

# Civil Service LEADER

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Tuesday, April 8, 1975

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## Retirees News

— See Page 14

# Fact-Finding Begins On State Re-opener



CSEA counsel John C. Rice, left, appears before fact-finder panel to set up procedures to be followed in arriving at recommendations in dispute between CSEA and Carey Administration over work contract for state employees. The fact-finders, from left, are John McConnell, chairman Maurice Benewitz and Jonas Silver.

## Meeting Implements 5-Point Program Adopted By Delegates

ALBANY—The first meeting of the fact-finding panel in the contract dispute between the State and the Civil Service Employees Assn. was held April 3.

Essentially, procedural matters were discussed at the opening session, with a further meeting set for April 5 and possibly another April 6. Details of the weekend meetings are not available, since they occurred after Leader presstime.

The three men named as fact-finders are Maurice C. Benewitz, of Manhasset; John W. McConnell, of Ithaca, and Jonas Silver, of North Merrick.

They are members of PERB's

Panel of Mediators and Fact-Finders. They also serve on mediation, fact-finding and arbitration panels for several other states and agencies.

An arbitrator since 1956, Mr. Benewitz, who will serve as chairman, has handled over 600 cases in both public and private labor fields. He has been professor of

labor economics at Baruch College and is presently on leave from the directorship of the National Center for the Study of Collective Bargaining in Higher Education at Baruch College. He holds a Ph.D. in Economics from the University of Minnesota. He is a member of the National

(Continued on Page 2)

**Don't Repeat This!**

## There Is Room For Negotiations—And State Must Do So

THE sharply divergent views among delegates of the Civil Service Employees Assn. is understandable. Just as a declaration of war reflects the failure of diplo-

(Continued on Page 6)

## Positions Far Apart In Dispute

As the State and the Association enter into fact-finding, the two parties remain significantly apart in their demands and offers.

The latest CSEA demands were for 15.5 percent pay raises, with employees receiving less than \$20,000 getting at least a \$1,350 a year raise, and those above \$20,000 getting a maximum of \$3,100.

This schedule was decided upon as the best means of aiding those people in the lower salary brackets who are most hard-hit

by inflation, without automatically resulting in high wage increases for top political-patronage people, who normally ride in on CSEA wage improvements.

The State has offered a \$250, one-time bonus, effective July 1, and an agreement to continue the traditional increments, but delaying them to July 1 also.

No offer has been made by the State on the question of disciplinary procedure, and no significant offer has been forthcoming on health insurance, an informed spokesman said.

## KEY ELEMENTS THAT SHAPED ACCORD FROM TUMULTUOUS DEBATE

### Carey Institutes Fact-Finding Procedure

I have your letter of March 29 and have discussed its contents with Mr. Northrup and others of my staff. I am aware that although the State has offered approximately \$50,000,000 in wage increases, negotiations are presently at an impasse.

The Public Employment Relations Board has indicated that it will, pursuant to the statutory impasse procedures, appoint a three-member fact-finding panel today.

Since I know that the State's negotiators have indicated to you the severe fiscal restraints in which we find ourselves and which I personally emphasized to you on March 9, I need not repeat such statements in this letter.

I do repeat, however, our request that you join with us in following the statutory impasse procedures as a means of resolving this dispute.

### Wenzl Agrees To Governor's Proposal

Your offer today was not received until after the commencement of the Delegates Meeting, and I read it as I was preparing to deliver my statement. Meanwhile, I directed an answer to be forwarded to you during the meeting.

While I disagree with your conclusion regarding the legitimacy of your offer or its impact on the State fiscally, I accept the offer to renew negotiations and to attempt to resolve the current impasse.

As your letter is being served, I recommended to the Delegates that they use all the tools available, and urge you to do the same.

This action requires good faith on both sides, and I trust your intent to proceed in that fashion accordingly.

Subject to the approval of the Delegates, I accept your offer to join with us in resolving the dispute.

### Delegates Approve Schedule For Action

1. CSEA shall institute court action on April 1, 1975, to force New York State to show cause why increments should not be paid, effective on the legally constituted date.

(Continued on Page 16)





CSEA Statewide Delegates meeting began in orderly fashion, as officers and other ranking officials of the union listened intently to the statement by Theodore C. Wenzl, the Association president, concerning the intransigence of the Administration.

## Fact Finding Begins On Contract

(Continued from Page 1)  
Academy of Arbitrators, the Industrial Relations Research Association, the Society of Professionals in Dispute Resolution, and the American Economic Association.

Dr. McConnell, an adjunct professor at Cornell University, is the former president of the University of New Hampshire, and former dean of the Graduate School and of the Industrial and Labor Relations School at Cornell University. A professional arbitrator since 1946, Dr. McConnell was a member of the War Labor Board and the Wage Stabilization Board. He also has served on numerous Presidential boards.

An attorney, Mr. Silver, received his LLB from George Washington University Law School. He has served as a supervising attorney with the National Labor Relations Board and has represented both employers and unions in legal matters before arbitration panels. An arbitrator, mediator and fact-finder, Mr. Silver has been active in numerous cases involving both public and private labor groups. He formerly was an economic advisor to a Federal Fact Finding Board and a labor economist with the Bureau of Labor Statistics of the U. S. Department of Labor. He is on the panels of Federal Mediation and Conciliation Service, the National Media-

tion Board, the American Arbitration Association, and the Federal Postal Arbitration Panel.

Their findings are not binding on the state. However, if action is not taken on the fact-finders' recommendations, the Association will institute a rule-book action on April 15. The rule-book action was one of five steps voted by delegates at CSEA's statewide convention earlier last week. The five points are listed in the box at the right side of page one.

The five-point declaration, as well as the reading of letters exchanged by Gov. Hugh Carey and CSEA president Theodore C. Wenzl (also printed on page one) brought to an end a raucous meeting that saw several very close votes on key issues.

What seemed apparent there was a definite mood for strong action to let the Administration know that the Association was prepared to take whatever action necessary to realize a fair settlement with the State on the third-year reopener of the contract that expires next April 1, 1976.

What was essentially in dis-  
(Continued on Page 4)



CSEA president Theodore C. Wenzl gestures emphatically as he calls Carey Administration to task for lack of good-faith bargaining. In early part of session he made controversial ruling on strike vote, but later returned to read letters he exchanged with Governor Carey agreeing to fact-finding.

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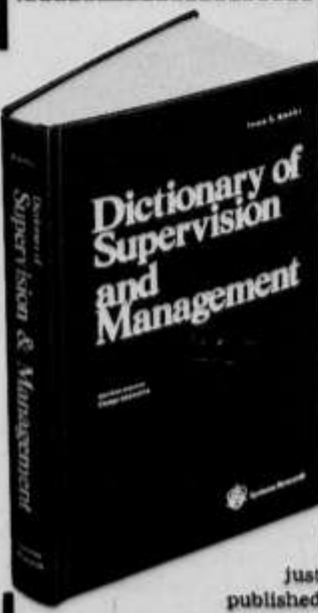
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### Clerk Examination Prep Sessions Set

MANHATTAN—The Civil Service Employees Assn. is giving a special preparatory course for members for the inter-departmental promotion examinations for Senior Clerk, Grade 7; Senior Account Clerk, Grade 9; Senior Audit Clerk, Grade 9, and Senior Statistics Clerk, Grade 9. The courses will begin Tuesday, April 8, and will be given twice weekly through Tuesday, April 29 at 2 World Trade Center, Manhattan. Additional information is available from Evelyn Glenn; the telephone number is (212) 488-2520.

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### Suffolk Ballots Are In The Mails

SMITHTOWN — The Suffolk chapter of the Civil Service Employees Assn. will tally a mail ballot on the proposed county contract settlement Friday, April 18.

Ballots were mailed with instructions that they must be returned to chapter headquarters by 2 p.m. April 18, when the tally will be made.

The proposed settlement provides pay increases in several ways, resulting in raises ranging from 11 percent to 17 percent for all employees. The package includes cost of living adjustments, regular increments, flat payments of \$1,000 for employees at top step and true longevity after 10 and 15 years.

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# Children's Services Employees Win An Onondaga Class Action

(From Leader Correspondent)

SYRACUSE—Onondaga County Child Protective Services employees have won a class action grievance against the county.

As of September 1973, the Legislature required that each county provide 24-hour protective services for children. Onondaga County devised a plan for primary and secondary workers to be on call. The employees were given token compensation for their night and weekend duty.

The employees filed a class action for additional compensation as stipulated in their contract with the county. The handbook for all employees states that, "all employees will be compensated with compensatory time off."

The employees charged that the county had changed their terms of employment without negotiating with the Civil Service Employees Assn.

A Public Employment Relations Board hearing ruled that the county did not change the terms of employment, as there was a remedy in the county employees' handbook for compensation. The charges against the county were dismissed.

In June 1974, the case went before arbitrator Irving Shapiro, who ruled in August 1974 that:

• Employees required to perform such duties should receive four days compensatory time off

for each seven days that they were on night and weekend assignment.

• One additional day off should be granted if the assignment fell on a holiday.

• Hour-for-hour time off should be granted for physical investigations, or those investigations made other than by telephone.

• Should the department head find it not possible to grant time off within 30 days, he may by mutual agreement with the employee agree to subsequent time off. If no such agreement can be

made, the employee should be paid for the time.

Onondaga County refused to accept the arbitrator's decision, stating that the arbitrator had exceeded his authority.

The county took CSEA to the State Supreme Court in an attempt to vacate the decision. This action was dropped this February with about \$12,000 to \$13,000 going to the employees involved.

Ron Smith, field representative and Earl Boyle, CSEA regional attorney, represented the county employees.

## Buffalo Dinner Meeting

BUFFALO—The Buffalo chapter, Civil Service Employees Assn., will hold a dinner meeting Wednesday, April 16. The event will be held at the Plaza Suite Restaurant, One M & T Plaza, Buffalo. It will begin at 6 p.m.

BUY  
U. S.  
BONDS!

## ① CSEA calendar ①

Information for the Calendar may be submitted directly to THE LEADER. It should include the date, time, place, address and city for the function. The address is: Civil Service Leader, 11 Warren St., New York, N. Y. 10007. Attn.: CSEA Calendar.

### APRIL

- 8—Orange County unit board of directors meeting: 7 p.m., Casa Fiesta, Middletown.
- 9—Orange, Ulster and Sullivan Counties Retiree chapter meeting: Solomon Kiner Building, Middletown Psychiatric Center, Middletown.
- 14—Statewide Human Rights committee meeting: 12 noon, Holiday Inn, Route 9, Fishkill.
- 16—Buffalo chapter dinner meeting: 6 p.m., Plaza Suite Restaurant, One M&T Plaza, Buffalo.
- 17—New York City chapter executive board meeting: 5:15 p.m., Francois Restaurant, 110 John St., Manhattan.
- 17—Edward J. Meyer Memorial Hospital unit nomination meeting: Candlelite Room, 3740 Harlem Road, Cheektowaga.
- 18—Drawing for ballot positions for CSEA statewide elections: CSEA Headquarters, 33 Elk St., Albany.
- 23—Metropolitan Armory Employees chapter meeting for nomination of officers: 2 p.m., Kingsbridge Armory, 29 W. Kingsbridge Road, The Bronx.
- 25-26—Syracuse Region 5 meeting: Hotel Syracuse, Onondaga at Warren Street, Syracuse.

