberg and Mrs. Greenberg.



Manhattan State Hospital chapter president Amos Royals, left, congratulates Statewide CSEA president Theodore C. Wenzl on his re-election as they chat after the meeting.



New York City chapter president Solomon Bendet speaks, as Salvator Butero, seated, listens in.



Another table of representatives from host chapter D of E are, from left, sitting, Mr. and Mrs. Donald Harrison, Philip Hershey and Joy Gottsfeld; standing, Irv Shaimar and Herbert Laine.



Cleo Patra Ransom of Manhattan State, left, and her daughter, Nancy Spearman, give their names to Leader associate editor Marvin Baxley. (Leader photos by Ted Kaplan)



Dorothy King and Geraldine Thomas, both of Creedmoor Hospital, pay attention to discussion of Taylor Law presented by James Featherstonehaugh of legal staff.



Newly elected Mental Hygiene representative from Metropolitan area Ronnie Smith and his wife, Elaine, both from Willowbrook State Hospital, were among those who attended meeting.



# Binghamton Chapter Wins Grievance On Safety

(Continued from Page 3)

was rejected by the central administration and a decision was again made by tenacious CSEA representatives to appeal that central administration rejection of the initial appeal.

On March 24, a meeting of State University officials, CSEA representatives, SUNY-Binghamton heating plant employees and Appeal Board officers was held.

### Correction Needed

According to the testimony offered during that meeting, a problem did exist and corrective measures were in order.

Several witnesses, among them heating plant personnel, testified that at least two men had been injured while working in the convector area either in entering or leaving the tiny access door and that on several occasions employees had narrowly escaped falling into the hard-floored base of the convector chamber. Others testified that the level of visibility in the chamber during the cleaning operation was reduced to almost zero, posing an extremely unsafe condition.

University counsel Bezirjian contended that the door size met the requirements of the Department of Labor, the State Industrial Code and the American Society of Mechanical Engineers code and the boilers had been given inspection certification papers by the proper authorities during periodic reviews of the boilers' standards.

Attorney William Night, however, argued that the code outlined the minimum requirements and the inspection procedures did not concern themselves with the safe entrance or exit of the convector area.

The State University counsel also contended that the generators used at the SUNY-Binghamton campus were in use both in the United States and abroad and the method of cleaning is

essentially the same.

Witnesses also testified that no procedures had been devised to remove an injured man from the convector with ease should the need arise.

### Repairs Underway

Some of the recommendations made at that meeting are in the process at this time of being acted upon to correct the problem, including enlarging the access doorway.

Other recommendations include the utilization of vacuum cleaners inside the convector area to suck the soot particles from the areas to be cleaned and out of the air before those particles could damage eyes, skin or clothing; a retractable ledge to replace the 17-foot plank used to enter the area and stand on while performing the cleaning work, and the purchasing of protective clothing and headgear for use by the workmen assigned to clean the area.

Binghamton chapter officials said steps are already being made toward the actual correction of the unsafe conditions by University officials.

Yaney and Mrs. Korchak say additional meetings are to be held in the near future to continue to iron out details of the corrective measures.

## CSEA Crushes AFSCME Plan

(Continued from Page 1)

CSEA unit, and \$7 for Local 400.

"I was not surprised at the CSEA victory in Syracuse," Frank stated, "because CSEA has demonstrated an outstanding record in representing the white-collar employees in the past. All we had to do was remind the employees about the benefits that CSEA has won for them, and about the quality of representation they have received.

"At the same time, AFSCME's record in representing the blue-collar workers of the City helped to defeat them in their bid for the white-collar employees. It's well known around here that the blue-collar workers don't get much representation.

Frank said he thought the main element in CSEA's victory was the employee union's record in job protection.

"In perilous economic times, job security and job protection means more to any worker in public or private industry than almost any other aspect of his job. Let's face it—it's hard to find a good job today and be sure that you won't be fired because of an austerity budget tomorrow—especially in public service.

CSEA has defended and protected the job of every Syracuse employee who has come to ask for help, including those who are not represented by us," he continued. "This is one of the prime reasons for the existence of a union, and CSEA has lived up to its employees in job protection, where AFSCME has not."

