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Governor rules out another term

Carey decision will not affect contract talks

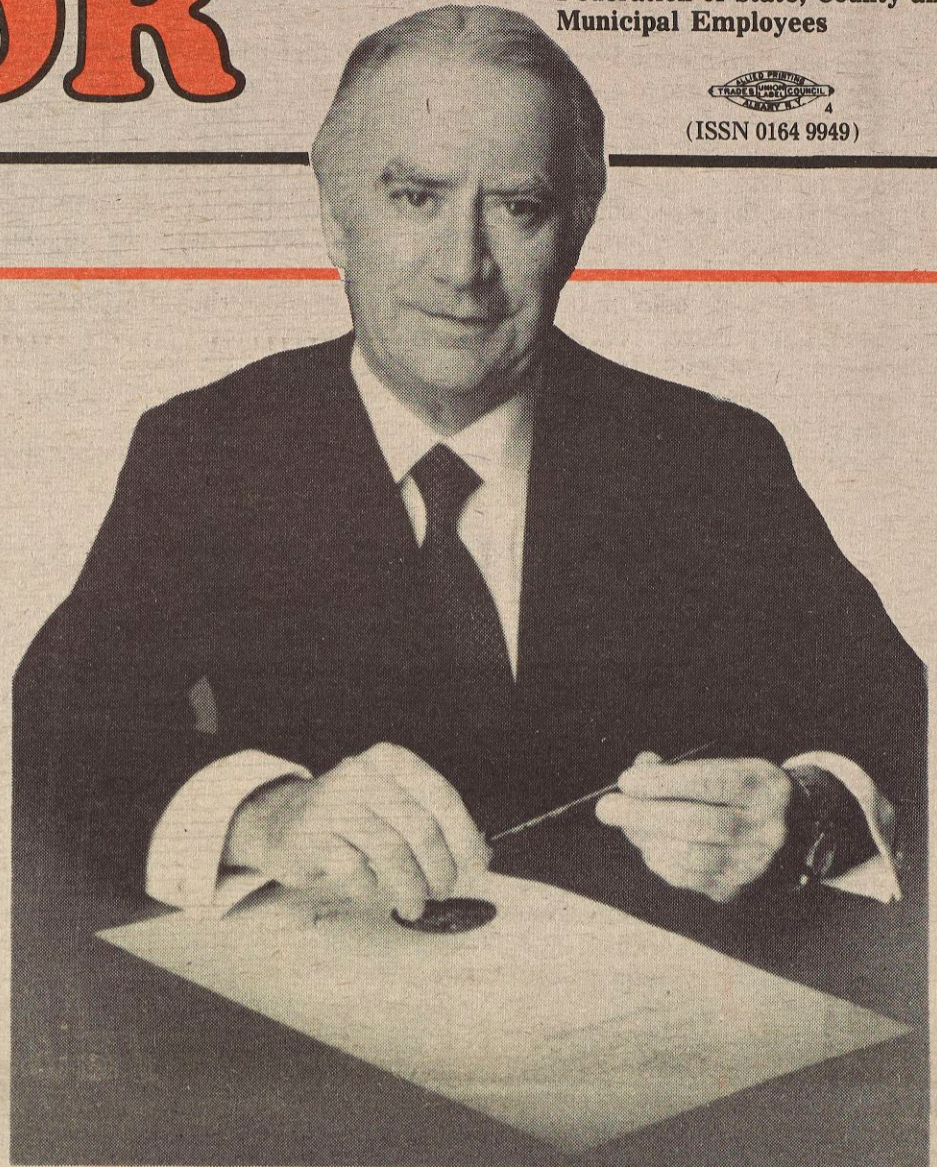
ALBANY — After two sometimes stormy terms as Governor of the State of New York, Hugh Leo Carey stunned capitol political observers on Jan. 15 with his formal announcement that he would not seek, nor accept, his party's nomination for re-election.

The Brooklyn Democrat, surrounded at a Red Room ceremony by his family, cabinet officers, and top advisers, told a packed forum of reporters, political operatives and capitol employees that he would end his reign as chief executive of the Empire State and ultimate employer for more than 107,000 CSEA members.

While Carey indicated that he intended to remain active in public life in the coming years, he repeatedly denied at the press conference that he had any immediate plans to seek public office, but the announcement fueled countless rumors of future elective goals for Carey.

For CSEA and other public employee unions, two immediate questions leaped to the forefront: What, if any, effect would the "lame duck" status of Carey have on ongoing state contract negotiations and what, if any, political ramifications would his announcement have on passage of the state's \$26.7 billion budget and other legislative issues of importance to CSEA?

The answer to the first question was swift. Questioned by reporters on



his reaction to the announcement, CSEA President William L. McGowan said the announcement would not alter the union's bargaining strategy and would not in any way alter CSEA's commitment to achieve a fair and equitable contract for its members that includes a well-deserved pay raise.

"Our people have made more than their share of sacrifices to help this state survive one fiscal crisis after another," McGowan said, "but there comes a point when enough is enough. We have reached that point and we are determined to negotiate a just contract regardless of who is, or is not, a candidate for Governor of the State of New York."

... but impact upon state budget and legislative items remains uncertain

The answer to the second question stemming from Carey's announcement — the effect on state political issues — is far less clear, however.

The already crowded field of candidates and potential candidates for the state's highest elective office was thrown into a virtual frenzy of activity by the decision. While no immediate announcements were spurred by Carey's decision, clearly a decision by the incumbent not to run has added electricity to an already charged political environment.

Said CSEA Chief Lobbyist James Featherstonhaugh: "I don't think anyone can

say with great certainty what all of this will mean because it is simply too soon to know, but just as clearly CSEA will be in an unprecedented position to make its views known since this will be the first gubernatorial election since our union became politically active in which there is no incumbent and a wide open field of potential candidates."

CSEA has never made an official endorsement in a gubernatorial election in recent memory. When Carey sought his current term, the union's delegate body debated a gubernatorial endorsement but could not muster the necessary two-thirds vote to officially back either Carey or his

Republican opponent, former State Assembly Minority Leader Perry Duryea.

As to the political impact on legislative action on the state's budget, again the outlook is uncertain. While some political observers believe that Carey's lame duck status will remove a major political impediment to action on the budget, others believe the resultant political turmoil might complicate matters.

On one point all observers seem to agree: Gov. Carey's decision not to seek a third term will have a profound effect upon state politics for the immediate future.

Union analysts scrutinizing Carey's
final budget ... see story, page 7

MHTA 'held prisoner' until administrator realizes enough workers for next shift

NEW YORK CITY — The "locking in" of a Bronx Developmental Center (BDC) mental hygiene therapy aide has prompted charges by union leaders there that BDC administration "has reverted back to the days of the plantation" in managing the institution.

BDC/Bronx Psychiatric Center Local 401 President Ernest Punter made these charges in response to a security officer's locking Jane Ashley in BDC as she tried to leave the facility to catch a bus home after working a 16-hour double shift. The security officer was following the instructions of the administrator on duty.

"I pleaded with the security officer to unlock the doors so I could catch my bus," Ms. Lashley said, "but he told me that he had orders not to let anyone out."

Ms. Lashley was "held prisoner" for 10 minutes, until the administrator appeared and told the security guard to "release" her.

The administrator told Ms. Lashley that he had ordered the doors locked in an attempt to prevent employees from leaving the building until he could determine if there was enough coverage for the next shift.

Fortunately, the driver of the bus Ms. Lashley takes waited for her, but she

missed her connection to another bus. Her usual 45-minute commute turned into a three-hour ordeal as Ms. Lashley arrived home at 2 a.m.

"This incident demonstrates the administrative incompetency at BDC," Punter charged. "There are certainly better ways to assure coverage than locking everybody in. I don't buy the notion that employees can be held prisoner."

Ms. Lashley charged that her "human rights were violated by their holding me against my will." She has written to BDC administration demanding that the security officer and administrator be disciplined.

"We would like to see the people responsible disciplined to the fullest," Punter added.

But Punter doubts that BDC administration will do anything.

"We discussed this incident at a labor/management meeting and all we got from administration was an acknowledgement that what happened to Ms. Lashley 'wasn't proper,'" he said.

Ms. Lashley has filed charges with the New York City Police Department against the security officer and the administrator. A hearing on the charges will be held shortly.

Rensselaer reopener increases membership

TROY — Having successfully concluded recent contract reopener negotiations, the CSEA Rensselaer County Unit's leadership is launching a membership sign-up campaign.

"When we went into the reopener negotiations we had just increased our membership by 8 percent. This fact helped us tremendously at the bargaining table," Unit President Carol Larpenteur explained.

"The County couldn't claim that the workforce wasn't interested in supporting their union. I'm sure that the membership increase helped us gain a fully-paid dental insurance program for all full-time county workers," she said.

CSEA also gained an automatic agency shop provision in the reopener

talks. The provisions of the agency shop clause—which means that all county employees represented by the CSEA unit, whether union members or not, would pay the costs of union representation — will be triggered when the voluntary union membership reaches 75 percent of the unit's employee population.

"I think the county administration miscalculated on this," Larpenteur observed. "If increasing our membership by 8 percent helped us gain long-sought employee benefits, then the members and the non-members must see that the old axiom is true: 'The stronger the membership the better the contract.'"

"Realizing this is true, the non-members who have always said,

'show me some results and I'll join,' now must fulfill their end of that challenge. We did gain employee benefits because of membership strength," the unionist said.

"If Rensselaer County workers want a strong contract with real job security and benefit improvements, they'll join," the unit president concluded.

EAP signings



O.D. HECK Director Fred Finn, right, smiles after signing an Employee Assistance Program agreement covering employees at the facility. On hand for the signing are, from left, O.D. Heck CSEA Local President Michelle Ring and Capital Region EAP Representative Peter Nardiello.



DIVISION OF PROBATION employees are now covered by an Employee Assistance Program agreement, signed recently. Division Director Thomas Callanan, right front, reviews the agreement with Deputy Director of Administrative Services John W. Russell Jr., standing right. Standing left are CSEA-EAP Representative Peter Nardiello and Probation CSEA Local Vice President Bob Gavin. PEF-EAP Director Ellen Mangino is seated left.

3-to-1 vote wraps up Oswego pact

OSWEGO — A new two-year contract for 500 Oswego County employees was recently ratified by a vote of more than three to one by members of the county unit of CSEA Local 838 Oswego County.

According to Roger Kane, CSEA collective bargaining specialist and chief negotiator for the unit, the agreement is retroactive to Jan. 1, and includes a salary increase of 9 percent the first year, plus a one-half salary step at 7½ years, and a compressed salary plan which will lead to promotional compensation. The second year calls for an 8 percent salary increase.

Other new contract benefits include prescription drug plan and improved hospitalization coverage to the Blue Cross-Blue Shield Ultra Blue Plan, effective July 1, 1982; improvements in vacation time language and an escalator clause for mileage.

Kane complimented the negotiating committee for its effort since talks began in mid-September.

Members of the negotiating team included: Frank Casella, chairperson; Bill Reed, unit president; Linda Crisafulli, local president; Pat Murray, Bob Finn, Linda McGlen, Jim Cook and Carol Chillson. Serving on the subcommittee were: Onetamae Britton, Steve Young, Anita Friot, Veronica Day and Bob Giambo.

CSEA JOB OPENINGS

Data entry position open

ALBANY — CSEA is looking for qualified candidates to fill the position of Data Entry Operator. The job will require work in data recording on disk or tapes.

Applicants must be high school graduates, have completed an ac-

credited course in data entry/key punch and demonstrate an ability to key at an effective rate of 150 characters a minute.

Anyone interested should call the CSEA Personnel Office at (518) 434-0191.

Broome Co. unit agrees to new pact

BINGHAMTON — A new two-year agreement calling for salary increases and other improved benefits for 1100 Broome County employees was recently ratified by members of the county unit of CSEA Local 804.

According to James Corcoran, CSEA field representative and chief negotiator for the unit, the new contract, which went into effect Jan. 1,

includes salary increases of 7 percent, plus \$200, the first year, and an 8-percent increase the second year.

The pact also contains a reopener clause to implement a classification compensation study to take effect during the life of the agreement. It is estimated the compensation may amount to an additional 10 percent of the county payroll.

Another term of the agreement requires Broome County to pick up an additional 5 percent cost of health insurance for employee dependents.

For the first time, Broome County nursing home employees will be paid time-and-a-half for working nine of 12 county holidays, and the uniform allowance for RNs, LPNs and aides will be increased to \$80.

Other changes in the contract language involve payment for out-of-title work.

CSEA will also have the right to reopen negotiations after July 1 to secure additional benefits.

In a comment following the announcement of the accepted contract, Corcoran said, "The fact that the

agreement contains benefits and new language long overdue — particularly the classification compensation to bring Broome County employees' salaries in line with comparable other counties — makes it a milestone. It should also be noted that since negotiations began in mid-October, only six meetings were required to reach an agreement. That speaks well for the good work and cooperation by both sides."