### MAY

- 5—West Seneca Developmental Center chapter meeting.
- 6—Syracuse Area Retirees' chapter luncheon meeting to elect and install new officers: 1 p.m., Raphael's Restaurant, State Fair Boulevard, Syracuse.
- 7—Statewide Committee to Study Probation open meeting for Oneida, Madison, Otsego, Herkimer and Chenango County probation officers: Treadway Inn, New Hartford.
- 9—Binghamton chapter Meet the Candidates Night and dinner-dance: 6:30 p.m., Fountains Pavilion, Johnson City.
- 9—Albany Region 4 "Mix and Mingle": 5:30 p.m. to 1 a.m., Polish Community Center, Washington Ave. Ext., Albany.
- 14—Suffolk County Retiree chapter meeting: 1 p.m., Gullhaven Golf Club, Central Islip Psychiatric Center, Central Islip.
- 14-16—Conference of New York State Armory Employees annual meeting and election of officers: Holiday Inn, 57th Street and Ninth Avenue, Manhattan. (Annual banquet May 15).
- 15—Deadline to submit petitions for CSEA statewide and regional offices.
- 23—Mailing of ballots to CSEA members in statewide election.

### JUNE

- 21—Last day for returning ballots in CSEA statewide election.
- 27—Counting of ballots by Ernst Associates, Albany, in CSEA statewide election.
- 28—Announcement of results in CSEA statewide election.

# Ask Fact-Finder Hearing In Stalled Syracuse Talks

SYRACUSE—The negotiating team members of Unit 6, Syracuse City School District, Civil Service Employees Assn., informed unit members that it has asked a fact-finder in a contract dispute with the district to schedule a hearing on the issues as quickly as possible.

In a letter to the members of the unit, the team noted that it feels "the district has been stalling all through negotiations and has been totally unfair to the employees in the bargaining unit." The letter was intended to bring the union members up to date on contract negotiations progress.

It noted that, "After many negotiating sessions, the CSEA negotiating team declared impasse. A mediator was assigned and after four sessions, which proved fruitless, we asked that a fact-finder be assigned to hear the issues and make a formal recommendation for settlement."

"In the interim, a tentative agreement was worked out between the Syracuse City School District negotiator and CSEA. A letter was sent by the school district's negotiator to the fact-finder informing him of the tentative agreement and adjournment of the fact-finding session.

"The school district's negotiator then presented the tentative agreement to the superintendent of schools for his approval. The superintendent of schools rejected the tentative agreement."

The letter then noted that the team then requested the fact-finder's hearing.

# Decry Alleged Imposition Of New Broome Contract

(From Leader Correspondent)

BINGHAMTON—The Broome County unit, Civil Service Employees Assn., has filed an improper labor practice charge against the county in the aftermath of the imposition of a 1975 contract.

Unit president William McMann said that the action of the County in imposing the contract terms "represented direct, immediate and insidious precedent by threatening to deprive county employees of every right and benefit secured by the employees through collective bargaining."

Mr. McMann added that in response to the formal complaint, the Public Employment Relations Board should rule that the terms of the contract were not, as he put it, "in the public interest, including the interest of the employees involved."

The complaint alleges that because of the county's failure to bargain in good faith, the contract should be replaced with the proposed pact agreed to by county and CSEA negotiating teams in September 1974 and the county should be directed to exclude county legislators as members of future negotiating teams. Two legislators who served on the county's bargaining team, Fourth District Republican Brian M. Prew and Eighth District Republican Frank Boungiorne, are no longer serving as county legislators.

The CSEA unit contends that the county engaged in an attempt to impose a contract on its employees by having the county's negotiators agree to a proposed pact last September when they knew the accord would be rejected by the legislature.

The complaint also charges that the legislators met in secret meetings to reject the proposed agreement with the express intention of unilaterally imposing a contract.

The unit also contends that the presence of legislators on the county's negotiating team deprived county employees of a fair hearing in the legislature during public sessions and hearings.

The Broome County legislature acted under a provision of the Taylor Law to impose contract provisions on county employees after a lengthy series of negotiations with county CSEA representatives failed to result in a new, mutually acceptable con-

tract.

Under the terms of the imposed settlement of the dispute, employees will be granted a 10 percent pay increase, 9 percent of which will be across the board with the other one percent earmarked for the salaries of employees required to work an extra hour each day during the months of July and August, when the traditional 4 p.m. office closing time will no longer be in effect. In the past, the offices had been closed early due to poorly ventilated offices in an old building. Two years ago the county moved into air-conditioned quarters in the new government center in downtown Binghamton and this, county officials said, eliminated the necessity for early hours.

CSEA opposition to the imposition of the contract terms was met by the resolution's sponsor, Mr. Boungiorne. He said that county employees possess job security far in excess of the average taxpayer as well as fringe benefits not usually enjoyed by employees in the private sector. He did concede that

salaries may be in need of adjustment because of inflation.

Mr. Boungiorne's measure was opposed by 15th District Legislator Joseph Svoboda who contended that the provisions were inequitable. Mr. Svoboda said he felt that if the county intended to mandate a contract, "it is inadequate and unfair to give those who are making only \$4,000 and \$5,000 a year the same percentage increase that those in a \$20,000-a-year-and-up bracket are getting. We've got to start looking at those minimums and making them fair," he said.

At an earlier hearing before the legislature's finance committee, former unit president Jack Herrick had pledged "increased productivity and better quality service" in return for an acceptable pay raise. Mr. Herrick added that the question of the 4 p.m. closing time during the months of July and August was one the CSEA was willing to negotiate, but he felt the county was, in effect, "trying to steal that benefit from the employees."

## Calls Syracuse Region Meeting

SYRACUSE—Delegates to the Syracuse Region 5 of the Civil Service Employees Assn. will meet here April 25-26, according to regional president Richard Cleary.

This meeting replaces the one that had been previously scheduled as part of the Statewide Delegates Meeting, cancelled because of the crisis in contract negotiations between CSEA and the State.

Mr. Cleary said that he anticipates the regional meeting will be one of intense debate, since it will be the weekend just prior to expiration of the grace period that CSEA has given the State to come to terms on the contract dispute.

Site of the meeting will be the Hotel Syracuse, Onondaga and Warren Streets, in the city's downtown area.

## CSEA To Represent Whitehall Schoolers

ALBANY—The Civil Service Employees Assn. has been designated bargaining representative for non-instructional employees of the Whitehall Central School District by the State Public Employment Relations Board.

Employees included in the bargaining unit are full- and part-time secretarial, clerical, maintenance, service and transportation employees, teacher aides and all other regular full-time and part-time employees of the district.



# Open Continuous State Job Calendar

Assistant Actuary	\$10,714	20-556
Assistant Clinical Physician	\$27,942	20-413
Associate Actuary (Life)	\$18,369	20-520
Supervising Actuary (Life)	\$26,516	20-522
Principal Actuary (Life)	\$22,694	20-521
Associate Actuary (Casualty)	\$18,369	20-416
Supervising Actuary (Casualty)	\$26,516	20-418
Senior Actuary (Life)	\$14,142	20-519
Chief Physical Therapist	\$17,629	27-448
Clinical Physician I	\$27,942	20-414
Clinical Physician II	\$31,056	20-415
Compensation Examining Physician I	\$27,942	20-420
Dental Hygienist	\$ 8,523	20-107
Dietitian	\$10,714	20-124
Supervising Dietitian	\$12,760	20-167
Electroencephalograph Technician	\$ 7,616	20-308
Food Service Worker	\$ 5,827	20-352
Hearing Reporter	\$11,337	20-211
Histology Technician	\$ 8,051	20-170
Hospital Intern Corrections	\$10,118	20-555
Assistant Hydraulic Engineer	\$14,142	20-135
Senior Hydraulic Engineer	\$17,429	20-136
Industrial Foreman	\$10,714	20-558
Junior Engineer	\$11,337	20-166
Laboratory Technician	\$ 8,051	20-121
Public Librarians	\$10,155 & Up	20-339
Licensed Practical Nurse	\$ 8,051	20-106
Medical Specialist II	\$33,704	20-408
Medical Specialist I	\$27,942	20-407
Mental Hygiene Asst. Therapy Aide	\$ 7,204	20-394
Mental Hygiene Therapy Aide (TBS)	\$ 7,616	20-394
Nurses Services Consultant	\$15,684	20-405
Nurse I	\$10,118	20-584
Nurse II	\$11,337	20-585
Nurse II (Psychiatric)	\$11,337	20-586
Nurse II (Rehabilitation)	\$11,337	20-587
Occupational Therapist	\$11,337	20-176
Senior Occupational Therapist	\$12,670	20-550
Offset Printing Machine Operator	\$ 6,450	20-402
Pathologists I	\$27,942	20-410
Pathologist II (Board Eligible)	\$33,704	20-411
Pathologist II (Board Certified)	\$35,373	20-411
Pathologist III	\$38,449	20-412
Pharmacist	\$12,670	20-194
Senior Pharmacist	\$14,880	20-194
Physical Therapist	\$11,337	20-177
Senior Physical Therapist	\$12,670	20-551
Principal Actuary (Casualty)	\$22,694	20-417
Psychiatrist I	\$27,942	20-390
Psychiatrist II (Board Eligible)	\$33,704	20-391
Psychiatrist III (Board Certified)	\$35,373	20-391
Radiology Technologist	(\$7,632-\$9,004)	20-334
Radiology Technologist (T.B. Service)	(\$8,079-\$8,797)	20-334
Senior Recreation Therapist	\$11,277	20-553
Senior Recreation Therapist	\$12,670	20-553
Rehabilitation Counselor	\$14,142	20-155
Rehabilitation Counselor Trainee	\$11,983	20-155
Asst. Sanitary Engineer	\$14,142	20-122
Senior Sanitary Engineer	\$17,429	20-123
Specialists in Education	(\$16,358-\$22,694)	20-312
Speech & Hearing Therapist	\$11,337	20-178
Sr. Speech and Hearing Therapist	\$12,670	20-552
Stationary Engineer	\$ 9,546	20-100
Senior Stationary Engineer	\$10,714	20-101
Steam Fireman	\$ 7,616	20-303
Stenographer-Typist	\$ varies	varies
Varitype Operator	\$ 6,811	20-307
Supervising Veterinarian	\$14,880	20-313/314

Additional information on required qualifying experience and application forms may be obtained by mail or in person at the following offices of the State Department of Civil Service: State Office Building Campus, Albany, New York 12226; or Two World Trade Center, New York, New York 10047; or Suite 750, 1 West Genesee Street, Buffalo, New York 14202.

Specify the examination by its number and title. Mail your application form when completed to the State Department of Civil Service, State Office Building Campus, Albany, New York 12226.



Straining to recognize speaker in audience, CSEA vice-president Irving Flaumenbaum, who chaired most of the meeting, peers out at audience. At left is another CSEA vice-president, Joseph McDermott, of Albany Region 4, and at right are Joseph Keppler, president of Central Islip Psychiatric Center chapter, and Richard Doucette, president of Public Service chapter, Albany. Mr. Flaumenbaum, president of the union's Long Island Region 1, is CSEA's highest ranking county officer, and, therefore, not directly involved in the debate over the state contract.

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## Fact Finding Begins

(Continued from Page 2)

pute was the timing of the action.

The first vote, calling for a strike at midnight, April 1, was ruled passed by Dr. Wenzl. This was by voice vote.

A roll call vote later in the afternoon resulted in rejection by delegates of an April 14 strike deadline. The vote was 544 to 531, with some abstentions. This 13-vote margin is in itself misleading, since some of the negative votes were cast based on three separate alternatives: no strike, a later postponement or immediate strike.

The final voice vote was for the five-point schedule, and this was ruled approved by vice-president Irving Flaumenbaum, acting as chairman. Again, however, (Continued on Page 5)

## Pre-Exam Classes Set At Kings Park

**KINGS PARK** — The Kings Park Psychiatric Center chapter, Civil Service Employees Assn., is sponsoring a series of pre-exam classes for chapter members who plan to take the senior account clerk examination, according to Joseph Alello, chapter president.

The CSEA official said that the classes have been arranged and are being paid for by the Kings Park chapter. Sessions will be held in Building Seven of the Kings Park facility from 5 p.m. to 7:30 p.m. on April 14, 16, 21, 23, 28, and 30.