Frank said that CSEA will be gathering employee suggestions for demands for the next round of CSEA-City negotiations, in the near future.

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**Pass Your Leader To A Non-Member**



Officers of the Mental Hygiene Employees Assn. hear Dorris Blust Pierpont give her last report as secretary-treasurer during the MHEA's annual Fall meeting which took place recently at the Waldorf-Astoria Hotel in New York City. Mrs. Pierpont is retiring from State service and has resigned as an officer in MHEA.

## — On Management-Confidential Unit —

# 'Taylor Law Has Inconsistencies,' Cipolla Advises MHEA Delegates

An inconsistency in the Taylor Law which concerns membership participation in unions of their choice was discussed at the annual meeting of the Mental Hygiene Employees Assn. at the Waldorf-Astoria Hotel recently.

Sam Cipolla, MHEA consultant pointed out that while a new group of employees—management and confidential—would be denied the right to participate in union activities under revisions of the law which were passed during the last session of the State Legislature, another section prohibits such action. The section prohibiting such action provides:

**No employee should be pressured, intimidated or coerced into joining any organization; nor should he be penalized for joining any organization.**

Members of the MHEA governing body agreed with Cipolla's contention that individual fights must be made to prevent the wholesale assignment of the "management and confidential" tag on Mental Hygiene Department employees.

### Rights Violated

In addition to losing representation, Cipolla noted, employees would lose the right to join CSEA—supported fully by MHEA—as well as the right to vote, hold office or participate in their own fiscal demands as an employee.

Additionally, Cipolla charged that the State was, in effect, removing some fringe benefits which the employees have been receiving through CSEA membership.

"I have no quarrel with the State's right to name its top leaders as management personnel," he noted, "but I do question the validity of placing grade 6 clerks in this category chiefly because they file papers for a supervisor."

Questioning the motive behind the wholesale placing of employees in the management-confidential category, Cipolla noted that one of the effects would be to attempt to make CSEA less effective through a split membership. This must not happen," he declared.

The MHEA officers noted the interrelationship between themselves and the CSEA and called for even more frequent meetings of top officials of both organizations.

### Job Freeze Effects

The adverse effects of the job freeze and reduction in force at

the various institutions of the Mental Hygiene Department was discussed with the consensus showing that those employees who had been furloughed are looking for employment elsewhere and their experience will be lost to the State in the future.

Officers of MHEA were urged to attend workshops and other educational conferences in order to keep pace with rapidly changing public employee labor practices.

Complaints were heard from several delegates from institutions in the Rochester area concerning reduced coverage from Blue Cross-Blue Shield because of the closing of the Rochester area plan and the transfer of members to the Albany-based plan. MHEA will ask CSEA to explore the problem in an effort to solve any inequities that are found.

### In Unemployment Post

Frederick C. Fischer, of New York City, has been reappointed a member, representing employers of the State Advisory Council on Employment and Unemployment Insurance. He receives \$69 per day.

**To Keep Informed,  
 Follow The Leader.**

## 800 Laid-Off Aides To Be Hired For Jobs At Staten Island Hosp.

STATEN ISLAND—State employees in the New York City area who were laid off and are on preferred lists will be the first to be hired when the new South Beach Psychiatric Center here is staffed in 1972, according to the Civil Service Employees Assn.

CSEA, which threatened a strike in order to force the State to rehire laid-off employees last Spring, said it had received assurances from Abe Lavine, director of employee relations for the State, that preferred lists will be used to staff the Center.

"The OER told me that approximately 800 employees will be hired in 1972-73," said CSEA executive director Joseph D. Lochner, "and that laid-off employees on the preferred lists will be hired."

## Wenzl Praises Highway Engrs.

ALBANY — Highway and transportation engineers in New York State were singled out for praise last week by Dr. Theodore C. Wenzl, president of the Civil Service Employees Assn., in connection with National Highway Week, Sept. 19 through 25.