Corcoran also praised the CSEA negotiating team, which included Jack Haggerty, unit president and chairman, Bob Schaller, Robert Bidwell, Alene Beall, Tom Campbell, Lorraine Zodosky, Del Runyon, Sharon Black and Jim Minor.

Ruling on dues deduction favorable one for CSEA

SYRACUSE — A delay by management of nearly a year before trying to invoke loss of dues deduction penalties under the Taylor Law has been ruled unreasonable by a state Supreme Court judge.

The decision in favor of CSEA stems from a September 1980 job action by clerical and custodial workers in two Syracuse City School District units.

Although "two-for-one" wage loss penalties were withheld from the pay of individual members within a month of two of the job action, the Syracuse City School District Employment Relations Council did not file charges against the CSEA units until the following August — nearly a year after the job action.

Under the Taylor Law, the units could have been penalized the loss of dues and agency fee payroll deductions if the school district's charges had been upheld.

"But this section of the Taylor Law provides that the governmental body involved institute proceedings 'forthwith' to determine whether the union has violated the law," explained CSEA Attorney Michael Smith. "We argued that a delay of nearly a year did not meet the widely accepted legal definition of 'forthwith.'"

In his favorable ruling, Supreme Court Judge James P. O'Donnell agreed, pointing out that the word 'forthwith' is defined in legal terms as "without delay. . . within a reasonable time under the circumstances of the case; promptly and with reasonable dispatch. . . within such time as to permit that which is to be done to be done lawfully and according to the practical and ordinary course of things to be performed or accomplished. . . the first opportunity offered. . ."

"I should point out that this may be the only case in which the courts have ruled this way," explained Smith. "In the past, the term 'forthwith' has been widely interpreted. Circumstances in this case were perhaps a bit unusual, and management gave the court no good explanation for the 11-month delay."

Neither Smith nor Field Representative Terry Moxley expects the school district to appeal the court's decision.

"Labor/management relations have completely turned around for these units," Moxley said. "Negotiations the last time around were impossible; this year we sailed through the talks and got what we think is a good contract. The contract is ready to be ratified, and I don't think in view of the relationship and the timing now that management is going to appeal the case and try to invoke the penalties."

Social Security tax rate, annual base increased

The annual earnings base — the maximum amount of annual earnings that counts for Social Security — will increase to \$32,400 for 1982, up from \$29,700, the 1981 base.

The increase is based on the change in average earnings levels from 1980 to 1981.

Also scheduled to increase in 1982 is the Social Security tax rate, the spokesperson said. The 1982 tax rate will be 6.7 percent, an increase of 0.05 percent over the 1981 rate of 6.65 percent. The increase will amount to just 50 cents a month for a person earning \$1,000 a month.

Other Social Security figures are scheduled to increase in 1982 as well. The annual exempt amount used in the annual earnings test will increase. The annual earnings test is the measure used to determine whether a person will receive benefits during a year. A person whose earnings do not exceed the annual exempt amount will receive all benefits due for the year. A person's benefits are reduced \$1 for each \$2 of earnings above the exempt amount.

In 1982, the annual exempt amount for people 65-72 will be \$6,000. For people under 65 all of 1982, the exempt amount will be \$4,440.

There is also some important news concerning the age at which the earnings test no longer applies. Under the law in effect before 1981 the age at which the earnings test no longer applies was scheduled to drop from 72 to 70 in 1982. A 1981 law delayed the change — to 1983.

The amount of annual earnings needed to earn a quarter of coverage will be \$340 in 1982, up from \$310 for 1981. In 1982, a worker will earn 4 quarters of coverage if his or her total annual earnings are \$1,360 or more.

Member illegally suspended; reinstated with back pay

NEW YORK CITY — An arbitrator has ruled that the State Insurance Fund (SIF) illegally suspended Local 351 member Nancy Allen and has ordered the SIF to reinstate Ms. Allen with back pay and benefits lost due to her suspension.

The SIF served Ms. Allen with a notice of discipline (NOD) on Sept. 24, alleging various acts of "insubordination and misconduct." On Oct. 5, while Ms. Allen's grievance challenging her NOD was pending, the SIF suspended Ms. Allen and placed her on leave without pay for alleged "continued verbal abuse and threatening attitude towards her supervisor." However, the SIF did not serve Ms. Allen with an additional NOD; they merely penalized her.

The arbitrator found that the suspension was in violation of collective bargaining agreements between CSEA and the state which require that a NOD be served within four calendar days of any suspension without pay.

The arbitrator also ruled on the charges contained in the Sept. 24 NOD, reducing the proposed penalty of termination to a \$50 fine and a letter of reprimand.

SIF Local 351 President Stella William charged that the NOD served against Ms. Allen and her subsequent suspension without pay were "an attempt to set Ms. Allen up as an example."

"I knew that the suspension was improper and the arbitrator would throw it out," she said.



RECENTLY INSTALLED OFFICERS of the Suffolk Co. Local's Social Services Unit are congratulated by Suffolk Co. President Charles Novo. From left to right are Treasurer Kenneth Olsen, Second Vice President Linda Hecht, Fourth Vice President Sara Raccuglia, Third Vice President Claire Brilliant, President Bill Schneid shaking hands with Novo and Executive Vice President Shirley Germain.

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CURBED SERVICE



Independent company will count ballots in statewide officer election

ALBANY — CSEA's Statewide Board of Directors has approved a bid by Independent Election Corporation of America, of Lake Success, N.Y., to

handle the counting of ballots in the upcoming elections for statewide union officers.

The firm specializes in managing, supervising and administering elections for business and other organizations.

CSEA contracts for the handling of its major internal elections as one of the many safeguards that the union uses to ensure the integrity of its democratic election process. Bids for the work are solicited and reviewed by the CSEA's Statewide Election Procedures Committee and approved by the Board of Directors.

The election will be held this spring for the four CSEA statewide offices: president, executive vice president, secretary and treasurer.

AFSCME Executive Director

Council 82's Thomas Holland killed in mishap

KINGSTON — Thomas Holland, executive director of AFSCME Council 82 of security and law enforcement employees, was killed January 20 when the automobile he was driving left the southbound lane of the New York State Thruway near here and struck a tree, according to the State Police.

Mr. Holland served as chief negotiator for Council 82 and reportedly was enroute to his Hopewell Junction home after a day of contract talks when the mishap occurred. Council 82 is one of a number of unions, including CSEA, currently in negotiations with the State to replace present contracts which expire March 31.

Mr. Holland was a highly visible leader in the 1979 correction officers job action which continued for 16 days until resulting in the present contract. Before assuming his Council 82 post, he was a correction officers for 24 years at the Fishkill Correctional Facility and served as president of the local union there.

Flags on all state facilities were lowered to half staff in Mr. Holland's memory by order of Gov. Hugh Carey.

Candidate selection to begin

ALBANY — CSEA's Statewide Nominating Committee is planning to meet next week to begin the process of selecting qualified candidates for nomination for statewide CSEA offices.

The process is part of the upcoming election process that will culminate in the election of CSEA's President, Executive Vice President, Secretary and Treasurer this spring.

The Committee, nominated by each CSEA Region, was scheduled for an organizational meeting on February 2 in Albany. At the same time, official Request to be a Candidate forms will become available through CSEA Local Presidents, Regional Offices or the Office of Executive Director at CSEA Headquarters.

In order to be considered for nomination by the Statewide Nominating Committee, the interested candidate should fill out the official Request to be a Candidate form and return it to the CSEA Statewide Nominating Committee, in care of CSEA Headquarters, as soon as possible. Applications received after February 26, 1982, cannot be considered.

After the Statewide Nominating Committee reviews applications, it can select candidates for union office whose names will be placed on the official ballot for each office. Candidates not selected may still be placed on the ballot by obtaining the necessary number of signatures from CSEA members. Details on this process will be published in a future edition of The Public Sector.

Press locked out at Stony Brook

STONY BROOK — Article two, section one of the CSEA-New York State contract states: "It is the policy of the State to continue harmonious and cooperative relationships with its employees and to insure the orderly and uninterrupted operation of government."

With those sentiments in mind, Charles Sclafani, president, and several officers of CSEA Local 614 at SUNY at Stony Brook invited a Public Sector photographer to take photos of a union-management meeting to discuss campus problems and work rules.

Instead of a harmonious and cooperative welcome, they were told to "get out" and "get that photographer out of here."

The CSEA team, astonished and shocked, returned to its office expecting a phone call from the management side when cooler heads prevailed. They sat in the CSEA office all afternoon. No call came.

"Their attitude is arrogant. It shows us that they are not anxious to have these meetings. We suspect them of wanting to make a lot of

changes in work conditions and other things that could subvert the contract," Sclafani said.

While the general terms and conditions of employment are regulated by the statewide contract, CSEA units in individual institutions around the state negotiate local work rules.

The CSEA work rules committee of Sclafani, Second Vice President Frank

Celentano, Joe Carapazza, operational chairman, and Nick Pollicino, field representative, were ready to discuss several issues at the Jan. 21 meeting including establishing uniform starting times for custodians and maintenance workers for both the 500-CSEA members on the west campus and the 300-members on the east campus.



CSEA REPRESENTATIVES involved in discussions with Stony Brook management personnel include, from left, Operational Chairman Joe Carapazza, Second Vice President Frank Celentano, CSEA Field Representative Nick Pollicino, and Local 614 President Charles Sclafani.

Union efforts restore vacation, sick pay

Suffolk parks employees awarded \$50,000

BAY SHORE — About \$50,000 in vacation pay will be returned to 20 current and former employees of the Suffolk County Department of Parks as a result of a lawsuit filed by CSEA.

The employees are to receive their pay when they leave or retire from the county parks department. Back vacation pay is also going to one of the original 20 employees who has left the department and the family of another one who has since died.

The disputed pay was earned by these parks department workers between 1970 and 1974, when the Suffolk County Department of Parks was understaffed for the number of parks it served. They agreed to work overtime without any additional pay in exchange for extra time off in the winter. In some cases, that overtime amounted to several weeks.

CSEA discovered the county auditor had reneged on the agreement and had charged the compensatory time as vacation time when one of the parks workers retired. He had received only a fraction of his expected vacation pay.

"That case came up like red warning light to us about all the other employees," said Lester Lipkind, the attorney who filed the lawsuit for CSEA.

The now-retired parks superintendent who had originally made the agreement testified, "The county got much more from the people than they got from the county. Some of the people never did get their vacation some of the years and were not paid overtime."

The judge agreed and awarded the back pay.

"This represents a tremendous victory for the 20 Parks Department employees who were being denied vacation credits," Lipkind said.

"It was a great decision, and the fact that the former superintendent was willing to testify in their behalf shows there's still honor in the world."

74 Brooklyn DC members get their sick pay

NEW YORK CITY — An arbitrary, unilateral decision to deny pay to 74 employees of Brooklyn Developmental Center (BDC) who called in sick on Christmas or New Year's Day has been overturned as a result of action by the leadership of BDC Local 447.

The decision to dock the employees a day's pay was taken despite a January 1981 memorandum issued after negotiations with Local 447 outlining procedures set up to reduce sick calls on holidays. Among the steps BDC management had agreed to take was to notify employees in advance that a doctor's note would be required if an employee called in sick on a particular holiday. BDC management did not notify any employees that they would be required to produce a doctor's note to verify absence on Christmas or New Year's Day due to illness.

Upon learning that employees would be docked a day's pay, Local 447 President Denise Berkley, First Vice President Rajeeyah Muwwakil, and Second Vice President Lamont Wade demanded an explanation from management.

According to Berkley, BDC Deputy Director Sam Eilson explained that "we (management) were angry" that employees called in sick on holidays. "I never knew that being angry gives management the right to break an agreement," she said.

The leadership of the local brought the situation to the attention of BDC Director John Sabatos, who claimed he was not aware of the docking of pay. Sabatos restored the pay to 74 employees.

Berkley said a grievance will be filed on behalf of five other employees whose pay was not restored because they were denied leave time requested in advance and then proceeded to call in sick Christmas or New Year's Day.

"The union does not justify calling in sick when you're not sick," said Berkley. "But management cannot justify breaking an agreement reached with the union to protect the rights of employees who are ill on a holiday."

Is your Social Security account correct? Here's how to find out

It's easy to find out whether your Social Security account is accurate — as easy as mailing in the coupon below.

It's also a good idea to check your account now, and correct any errors you may find, rather than to find problems when you're ready to retire.

Many advisors recommend that you check your Social Security records every three to four years to find out whether you're credited with all the benefits you're entitled to and to see that all FICA deposits have been made on your behalf.

About eight to 10 weeks after you send in your form, the Social Security Ad-

ministration will send you a record of your earnings for the calendar years 1976 through 1980.

If you're patient and want to double-check the records for earlier years, you can ask for them in a separate letter. It will take about six months to get that information.