Any Kings Park CSEA chapter members interested in these classes should contact Mr. Alello.

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Kenneth Cadieux, right, president of the union's Town of Hempstead unit, was proctor for one of the floor mikes set up for delegates' use. The speaker here is Samuel Grossfield, president of Rochester chapter. Behind, delegates from New York City chapter, Willowbrook Developmental Center and Creedmoor Psychiatric Center chapter await their turns.



At the point that strike vote was taken, Anne Urban, president of Commerce chapter, Albany, rushed to the stage in dramatic appeal for reconsideration. With her is John Gully, of Albany Tax and Finance chapter.

## New York State's No. 1 "Get-Well" card



Blue Cross and Blue Shield Plans of New York State

Equal Opportunity Employers

## Fact Finding Begins

(Continued from Page 4)  
The ayes and nays seemed almost evenly divided.

Mr. Flaumenbaum is the ranking officer who is not a state employee, and also the longest serving of CSEA's vice-presidents. Mr. Flaumenbaum took charge of the meeting after Dr. Wenzl, executive vice-president Thomas McDonough and vice-president William McGowan had left the meeting.

Delegates opposed to the early strike ruling stayed, however, to dispute the vote. Mr. McDonough and Mr. McGowan returned soon after.

Later, Dr. Wenzl, too, returned to the meeting, explaining to the Delegates that he had several pressing items of business to conduct concerning the negotiations. He then read copies of the letters that had been exchanged by him and the Governor accepting

(Continued on Page 13)

## Two Jobs In Suffolk

HAUPPAUGE — Graduation from high school and four years of experience in public works engineering construction will qualify candidates for \$7,500 to \$11,000 a year engineering inspector positions—exam 15-161—in Suffolk County. Candidates should apply to the county civil service department.

A written exam will be given May 3. Filing closes April 9.

Filing for municipal personnel technician trainee, exam 15-176, at \$10,118 a year, will be accepted until April 19.

Candidates need a bachelor of arts degree or four years of responsible administrative, managerial or professional experience.

There is no residency requirement for either job.

The written exam will be given May 3.

Those interested must file with the Suffolk County Department of Civil Service, H. Lee Dennison Executive Office Building, Veteran's Memorial Highway, Hauppauge, zip 11787



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TUESDAY, APRIL 8, 1975

## Save This Program

THERE is little to recommend Gov. Hugh L. Carey's plan to eliminate the state's meat and poultry inspectors and to turn the responsibility over to the federal government.

The Governor's proposed budget will fund the state inspection program only through the end of September. The end of the state program, the Governor seems to feel, will be an economy.

But will it?

As a cogent position paper issued by the inspectors and sent to state assemblymen and senators pointed out, the Governor has allotted \$1,087,550 to fund the program this year. Based on last year's figures, \$2,412,262 is needed to run the meat inspection program for 12 months. This latter figure is 0.002 percent of the \$10.6 billion New York State budget proposed by the Governor, a not especially impressive percentage.

A saving? Perhaps in the short term. But what about the nearly 300 state inspectors who will be wiped from the taxpayer rolls if their jobs are eliminated? What about the many small wholesale and retail businesses — taxpayers all — which will be forced to close? The state inspectors, while demanding the highest standards from these businessmen, also understand their problems. This will probably not be the case if the inspection program goes to the federal government. What about the revenues that will be surely lost in illegal distribution of meat and poultry by clandestine operators? These persons now find it impossible to operate because of the state inspectors.

But more important, what about the program itself? New York State's inspection program is regarded as one of the best — if not the best — in the nation. It is highly doubtful that the federal government could provide a program that would give New York Staters the superior consumer protection they presently receive.

We believe Governor Carey's plan to end the state inspection program is a false economy. We believe his plan will, in the end, hurt the consumer. We believe his plan will not prosper and we counsel strongly against it.

## Questions & Answers

**Q.** I'm a student getting social security payments. In the summers I work at a part-time job. Someone told me that I'll be able to earn more than \$2,100 this year and still get all my social security checks. Is this true?

**A.** This year you can earn as much as \$2,400 and still get your full social security benefits. If you earn more than \$2,400, \$1 in benefits will be withheld for every \$2 you earn over \$2,400. Regardless of your total earnings for the year, you'll get your checks for any month in which your earnings are \$200 or less.

**Q.** My sister, who has 4 children, has very little income. Her 10-year-old son is mentally retarded. Can she get a monthly supplemental security income payment for her son?

**A.** It depends on how severe the child's condition is and what the family's income and resources are. Your sister should contact any social security office to get complete details.

**Q.** My children and I have been getting monthly social security checks since my husband's death last year. He had been in the Army since 1952. Someone told me that there was a change in figuring social security benefits for military service. Is this true?

**A.** Yes. A new provision of the law gives additional military wage credits of \$100 per month for active military service after 1956. You must apply to receive this additional credit. You can do this at any social security office.

## Don't Repeat This!

(Continued from Page 1)

macy so does a strike mark the failure of collective bargaining.

Moreover, in the public sector, all of the weapons are stacked against the public employees. Leaders of public employee organizations have served jail terms because of strikes. The leaders of such organizations have been fined. And so have striking members. This is the law of the vast majority of jurisdictions. It is the law in New York State under the Taylor Act.

### Right To Strike

On the other hand, we have moved a long way from the dictum of Justice Oliver Wendell Holmes that a public employee does not have a right to his job and may be fired for participating in a strike. Indeed a number of states recognize the right of public employees to strike, except in such critical areas of police and fire protection and in areas where the state has custodial responsibilities such as mental institutions and in prisons.

Irrespective of state laws prohibiting public employee strikes, such concerted action by public employees is not unusual, and the evidence shows that they have been increasing. For example, in 1958 there were only 15 work stoppages in the public sector. In 1968 there were 254. Since then, there have been years in which more than 400 strikes of public employees have been tabulated.

In terms of work-days lost during a strike, the total number in 1958 amounted to 7,500. By 1968 that total increased to over two and a half million. The number of employees involved in strikes in 1958 was 1,720. In 1968, it was over 200,000. These statistics reflect in part strengthened public employee organizations, but also increasing frustration among civil service employees over salaries, working conditions, and fringe benefits when contrasted with gains made by employees in the private sector over the span of years.

### Collective Bargaining

The growth in the number and intensity of public employee strikes is also due in part because of the failure of elected officials to comprehend the need for and procedures for collective bargaining with the public employees. This may indeed be the basic problem confronting the new state administration — a blind to the urgent necessity for good faith bargaining with CSEA, which represents almost 200,000 state employees. Mayor John V. Lindsay suffered a similar blindness in his early moments as Mayor, with the result that the city suffered a needless subway strike.

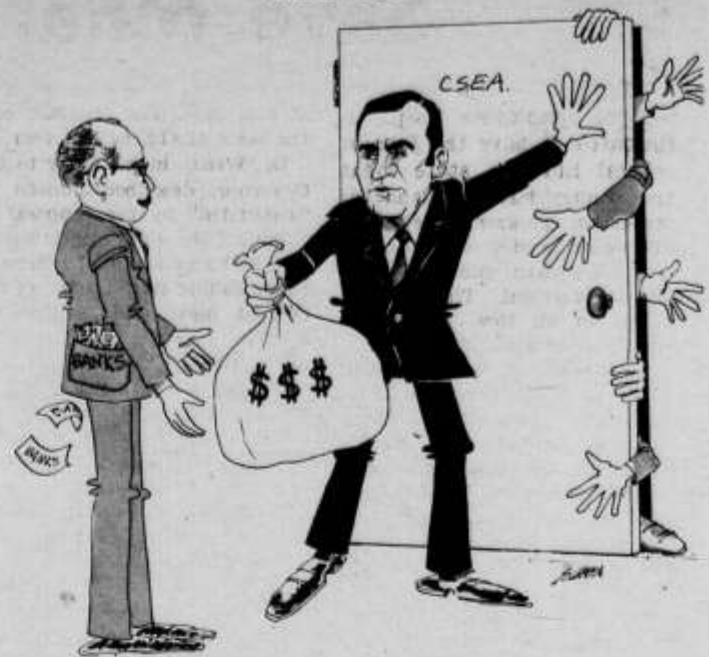
Failure to bargain in good faith necessarily leads to anger, bitterness and frustration. The long history of CSEA progress is clear evidence that neither its leaders nor its members are strike happy, threatening job action at every stage of negotiation. Indeed, the contrary is true, and CSEA has shown remarkable restraint and discipline in the face of intransigence on the management side of the bargaining table.

### Eyeball To Eyeball

There is no excuse for the obtuseness of the state administration which has led to an eyeball-to-eyeball confrontation.

(Continued on Page 10)

## PRIORITIES



## Civil Service Law & You

By RICHARD GABA

Mr. Gaba is a member of the firm of White, Walsh and Gaba, P.C., and chairman of the Nassau County Bar Association Labor Law Committee.

### A Case Of Dismissal

In a recent decision from the Sullivan County Supreme Court, the Justice in Special Term disagreed with the dismissal of an employee by the Board of Trustees of the Village of Liberty but felt, nevertheless, that he was powerless to reverse that determination. The judge stated in his holding: "I need not concur and refrain from doing so, holding only that the determination of the Village Board has a rational basis and cannot be annulled by this Court." Thereupon he dismissed the petition.

In this case, the petitioner, who was a Building Inspector for the Village of Liberty, held his position by permanent appointment in the competitive class of the classified civil service. In May 1974, the respondent Village Manager served charges on the petitioner, who answered the same and thereupon a hearing was held. Evidence was adduced by both sides, and in July, the hearing officer gave his findings of fact and recommendations to the Village Board of Trustees, stating that the petitioner ought to be reinstated with full back pay less any amount earned in substitute employment. The Village Board considered the recommendations but, nevertheless, directed the Village Manager to dismiss the petitioner. He was dismissed on July 20, 1974.

**THE PETITIONER CONTENDED** that his dismissal was unlawful because the charges placed against him were for acts allegedly taking place more than three years prior to the date of the charge. The gravamen of the alleged offense was that when the petitioner made his application for employment, he did not answer truthfully the questions of whether or not he had ever been arrested or convicted of a crime. His answer to the question was no, whereas, in fact he had been previously arrested some 17 or 18 years ago for the crimes of grand larceny, petty larceny, and unlawful possession of a pistol. The court pointed out that the language of Section 75 of the Civil Service Law permits the charges to be made and determined under circumstances where the incompetency or misconduct complained of would, if proved in a court of competent jurisdiction, constitute a crime. Since the answers on the application were made under oath, the court was of the opinion that if proved these acts could constitute perjury, which is a crime under the New York State Penal Law.

**PETITIONER ALSO** argued that it was a denial of due process under both the Federal and State Constitution in inquiry if he had ever been arrested. The court responded to that contention by stating that while inquiry as to arrest would be inappropriate in either a civil or criminal trial, such a question is not constitutionally impermissible in the context of an application for civil service appointment. The court also pointed out that the recommendation of the hearing officer was not binding on the Village Board of Trustees. "The hearing officer's opinion and/or recommendation was merely advisory in nature and not binding on the Board.

(Continued on Page 15)



# Save Meat Inspection Blitz Starts

MANHATTAN — The Civil Service Employees Assn., in its battle to save the jobs of several hundred state meat and poultry inspectors and the inspection program itself, has dispatched copies of a position paper, a petition and a letter by CSEA president Theodore C. Wenzl to all New York State senators and assemblymen.