Wenzl, himself educated as an engineer, and an honorary member in the New York State Association of Transportation Engineers, said, "The people who help design and build our highways should rightly be honored at this time, because they are the people who have helped to open the ways of opportunity to the citizens of our country. I am very proud to be a member of the Transportation Engineers Assn., and on behalf of CSEA, I extend to all highway and transportation engineers and other workers our greatest appreciation for their fine efforts."

Paul Cooney, a NYSATE officer and active CSEA member, told The Leader that "CSEA's cooperation with and friendship with transportation engineers in New York State has been appreciated by all of the engineers, and we hope that this cooperation will endure through all our future endeavors."

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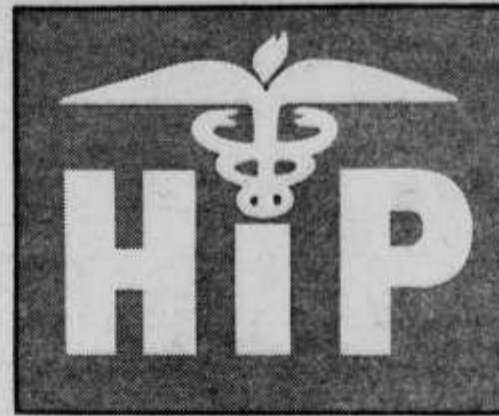
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# CSEA Members Helping Mother Nature

NIAGARA FALLS—Perched precariously 200 feet above the roaring water and rock-strewn gorge of Niagara Falls, employees of the Niagara Frontier State Parks Commission are writing another chapter in the Civil Service Employees Assn. book of odd jobs.

The men, working at times within 20 or 30 feet of the cascading American Falls, occasionally must scour the face of the gorge to topple

Others employed by the commission also took part in the operation, but didn't actually descend in the basket. Theirs was the task of supporting the men hanging above the swirling waters, by handling ropes, insuring safety and a myriad of other important duties.

"Jones, Pawlik and the engineer from the Corps of Engineers did the majority of the work," remembers Sweatman of the expedition. "I was more interested in learning the scaling process."

The Commission, he explained, had called on Jones and Pawlik before to perform the job.

"They're specially equipped for that kind of work by virtue of their experience as tree-trimmers," Sweatman said. The two, he pointed, are used to working at dizzying heights.

Besides knocking down loose rocks, the men also "carried on quite an extensive mapping mission" while in the basket, Sweatman explained. He said the mapping mission, with photos and film, furnished engineers and scientists with a

project among the men in the basket, the men on the ground above and the operator of the 25-ton crane, Ken Masters. "We depended a lot on him," Sweatman remembers of Masters' ability to maneuver the suspended basket precisely.

Four walkie-talkie units were used to keep tabs on the operation and were brought to the site



Three employees of the Niagara Frontier State Parks Commission, Donald Sweatman, Ted Jones and Rich Pawlak, scour of face of the Niagara Falls gorge in an attempt to free loose rock from the gorge.



The three workers inch closer to the face of the gorge in their "man basket" to get a closer look at some of the rock.



The American Falls, left, and the Canadian Falls, right, provide a historic background as the three workers probe a cliff.

loose rocks that might tumble, unsupervised, on to sightseers below.

To perform the task, the CSEA members hang in a six-foot long "man basket" attached to a giant cable strung from a crane resting on the famed Prospect Point observation area.

Donald Sweatman, 34, a maintenance supervisor who started as an electrician with the Commission 12 years ago, supervised one recent expedition over the face of the gorge.

"No, the thought never entered my mind," Sweatman replied when he was asked if he was scared.

"It's all part of the job."

Sweatman's role was more one of an observer than a worker on the rock-clearing project. Two tree-trimmers employed by the commission, Ted Jones and Rich Pawlak, and an engineer, actually handled the chores of probing the rocks.

graphic picture of the face of the gorge "for future remedial work."

The most recent inspection, rock loosening and map mission was triggered when a patrolman from the Niagara Frontier State Parks police noticed a change in the rock while on a routine surface inspection tour.

For Sweatman, what followed was an experience few men have the opportunity to participate in.