The address to write to is:

Social Security Administration
P.O. Box 57
Baltimore, MD 21203

Remember that Social Security Administration officials say to write your name and Social Security number exactly as it appears on your card. If you ever used another name, such as a maiden name, show this, too.

Your earnings statement may end with the third quarter of 1980, because records for the last part of 1980 and for 1981 are generally not on the computer yet.

If you have any questions about Social Security, or your statement, call your local Social Security Administration Office.

Audit and Control Installation



SUFFOLK COUNTY Audit and Control Unit officers were sworn in recently by Suffolk County Local President Charles Novo. Pictured, from left, are Second Vice President Nelly Sastre, Secretary Shirley Portnoy, Executive Vice President Mark Dawkins, Treasurer Howard Brochard and President Sue Smith.

(Please read instructions on back before completing)

REQUEST FOR SOCIAL SECURITY STATEMENT OF EARNINGS

Your social security number

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Date of Birth

Month	Day	Year
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Print Name and Address in ink or use typewriter

Please send a statement of my social security earnings to:

Name _____

Number & Street _____

City & State _____ Zip Code _____

Sign Your Name Here _____ (Do Not Print)

I am the individual to whom the record pertains. I understand that if I knowingly and willingly request or receive a record about an individual under false pretenses I would be guilty of a Federal crime and could be fined up to \$5,000.

If you ever used a name (such as a maiden name) on a social security card different from the one above, please print name here: _____

MAIL TO:

SOCIAL SECURITY ADMINISTRATION
P. O. BOX 57
BALTIMORE, MARYLAND 21203

Plans under way for election of CSEA delegates to AFSCME convention

ALBANY — Planning for the election of more than 200 CSEA delegates to the 1982 biennial convention of the American Federation of State, County and Municipal Employees, AFL-CIO, is moving ahead to ensure that CSEA, Local 1000 of AFSCME, will be fully represented at the opening gavel on June 20 in Atlantic City, N.J.

For AFSCME, this will be its 25th official convention but for CSEA it will be only the second AFSCME convention at which Local 1000 was fully represented.

Unlike the selection process for CSEA's delegates at the union's annual delegate meetings, the AFSCME delegate selection process is regulated by the AFSCME constitution and regulations that affect national labor unions. For that reason, CSEA must elect special delegates to represent its members at the international convention.

Representation at AFSCME conventions is based upon numbers of members. CSEA will be sending more than 200 delegates to the Atlantic City convention (the exact number is not yet known) the single largest delegation to that session.

CSEA will elect its AFSCME convention delegates by region, with the number of AFSCME delegates elected from each CSEA region proportional to that region's membership.

First step in the process is the nomination of candidates for election as AFSCME delegates. That will take place during regional nominating meetings which are scheduled for March 6 at times and locations yet to be arranged. Full details concerning the location and time of each meeting will be published in a future edition of the Public Sector.

Any CSEA member may nominate another member to appear on the regional ballot for AFSCME delegate during the regional nominating meeting. The member making the nomination must, of course, be present at the meeting, but the individual he or she is nominating need not be present. In order to make the nomination official, however, the appropriate official nominating forms, which will be available at each meeting, must be completed.

To be nominated as an AFSCME convention delegate from a region, the nominated individual must be a CSEA member from that region. Candidates may be nominated to run either as an individual or as part of a slate, but no nominee can appear on a ballot more than once. Actual ballots for the election will allow voters to vote for an entire slate, or any individual on that slate without voting for the entire slate, as long as the total number of persons for whom the member votes does not exceed the total number of delegates to be elected from that voter's region.

Ballots are expected to be mailed to every CSEA member in the beginning of April with complete instructions on the voting procedure. The dates of the ballot mailing and counting will be published well in advance in the Public Sector.

Nominees will appear on ballots in the order in which they are nominated. CSEA Executive Director Joseph J. Dolan, coordinator of the AFSCME delegate election process, said details on the nominating and election process will be available at all CSEA regional offices after Feb. 10, or from the Office of the Executive Director, 33 Elk Street, Albany, N.Y. 12207.

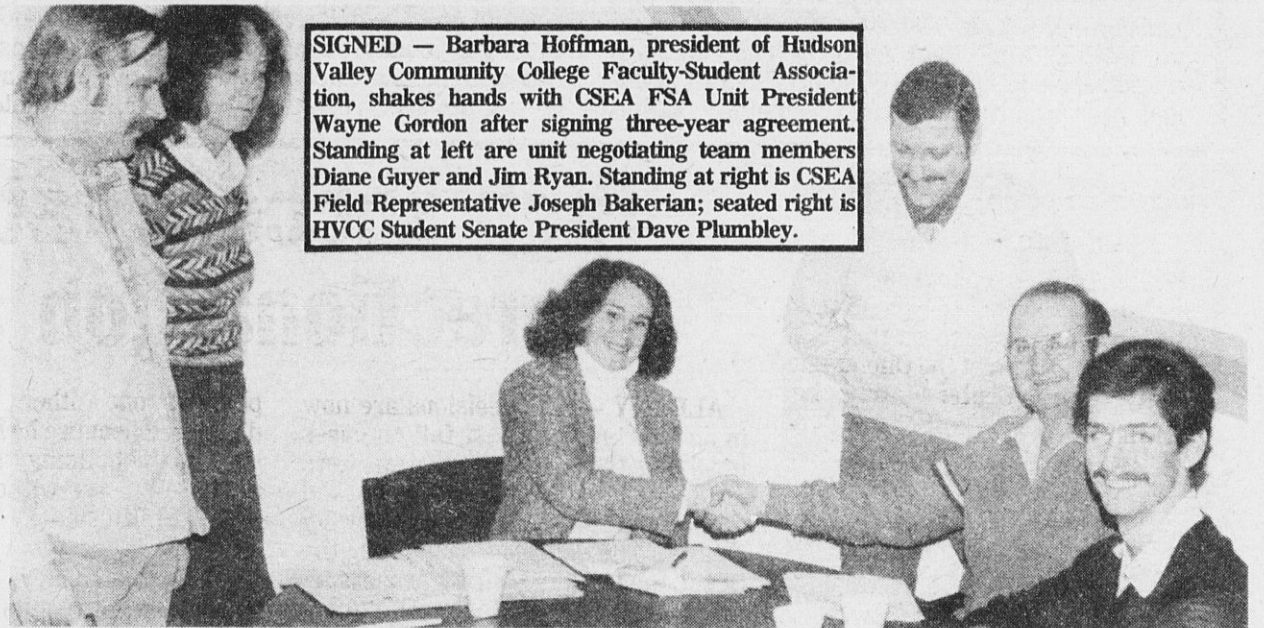
Faculty-student unit signs 3-year pact

TROY — The CSEA Faculty-Student Association Unit of Hudson Valley Community College has signed a three-year contract with the college's FSA administration. Unit President Wayne Gordon believes that the agreement, which is retroactive to Sept. 1, "begins to eliminate inequities."

Economically, the contract improves the wages of the 20 unit members by an average 9.5 percent per year for a total of 28.5 percent over the life of the agreement. The contract also guarantees a five-step increment system and increases longevity payments to 4 percent, paid after 10, 15, 20, and 25 years of service.

In non-economic areas, the agreement defines sick leave benefit accumulation rates for the FSA employees. An employee working 37½ hours per week will earn 4.33 hours per pay period, for a maximum accumulation of 980 hours. A 40-hour per week employee will earn 4.62 hours per pay period, for a maximum accumulation of 1,050 hours.

The agreement also defines personal leave for the 12-month and 10-month workers of five and three days per year, respectively.



SIGNED — Barbara Hoffman, president of Hudson Valley Community College Faculty-Student Association, shakes hands with CSEA FSA Unit President Wayne Gordon after signing three-year agreement. Standing at left are unit negotiating team members Diane Guyer and Jim Ryan. Standing at right is CSEA Field Representative Joseph Bakerian; seated right is HVCC Student Senate President Dave Plumbly.

A voluntary termination procedure was established requiring 10 days notice from the employee and guaranteeing salary through the last day of employment and payment of accrued vacation time.

The employees will participate in Blue Cross-Blue Shield Health Insurance Plan C with Major

Medical coverage, fully paid by the FSA. In the third year, a \$1 deductible prescription drug insurance program will be added to the health insurance program.

During the contract period workers will be able to apply unused sick leave cash value to pay for health insurance coverage upon retirement.



Hands-on experience in physical therapy

TWO THERAPY AIDES from Rome Developmental Center Local 422, Muriel Boulterice, center, and Carmen Blair, right, demonstrate a paraffin wax heating process used in treating arthritic patients, as Local President Jon Premo looks on. The treatment is one of the areas covered in the pilot Physical Therapy Assistant Program at the developmental center. Students Boulterice and Blair recently completed their first semester of the 2½-year, joint labor-management program, which leads to an Associate in Applied Science (AAS) degree. Both are enthusiastic about the opportunity. Says Blair: "Working at Rome DC as a therapy aide, the opportunity for advancement is rather limited. The PTA program is providing additional education to go along with college credits I have already earned . . . When I complete the required courses and earn my degree, I will be better prepared to move up in grade and salary."

Battle lines drawn over Gov.'s last Executive Budget

ALBANY — CSEA analysts are dissecting Gov. Hugh L. Carey's last Executive Budget proposal to determine what pitfalls, beside massive job cuts, are threatening CSEA's members.

CSEA President William L. McGowan has already gone on record in opposition to any reductions in force posed by the three volume Executive Budget proposal. The massive \$26.7 billion budget has drawn the battle lines with CSEA.

Included in the plan is a proposal to abolish 3,844 state jobs in the coming fiscal year in addition to more than 1,000 state jobs directly supported by federal funding — such as the planned cuts in the state's Labor Department — which have already been targeted for elimination by the Reagan Administration.

"CSEA clearly has to do everything within its power to fight these budget cuts," the CSEA president said. "More than 2,200 of these cuts are targeted for one agency, the Office of Mental Retardation and Developmental Disabilities, and another 680 are slated for the Office of Mental Health. With these kinds of cuts, the Administration is apparently determined to abandon its commitments to the mentally handi-

capped and open its institutions for wholesale patient 'dumping' all over again."

Responding to the threatened cuts, CSEA immediately began a detailed analysis of the state spending plan in preparation for the expected legislative battle.

Normally, the state's budget process is erratic at best. The Governor constitutionally has the authority to propose a budget, but the legislature can — and generally does — change it.

Over the past several years, this process has been increasingly combative with regular deadlocks in the process, delays in appropriations and — in several years — the state fiscal year elapsed without a new state budget in place. State workers only last year were paid in "scrip" for several weeks while the legislature and the governor fought over spending details.

This year was expected to be even worse by many observers because it is both a gubernatorial and a legislative election year with both sides particularly sensitive to their positions. But with the announcement by the governor that he will not seek reelection this year, the whole

political scene in the state's capital has been thrown into turmoil.

"In some respects these developments could offer us the unusual opportunity to fight for our people," said CSEA Chief Lobbyist James Featherstonhaugh. "With the governor pulling out of the gubernatorial race, more people will be inclined to be flexible on the budget. But there is, of course, the danger that political unrest could result in unexpected developments that could hurt us.

While the examination of the details of the massive Executive Budget documentation continues, the union is setting up the machinery for legislative action. But on one point the CSEA stance is crystal clear: "There have been too many cuts in state jobs already," President McGowan told one reporter, "but the kinds of cuts that are proposed now would have a direct and harmful impact on the people of this state and our ability to rebuild our state's economy. The cuts in mental health and mental retardation would be devastating to the handicapped. We will not sit back and let this happen without a fight. If that is what they want, then that is exactly what they will get."

Hepatitis not spread by ventilation system

SYRACUSE — A photo caption in the Dec. 18, 1981 issue of The Public Sector erroneously stated that the ventilation system at the Onondaga County Civic Center "may be responsible for spreading a hepatitis epidemic."

According to Onondaga County Health Commissioner William Harris, hepatitis is not transmitted through ventilation systems, but "primarily through fecal contamination of food or water."

Dr. Harris said the common source of the outbreak at the Center, an infected food services worker, was immediately investigated by the county health department and the epidemic was confined to co-workers and family members.

The hepatitis problem is under control, Dr. Harris reports, and there is no need for a mass immunization of county workers.

In response to Dr. Harris's comments, Local 834 President Thomas Murphy explained, "My main concern has been and will continue to be the health and safety of the employees in the Onondaga County office building as guaranteed in the current contract."

"During the recent hepatitis crisis," he added, "we made a number of phone calls to determine the county's position and unfortunately, we were given no answers. At this point, it appears the (hepatitis) outbreak has run its course but we remain concerned for those employees who continue to feel the effects of the disease and may never return to work."

In closing, Murphy said, "We will continue to monitor the county employees in the building and have requested a meeting with the county to certify the building is safe."