Elimination of the inspectors' jobs is part of the overall 1975-76 budget drawn by Gov. Hugh L. Carey. It will not provide funds for the inspectors after Oct. 1. Inspection services will then be taken over by the federal government, but Agriculture and Markets Commissioner Frank Walkley has warned that if the state inspectors' posts are eliminated, a rise in illegal distribution of meat and poultry in the state may be likely. Mr. Walkley added that the U. S. Department of Agriculture "has indicated a willingness to take over the state program" and to hire "most of those involved with the state program." However, additional money will be required for the federal government to hire the inspectors, and Mr. Walkley expressed some doubt that Con-

gress will be willing to spend it at this time. The program cost the state \$2,412,262 last year.

Dr. Wenzl, in his letter to the Governor, described himself as "astounded" by the proposal to eliminate the state inspectors.

"The budgetary implications of relinquishing state control of the current meat and poultry inspection program are miniscule and must be viewed by CSEA as a product of a cursory review of program areas where the state could easily hand over to federal control under the guise of economy," Dr. Wenzl wrote.

"I submit to you that many of such proposals by your Administration are ill-advised and at best represent, in the long term view, false economies which will eventually cost the state, the consumer, and small business enterprises in the state, many times over what now appear to be small savings."

The CSEA chief pointed out that the state inspectors have no desire to become federal employees because they would lose a number of fringes.

"Your proposal," Dr. Wenzl told the Governor, "can do no less than result in increased un-

employment affecting both State and private enterprise employees; the closing of many small business enterprises engaged in meat and poultry processing thereby reducing State tax revenues; and loss of State control in an area so vital to the health and well-being of its residents."

The petition received by the legislators bore the signatures of several hundred of the state inspectors from around the state. It asked that the program be continued and endorsed an attached position paper.

The position paper read, in part, "New York State has always had reason to be proud of its excellent record in surpassing the required minimum Federal standards for consumer protection and New York State's meat and poultry inspection program is no exception. In testimony before Congress, Peter Schuck of Consumers Union, a leading consumer advocate, stated that some states such as New York and California are reported to have superior meat inspection programs than the Federal government. This was noted in Ralph Nader's publication, Consumers Protection Report, Vol. 11, No. 4.

"With legislative approval in 1968, New York State accepted its responsibility, along with 40 other states, to institute an effective and high-standard program that met all Federal standards. We believe that New York State presently has the highest standards in the nation. The New York State meat and poultry inspectors have strived with pride

to provide a superior meat and poultry product to the New York State consumer, aiming always for the highest quality standards. Our personnel have worked hard to institute an effective, efficient State meat and poultry structure emphasizing health, quality and protective standards.

"New York State has been a leader in encouraging other states to adopt high standards and resisting federal control of what should be state functions. If, today, the meat and poultry program is relinquished by the State because of a recession, what will prevent all other federally subsidized programs operated under state control from capsizing out of the state budget into Federal control? Will the state eventually allow the educational, transit, sewerage and road building, and all other federally subsidized systems to be under Federal control?"

"The Governor allots \$1,087,500 to fund the meat and poultry inspection program until October 1975. Based on last year's figures, \$2,412,262 is required to fund this program for a full year which is 0.0002 of Governor Carey's state budget of \$10.8 billion proposed for 1975-76. We're sure that this amount can be supplemented to continue our meat and poultry inspection program."

The package to the New York State legislators also contained an editorial written in the trade publication Modern Grocer by Howard Ackerman.

Mr. Ackerman, commenting on the inspectors' position paper,

observed, "As we face an indefinite continuance of economic uncertainties, promulgated by soaring inflation, the need for budget cuts and belt-tightening becomes more and more imperative.

"But when this action threatens the very quality of a program instituted to protect and maintain the food we consume, the line must be drawn. If the state legislators are truly concerned with the perseverance of excellence, they will find a more equitable way of saving money—not at the expense of their constituents."

## Circulate Petitions

ALBANY — A petition-signing campaign with a goal of thousands of signatures supporting the retention of the State's meat inspection program plus saving some 300 meat and poultry inspector jobs has been launched by John Weidman, Civil Service Employees Assn. board representative from the State Department of Agriculture and Markets.

Mr. Weidman, now circulating petitions, requested that CSEA members and other interested individuals statewide prepare similar petitions and obtain as many signatures on them as possible. Completed petitions should be collected and mailed to Mr. Weidman, who will deliver them to the proper State Legislature leaders.

Mr. Weidman suggested the following wording on the petitions: "We, the undersigned, in order to assure the consumers of New York State wholesome meat and poultry products, petition you to restore funds to the New York State Division of Meat Inspection. It is our sincere opinion that elimination of this program will affect the meat and poultry industry adversely and permit the slaughter, processing and sale of uninspected meat and poultry to New York State consumers."

The names and addresses of signers should both be included on the sheets, Mr. Weidman said.

The completed petitions should be forwarded to Mr. Weidman at 37 Tillinghast Ave., Menands, N. Y. 12204. Mr. Weidman added, time is very important, and urged fellow employees to begin circulating the petitions among friends and relatives as quickly as possible.



A forum on the meat inspection issue was held recently in Franklin Square. Above, left, Abe Libow, recording secretary of the New York City chapter, CSEA, gives reasons why the state should retain control of its meat inspection program. On the right are three Long Island legislators, Assemblyman Henry W. Dwyer, Senator John R. Dunn and Assemblyman Joseph M. Margiotta. The three said they were interested in the state's continuing control of the program and disagreed with Gov. Hugh L. Carey's plan to end it. Chapter president Solomon Bendet also addressed the meeting.

## State News Posts Opening In 3 Cities

New York State is seeking 17 persons with at least three years experience in copywriting, news-writing or public relations and a degree in journalism, public relations, communications or advertising for \$10,714-a-year public information specialists posts (Exam 24-287).

Those with a degree in any field plus 30 credit hours in public relations, journalism, advertising, or radio and TV can also

apply. There are no residency requirements.

A multiple-choice written exam, testing skills in publicity, promotion, and interpreting written material will be held June 21. Another qualifying written exam, testing ability to create and prepare informational material for the media will be held the same day.

Candidates must pass both tests; however, final scores will be determined by the multiple choice test only.

Applicants should apply at the state civil service department at 2 World Trade Center, New York City; State Office Building Campus, Albany; or Suite 750, 1 West Genesee St., Buffalo.

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### TO: STATE LEGISLATURE

I petition you to restore funds to the New York State Division of Meat Inspection, in order to assure the consumers of New York State wholesome meat and poultry products.

It is my sincere opinion that elimination of this program will affect the meat and poultry industry adversely and permit the slaughter, processing and sale of uninspected meat and poultry to New York State consumers.

..... NAME ..... DATE .....

..... ADDRESS .....

Please complete and mail to:  
John Weidman, CSEA Board Representative,  
37 Tillinghast Ave., Menands, N. Y. 12204



# Niagara Contract Will Provide 7.5% Boost & Reopener Clause

(From Leader Correspondent)

LOCKPORT—The 800 members of the Niagara County chapter, Civil Service Employees Assn., have ratified by a 4-1 vote a contract with the county that ended 10 months of negotiations.

The two-year pact offers a 7.5 percent wage increase, with a maximum annual increase of \$900 and a minimum of \$600 plus a wage reopener clause in the second year of the contract.

The ratification came after the CSEA rejected a fact-finder's recommendation of 7.5 percent, with a \$500 minimum and a \$1,000 maximum.

"I thought it a fair and equitable settlement," said William M. Doyle, chapter president. "These are tough times and contract negotiation is no bed of roses."

Originally, the chapter had sought a 12 percent increase. Besides the fact-finder's report, it rejected a \$615 across-the-board county offer. That increase, the chapter said, was unfair to employees in higher wage brackets.

Although the wage hike was the principal item of the contract, the pact also contained other agreements. They include:

- Permission to discuss CSEA membership with new employees during working hours.
- Standardized policy of two hours off for medical and dental visits.
- Appointment of impartial

arbitrators, not department heads, for discipline and discharge hearings.

- Posting of all vacancies.
- Equitable treatment and consideration in inter- and intra-department transfers.
- Equal distribution of overtime.

• Grievance procedure for safety violations.

- Second-shift definitions, with premium pay for second and third shifts of 20- and 25-cents an hour respectively.

• Up to 60 days' sick pay for maternity leaves.

• Permanent vehicle allowance of 15 cents a mile.

• Improved bereavement benefits to include in-laws and grandchildren.

• Increase in sick-day accumulation from 165 to 175 days.

• Good Friday as a paid holiday. This brings the total paid holidays to 12 a year. The day after Thanksgiving in 1976 will become a paid holiday.

• Four weeks vacation after 14 years.

James C. Stewart, CSEA field representative, was the chief negotiator for the chapter. Chapter president Doyle complimented the county negotiator, Donald Elhinger, "for his ethical manners in conducting negotiations."

The bargaining team included Genevieve Kozyra, Helen Williams, George W. Frost, Rudy Maida, Anne Bos, Dalton Diez and Jenny Camarata.

## Fired Deputy, Orleans Chapter President, Restored To His Job

(From Leader Correspondent)

ALBION—An Orleans County deputy sheriff, president of the county's Civil Service Employees Assn. chapter, has been ordered reinstated in his job with back pay by an arbitrator who found his dismissal unjustified.

The deputy, Anthony Bagnato, was fired by Sheriff John R. Williams in January after the sheriff accused him of insubordination and conduct unbecoming an officer.

The sheriff said the deputy, in responding to an accident last December, was impolite and violated direct orders by asking persons at the scene if the state police had been summoned.

The arbitrator ruled the deputy had been discharged "without just cause and there was insufficient evidence to support the charges against him."

James Stewart, CSEA field representative who argued for Mr. Bagnato, claimed the deputy "did not violate a direct order because there was no direct order. And even if there had

been," he added, "such an order must be regarded as invalid, because it failed to meet the posting requirements of the contract."

The arbitrator, Howard Foster of State University of Buffalo, agreed with the CSEA in his 10-page decision. The CSEA, he said,

"aptly argues that if we use discharge as a punishment for instability, what do we do with lying, cheating, stealing or worse."

"A single outburst of bad manners in a seven-year career is simply not just cause for termination," Dr. Foster ruled.

## Part-Timer Grievance Filed

ALBANY—A contract grievance has been filed by the Civil Service Employees Assn. and its outcome may eventually affect thousands of part-time employees throughout the state.

Responding to a memorandum sent to all state department and agency heads by Ersa H. Poston, president of the Civil Service Commission, CSEA legal counselors are seeking a ruling on Ms. Poston's directive which disallows the accumulation of vacation, sick, and personal leave by part-time employees who work less than five days a week.

The current leave benefits provided to part-time employees since Sept. 1, 1967, under the Department of Mental Hygiene contract—this agreement being used as a basis for the contract grievance—allows part-time employees working a fixed number of hours per week, regardless of the number of days worked, to earn sick leave and vacation credits in proportion to the time worked.

The memorandum, dated Sept. 26, 1974, states that current Civil Service regulations provide vacation, sick and personal leave only to those part-time, annually salaried employees who work a fixed number of hours, five days a week.

Physicians, nurses, kitchen helpers, psychologists, clerks, occupational therapists, ward aides and other key part-time personnel in Mental Hygiene will be affected by the outcome of the grievance which has reached the arbitration stage. Eventually, all part-time employees in the four state bargaining units will be represented in successive contract grievances to be filed at a later date.

"Legal action was taken first for part-time employees in Mental Hygiene because of the critical nature of their jobs," said Marjorie Karowe, a CSEA assistant counsel. In institutions operating 24 hours a day, seven days a week, part-time employment is essential. Many part-timers relieve full-time staff by working full weekends and four-day weeks, enabling the hospital to function efficiently and effectively while administering patient care. These institutions cannot function without part-time personnel."

Ms. Poston's memorandum would force part-time employees in Mental Hygiene to work at least three and three-quarters hours a day, five days a week, regardless of their former shift arrangement, or face elimination of their leave benefits April 1.