Working with five- and three-foot steel bars, the probers pry away the loose rocks from above, to avoid falling stone, spending many hours helping restore beauty and safety to one of nature's most marvelous wonders.

"I took my own camera along and got some real pretty pictures from a vantage point I would never have had," recalls Sweatman.

He explains the operation as a well-coordinated

after the first day, when the basket tilted precariously to a 30- to 35-degree angle after catching on a ledge the crane operator couldn't see.

Sweatman remembers that on the first day of work, spray from the nearby Falls completely drenched the basket's occupants. He recalls one particular rock "that must have weighed a ton" and had to be pried loose with hydraulic jack.

"It was quite interesting to watch some of the boulders bounce," he says, adding:

"We were curious to find out how far and which way they would bounce because there's an area below where the public can walk on a stairway at the base of the Falls."

Once, he remembered, "several large boulders actually crossed the asphalt path where people would have been, had we not shut down the area."

He pooh poohed the idea of fear.

"It's an interesting sensation to be suspended over the gorge and look down and know there's nothing down below but a bunch of rocks, but that only lasts for a few minutes and then you realize you have solid footing underneath.

"It's all part of the job," he concluded, casually.

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|----------------------------|------|
| 1 McDermott J Schoenectady | 82.1 |
| 2 Polinsky P Menands       | 81.9 |
| 3 Rupp W Menands           | 79.4 |

| MOTOR VEHICLE INSPECTOR   |      |
|---------------------------|------|
| 1 Graney J Pine Bush      | 84.0 |
| 2 Stefanovich J Cambridge | 83.0 |
| 3 Tomes J Olean           | 81.8 |
| 4 Park W Cheektowaga      | 80.7 |
| 5 Hamilton J Windsor      | 76.7 |
| 6 Dreher W Buffalo        | 74.7 |
| 7 Matt F Indian Lake      | 73.3 |
| 8 Glasgow E Tully         | 72.3 |
| 9 Tracy R Oxford          | 72.0 |
| 10 Fish H Holbrook        | 71.3 |

| SUPVG AQUATIC BIOL MARINE |      |
|---------------------------|------|
| 1 Redman J Brookhaven     | 80.5 |
| 2 Schaeffer R Oakdale     | 76.4 |

| SR CONSERVATION EDUCATOR  |      |
|---------------------------|------|
| 1 Irving I Rensselaer     | 82.0 |
| 2 McNulty C S Glens Falls | 79.6 |

| FILE CLERK PROBATE  |      |
|---------------------|------|
| 1 Bullion B Buffalo | 90.6 |

| SR AQUATIC BIOLOGIST MARI |      |
|---------------------------|------|
| 1 Haje R Farmingville     | 86.0 |
| 2 Vanolkenburg P Sayville | 83.0 |
| 3 Zacccha D Sayville      | 81.7 |
| 4 Zawacki C Pt Jfrsn St   | 81.0 |
| 5 Koetsner K Babylon      | 80.7 |
| 6 Briggs P Sayville       | 80.0 |
| 7 Greene D Riverhead      | 79.2 |
| 8 Keller W Saranac Lk     | 16.6 |
| 9 Finkelstein S Sayville  | 73.6 |
| 10 Brand A Oakdale        | 73.3 |
| 11 Fox R Farmingville     | 73.2 |
| 12 Spagnoli J E Northport | 73.0 |
| 13 Bonavist A New Paltz   | 70.8 |

| DOCUMENT CLERK             |      |
|----------------------------|------|
| 1 Staniszwski S Buffalo    | 93.8 |
| 2 Gratinko E Buffalo       | 92.2 |
| 3 Meinhart I Tonawanda     | 89.8 |
| 4 Bursick L Elma           | 85.3 |
| 5 Karolick A Buffalo       | 84.3 |
| 6 Rudniki M Orchard Pk     | 81.4 |
| 7 Zimmerman D Buffalo      | 81.0 |
| 8 Sweeney M Buffalo        | 78.2 |
| 9 Radke E Buffalo          | 77.4 |
| 10 Marcynski D Cheektowaga | 77.1 |
| 11 Mazur T Buffalo         | 76.4 |
| 12 Ross S Buffalo          | 75.4 |
| 13 Szymanski E Sloan       | 74.7 |
| 14 Robinson R Buffalo      | 74.1 |