High success rate attained in correctional job action cases

ALBANY — The decisions are now in on hearings held last fall on cases involving CSEA-represented workers at three correctional facilities, and out of 211 cases, 188 were totally cleared. The decisions are among the last in the lengthy hearing process involving about 700 CSEA members who were unable to work during a strike of correction officers in early 1979.

The three facilities involved in the most recent decisions were Camp Adirondack, Elmira Correctional Facility and Auburn Correctional Facility.

"Our success rate was surprisingly high for cases involving the Taylor Law," said Michael Smith, one of the three attorneys who have defended CSEA members in these hearings since August 1980.

Contributing to that success rate was the cooperation of Local CSEA officers and staff at each location. "Because of that help, we could investigate the overall situation at each facility and paint a much clearer general picture, which helped the individual cases," Smith said.

Out of 136 employees defended by CSEA at Auburn, all but nine were absolved. Of those, five cases were dismissed because the employees did not appear at their hearings, one was cleared for all but one day and three lost their cases.

In the Elmira Correctional Facility, 45 of the 51 employees were cleared entirely. Of the six who were not, three failed to show up at their hearings and two had gone on vacation during the strike, despite a direct order cancelling all leaves. The ap-

peal of one other employee was dismissed because he had been able to get into the building "but chose to immediately leave without reporting to duty," Smith said.

Early in January, CSEA lawyers learned of the results of the 24 hearings for Camp Adirondack. Sixteen CSEA members were cleared for the entire strike period, one was exonerated for part of the strike, four failed to show up at their hearings, and three lost their cases following their hearings.

Smith said there was no violence at Camp Adirondack, although there was a well-staffed picket line. However, it was noted that management people had sent their families to other locations while they made no effort to help their employees during the strike.

These cases, and the favorable decisions for CSEA-represented employees, are not any sign of how such cases will be decided in the future, he warned. "Every single case is tied to its own facts. It can never be duplicated."

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Political action 'absolute necessity,' leaders tell Region VI members



LIVELY EXCHANGE — Francis Dunham, center, president of Ontario County Local, exchanges ideas with Florence Tripi, president of Monroe County Employees Unit, and Jim Lindsay, president of Steuben County Local, at a county workshop of the Western Region meeting.

ROCHESTER — Political action, labor communications and upcoming union-state negotiations were among the topics discussed recently at the Western Region meeting at the Downtowner Inn here.

Political awareness and political action by all CSEA members were called "an absolute necessity" by CSEA leaders at the meeting, including statewide President William L. McGowan and Region VI President Robert L. Lattimer.

According to McGowan, who spoke at the general business meeting, political action is "our most potent weapon in fighting the squeeze we're in. We are caught between the 'cutback-or-no-job syndrome' and the very real need of our members to keep up with the cost of raising a family in these difficult economic times."

Regarding a proposal by Gov. Hugh L. Carey that the state "furlough" employees for specific periods of time, McGowan declared, "We are absolutely opposed to this suggestion, which amounts to nothing more than another layoff proposal. And if this is a move to suppress our vigorous bargaining in behalf of our state employee members, they can forget it."

"We refuse to be blackmailed in our efforts to gain a fair and just salary increase for our members," the union chief continued. He urged those present to "take the message back to your fellow members, and if your unit or local doesn't have a political action committee, get one started and stay ready for a long, hard fight."

Lattimer asked all CSEA members to call and write state legislators to "let them know your opposition to the furlough proposal."

In other business, Lattimer also urged members to withhold any financial support of the United Way fund until a CSEA analysis is completed because, he says, "in some ways we may be contributing to groups that are in direct competition for our jobs."

The regional meeting contained a moment of silence in memory of two men: the slain civil rights leader Martin Luther King Jr. and Jerry Wurf, late president of the American Federation of State, County and Municipal Employees (AFSCME).

Gerry Regan, a labor communications instructor at Cornell University's



LEADERS CONFER — Richard McIntyre, president of Niagara County Local, confers with Region VI Treasurer Barbara Fauser at the regional meeting.



PASSING THE HAT — Sheila Brogan, left, Region VI secretary and P.E.O.P.L.E. coordinator, passes the hat for P.E.O.P.L.E. contributions to Josephine Giangregorio, center, of Rochester City Local, and June Ferner of West Seneca Schools.

New York School of Industrial and Labor Relations, offered a workshop in public speaking, which will be followed up with a four-week course in public speaking for those who signed up at the meeting.

In another point of business, region members were informed of the confirmation of Ron Jaros as regional attorney. He succeeds the retired Charles R. Sandler, in whose name an annual scholarship to ILR has been established.

Lattimer informed members of a telegram he sent to President Ronald Reagan, deploring a decision by the Internal Revenue Service to grant tax-exempt status to private schools and institutions that practice racial discrimination. He called the action "one of the low points in the history of this country," and urged Reagan to "take any and every action possible to reverse that unconscionable act."

An invitation to attend a Region VI meeting has been extended to Gerald McIntee, the newly-elected president of AFSCME, who has expressed a willingness to work with CSEA.

CSEA Region VI delegates to the AFSCME convention in Atlantic City, June 21-25, will be elected on March 6 in Batavia at a location to be announced.

Several speakers at the meeting alerted members of the potential dangers of a proposed U.S. Senate bill, the Hobbs Act Amendments, which was called a threat to all union members because it provides for stiff penalties for unions and members in any picket line confrontation, while management would receive minimal fines or penalties.

Regional members elected to the statewide CSEA nominating committee were Sal Castro of Erie County Local 815, Jim Jayes of Roswell Park Institute 315, and Dave Kundin of Monroe County Local 828.

Several aspirants for statewide CSEA office announced their intentions to seek approval of the nominating committee. Seeking the office of CSEA president will be Lattimer and Region V president James Moore. Region VI Treasurer Barbara Fauser announced she will run for statewide CSEA Treasurer.

The next Region VI meeting will be at the Sheraton East Inn in Buffalo on April 2 and 3.

McGowan names ad hoc group to fight federal budget cuts

Committee will also work with AFSCME for effective presence in Washington

ALBANY — To counter what he terms “the continued efforts by President Reagan and his administration to destroy public employment in state and local governments,” CSEA President William L. McGowan has named an ad hoc Committee on the Federal Budget.

“The committee will focus its efforts on the New York State Congressional delegation, working to convince them to oppose the president’s attempts to slash the federal budget, particularly as the slashes cripple state and local government budgets,” McGowan said.

The committee is also charged with working closely with AFSCME International to coordinate efforts at the federal level. “This way, we can fully tap the great potential the affiliation opened up for us for having an effective voice and presence in Washington,” McGowan said. “And in addition, we hope the committee will serve as CSEA’s eyes and ears on federal developments and keep our leadership fully informed.”

Appointed to head the committee was Joseph Conway, who also serves as chairman of the union’s statewide Legislative and Political Action Committee. Serving with him will be Region VI President Robert Lattimer, who has long been an outspoken opponent of Reaganomics; Mary Sullivan, chairperson of the County Division; and Patricia Crandall, chairperson of the State Division. Providing staff support and expertise will be chief lobbyist James Featherstonhaugh and Thomas Haley of the Legislative and Political Action Office staff.

“We’ve been warning our members about these threats for the past year and a half. But now we’re not talking about possible threats off somewhere in the future; we’re talking about the here and now. Several thousand of our brothers and sisters in the NYS Department of Labor who are facing layoffs can testify to how real the problem is.”

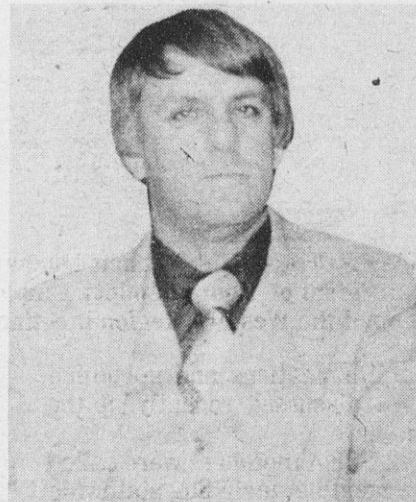
McGowan urged the new ad hoc committee to coordinate its efforts with those of other AFSCME councils in New York and the Northeast, as well as with AFSCME International. According to committee chairman Conway, one of the first fruits of that cooperation is expected to be a breakfast meeting with members of New York’s Congressional delegation, which will be co-sponsored by CSEA and AFSCME District Council 37.

“We’re used to fighting the budget wars on the state level and on the local government level,” commented Conway. “But this committee is being set up in recognition of the fact that the battle for our members’ jobs and economic lives also has to be fought in Washington. We have to improve our communication with our senators and representatives, and we have to keep those important lines of communication open.”

He added that members of the Political Action Committee will be kept advised of developments on the federal level and will be called upon when support is needed for lobbying efforts.

“The Department of Labor layoffs are just the first volley,” Conway added. “Federal, state and local government budgets are so interrelated that we can’t afford to give any level less than our very best effort.”

Working to offset erosion of public employment and services caused by Reaganomics will be these members of CSEA’s new ad hoc Committee on the Federal Budget.



Robert Lattimer



Joseph Conway, chairman



Mary Sullivan



Patricia Crandall

“We’ve been warning our members about these threats for the past year and a half. But now we’re not talking about possible threats off somewhere in the future; we’re talking about them here and now. Several thousand of our brothers and sisters in the NYS Department of Labor who are facing layoffs can testify to how real the problem is.”

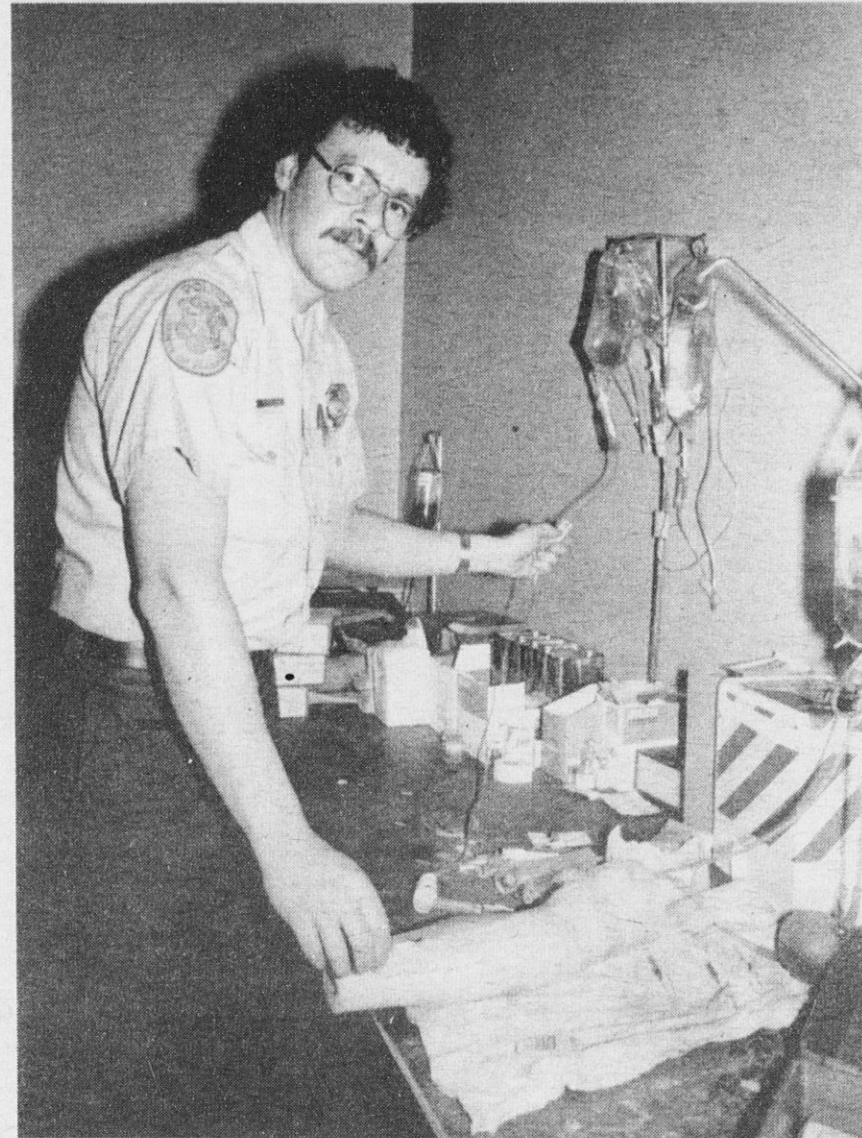
— CSEA President William L. McGowan



On the
job with

Ambulance Medical Technicians

By Hugh O'Haire
CSEA Communications Associate



JOB TRAINING — Mike Falls works with placing intravenous tubes into a dummy arm at the Fire and Police Academy at the Nassau County Medical Center. All AMT candidates must complete a course in advanced American Red Cross life-saving techniques.

EAST MEADOW — In a cramped room, down the hall past the emergency room in the Nassau County Medical Center, Ambulance Medical Technician (AMT) Tim Jaccard sat in front of a display console as an EKG monitor whirred away recording heartbeats on a paper tape.