"We feel that the complete

disruption of an institution's shift operation—when it has been carefully arranged to provide maximum patient care—is not fair to employees, both full and part-time. They depend fully on these schedules in their private, as well as professional lives. Aside from that, employee benefits provided during a contract period should remain effective for the duration of the agreement," Ms. Karowe said.

The contract expires March 31, 1976. CSEA lawyers are seeking to rescind Ms. Poston's directive, at least until negotiations next year.

## Statewide Election Schedule Announced

ALBANY — Bernard Schmahl, chairman of the Civil Service Employees Assn.'s special election procedures committee, announced that the printed positions of names of statewide office-seekers on election ballots will be made on the basis of a drawing held Friday, April 18, at CSEA headquarters in Albany.

Candidates for president, executive vice-president, secretary, and treasurer, plus the state executive committee, are invited to attend the drawing.

According to Mr. Schmahl, members of the special election procedures committee will draw positions for candidates unable to attend.

Election ballots will be mailed May 23 and are expected to reach members by May 27. They must be returned to Ernst Associates of Albany, an independent election agency, no later than 6 p.m. June 21. Replacement ballots must be received by Ernst Associates by 6 p.m. June 26. Ballots will be counted June 27. The results will be made known on June 28.

The contract expires March 31, 1976. CSEA lawyers are seeking to rescind Ms. Poston's directive, at least until negotiations next year.

The contract expires March 31, 1976. CSEA lawyers are seeking to rescind Ms. Poston's directive, at least until negotiations next year.

## Pact Won; Rescind Charges In Wyoming

WARSAW — The Wyoming County chapter of the Civil Service Employees Assn. has withdrawn its improper practice charge against the Wyoming County administration after the administration, in an emergency Board of Supervisors meeting, approved a tentative two-year contract with the CSEA chapter by a 12 to 4 vote.

The Board previously rejected the pact by a 10 to 5 vote three days earlier.

### Wm. K. Hoffman

POUGHKEEPSIE—William K. Hoffman, former president of the Southern Conference of the Civil Service Employees Assn. and perennial activist in union affairs, died last week at his home after a brief illness.

Mr. Hoffman served as vice-president of the Hudson River State Hospital CSEA Chapter in the 1950's and was a member of the statewide resolutions committee, which had roughly the same functions as the present-day negotiating team.

Mr. Hoffman had a college degree in teaching, and was employed as recreation supervisor at Hudson River. In recent years, he was a teacher at the Wassalc Developmental Center.

"Bill Hoffman was the finest gentleman I ever knew," said Nellie Davis, president of the Dutchess-Putnam Retirees chapter, CSEA. "He always had time for his fellow union members and was never too busy to attend CSEA meetings."

Southern Region president James J. Lennon agreed. "Mr. Hoffman had a big heart and a calm, deliberate manner that inspired confidence from all CSEA members. He was the perfect moderator, and served in that capacity at innumerable meetings. His death is a tremendous loss to every public employee, as well as to his family and friends."

Mr. Hoffman was also a member of the Elks Club and the Poughkeepsie Town Republican Committee.

Mr. Hoffman also served on the Board of Directors of CSEA in Albany, and at the time of his death was treasurer of the Dutchess-Putnam Retirees chapter.

He leaves his wife Elizabeth; a daughter, Elizabeth Sutka of Poughkeepsie; a son, William of Hyde Park, and a brother, Roger.

### Impasse Is Declared In South Glen Falls

SOUTH GLENS FALLS — The Civil Service Employees Assn. declared an impasse in negotiations with the Village of South Glens Falls over a new work agreement covering village Department of Public Works employees.

CSEA field representative Aaron Wagner said that talks broke down after about a month of negotiations, "because the village's negotiating team is unrealistically attempting to foist upon these employees a piddling offer that is totally unresponsive to the needs of the times."

Mr. Wagner added, "in addition to a negligible wage increase offer, the Village is unwilling to offer any increase whatsoever in the major fringe benefits, which form the core of any decent work contract."

The declaration of impasse has been filed with the State Public Employment Relations Board. A mediator will be appointed to the dispute.



## Schenectady's Chapter Gives Scholarship Fund

SCHENECTADY—Fred Farone, president of the Schenectady County chapter, Civil Service Employees Assn. announced last week that the chapter has awarded \$1,000 to the Schenectady County Community College Foundation, Inc. for five \$200 student scholarships.

These scholarships will be awarded to CSEA members or sons and daughters of CSEA members in Schenectady Coun-

ty. Persons planning to enroll at SCCC in September are eligible; information on the scholarships is available from the financial aid office of the college.

In accepting the \$1,000 for the SCCC Foundation, Robert D. Larsson, president of the college, said, "We are deeply grateful for this significant gift, which will probably enable some students to take advantage of the opportunities for a college education who might not have been able to do so otherwise. I want to express our appreciation for the leadership of members of our fine staff of civil service employees in making this possible, as well as affirming their commitment to the goals of the college."

## Pick Candidates For Binghamton

BINGHAMTON—The nominating committee of Binghamton chapter, Civil Service Employees Assn., has announced its slate of officers for the forthcoming chapter elections.

An asterisk following the candidates name indicates an incumbent officer. DOT indicates Department of Transportation, DOL indicates Department of Labor and SUNY indicates State University of New York.

The candidates and offices sought are:

President: Eleanor M. Korchak\*, SUNY; Burton S. Whiteman, DOL. First Vice-President, Frances D. Goodwin, SUNY; Louis Visco, DOT. Second Vice-President, Toni Began, SUNY; Devere W. McRorie, DOL; Minnie P. Blaine, SUNY. Third Vice-President, Edwin E. Lewis\*, DOT; Sandra Chamberlain, SUNY.

Secretary, Jacqueline Burgess\*, SUNY; Jeannette C. Gaines, SUNY. Treasurer, Margaret L. Campoli, DOT; Howard F. Taylor, DOT; Emile K. Moganum, DOL. Delegate DOT, Frank S. Micalizzi, Anthony Sarantopoulos. Delegate Downtown, John J. Panaro, DOL; Frederick A. Cheatwood, DOL, and Delegate SUNY, Suzanne N. Snyder, Michael E. Gorman, and John T. Price.

## Set Hwy. Talks In Orchard Park

ORCHARD PARK—Negotiations on the first labor agreement ever drawn between the Town of Orchard Park and the newly organized Highway Department unit, Civil Service Employees Assn., are expected to begin this week, according to William Nellist, temporary president of the unit.

Although a definite date has not been set, Mr. Nellist said that field representative Robert E. Young has been named chief negotiator by James J. Powers, CSEA Region 6 director.

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BONDS!

## Set May Date For Albany Employees' Mix And Mingle

ALBANY—The second annual Albany Region 4 "Mix and Mingle" will be May 9 this year for Civil Service Employees Assn. members and their guests in the region.

The annual dinner-dance is for the purpose of providing an opportunity for CSEA members to get together with their fellow employees in an informal atmosphere, said the event's publicity chairman, Mary Toomey, a member of the Motor Vehicles chapter.

It will be held at the Polish Community Center on Washington Ave. Extension, west of the State Campus.

A Dutch Treat bar at 5:30 p.m.

## A 7% Pay Increase

ALBION—Pay raises of 7 percent were included in a two-year contract signed by the Orleans County chapter of the Civil Service Employees Assn. and county officials. The pact, which ended six months of bargaining, provides the increases in 1975 and 1976, retroactive to Jan. 1. Medical prescriptions and other fringe benefits were also included.

will be open prior to the dinner at 6:30. A choice of roast beef or chicken breast will be offered. Music for dancing from 9 p.m. to 1 a.m. will be provided by the Ron Creslino Band.

Tickets at \$7.50 a person are available from Mix and Mingle chairman Margaret Dittrich.

## Lancaster Hwy. Workers To Have CSEA As Agent

LANCASTER — Town of Lancaster highway department workers have received certification to be represented by the Civil Service Employees Assn., and negotiations on their first contract are expected to begin this week, according to Mike Faso, temporary president of the unit.

CSEA Region 6 director James J. Powers named field representative Robert E. Young, of Alden, chief negotiator in Lancaster. Mr. Young, who with Depew unit president William Sorrentino helped organize the workers, has also negotiated the agreements for the Villages of Depew and Lancaster public works department employees. He is chief negotiator for the 5,200 white-collar employees of Erie County.



**NEW BROOME OFFICERS** — Among new officers selected by the Broome County unit, Civil Service Employees Assn., are, from left, board member Barbara Pickell; Richard Torrey, treasurer; Joseph Gabor, board member; Carol Carter, secretary; Ida Gialanella, first vice-president; Richard Petrisko, board member; William McMann, president, and Naomi Shields, board member. Other officers are Mary Pompeii, second vice-president and John Tangi, board member. The officers were installed in formal ceremonies held recently in Johnson City.

## A CSEA Grievance Will Be Filed On W. Seneca Employee's Behalf

WEST SENECA—Expressing "utter shock and disbelief in the lack of sensitivity" on the part of top echelon staff at the West Seneca Developmental Center, James Bourkney, president of the Civil Service Employees Assn. chapter there, said he will file a grievance protesting the threatened firing of a 40-year-old woman, formerly a patient at the institution and presently a ward aide there.

Mr. Bourkney said the union is taking the unusual action of initiating the grievance because of the "cavalier manner" in which the former patient is being treated and because of circumstances about the ability of the worker to defend herself due to hospitalization for recent major surgery.

Mr. Bourkney said that while immediate notice of appeal was filed March 20, the final date permitted for such appeals for non-competitive employees with less than two years service under current disciplinary procedures, formal filing of the grievance was held up pending a full investigation by CSEA field staff and legal counsel.

He explained the union first heard of the threatened dismissal with the receipt of a copy of the termination notice from a relative of the aide.

The letter, signed by Louis Huzella, director of the West Seneca Developmental Center, listed 15 dates of what were called "unexcused absences between Sept. 20, 1974, and Jan. 17, 1975," and charged these constituted misconduct because they took place following three "counseling" sessions.

Citing what were called "your emotional limitations," the notice also said, "you are guilty of incompetence in that you have failed to improve your work performance and control your temper."

Declining to identify the affected worker, Elaine Mootry, a former union president and a therapy aide at the center, said she first became acquainted with the threatened worker about eight years ago. She said that "administration should have been aware of her capabilities, because she was a patient here for at least five years before she was hired." Although records aren't available to the union, Ms. Mootry said she would guess "that she came here from another institution." This was con-

firmed by the cousin who forwarded the termination notice to the union, and who said the woman formerly was at Newark State School for about six years.

Mr. Bourkney said the worker had always reported her absences as required in the contract and had furnished doctor's excuses when so directed.

CSEA Western Region 6 president William L. McGowan, a center employee, said he will personally coordinate appeal efforts. He said, "the situation illustrates the capricious and arbitrary manner in which some administrators act." He explained that the union is seeking a contract reopener to better define and equalize disciplinary procedures.

Under current contract provisions, non-competitive employees have a different set of disciplinary rules and procedures than competitive employees.

"Our contract calls for a reopener this year on this subject, and this is one reason why we

demonstrated in Albany March 18," Mr. McGowan said.

CSEA field representative Thomas Christy, who will pursue the investigation and appeal with the assistance of the union's legal counsel, compared disciplinary procedures affecting a non-competitive employee with those applying to the bulk of state employees in the competitive class.

"The two 'clinkers' are the seven calendar days appeal deadline and the finality of the director's decision, short of going to court," he said.

Competitive employees are given 10 working days for the submission of a notice to appeal and there are further steps, prior to court review, Mr. Christy summarized.

The workers are on par after two years, and Mr. Christy surmised the timing of the notice was designed to beat the second anniversary of the woman's employment in April.