Present at the signing of the agreement between the Civil Service Employees Assn. and the Education Dept. were members of the negotiating teams of both parties. Seated, left to right, are Betty Sinclair; Marion Martin, management; Philip C. Sperry, dept. employee relations officer; Robert Carruthers, CSEA team chairman; Kathy Naumowicz and Eleanor Chamberlain. Standing, from left, are Thomas Mace, management; Anthony Campione, CSEA research analyst; Vincent Gazzetta; Carl Wedekind, management; Daniel Maloney; CSEA collective negotiating specialist John A. Conoby; Herbert Magram; Walter Maxfield; Mary Conley; Harry Woodcock; CSEA former education chapter president Boyd Campbell, and Richard Sauer, management.

## Education Department Contract Signed

ALBANY — The Civil Service Employees Assn. has signed a pact with the State Education Dept. covering many much-needed improvements in benefits and working conditions.

Among the highlights of the agreement are:

- Established procedures for distributing and posting announcements of vacancies in competitive class positions at least 15 calendar days prior to the date they are to be filled (Applicable to members of the Administrative and Professional, Scientific and Technical Units);
- Provisions for a Monday through Friday work week except for special exceptions;
- An employee upon 15 days notice may inspect his personal history folder and file written responses to anything he deems to be adverse (Admin. and PST);
- Overtime authorized will be paid in cash to employees by the close of the third bi-weekly payroll period following the payroll period during which the overtime is earned;
- Out-of-title work provisions;
- All expense accounts will be processed as quickly as possible;
- The department agrees to reinstate the

use of lodging requests for those employees who wish to use them;

- A joint CSEA-Department Labor Management Council will be established;
- All employees with 25 or more years of State service shall be required only to indicate "present (P)" or "absent (A)" on the report of attendance form rather reporting the precise times of arrival and departure;
- The department will draft a work appraisal rating form to be used for employees in the Building and Grounds Maintenance Section (Operational Unit), except for charwoman. CSEA may review the form;
- Professional employees may receive extra service compensation as consultants if certain criteria are met;
- Permanent employees of the department may be granted leave without pay for a period not exceeding four weeks for teaching.

CSEA team members were Robert Carruthers, chairman; John A. Conoby, CSEA collective negotiating specialist; Mary Conley; Walter Maxfield; Kathleen Naumowicz; Betty Sinclair; Harry Woodcock; George LaFleur; Boyd Campbell; Daniel Maloney; Salvatore Tavormina; Eleanor Chamberlain; Herbert Magram and Alvin Rubin, Education chapter president.



**FIRST CLAMBAKE** — James A. Solinske, president of Civil Service Employees Association's State University chapter at Syracuse, purchases ticket to the unit's first clambake from

Lois Toscano, while other members of the outing committee look on. From left are: Donald Owens, Kate Owens, Marty Heintz, Richard Kempter and Nicholas Godino. The clambake was held at Pope's Grove near Syracuse.

# No Challenge To CSEA As Bargainer

(Continued from Page 1)

champion of public employees' rights in this State, throughout several decades in the days of informal collective bargaining," Wenzl contended.

"Now, the absence of any defection from CSEA's ranks after two years of stormy representation, under the formal bargaining procedures of the Taylor Law, is proof positive that CSEA is the choice of the vast majority of State workers. It's a tremendous vote of confidence," Wenzl added.

Wenzl also cited CSEA's victory in the recent bargaining agent's election among Thruway Authority employees as further evidence of his organization's solidly established status in the public employment sector.

"And even as we were emerging untouched from the challenge period in State units last week," he continued, "we were getting the happy news that CSEA had just beaten down an attempt by a local of AFSCME to win bargaining rights for white-collar employees of the City of Syracuse."

In order to have challenged CSEA's bargaining rights in any of the four State negotiating units it represents, a competing union would have had to submit to the State evidence showing that 30 percent or more of the employees in a given unit, or a portion of a unit, preferred to be represented by the competing group.