Jaccard was talking through the mouthpiece of his headphone to another AMT in one of the county's 24 emergency ambulances. The ambulance had just picked up a patient at his home, an elderly man complaining of severe chest pains. The ambulance was in motion, with the patient hooked up to the EKG machine that was transmitting signals to Jaccard's console.

The efficiency, speed and knowledge of AMTs is usually all that stands between saving and losing a patient's life.

The AMT in the ambulance described the patient's vital signs — age, respiration and blood pressure — and made a preliminary diagnosis of heart attack. Ernie Conti, another AMT, noted them on an IBM card, while AMT Eddie Zimmerman stood by to order any special drugs or procedures that might be needed.

Jaccard ripped off the EKG tape and handed it with the card to a cardiologist, who read it and nodded.

"O.K. bring him in here. We'll notify them of your estimated time of arrival."



SPEED IS ESSENTIAL — The ambulance crew hustles to get a patient from the ambulance to the hospital emergency entrance at Nassau County Medical Center. Shown are AMTs Dan O'Neill, left, and Ken Zwerling.

AIRBORNE AID — A Nassau Police helicopter carrying a police pilot and a CSEA ambulance medical technician flies over the county.

For Jaccard, Conti and Zimmerman, or for any of the 71 other AMTs in Nassau, who are members of Nassau County CSEA Local 830, this was a fairly routine case, like many of the 30,000 they handled last year.

However routine, the efficiency, speed and knowledge of AMTs is usually all that stands between saving and losing a patient's life. AMTs are not only highly trained paramedics who use the latest medical technologies, but they work under constant pressure, as well. It is nerve-racking work, fighting to save peoples' lives under every conceivable condition, but it is exciting and challenging.

"I love being out there on the street," said Jaccard, who normally works in an ambulance. "That's where it's at in this business."

The AMTs are part of the Emergency Medical Service Department of the Nassau County Police Department, which covers all of Nassau County from Great Neck to Oyster Bay, Inwood to Massapequa — an area of 298 square miles with a population of 1.3 million. Ambulances pick up emergency cases and AMTs administer aid on the spot and rush patients to one of the 12 hospitals with emergency rooms in the county.

"We can get to a patient anywhere in the county in from four to six minutes," said AMT Danny O'Neil.

Their training is intense. All candidates for AMT must complete a course in advanced American Red Cross life-saving techniques. If they successfully complete the 200-hour course at the Fire & Police Academy at the Nassau County Medical Center, they are certified as advanced emergency medical technicians by the New York State Department of Health. It is their advanced training which prepares them to administer space-age medicines and medical procedures.

Among the equipment AMTs carry in

their ambulances and military helicopters is the electronic "Cardiac Alert System" with its EKG scanner and electro-shock defibrillator. They also carry a pharmacopeia of drugs which can aid patients with maladies ranging from heart attacks and exposure to drownings and drug overdoses.

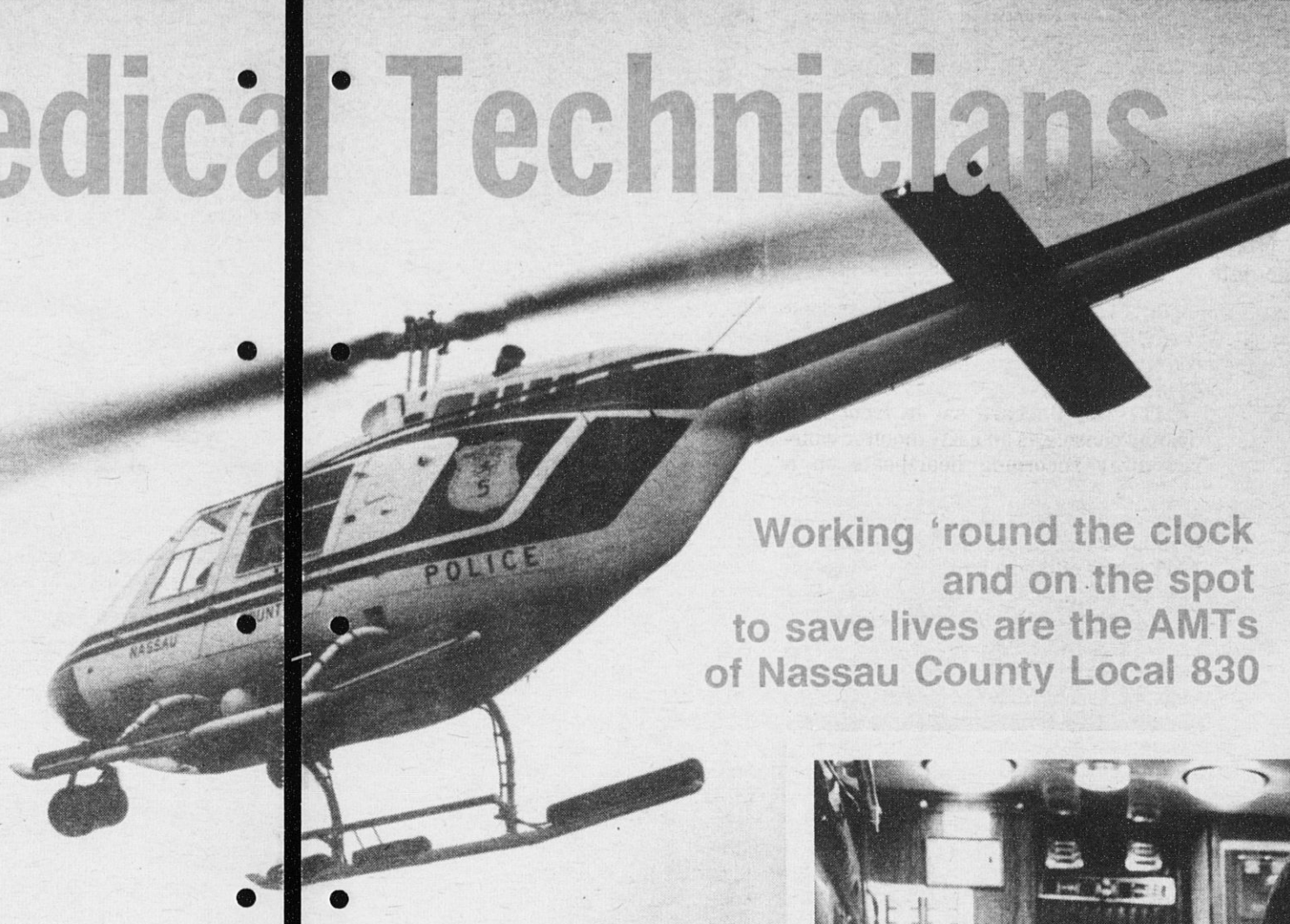
One piece of equipment from the battlefields of Vietnam, the "mast suit," is being used only on Long Island to save the lives of patients in shock. The mast suit fits over a patient's legs and lower trunk and is inflated with air much as is a blood pressure air cuff. In shock, a patient's blood pressure falls and blood gathers in the lower extremities. The mast suit forces blood back up into the upper extremities and heart area and keeps a patient from dying of shock, which is common in traumatic injuries, until the AMTs can get the patient to an emergency room.

"We can get to a patient anywhere in the county in from four to six minutes."

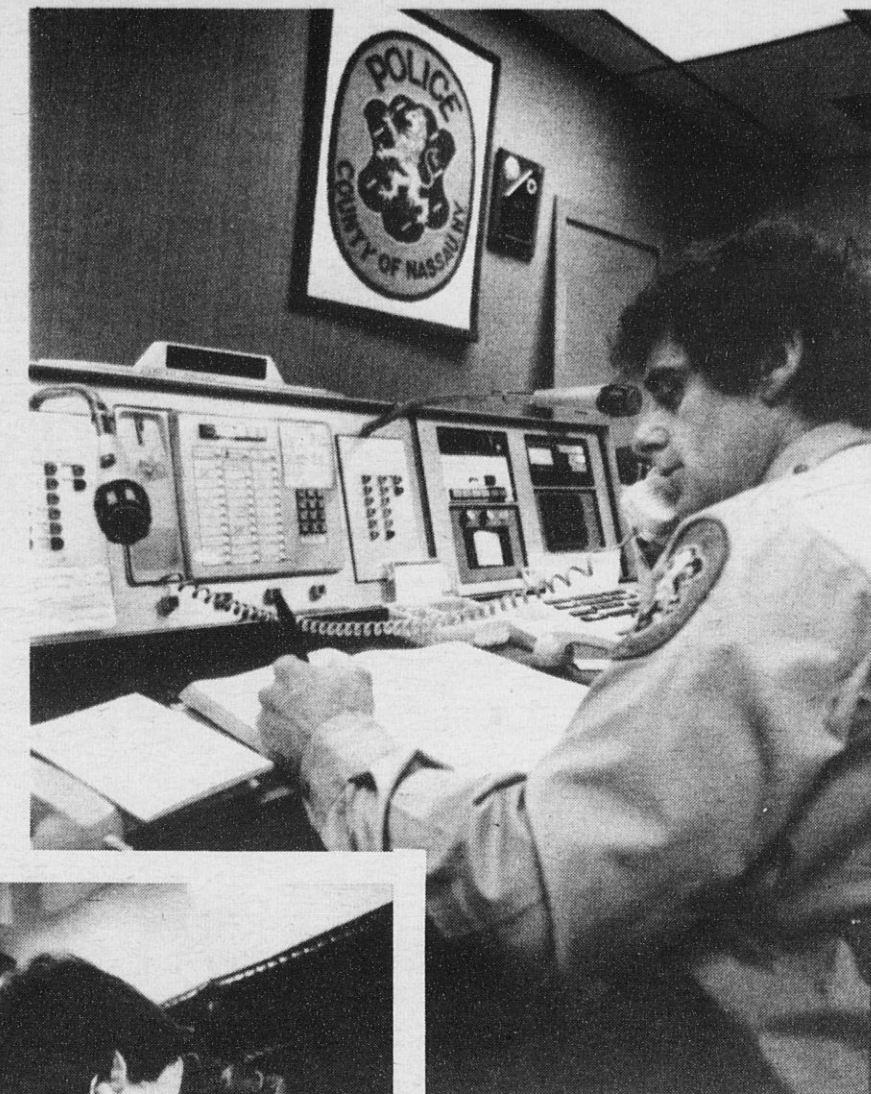
—AMT Danny O'Neil

Despite the sophisticated equipment, however, it is the judgment of the individual AMT that is often responsible for saving lives. In one recent case, an ambulance responded to a call about a homeowner who had become violent. The local authorities had declared the man a "psycho case" and the ambulance was dispatched to pick him up and transport him to a psychiatric center.

When the ambulance arrived the man was unconscious. Once in the ambulance, AMT Jaccard determined through blood tests that the man had been overcome by ammonia and ethyl



Working 'round the clock and on the spot to save lives are the AMTs of Nassau County Local 830



IN CONTROL — AMT Timothy Jaccard mans the display console while talking to another AMT in an emergency ambulance.



ADMINISTERING TREATMENT — AMT Ken Zwerling treats a patient in the ambulance.

chloride fumes. It was then discovered that the fumes came from the epoxy used by contractors who had installed a new floor in the man's home that day. The man was treated by Jaccard and rushed to an emergency room.

"He could have been left unconscious and held over as a psychiatric patient for observation. He could have died," Jaccard said.

AMTs work around the clock in three, 8-hour shifts in five-day tours. Last year they transported 30,000 people, administered EKG's to 13,500 people, treated 2,629 patients with medicines and drugs, gave intravenous medication to 4,326 and defibrillated 611 patients.

All AMTs are recertified every three years and every three months AMTs are checked out on the new procedures and equipment by the Academy. "We also field test all the new procedures," said AMT Ken Zwerling.

While they are dedicated to their work, AMTs are classified as county grade 10, which they feel is too low. They have applied for an upgrading to grade 12.

"For the work we do and the training we have, we are mostly underpaid," said Robert Johnson, CSEA unit president.

Few of the people whose lives have been saved by AMTs would disagree.



WELL-EQUIPPED — AMT Robert Johnson, left, CSEA unit president, is pictured in ambulance with AMT Supervisor John Cerasani with sophisticated life-saving equipment.

"For the work we do and the training we have, we are mostly underpaid."

—Robert Johnson, AMT and CSEA unit president

Problems keep adding up at

Downstate Medical Center "is an institution which exists to educate, to do research, and to take care of people," according to a brochure published by the facility. But a look beyond the public relations materials, a look into the realities of the 354-bed teaching and research hospital, reveals that CSEA members who work at Downstate are apparently not among the people for whom the institution claims to care. In fact, the only employees for whom Downstate seems to genuinely care are the members of the medical school's faculty. While CSEA members at Downstate

work for low pay, exposed to cancer-causing agents, faculty members are permitted to run lucrative, state-subsidized private practices within the institution.