## Five-County Probation Officers Holding Meet

ALBANY—The Civil Service Employees Assn.'s statewide committee to study probation held an open meeting for all probation officers of Oneida, Madison, Otsego, Herkimer and Chenango Counties April 7 at the Treadway Inn, New Hartford.

Nels Carlson, committee coordinator, said topics discussed included on-the-job accomplishments and future goals of the committee.

Mr. Carlson reported that at a recent probation meeting held in Albany, it was decided that individuals charged with what they feel to be excessive case-loads will be able to submit evidence for possible litigation against the State Department of Probation for violation of Section 355.9 of the Executive Law.

Other items up for discussion at the Albany area were a memorandum by Walter Dunbar, director of probation, regarding

promotional opportunities for probation officers and the need for further study of currently pending legislation on probation officers. Tentative future committee plans include meetings in the Rockland-Westchester and Rochester areas for probation officers. Probation officers at the Albany meeting were James Brady, chairman, Eulis Caihey (Erie), James Mattel (Nassau), James Frisina (St. Lawrence), Peter Grieco (Jefferson), Alan Greenfield (Sullivan), Hank Fanning (Monroe), Bernard Marosek (Onondaga), and Jack Whalen (Westchester).



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## Don't Repeat This!

(Continued from Page 6)  
The losses in efficiency that will result from lowered employee morale is an unnecessary burden for the administration to assume.

The fact is that there is room for negotiation between the state's fiscal stringency and the justifiable demand of CSEA for a salary increase in the light of the contract agreement to adjust salaries during the third year of the contract. This was the clear intent of the agreement in calling for a wage re-opener this year. The state administration has no honorable alternative but to comply with this contract commitment.



On hand to take part in the informational picket line are three of the Civil Service Employees Assn.'s top executives, from left, treasurer Jack Gallagher, president Theodore C. Wenzl and State Executive Committee chairman Victor Pesci.

## Mrs. Kehoe Gets Award

Estelle M. Kehoe has been named as the recipient of the second annual Regional Director's Award by the U.S. Department of Labor.

## State Armory Annual Meeting

ALBANY — John Lock, president of the Conference of New York State Armory Employees, announced the group will hold its annual meeting and election of officers May 14-16 at the Holiday Inn Motel, 57th Street between Ninth and Tenth Avenues, Manhattan.

Metropolitan Armory Employees chapter, Civil Service Employees Assn. Alfred Knight, chapter president, said that reservations for the meeting and banquet may be obtained from Cassell Brockett, 104th Field Artillery Bn. Armory, 93-05 168th St., Jamaica, N. Y. 11433. The telephone number is (212) 739-0421.

The conference will hold its annual banquet on the evening of May 15 at the motel.

Mr. Knight asked those army employees interested in attending to make their reservations as soon as possible.

The event will be hosted by the

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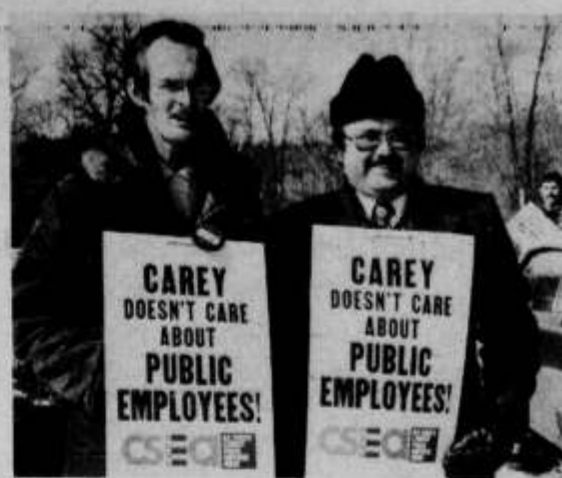




Among marchers was Ethel Ross, right foreground, currently campaigning for signatures to submit petition as candidate for CSEA president. She is a member of CSEA Board of Directors.



CSEA executive vice-president Thomas H. McDonough took up placard to air union's views as he and other CSEA members walked in the freezing weather outside building where Lieutenant Governor Krupsak was speaking.



Westchester chapter president Raymond Cassidy, left, lines up with regional CSEA attorney Arthur Grae to display signboard that they and hundreds of other union protesters wore in picket line.



One of the smallest picketers, one-year-old Jason Frishman, rides piggyback, with his father Nissen doing the honors.

## CSEA Picketers Protest Krupsak Proposal To Make Pensions Half-Contributory



Orderly group of protesters gathers outside New City meeting hall to shout for the Lieutenant Governor to come out.



Sullivan County protesters were led by chapter president Earl Bivins, left foreground.



Southern Region 3 second vice-president Scott Daniels, left foreground, reviews the situation with regional supervisor Thomas Luposello as the two men march through the roadside slush.

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Delegates try to shield speaker at microphone from photographers. It was at this point that other nearby delegates set upon Leader photographer Ray Hoy. During the ensuing melee, still other delegates succeeded in breaking up the threatened fight. It was one of several incidents involving media representatives during the day. At one point, a newswoman from an Albany station had to be escorted out under the protection of guards.



Cautioning against hasty action is CSEA vice-president Solomon Bendet, who heads New York City Region 2. Mr. Bendet noted that although he has a reputation as a militant, he would advise the delegates to think seriously about the course of action they would decide upon.

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The intensity of the debate registers on face of Joan Shaw, president of Brooklyn Psychiatric Center chapter.



Parliamentarian Harold Ryan, of Audit and Control chapter, Albany, gives ruling on procedural matter, as two CSEA vice-presidents stand by. At left is Richard Cleary, president of Syracuse Region 5.

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As the afternoon session continued, caucuses were called to reach agreement on unified action. This cluster of delegates represented various State University chapters throughout the state. Speaking to the delegates is Albert Varacchi, in light jacket, center top, chairman of the union's statewide Universities committee.

## Fact Finding Begins

(Continued from Page 5)

the fact of stalemate in the negotiations and need for fact-finding.

In the five-point schedule, the rule book action means that employees will work only according to their job descriptions, and will not engage in out-of-title work. The contingency fund is to provide welfare relief for employees who suffer financial problems as a result of any union-job action.

### LEGAL NOTICE

The Sands Company, 405 Park Avenue, NYC. Substance of Cert. of Ltd. Partnership filed N.Y. Co. Clk's Office July 16, 1975, and Amended Cert. of Ltd. Partnership filed Feb. 6, 1975. Business: producing and arranging the distribution of feature length motion pictures, etc. General Partner: Ernest Sands, 35 Poplar Drive, East Hills, N.Y. Limited Partners, set forth below.

Term of partnership twenty years unless earlier terminated as provided in partnership agreement. Limited Partners have not agreed to make any additional contributions. Limited Partners shall have the right to have the amount of their contributions returned to them out of the profits of the partnership as provided in partnership agreement. However, each Limited Partner shall remain liable to the Partnership for the full amount of his original contribution until such time as the Partnership is terminated or upon his withdrawal as Limited Partner, etc. A Limited Partner shall not have the right to substitute an assignee as contributor in his place without the written consent of the General Partner, and without offering the other Limited Partner the right to acquire his interest on terms and conditions set forth in Partnership Agreement. General Partner shall have the right to admit additional Limited Partners, provided that at no time shall the aggregate contributions of all Limited Partners exceed \$275,000. No Limited Partner shall have priority over other Limited Partners as to repayment of contributions or profits. Upon death, insanity, bankruptcy, assignment for the benefit of creditors, retirement or resignation of the individual General Partner, the Partnership business may continue only with the written consent of Limited Partners representing two-thirds of the aggregate amount of contributions. The Limited Partners shall have no rights to demand and receive property other than cash in return for their contribution. Article 4 of said Cert. of Ltd. Partnership is hereby amended to read as follows: Ernest Sands of 25 Poplar Dr., East Hills, N.Y. is the General Partner. Limited Partners, their address, Cash Contribution and Percentage of Share of Net Profits are Raymond Brunjes, 128 B'way, B'klyn, NY.; Ben Messenger, 200 E. 57th St., NYC.; Nicholas Ryan, Ironwood Road, Muttontown, N.Y., each \$10,000, each 3.6%; Harvey Friedman, 420 E. 55th St., NYC.; Seymour Terry, 463 7th Ave., NYC.; William Griffo, 20 Markwood Lane, East Northport, N.Y.; and David G. Birnbaum, 1452 53d St., B'klyn, N.Y., each \$25,000, each 9.0%; Milton Jacobs, 2751 South Ocean Dr., Hollywood, Fla.; Vincent Griffo, 6 Midfarm Rd., Rockville Centre, N.Y.; Robert L. Horohoe, 188 Coachman Dr. North, Freehold, N.J.; Aaron W. Weingarten, 215 Chestnut Dr., East Hills, L.I., N.Y.; and Michael Klein, 4 Rockaway Ave., Garden City, N.Y., each \$15,000, each 5.4%; Phil Kreger, 40 Remsen Rd., Great Neck, N.Y., \$20,000, 7.2%; and William Tabachnik, 13 Sugar Maple Dr., Roslyn, N.Y., \$50,000, 18.0%.



Looking grim as the debate rages are, from left, CSEA executive vice-president Thomas H. McDonough, left, and vice-president William McGowan, head of the union's Western Region 6.



At microphone, Abe Libow, of New York City chapter, warns of Administration's continuing threats of layoffs, saying this should be the primary issue. Waiting a turn at the microphone is A. Victor Costa, center, chairman of the union's restructuring committee.



Three chapter presidents focus on rostrum, awaiting answer to question. From left are Alfred Everest, Parks and Recreation chapter, Albany; Earl Kilmartin, General Services chapter, Albany; and Martin Langer, Rockland Psychiatric Center chapter, Orangeburg. At right is CSEA collective bargaining specialist Robert Guild.

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**277 YEARS** — Fifteen persons representing a total of 277 years of work experience were honored upon their retirement from the Syracuse Developmental Center at a recent employee recognition day held there. Clarence Laufer, former president of the center's Civil Service Employees Assn. chapter, was among those honored. At the ceremony, Dr. George Buchholtz, director of the center,

declared, "We will certainly miss their experience and dedication." The SDS retirees, above, are, from left: Frank Case, Philip Leonard, Edward Eckert, William Finnegan, Mr. Laufer, Dr. Buchholtz, Vera Adams, Mary Scott, Eleanor Bosworth and Margaret Clary. Not present for the ceremony were retirees Ted Brooks, Victoria Jasak, Violet Mackey, Edith Randall, Grant Cummings and Erma Stearns.

## A Free Transit Bill Supported

ALBANY — The Civil Service Employees Assn.'s retiree committee members voted unanimously in Albany to support Cong. Benjamin Gilman (R-Middletown) on his bill to provide free or reduced transportation fares for elderly and handicapped persons throughout the country.

In recommending the committee's support, retiree coordinator Thomas Gilmartin quoted Mr. Gilman's words: "Our elderly and handicapped, who often must live on fixed incomes, are the hardest hit by inflation and rising costs. Further, transportation often poses unique problems because of the lack of adequate special facilities and services for the handicapped and the elderly. This is an important step in helping our senior citizens and handicapped individuals to become part of the mainstream of our society."

The bill, Mr. Gilmartin told the committee and retiree chapter presidents at the meeting, was introduced on Jan. 23. It bears number HR 2035 and is at present, in the House of Representatives' Transportation Committee awaiting action.

## A New Insurance Policy Is Adopted By Retirees

ALBANY—The Civil Service Employees Assn.'s statewide retirees committee and retiree chapter presidents officially adopted a new life insurance policy at a meeting here March 25. The policy was recently approved by the CSEA board of directors.

"This policy fills a need felt for a long time by elderly retirees who want more life insurance but are unsure of their ability to pass a medical examination," said Richard Merkel, vice-president of the insurance firm of Ter Bush & Powell, who described the benefits of the policy at the meeting. No physical exam is required.