The period for challenging ran from Aug. 23-Sept. 22.

As a result of no challenges being made, CSEA will continue to represent the 140,000 employees in four of the State's five negotiating units — Institutional Services, Administrative Services, Operational Services, and Professional-Scientific-Technical Services. The duration of CSEA's bargaining agent status in these units is guaranteed until approximately eight months prior to

their next contract period, when the next challenge period will take place.

If successful challenges are then made, new elections will be scheduled.

CSEA was successful just recently in challenging the bargaining rights of Council 82, AFSCME, in the remaining State negotiation unit: the Security Services Unit.

As a result, a representation election is scheduled among these 7,000 employees in late October and early November.

A spokesman for the Employees Association expressed confidence that, based on current indications from among most groupings within the Security Unit, these employees, too, will go along with the consistent pattern emerging and vote CSEA in.

"From here, it looks like another Thruway and Syracuse," he said.

## Medi-Screening Opening Is Postponed

Opening of Medi-Screening Centers' proposed new center across from Lincoln Center in New York City has been delayed by construction problems, according to Herbert Kulik, vice-president of the Cutler Hammer subsidiary.

Originally, anticipated for September opening, the center will be prepared to give physical examinations sometime in October, Kulik explained.

As a result, he said, appointments requested by individual members of the Civil Service Employees Assn. for physicals will be scheduled soon. Firm dates and times will be sent out within the next couple of weeks, Kulik stated.

The Long Island center at 175 Jericho Turnpike, Syosset, is still in operation, he pointed out.

## CSEA Hits Twy Harassment Tactics

(Continued from Page 1) which CSEA is noted, then they'll have it."

The basis of the Thruway charges, contained in a Civil Service disciplinary proceeding, concerns a Sept. 1 visit by Dandrea and other CSEA representatives to the Thruway's Nyack maintenance barn. The Authority alleges that Dandrea was insubordinate to an assistant supervisor. It was further alleged that the supervisor ordered Dandrea off the premises. Dandrea contended that he appeared at Nyack on his own time as an official representative of CSEA and had every right to talk with employees under the CSEA contract.

The improper practice states that the action taken against Dandrea "constitutes an unconscionable harassment of a member and officer of CSEA in obvious violation of section 209A of the Civil Service Law." Wenzl says that he has received numerous reports from across the State that Thruway employees "are up in arms and will support their union in whatever action it takes."

## Metro Conf.

(Continued from Page 8)

dues to 20 cents per member, with a maximum of \$200 dues from any one chapter.

William Farrell was congratulated by the Conference on his promotion to regional field supervisor for the Metropolitan area. However, in related action, the delegates voted approval of a motion by Leonard Kapelman, of the State Insurance Fund, to demand that, in the future, CSEA Headquarters consult with the Conference president and all chapter presidents within the area before making major appointments.

The Conference also approved a plan submitted by president Jacobs for a President's Award, to be presented annually to someone in the public sector who has contributed to efforts to improve working conditions for public employees. The award will be determined by the Conference president and its executive board.

James Featherstonehaugh, of the Association's legal firm, was guest speaker for the meeting, discussing various ramifications of the Taylor Law.

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**Tinney Retiring After 35-Yr. Span in State Service**  
 William E. Tinney, of Glenmont, will retire Oct. 6 as assistant executive director-employee relations for the State

Thruway Authority. At the same time, the Authority will promote Brendan P. O'Carroll, of Scarsdale, to the new title of director of employee relations at \$27,966 salary.

Since 1960, O'Carroll has served as regional counsel for the Thruway in the metropolitan New York area. Tinney's retirement ends a 35-year career in State and Authority service, beginning in 1936 as an assistant examiner in the engineering section of the Department of Civil Service.

**Schulman Ascends To Tax Director**

Tax Commissioner Norman Gallman has announced the provisional appointment of Bertram L. Schulman, of Mineola, as director of the State miscellaneous tax bureau at an annual salary of \$27,966. He will succeed John J. Purcell, who retires Sept. 30.