The following articles illustrate the dangerous working condition some CSEA members at Downstate face, the total indifference of Downstate management to the lives of CSEA members, and the gravy train Downstate faculty members ride at taxpayers' expense.

Asbestos: one of several serious problems

NEW YORK CITY — Downstate Medical Center administration cannot be accused of being totally unresponsive to complaints raised by CSEA about hazardous working conditions at the facility. For instance, when Downstate Local 646 officials complained about the excessive heat workers in the boiler room had to face on a daily basis, a fresh air vent was installed. The vent is designed to bring air from the outside into the boiler room, thereby cooling the room down.

Workers in Downstate's boiler room point out that the recently installed vent works just fine in the winter, but they wonder how effective it will be in the summer when the vent will bring in hot air from the outside. They also wonder if the vent is actually enhancing a more serious health hazard than intense heat in the boiler room. They wonder if the vent is circulating asbestos particles into the air they breathe.

The asbestos, used to insulate boiler pipes, is crumbling. Asbestos dust and chunks of the material can be found on floors underneath pipes with brittle and cracked cambric wrappings that are supposed to contain the asbestos. In places where asbestos insulation was removed to repair pipes, there was apparently no effort made to replace or secure cambric wrappings.

Asbestos has been linked to a variety of lung diseases. According to the American Cancer Society, exposure to asbestos can cause mesothelioma, a particularly lethal form of lung cancer, and other lung diseases, including asbestosis, a potentially

pre-cancerous condition characterized by extreme shortness of breath.

A spokesman for the Cancer Society noted that people who work around asbestos may get asbestos particles on their clothing and bring the asbestos home with them, exposing their family members to the substance.

Workers in Downstate's boiler room do not wear masks or special clothing to protect them from asbestos exposure.

The boiler room supervisor acknowledges the presence of asbestos. "If they would give me the men to clean it up, I would," he said. "But I don't have the men."

Perhaps an OSHA complaint filed recently by Downstate CSEA Local 646 will force Downstate administration to provide the men to clean up the asbestos. The local's safety chairman, Jay Helfgott, has written a series of memos to Downstate management over the past year describing the dangerous asbestos problem in the institution, but he has never gotten a response.

The complaint filed about asbestos is one of 11 complaints the local filed with OSHA after putting up with Downstate administration's "stalling tactics" for more than a year.

"I'm sick of Downstate paying lip service to the safety of our members," Helfgott said. "I've had it with their promises."

Helfgott wrote "countless memos" to Downstate management about health and safety hazards at the facility, but management "refuses to listen."

The OSHA complaints address a variety of health and safety problems at Downstate. One of the most evident, particularly to anyone who works in the Animal Laboratory Department, is the smoke and soot that pour out of the "fresh air" vents in the department.

Helfgott maintains that the smoke from material, including contaminated and radioactive animal carcasses, burned in the hospital's incinerator is vented to the outside and then brought right back into the facility through the fresh air ventilation system.

Workers in the Animal Laboratory Department have installed makeshift filters over the vents, but the filters do little to minimize the smoke and soot that emanate from the vents. Soot from the system accumulates on desks, floors and materials in the department and the smell is repulsive, and probably dangerous to health.

"I was operating on a dog this morning and my eyes were tearing from all the dirt in the air," said a researcher who insisted on anonymity.

Workers in Downstate's Central Sterile Supply Department face a serious hazard which is the subject of another OSHA complaint filed by Downstate Local 646: ethylene oxide (ETO), a colorless, odorless gas which is used to sterilize heat sensitive hospital equipment.

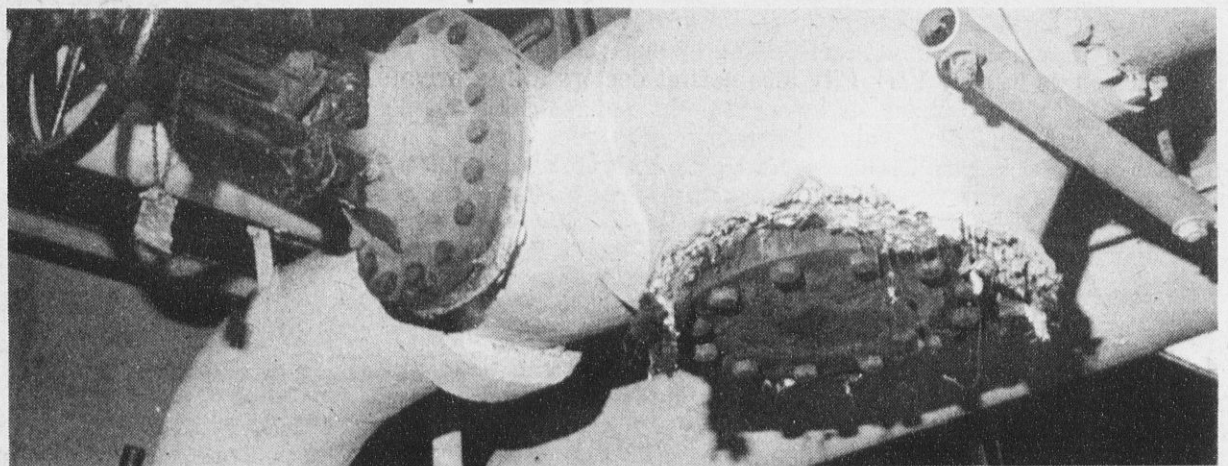
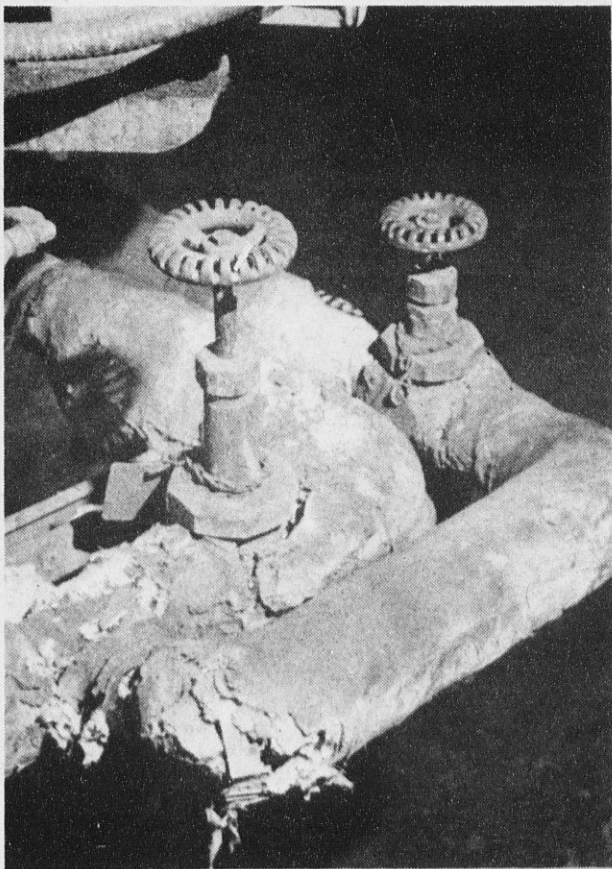
Recent studies demonstrate that ETO can induce leukemia and may cause serious damage to reproductive, skin and nervous systems.

Helfgott says that he has repeatedly asked Downstate management to install a continuous monitoring device to ensure that ETO levels in the air are within recognized safety limits. Downstate uses a "sniffer" which periodically checks levels.

"That's simply not adequate," Helfgott said. "You need continuous monitoring. Downstate refuses to do it."

The other OSHA complaints filed by the local are:

- No routine identification of contaminated materials handled by workers.
- Improper protection of oxyacetylene tanks and associated equipment.
- Discarded equipment left throughout sub-basement, in work areas.
- In the boiler room, high temperatures on scaffolding, unprotected steam pipes, feedwater chemicals improperly introduced into water.
- In the boiler room and machine shop, lack of protective clothing for workers, inadequate lighting and machine guards, no hearing protectors and defective tools.
- Chronically malfunctioning elevators.
- Lack of secondary emergency exists in sub-basement.
- Lack of protective devices for shop workers.



ASBESTOS PARTICLES crumbling away from boiler pipes represent a health threat to boiler room workers at Downstate Medical Center.

DOWNSTATE MEDICAL CENTER



CSEA MEMBERS Viola Smith, left, and Margaret Hamilton are state employees who work full-time in Clinic H, performing duties for doctors in private practice.

Allow faculty unlimited private practice income

NEW YORK CITY — Are state workers allowed to run private businesses within Downstate Medical Center?

"I'm sure they're not," replied a spokesman for Downstate.

The spokesman should have added, "Unless, of course, they're on the faculty of Downstate's medical school.

Not only are faculty members permitted to run private businesses within the facility, but these doctors are given all the staff and materials they need to ensure that their private practices are as profitable as they can make them. For there is no limit on the amount of income these doctors can earn from their state-subsidized businesses. This income is in addition to their salaries as Downstate faculty members.

Downstate provides these doctors—there are nearly 100 of them—with office space for a token rent of \$150 per year plus \$2.50 per patient visit. Downstate picks up the tab for state employees to work full-time for these doctors in private practices, and throws in other support personnel, such as x-ray, laboratory, and EKG technicians, who alternate between private and hospital assignments. Downstate also provides all the materials these doctors need, ranging from band-aids to the most sophisticated, expensive medical equipment.

Downstate's generosity toward its faculty members is no secret: More than a year ago, *Daily News* reporter Alex Michelini exposed "how taxpayers give doctors a free ride." Fallout from Michelini's article contributed to pressure which prompted the resignations of the medical center's director and three other top management officials while four state agencies were looking into downstate's "tangled financial affairs."

A Downstate spokesman told the *Daily News* that the facility "is planning change in the private practice set-up," including limiting the amount of "private" money doctors can earn and charging them for "some expenses."

But, according to Downstate Local 646 President Frances DuBose, the only change Downstate has made is to increase doctors' rents by adding \$2.50 per patient visit to the \$150 a year charged for office space.

"I'm sure that the \$2.50 surcharge hasn't hurt the doctors," Ms. DuBose said. "They just pass it along to their patients."

With free support staff and materials and token office rents, one might think that Downstate faculty members would provide free service to their patients. This is not the case, however. Ms. DuBose reports that the average charge for a patient visit is approximately \$35, but no one, except the doctors themselves, knows because even though Downstate gives these doctors a "free ride," these doctors do all their billing themselves.

Other hospitals in New York City also permit doctors to run private practices on hospital premises, but Downstate's generosity is unique. Brooklyn Maimonides Medical Center permits doctors, according to rank, to earn between \$22,000 and \$30,000 a year caring for private patients. At the prestigious Albert Einstein School of Medicine, full-time faculty members are allowed to earn whatever they want, but all income derived from private practices must be donated to the medical school. At New York City's municipal hospitals, a recently approved program enables doctors to participate in hospital-based practices with a "cap" of between \$9,000 and \$14,000 on income above salaries.

The CSEA Metropolitan Region II office of CSEA is currently exploring with legal counsel whether any of Downstate's private practices are in violation of laws dealing with public employees working in the private sector.

The articles on these pages dealing with conditions and situations at Downstate Medical Center were researched and written by Richard Chernela, CSEA Communications Associate.

Charging double standards, union says management lax in responding to charges

NEW YORK CITY — An allegation was made recently that a Grade 4 cleaner at Downstate Medical Center refused to give a washcloth to the relative of a patient, and, instead, the cleaner directed the relative to a nursing station.

Within two days of the alleged incident, the cleaner, a CSEA member, was suspended and placed on leave without pay. The case has been sent to arbitration where Downstate administration is seeking termination as a penalty for the CSEA member's alleged transgression.

Another allegation was made recently at Downstate, a serious allegation that, on the grounds of the facility, a management official attempted to run down with his car Rupert Mayers, chairman of the Downstate CSEA Local 646 grievance committee. More than a month has passed since the alleged incident, and there has not even been a report issued by Downstate administration, let alone action taken against the management official.

"There's a double standard here at Downstate," charged the local's president, Frances DuBose. "If it's alleged that one of our members steps the slightest bit out of line, watch out. If it's alleged that a management official does something wrong, even threatening the life of a union official, it's no big deal as far as the administration is concerned."