The insurance executive went on to explain that many retirees who continue their group life insurance until age 70 need a final expenses-type policy to make up for the loss of the group term insurance which expires on their seventieth birthday. The insurance plan is similar to one already available to members of the New York City Civil Service Retired Employees Assn.

In other action at the meeting, Chairman Hazel Abrams directed the attention of the conferees to the new model constitution form mandated by the board of directors for all new CSEA chapters, both active and retired groups alike. The committee's consensus was that segments of the mandated model are unsuited to retiree chapters and should be reworded to make them more relevant. Ms. Abrams said that she will bring this matter up at the next meeting of the statewide constitution and by-laws committee. Ms. Abrams will also be inquiring about the committee's reasons for not amending the Association's constitution, article III, section 2, entitled Retiree Members, dealing with membership eligibility, as requested by the Retiree Committee through a resolution passed at the Dec. 5 meeting.

Thomas Gilmartin, CSEA retiree coordinator, described the progress of state and federal bills which the CSEA retiree division supports. The 1975 supplemental cost of living bill, spon-

sored as number A. 4134 in the Assembly, provides a permanent cost-of-living increase keyed to the consumer price index of the Labor Department's Bureau of Statistics. This same bill would provide an immediate percentage increase to all retirees who have been retired for a year or more after June 1975, on a graduated scale of 4 percent for 1974 retirees up to 11 percent for 1951 and earlier retirees. In opposition to the Kinzel's Commission's recommendation effective in 1974, the age 62 limitation is eliminated in this CSEA-supported proposed legislation.

Another bill has been written by CSEA, according to Mr. Gilmartin, to provide a \$2,000 survivor's benefit for state employees who retired in the year 1968

or earlier, after a minimum of 10 years service. This bill, so far unnumbered, is sponsored by Senator Douglas Barclay and Assemblyman Thomas Brown.

At the federal level, CSEA retirees are in full support of Ohio Congressman Ashbrook's bill for a \$5,000 federal tax exemption on retirement allowances and benefits. Mr. Gilmartin called the committee's attention to a new number assigned to Mr. Ashbrook's re-introduced bill. It is now H.R. 1584.

A highlight of the meeting was the appearance of Theodore Wenzl, CSEA president, who discussed several matters of retiree interest and reiterated his support for the objectives of CSEA's Retiree Division.



**COMMISSIONER'S CONGRATULATIONS** — Lawrence C. Kolb, New York State Department of Mental Hygiene commissioner, extended praise and congratulations to Kurt Lopes and Richard Doran, two recent retirees from the New York State Psychiatric Institute, Manhattan. Mr. Lopes has 32 years of state service and Mr. Doran 22 years. Dr. Kolb, prior to his appointment as commissioner, was director of the Institute. Above, with the commissioner, center, are Mr. and Mrs. Lopes, left, and Mr. Doran and his daughter.



**A LITTLE BAIT MONEY** — In addition to a new rod and reel, Delmar Nichols, right, was presented with "a little bait money" by fellow members of the Town of Union unit, Civil Service Employees Assn. at ceremonies marking his retirement recently at Endwell. More than 50 persons attended; Mr. Nichols retired after 21 years of service with the town's highway department. Above, with Mr. Nichols is Robert Densmore, left, CSEA unit president, and Leo Green, Town of Union highway superintendent.

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### Metro Armory Chapter Holding Nomination Meet

THE BRONX — A special meeting to nominate officers for the Metropolitan Armory Employees chapter, Civil Service Employees Assn., will be held at the Kingsbridge Armory here, 29 W. Kingsbridge Road.

Alfred Knight, chapter president, said the meeting will begin at 2 p.m. He urged any dues-paying chapter member wishing to run for office to contact the chairman of the nominating committee, Howard Sergeant, at the Seventh Regiment Armory, 643 Park Ave., Manhattan. The telephone number is (212) 288-0200.

Officers to be elected by the chapter members include president, vice-president, recording secretary, executive secretary, corresponding secretary, treasurer and sergeant-at-arms.

### Will Honor Zeferetti At Educational Luncheon

Congressman Leo C. Zeferetti (D-N.Y.) will be a guest of honor at an annual luncheon held in conjunction with the Spring Education Conference of the United Federation of Teachers April 19 at the Hilton Hotel.

Another conference guest will be Senator Hubert H. Humphrey (D-Minn.) who will receive the 1975 John Dewey award.

#### LEGAL NOTICE

SUMMONS: Plaintiff Designates New York County as the place of trial based on the location of the premises herein. SUPREME COURT OF THE STATE OF NEW YORK, COUNTY OF NEW YORK; FEDERAL NATIONAL MORTGAGE ASSOCIATION, Plaintiff, against HERMINO TORES and JUANITA TORES, his wife, if living, and if they be dead, the respective heirs-at-law, next-of-kin, distributees, executors, administrators, trustees, devisees, legatees, assignees, lienors, creditors and successors in interest and generally all persons having or claiming under, by or through said defendants who may be deceased, by purchase, inheritance, lien or otherwise any right, title or interest in and to the real property described in the complaint herein and "JOHN DOE," "RICHARD ROE," "JANE DOE," "CORA COE," "DICK MOE" and "RUBY POE," all of whose names are unknown to the plaintiff, the last six names being fictitious, they being intended for tenants or other persons having an interest in the premises whose names are unknown to the plaintiff, THE PEOPLE OF THE STATE OF NEW YORK, JULIE SUGARMAN, AS COMMISSIONER OF SOCIAL SERVICES OF THE COUNTY OF NEW YORK, FIRST NATIONAL CITY BANK, THE CITY OF NEW YORK (PARKING VIOLATIONS BU. REAU), Defendants. TO THE ABOVE NAMED DEFENDANTS:—

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the Plaintiff's Attorneys within twenty (20) days after the service of this summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint. Dated: New York, New York, January 28, 1975.

CADWALADER, WICKERSHAM & TAFT, Attorneys for Plaintiff, Office and P. O. Address, One Wall Street, New York, New York 10005. Tel. No. (212) 785-1000.

To the above named defendants: The foregoing summons is served upon you by publication pursuant to an order of the Hon. Nathaniel T. Helman, a Justice of the Supreme Court of the State of New York, dated March 10th, 1975 and filed along with the supporting papers in the New York County Clerk's Office. This is an action to foreclose a mortgage on premises, 328 East 120th Street, New York, N. Y., briefly described as follows: On the south side of 120th Street, 303 feet 6 inches west of First Avenue, being a plot 100 feet 10 inches x 21 feet 6 inches x 100 feet 11 inches x 21 feet 6 inches, being Lot 41, Block 1796, Section 6. Dated: March 25th, 1975. Cadwalader, Wickersham & Taft, Attorneys for Plaintiff.

### Appoint Sauerhoff

John E. Sauerhoff, Jr. is the new deputy regional director of intergovernmental personnel programs of the New York Region of the U.S. Civil Service Commission.

He was formerly chief, grants branch, of the division, and chief, evaluating branch of the personnel management division.

### WHERE TO APPLY FOR PUBLIC JOBS

NEW YORK CITY — Persons seeking jobs with the City should file at the Department of Personnel, 49 Thomas St., New York 10013, open weekdays between 9 a.m. and 5 p.m. Special hours for Thursdays are 8:30 a.m. to 5:30 p.m.

Those requesting applications by mail must include a stamped, self-addressed envelope, to be received by the Department at least five days before the deadline. Announcements are available only during the filing period.

By subway, applicants can reach the filing office via the IND (Chambers St.); BMT (City Hall); Lexington IRT (Brooklyn Bridge). For advance information on titles, call 566-8700.

Several City agencies do their own recruiting and hiring. They include: Board of Education (teachers only), 65 Court St., Brooklyn 11201, phone: 596-8060; NYC Transit Authority, 370 Jay St., Brooklyn 11201, phone: 852-5000.

The Board of Higher Education advises teaching staff applicants to contact the individual schools; non-faculty jobs are filled through the Personnel Department directly.

STATE — Regional offices of the Department of Civil Service are located at the World Trade Center, Tower 2, 55th floor, New York, 10048, (phone: 488-4248); State Office Campus, Albany, 12226; Suite 750, 1 W. Genesee St., Buffalo 14202. Applicants may obtain announcements either in person or by sending a stamped, self-addressed envelope with their request.

Various State Employment Service offices can provide applications in person, but not by mail.

For positions with the Unified Court System throughout New York State, applicants should contact the Staffing Services Unit, Room 1209, Office of Court Admin., 270 Broadway, N.Y., phone 488-4141.

FEDERAL — The U.S. Civil Service Commission, New York Region, runs a Job Information Center at 26 Federal Plaza, New York 10007. Its hours are 8:30 a.m. to 5 p.m., weekdays only. Telephone 264-0422.

Federal entrants living upstate (North of Dutchess County) should contact the Syracuse Area Office, 301 Erie Blvd. West, Syracuse 13202. Toll-free calls may be made to (800) 522-7407. Federal titles have no deadline unless otherwise indicated.

INTERGOVERNMENTAL — The Intergovernmental Job Information and Testing Center supplies information on N.Y. City and State and Federal jobs. It is located at 90-04 161st St., Jamaica, Queens, 11432 and office hours are from 9 a.m. to 5 p.m. weekdays. The phone for information about city jobs is 523-4100; for state, 526-6000; and for federal, 526-6192.

# A 21% Base Salary Hike Won In Westchester Pact

WHITE PLAINS—The Westchester County unit, Civil Service Employees Assn., last week overwhelmingly ratified a new three-year contract with the county.

The agreement was ratified by a vote of 3,389 to 176 and now goes to the Board of Legislators for approval.

Under the terms of the new pact, retroactive to Jan. 1, salaries will be increased 8 percent with a minimum of \$700 and a maximum of \$1,700; 8 percent effective Jan. 1, 1976 with a minimum of \$700 and a maximum of \$1,800; and 5 percent effective Jan. 7, 1977 plus a cost of living adjustment that should result in an increase of not less than 5 percent nor more than 10 percent.

Regular increments, if due, shall be added to the salary increases. Longevity increments have also been provided for in the first year of the contract of \$450 after 25 years service; in the second year, \$300 after 20 years service; and in the third year, \$100 after 10 years service and \$150 after 15 years service.

The county also agreed to an improvement in the dental plan; to pay 100 percent health insurance coverage for dependents, and will purchase a \$50,000 life

insurance policy for job related deaths for those employees exposed to danger of life in the Correction, District Attorney and Sheriff Departments.

Mileage reimbursement will now go to 13 cents per mile retroactive to Jan. 1; 16 cents retroactive to March 5; 18 cents effective Jan. 1, 1976 and 20 cents effective Jan. 1, 1977.

The CSEA negotiating team won an increase in shift differential from \$6 to \$8 retroactive to March 5; to \$9 effective Jan. 1, 1976, and to \$10 effective Jan. 1, 1977. In addition, all 40-hour per week employees will go to 37½ hours effective Jan. 1, 1976 and to 35 hours effective Jan. 1, 1977.

An item in the new agreement calls for the addition of Martin Luther King's birthday to the present 11 holidays. The county has agreed to seek legislation to make this effective.

Other improvements were won

in the area of sick leave, bereavement leave, personal leave, maternity leave, tuition reimbursement, job security and grievance procedures.

Mike Morella, president of the county unit, expressing gratification with the large vote of membership approval, said that the members should be proud of the people who volunteered to serve on the negotiating committee.

Mr. Morella added that Emanuele Vitale, the union's collective bargaining specialist, deserved special thanks for his work with the negotiating team. The team members, in addition to Mr. Morella, the chairman, were Cindy Wholey, Robert Parkhurst, Charles Marchi, Vincent Mauro, Carmine DiBattista, Ernest Hempel, James Verboys, Mary Ann Mikulsky, Carmine Lamagna, Patrick Roche, Marlene High, Roger Williams and John Whalen.