Schulman entered State service in 1949 as a parimutuel tax examiner and rose through civil service examinations until his appointment in 1967 as assistant district tax supervisor in the Mineola office.

**Nixon Picks Poston**

Mrs. Ersa H. Poston, president of the State Civil Service Commission, has been named by President Nixon as a member of the new Federal Advisory Council on Intergovernmental Policy.

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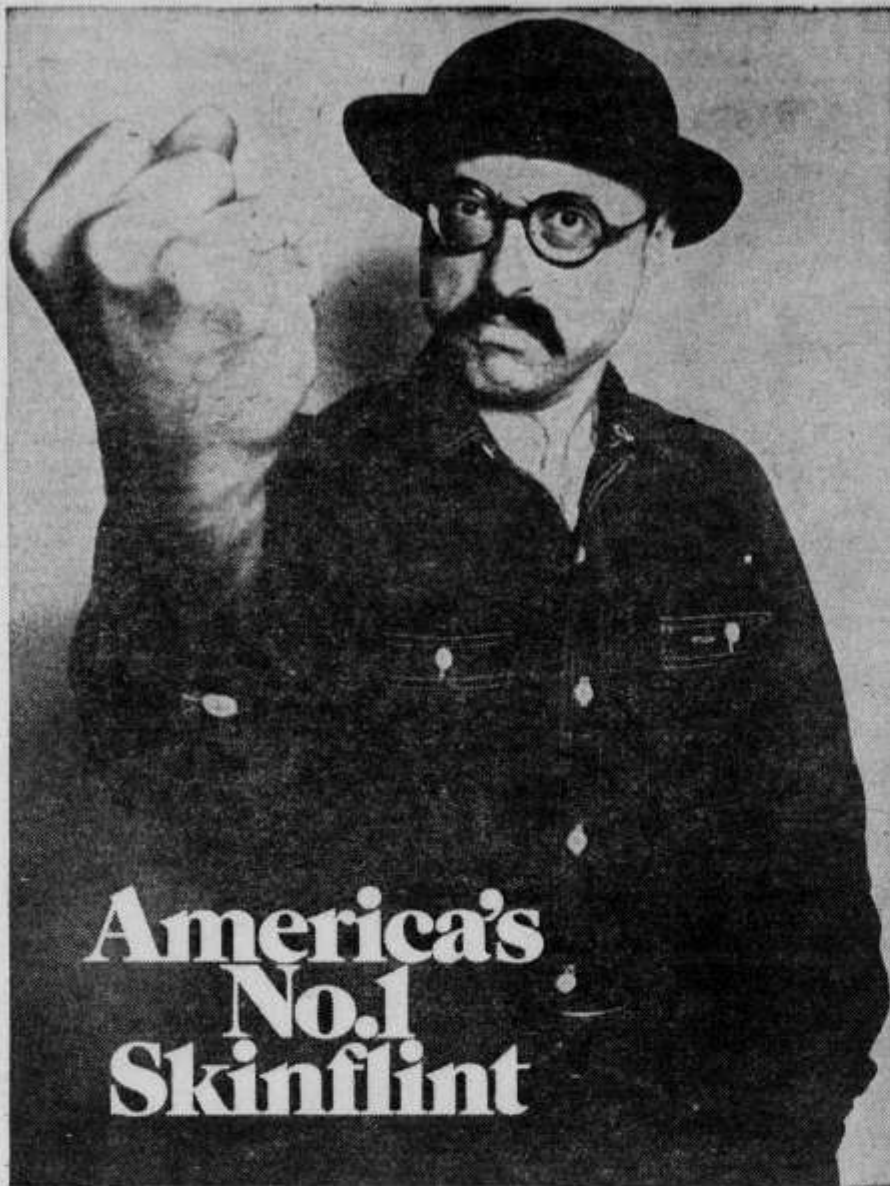
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Moneyworth is more than just a manual of Ralph Ginzburg's personal financial ploys. It is a jolly, brash, and—surprisingly—authoritative Fagin School in the art and science of shrewd investment and expenditure. It covers personal finance, investments, consumer affairs (including product ratings), and just about every other facet of money management.

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