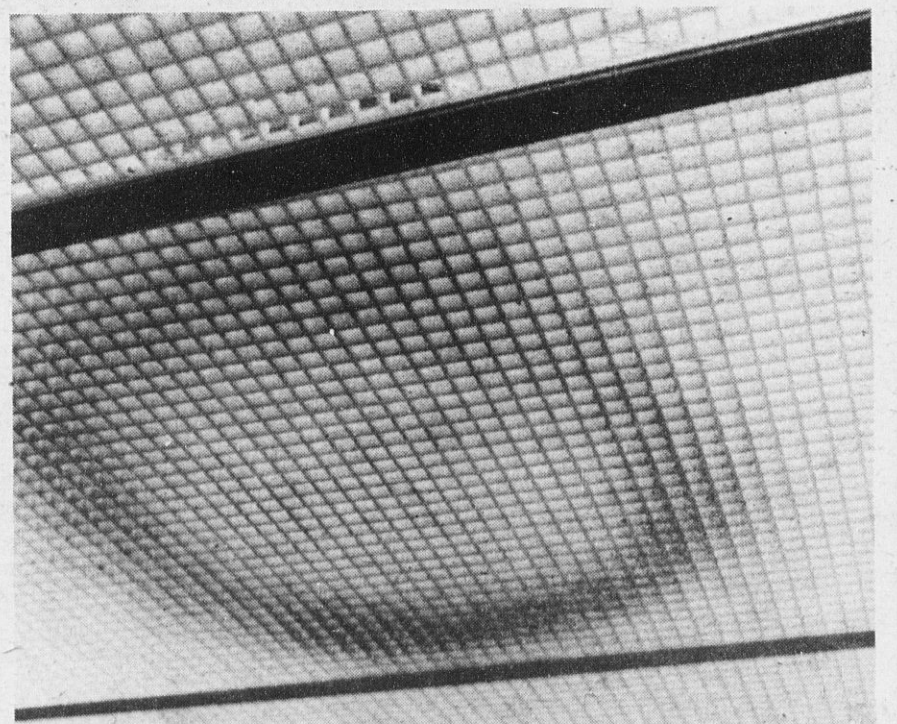
Ms. DuBose noted that the allegation that Mayers' life was endangered by the actions of a management official was immediately reported to security and then brought directly to the attention of Downstate's vice president for administration. Yet more than two weeks after the alleged incident, Downstate administration had not even asked Mayers for his version of the events surrounding the allegation.

Facing an indifferent, arrogant administration, Ms. DuBose sent a mailgram to State University of New York Chancellor Clifford R. Wharton, calling for an official investigation of "a gross dereliction of managerial responsibility" in Downstate administration's handling of the alleged attempt to run down Mayers with a car.

Chancellor Wharton never replied to Ms. DuBose's mailgram. But since the mailgram was sent, a personnel assistant has interviewed Mayers to get his version of the alleged incident. Still, no report has been issued and no action has been taken against the management official against whom the allegation was made.

"This allegation, if proved, is very serious," Ms. DuBose said. "I'm certainly not taking this matter lightly."

Ms. DuBose believes, however, that Downstate administration is taking the matter lightly. "The way they've handled this alleged incident and other problems here indicates that Downstate administration considers the lives and working conditions of CSEA members to be of little or no concern."



SMOKE AND SOOT from organic and radioactive materials burned in Downstate Medical Center's incinerator is vented to the outside and then brought back into the hospital through the fresh air ventilation system. That smoke and soot comes into working spaces through various vents, including this one in an elevator.

Parking attendant driven by comedy

Impersonations may be ticket to success for this OGS member

By Tina Lincer First
Associate Editor

ALBANY — For Steve Van Zandt, making a good impression is important. The CSEA member, a parking services attendant for the Office of General Services by day, spends his spare hours impersonating celebrities in an original, stand-up comedy routine.

"Right now I do 60 voices, and I learn a characterization whenever I can," said Van Zandt one afternoon recently at the Empire State Plaza, after finishing his 7 a.m. to 3 p.m. shift. "There are not only voices to get down, but mannerisms and facial expressions too.

"I've been a hot dog since I can remember," the 23-year-old said. "You know — a show-off, a kid that's always grabbing for attention."

Attention is one thing the Local 660 member gets, from friends and relatives as well as from colleagues and area audiences. He appears regularly at clubs in the Capital Region, and has done many characterizations for radio and television advertising. He was recently contacted by a major upstate ad agency to impersonate Richard Dawson of "Family Feud" for a commercial. With only one night to learn the voice, he taped the TV game show and practiced the part in his car on the way to work.

In an attempt at bigger things, he journeyed to New York City last weekend, where he set up auditions at Catch a Rising Star, the Improvisation and Dangerfield's, prominent clubs that feature up-and-coming comics. He dreams about putting out his own comedy album one day.

Married and the father of a two-year-old son, the Green Island resident has been working as a comic-impersonist semi-professionally since he was 16. That's when he won top prize — \$50 — in his high school's version of the "Gong Show," the zany TV show that surged to popularity a few years ago with its array of absurd acts by aspiring performers, and spawned spin-offs nationwide.

After that, Van Zandt says, "I entered every 'Gong Show' I could find," including one at a local restaurant which ultimately won him a spot on the real thing. That was the summer of '78, and he was flown to Burbank, Calif. to pit his talents against those of other young hopefuls. After passing a series of auditions, the Capital Region comedian tied for first place in the competition with a soul singer but lost the tie-breaker, and ultimately placed second. The show aired later that summer.

"Sort of a strange feeling came over me when I saw it," Van Zandt said. "After watching the show for more than a year, suddenly here I am on it."

Of his routine, he says: "I ad lib a little bit. I do my own comedy in my own way with my own voice — kid about local politics, maybe. Then I ask the audience to try to imagine celebrities in different occupations, like in everyday or blue collar jobs.

"Can you imagine John Wayne as a state worker?" he asks, smoothly saddling into the gravelly Wayne speech, barking out orders to another state worker: "Move them boxes outta here." In a matter of seconds, the slim, 6-foot-4-inch Van Zandt, with wavy hair and angular jaw, has assumed the Wayne persona. "Or John Wayne as a shoe salesman," he says, back in his own voice. "One that usually rips people up is Jimmy Stewart as a horse racing announcer, because he talks so slow."

Johnny Carson is his favorite personality, and one he impersonates regularly. "He's got a certain charisma and always has control of his audience, which is what you really need in show business to keep you going," he says of Carson. "The comedy he does is 99 percent corny. If anyone else tried to do it, they'd bomb. But he can get away with it, because of his charisma."

In addition to Carson, other impressions that go over well with audiences are of Redd Foxx, Paul Lynde, Sylvester Stallone, Archie and Edith Bunker, all the U.S. presidents since Nixon, and politicians Henry Kissinger, Hubert Humphrey and Nelson Rockefeller.

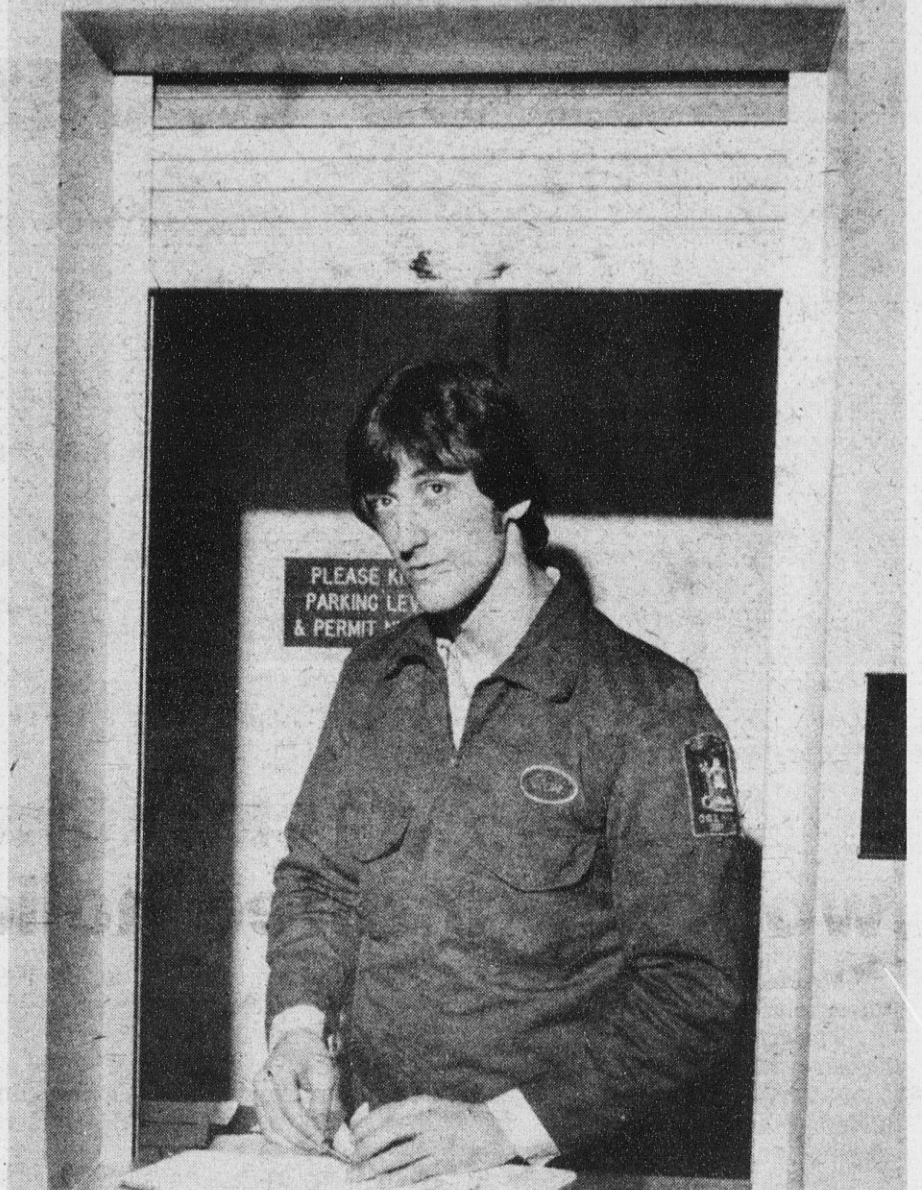
And though he usually confines his impressions to after-work hours, sometimes that gritty Wayne voice can be heard reverberating in OGS halls.

There was, for instance, the time he gave directions to a lost driver in his Wayne voice, saying, "Turn around and hitch up your car over there, pilgrim." He is also known to have called up his supervisor on occasion using a co-worker's voice, "and really confused him."

But he is most famous for the time he telephoned a colleague who was working in another part of town and, in his boss' voice, ordered him back to the Empire State Plaza. The employee, with no car, quickly caught a cab and returned.

When his boss found out about the incident, he promptly called Van Zandt into his office and warned him he could get into trouble for such antics. Then, says Van Zandt, his boss "started breaking up."

EMPLOYEE PARKING PERMITS



MAN OF MANY VOICES — Steve Van Zandt, an OGS parking attendant at the Empire State Plaza in Albany, moonlights as a comic-impersonist at Capital Region clubs.
G. M. Dzaman photo courtesy of The Times Record

"I didn't do it to make him (his co-worker) grab a cab," the CSEA member explained, his large brown eyes mirthful at the remembrance. "But by the time I called him back, two or three minutes later, he had run out and hailed one."

Someday, says Van Zandt, it would be nice to make money for making people laugh and for using his talents, but for now at least, his career is parked at the state plaza. He spends his days selling parking permits, making signs, directing traffic and giving parking tickets. "I do everything except park cars," he says, "which is the first thing people think I do when I say I'm a parking services attendant."

And while he likes his job of four years and the people he works with, Van Zandt argues that his comic capers make his work more fun.

"I like having a good time," he says, getting serious about his comedy. "If somebody can be funny, can break people up even when there's nothing to laugh about, that alone is worth it."

"If nothing ever comes out of my impressions, as far as fame or money goes, there's no problem. I'll still enjoy it."

1982 state holiday calendar

ALBANY — State employees — including CSEA members in the Administrative, Operational and Institutional bargaining units — should mark the dates below on their calendars.

These are the official holidays to be observed during the balance of the year.

Lincoln's Birthday	Friday, Feb. 12
Washington's Birthday	Monday, Feb. 15
Memorial Day	Monday, May 31
Independence Day	Monday, July 5

Labor Day	Monday, Sept. 6
Columbus Day	Monday, Oct. 11
Election Day	Tuesday, Nov. 2
Veterans Day	Thursday, Nov. 11
Thanksgiving Day	Thursday, Nov. 25

Christmas Day, Dec. 25, falls on a Saturday this year. State employees entitled to time off with pay on days observed as holidays shall be granted compensatory time off, or the state may designate another day to be observed as a holiday.

PERB ruled Nassau cars a contractual benefit; case now on appeal

CSEA driving force to keep county cars

MINEOLA — Nassau County officials are admittedly disturbed over a series of PERB and judicial victories by the CSEA that have blocked their attempts to take away county cars from employees without first bargaining with the union.

"This is an incredible situation. The courts are telling us we cannot save money by effecting economies in our motor vehicle fleet," said Nassau

County Executive Francis Purcell recently.

In January, 1979, Purcell took county-owned cars away from 130 employees. CSEA Local 830 filed a grievance for 18 of its members in the department of public works, claiming that the use of cars was a contractual benefit. The CSEA grievance was upheld by a PERB hearing officer and later reaffirmed by the full-PERB Board in September, 1980.