# Creedmoor Chapter Alleges Misuse Of State's Money

QUEENS VILLAGE—Creedmoor chapter, Civil Service Employees Assn., has issued a demand to State Attorney General Louis Lefkowitz to investigate reports that the psychiatric center's administration intends, in the words of a message from the chapter, "to pay strike-breakers double and triple overtime for simply working an eight-hour shift."

The message also alleges that the Creedmoor administration plans to house and feed the strike-breakers with state funds.

The situation apparently stems from the current unsettled state of the CSEA-State contract talks.

The message to the Attorney General notes that employees in the Medical-Surgical Building, the Clearview and Jamaica Units, the engineering depart-

ments, support services and administration offices have reported to CSEA officials that some supervisors "have promised them overtime pay for non-existent work, plus free room and board, on state funds, if they cross a possible Civil Service Employees Assn. picket line."

"At this time, the Civil Service Employees Assn. has not called for any job action. Yet the Creedmoor administration, dur-

ing an alleged budgetary crisis, seemingly has unlimited funds at their disposal—funds that the Carey Administration claims are not available for badly needed salary increases for state employees."

The demand concluded that should an investigation show the charges to be true, Mr. Lefkowitz must prohibit "the Creedmoor Psychiatric Center administration's misusing state funds."

## Civil Service Law & You

(Continued from Page 6)

Such recommendations must be considered, however, to determine if they comport more with logic and fairness than does the inapposite finding of the Board in order that the court might determine if the Board's finding is arbitrary, capricious or unlawful."

THE COURT ALSO embarks on an explanation of the relationship between Sections 50 and 75 of the Civil Service Law and concludes that the petitioner could properly be removed under the provisions of Section 75 and not under the provisions of Section 50. It appears to the writer that incompetence or misconduct as described in Section 75 pertains to the incompetence or misconduct in the performance of his duties. If the petitioner was to be removed at all, the effort to do so should have been made under a claim of violation of Section 50 of the Civil Service Law and not under the disguise of bringing the petitioner up on charges of incompetence or misconduct for allegedly falsifying an application for employment where the alleged false answers involved actions which took place almost 20 years prior to the date of the charge. Section 50 of the Civil Service Law provides that a certification shall not be revoked or an appointment terminated more than three years after it is made, "except in the case of fraud." There is no mention made, nor apparently was any finding made by the hearing officer, that there was fraud involved in the alleged improper answers on the application for employment, *Giangiaco v. Village of Liberty*, 361 N.Y.S. 2d 850.

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# State's Layoff Threats Condemned By Wenzl

ALBANY—The series of state employee layoff threats from Carey Administration aides "can only serve to further inflame state workers, keep the level of apprehension very high among public workers and threaten the success of fact finding proceedings now under way," Theodore C. Wenzl, Civil Service Employees Assn. president declared.

Dr. Wenzl suggested Governor Carey "should immediately muzzle his outspoken spokesmen before they cause irreparable damage" to efforts to settle the CSEA-State contract dispute peacefully.

The most recent threat, from State Budget Director Peter Goldmark, was described as "incredible" by the union chief.

"The Goldmark pronouncement is incredible in many ways. The number of firings announced—up to 50,000 people! The off-handed manner in which Mr. Goldmark threw out that number of firings, as if 50,000 jobs is nothing! And the timing—unbelievably poor!—within hours after CSEA agreed to enter fact-finding rather than call an immediate strike and just as the first fact-finding session was beginning."

Dr. Wenzl noted, "We've been hearing layoff threats since even before Mr. Carey took office, and those threats are partly responsible for the anger and militancy evident among state workers because job security ranks right at the top of their concerns in this era of high unemployment. We came through a crucial period, April 1, without a strike and we've entered an important new phase in our contract problems, fact-finding. But the crisis is far from over—we still have a strike mandate for the end of April. And public threats to fire 50,000 people certainly do not contribute to reaching a solution before then."

Dr. Wenzl said the Governor is apparently so obsessed with his budget problems that other, equally important, considerations are being ignored.

"For instance, the press views threats of layoffs, including Goldmark's threat to fire 50,000 state workers, as a pressure gimmick by Governor Carey to force legislators to vote for massive additional tax measures that he says are necessary to balance his budget. In other words, if he doesn't get his tax bills he'll just fire 50,000 people instead. That means the Governor is using state workers as pawns in his power play against the Legislature, and frankly, we're sick and tired of having jobs tossed around with utter disregard and

disrespect for the people who fill them well."

The CSEA president said "Governor Carey and his mouthpieces apparently forget that such tactics tied to budget considerations impact as heavily in the contract dispute situation. The administration had better

start realizing it can't use the threat of layoffs against the Legislature without having that threat spin off directly to every single state worker. And that results in fear, apprehension and uncontrollable concern about job security, which in turn creates a volatile situation."

## Wayne's Detectives Get Arbitrator Nod

LYONS—An arbitrator has ruled in favor of the sheriff's department unit, Wayne County chapter, Civil Service Employees Assn., in a contract grievance filed by the union against the county for its refusal to pay dry cleaning costs incurred by detectives in the department during December 1974.

Using past practice as the basis for his award, arbitrator John E. Drotning found Wayne County in violation of the CSEA contract. During the hearing, James Hancock, CSEA regional attorney, proved the county had reimbursed detectives for dry cleaning bills during the first 11 months of 1974. Gary Johnson, CSEA field representative, was also present at the hearing.

The county is now obligated to reimburse the detectives for all

dry cleaning bills incurred in 1974.

In his decision, the arbitrator wrote, "It is an established point in arbitration that the arbitrator turns to past practice to determine the mutual intent of the parties. The past practice in this case is clear and consistent—the county has been reimbursing detectives for dry cleaning. Thus, it cannot make a unilateral change during the life of the contract."

## Albany Sheriff's Group Asks CSEA Info Meet

ALBANY—Sgt. Anthony Corsale, president of the Albany County Sheriff's Office Assn., an independent group formed to determine the best employee organization to represent the collective interests of all Albany County Sheriff's Department employees, contacted the Albany Region 4 office of the Civil Service Employees Assn. asking that an informational meeting be held.

Albany Region CSEA field supervisor John Corcoran said a meeting was scheduled for March 22 with the organization at 2 p.m. CSEA representatives explained the statewide organization, the regional organization and formation of a separate unit in the existing Albany County CSEA chapter.

Joseph McDermott, Region 4 president, said "We welcomed the opportunity."

## North Syracuse Aide Wins Back Pay, Job

NORTH SYRACUSE — A North Syracuse School District teacher aide has won a case through arbitration, kept her job and was awarded about \$1,050 in back pay.

Joan Golley's position was abolished last September. The school board said that her services were no longer needed and denied her use of seniority and bumping privileges.

In April 1974, the school district and the North Syracuse Teacher Aide unit of the Onondaga County Civil Service Employees Assn. chapter, drew up a letter of understanding in regard to dismissals. The North Syracuse director of labor relations denied Ms. Golley's grievance on the grounds that the letter was not an enforceable, binding legal document.

## 25c Hourly Hike, Re-opener In Saratoga Springs

SARATOGA SPRINGS — The City of Saratoga Springs unit of the Civil Service Employees Assn. has reached a contract settlement with the city on a new two-year pact that includes a 25 cents per hour salary hike in the first year and a wage reopener in the second.

# CSEAer Responds To Union's Critics

(Editor's note: The following letter, written by Civil Service Employees Assn. member Mary E. Weidman, of Menands, was prepared for publication in Albany area newspapers. It was intended as a response to criticism of the union and also to the lack of news coverage of public sector employee viewpoints. The Albany area newspapers have not, to date, seen fit to publish it.)

In reply to many letters to the editors, editorials and other items in local papers regarding CSEA employees and their "outrageous" demands for more money—their "greed" when fellowmen are unemployed—the fact that State workers be eliminated because they demonstrated in front of the capitol for two hours—or took a day off their vacation to stand up and be counted—and the fact that unemployed people in the private sector will be unable to support State workers any longer with their tax money now that they are unemployed—let's face some facts:

First of all, what are our "outrageous" demands? A cost of living increase to bring us up to the level of people in the private sector who are the real instigators of the inflation today. When unions in private industry demanded—and got—more and more raises, and industry raised costs of cars, food and other items, both essential and luxury items almost out of reach, did State employees cry and raise h---? We should have.

We weren't jealous of them. The employees in private industry were very happy over the years—until they raised themselves right out of a job. Now they're crying and jealous of us. They would like to see us fired and themselves hired in our place. But, back in the days of high wages for private industry, they were laughing at us and saying we were crazy to work for the State for peanuts, crazy to take exams, go on probation and work for "petty cash." Now they think we're still crazy, that we will give up our jobs and let them have them.

Now, when they are collecting unemployment insurance, they say we are greedy when actually in many cases they are taking home more money per week than we are. They should ask themselves, "Where is all this lovely money for nothing coming from?" I'll answer the question for them: from me and other State workers like me who have big chunks of salary taken from

## New Jefferson Personnel Head

WATERTOWN—H. Elliot Dickson, 31, former manpower administrator of Jefferson County, has been named as the county's new personnel administrator by the Jefferson Board of Supervisor's personnel committee. Mr. Dickson succeeds William S. Coleman, who has accepted a similar post with the city of Anchorage, Alaska. The appointment, which will run for six years, has a starting salary of \$16,497.

our pay for State and Federal taxes. In other words, SURPRISE, SURPRISE, SURPRISE!—state workers pay taxes, too!

And they say we shouldn't ask for more money now that they are unemployed; it is in extremely bad taste. But, why us? We hear every day of some private concern getting 9 percent, 12 percent in cost of living raises; but THAT'S O.K. Their meat, bread and potatoes cost them more than ours do.

Why don't we hear from them about the Governor, his second in command and all the others in the Capitol who are riding the gravy train? A book could be written about funds wasted over there. Millions are as nothing to them.

And what about the legislators and their big raises they gave themselves this year of \$8,500. What possible justification do they have for this? If Legislators are worth 56.6 percent more this year than last, figured on a four month basis, with some on a three-day week, and allowing two weeks for Easter recess, etc., why shouldn't State workers, the majority of whom earn under \$10,000, get a cost of living raise also? Why does this cause people in private industry, including editors and the unemployed, etc. to beat their breasts and moan?

There were many, many times in the past and even now for State workers to bite the bullet and tighten their belts with no compassion felt for us.

MARY E. WEIDMAN  
Menands, N. Y.

## Binghamton Dinner-Dance

JOHNSON CITY — The Binghamton chapter, Civil Service Employees Assn., will hold a joint dinner-dance and Meet the Candidates Night Friday, May 9, at the Fountains Pavilion here.

Candidates for statewide, regional and local races who wish to attend should contact the satellite office in Binghamton to obtain reservations. The telephone number is (607) 772-1750. Tickets for the event are \$4 each and may be picked up at the door. The deadline for reservations is Friday, May 2.

The joint event will begin at 6:30 p.m.

## Delegates Approve Schedule For Action

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2. CSEA Delegates direct the negotiating committee to proceed to fact-finding.

3. Should the State (Governor and Legislature) fail to accept the fact-finder award, CSEA shall conduct a rule-book action 15 days from now. (Ed. Note: This would presumably fall on Tuesday, April 15, the fifteenth day following the expiration of terms for the second year of the three-year contract.)

4. Should the State fail to adopt the fact-finder award within two weeks of the inception of rule-book action, CSEA shall institute immediate strike action. (Ed. Note: This would presumably occur on Tuesday, April 29.)

5. Effective immediately the Board of Directors shall appoint a contingency action planning committee which shall, among other things, begin to raise money to finance the planning for contingency action.