CSEA has been also upheld in a subsequent political challenge in Nassau Supreme Court. Now the county has filed a notice of appeal to the Appellate Division and the case could wind up in the Court of Appeals, New York State's highest court.

"It is our position that a benefit cannot be taken away without negotiations. No matter if the benefit is a free car, a parking space or a coffee-break, we maintain that no employer can arbitrarily take it away without bargaining with the union. We're going to pursue this all the way to the end," said Jerry Donahue, local 830 president.

While the legal battle continues, CSEA members have had to use their personal cars on their jobs. The PERB board order, however, directed the county to compensate employees for "reasonable expenses incurred for transportation to and from work places with interest at 3 percent per annum.

According to Barry Peek, a Local 830 attorney who represented the union before PERB, CSEA will ask for at least \$10 a week for gasoline and \$200 a

"No matter if the benefit is a free car, a parking space or a coffee break, we maintain that no employer can arbitrarily take it away without bargaining with the union..."

year for auto maintenance retroactive to January 1979. CSEA is being represented in the courts by CSEA Attorney Marge Karowe.

The use of the county cars and payment for the use of personal cars based on mileage charts has been a major union concern on Long Island since gasoline prices have more than quadrupled in recent years. In Suffolk, Local 852 revived an old grievance that had not been concluded successfully and renegotiated a revised mileage expense chart.

Suffolk County is much larger than Nassau, and distances between work places are considerable. Moreover, most Suffolk employees use their own cars and must abide by prescribed mileage charts which CSEA members have long considered inaccurate.

The revised charts correct errors on the old charts — the distance for some trips was different from the distance the opposite way — and included 200 additional point-to-point mileages.

The revised charts went into effect on Jan. 1. "It's a lot better than what we had," said Kevin Mastridge, first vice president and grievance representative. "But we have to watch and see how it works."

Moore appoints CSEA structure panel

SYRACUSE — Region V President James J. Moore has announced the appointment of a special regional committee to study the current CSEA structure and make recommendations concerning the possible statewide restructuring of the union.

Named to serve on the committee from county locals were Robert Allen, chairperson, Local 808; Thomas Keane, Local 855; Carol Riggall, Local 827 and Fred Carlton, Local 834.

Committee members from state locals include Merwin Stevens, Local 013; Barbara Allen, Local 441 and Robert Vincent, Local 615.

The date and place for the first regional committee meeting will be announced soon.

In a letter to the new appointees, Moore said he expected the work of the committee would probably cover a two-year period and that a statewide committee will be formed to study the issue.

Moore also appointed Richard Brown, 2nd vice president and Bruce Nolan, 3rd vice president, to serve the committee as regional advisors.



TALKING OVER THE ARBITRATION AWARD are, from left, Grievance Chairman Ron Reidy, Foreman Joe Paterno and Field Representative Larry Sparber. Reidy notes, "Everybody's happy . . . they're receiving their due."

Mamaroneck highway workers granted holiday pay

MAMARONECK — The first and only grievance ever filed in this Westchester County town has turned out to be a big winner for fourteen highway department employees.

The grievance, according to Field Representative Larry Sparber, arose in September of 1980 when he learned the men were required, whenever there was a holiday, to go out and pick up wastepaper. The sanitation department regularly collects paper on Wednesdays for recycling, but when there's been a holiday, they use Wednesdays as a make up day, with highway department employees-in various job titles — required to do the recycling pick up.

The CSEA contract provides that the highway workers should receive \$10 extra each day assigned to pick up papers. They were also permitted to call it a day when they've completed the pickups. The town disagreed.

So a grievance was filed, and the issued end up in arbitration with CSEA represented by Regional Attorney Arthur Grae. After a brief hearing, Arbitrator Stanley Aiges concluded: "The Town violated Article IX 3(a) of the Agreement by failing to pay the grievants \$10.00 extra per day for each day they were assigned to pick up waste paper. They shall be made whole. And the Town is directed henceforth to observe the requirement that on days which Highway Department employees are assigned the duties of Sanitation Department employees they shall be permitted to leave for the day upon completion of the normal sanitation duties."

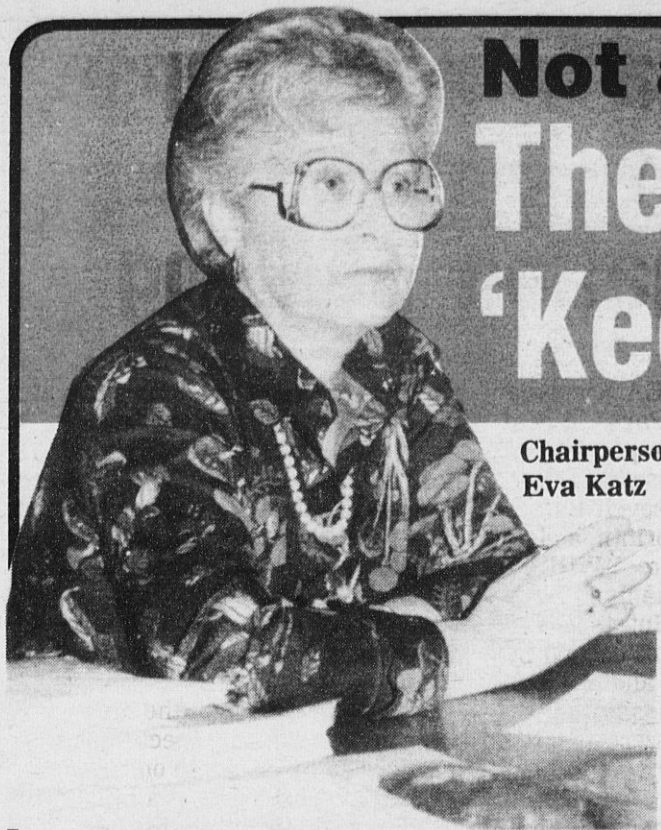
Exactly 118 days were involved, which means fourteen men will share \$1,180 depending on individual assignments.

Thus ends the story of the first grievance ever in this town of 12,300 people.



IN THE WINNER'S CORNER are highway department employees including, from left, John Phillipson, Joe Tunno, Ron Reidy, Bernie Disotto, Joe Paterno, Charlie Comblo, and Brian Soriano.

Not a popular job, but important The new Judicial Board: 'Keeps the union clean'



Chairperson
Eva Katz

Editor's Note: A new statewide Judicial Board was established by a change in the CSEA constitution and by-laws approved last October at the annual Delegates meeting. The change was designed to ensure more impartial hearings and consistent decisions and to eliminate some costly and time-consuming duplication of efforts.

Appointed to the important panel were chairperson Eva Katz of Region III; vice-

chairperson Joseph Johnson of Region II; and Ed Garcia, Region I; Dennis Tobin, Region II; Jack Whalen, Region III; Brian P. Ruff, Region IV, Sarah Soule, Region V; and Florence Tripi, Region VI.

The following profile explores the Board's first few months of work and its important role in enforcing the union's constitution and by-laws.

ALBANY — "Everyone, especially the rank and file members, benefits if we can handle our problems internally. And that's what the Judicial Board is all about. It lets us keep the union clean. It helps us keep our dirty linen inside, not wash in public," said Eva Katz, newly-appointed chairperson of CSEA's statewide Judicial Board.

In discussing the board, Ms. Katz and other members of the panel repeated several themes: their heavy responsibility to the membership, the importance of expeditious handling of allegations and charges, and a desire to see the board and the allegations with which it must deal put into proper perspective.

"Perspective is important," Ms. Katz emphasized. "I've served on regional trial boards, and I'm aware of the kinds of cases that have come up around the state in recent years. They have not been instances of malicious or criminal or willfully wrongful actions. They've largely been cases of misguided actions, of not knowing the rules.

"Especially when you compare the kinds of cases CSEA gets with the kind of scandals and problems that occur in some other unions, we've got a clean record. Out of a quarter of a million members and thousands of officers, a slightly rotten apple or two wouldn't be unexpected. But I think that knowing how these cases are dealt with by the union is a good education for the officers and a reassurance for the members."

She added that an effective internal judicial system alerts officers to the importance of their fiduciary responsibilities and makes them more cautious about observing the union's constitution and by-laws.

The newly-appointed members of the Judicial Board, while facing a number of pending allegations and cases, are also busy conducting organizational meetings to set up ground rules and "iron out kinks."

"One of our priorities is expeditious handling

of allegations," Ms. Katz explained. "We want to handle cases as promptly as possible, especially in cases of suspensions and trusteeships because of the adverse effects on the members if cases like this drag on. Nobody benefits from delays. And even though CSEA appoints trustees and assigns staff to see that the members get the service they require, it's not fair to let situations like this drag on. Members, as well as the officers involved in the case, have a right to know the outcome as soon as possible."

Members of the panel were highly complimentary of the way board appointments were handled. Brian Ruff commented, "It's a very thoughtfully put together board, with a good mix. Being on this board isn't exactly a picnic, you know. But all the members seem to me to be dedicated and concerned and to take the weight of responsibility seriously."

Chairperson Katz indicated that she gave her appointment a lot of thought when it was offered. "I don't take things lightly," she said. "I've turned down some union appointments in the past, because I didn't feel inspired by the job or think I would do a good job.

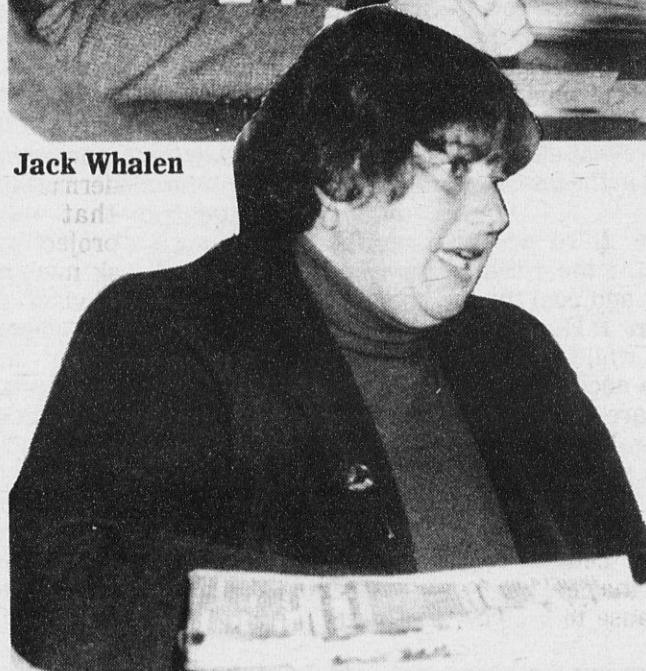
"This isn't an appointment I sought, and I was surprised by it. But while it's not a 'popular' job, it's an important one. I think I can be honest and fair, and I think that every member of this board is a person of basic integrity."

Serving on the Judicial Board has proved to be time-consuming. A member cited one recent hearing which was in session from 9 a.m. to 11 p.m. "We ate sandwiches at our places during the hearing, and believe me, it was a long, hard day," he said.

"To make my situation worse, I just got called to grand jury duty in Rockland County," Ms. Katz added. "There's the big Brinks robbery case and a couple of murders coming up. It does serve to put CSEA problems back into perspective."



Jack Whalen



Florence Tripi



JUDICIAL BOARD MEMBER Joseph Johnson, left, outlines the facts of a case as Chairperson Eva Katz, and members Brian and Florence Tripi look on.



Dennis Tobin

Saratoga wall collapse injures two members; investigation pending

SARATOGA—Two CSEA Saratoga Spa-Capital District Parks Local members were slightly injured when a portion of a wall collapsed inside an unused room at the Roosevelt Baths.

William Butz, 34, of Corinth, an electrician, and Orlando "Willie" Bagnoli, 56, of Mechanicville, a mason, were injured. Butz suffered cuts on the head and arm caused by the falling cinderblock and plaster. Bagnoli was struck in the shoulder by the debris. Both men were treated and released from the Saratoga Hospital.

The injured were among several park workers demolishing walls and renovating the closed Turkish Bath section of the women's wing of the bath house where the incident occurred.

According to Stephen Dyer, superintendent of the park complex, the workers had finished demolishing a wall inside the unused steam room when several cinderblocks and plaster from an adjacent standing wall fell.

Following the incident, William H. Kelly, manager of the Saratoga-Capital District State Park and Recreation Commission, called for a complete visual inspection and inventory of the state-owned buildings at the park. "I want to find out what happened, what caused the accident, and what can be done to prevent such incidents from occurring in the future," he said.

"Demolition is the third most dangerous occupation in the world, right after firefighting and coal mining," George H. Iglar, P.E. senior park engineer, stated while conducting a brief tour of the accident site. "The park workers are skilled in maintenance and general repair. But this points up a need for some training in demolition."

The Saratoga accident, which follows the September ceiling collapse in Fulton County, may eventually trace its possible cause to a com-

mon problem — a lack of accurate structural change information.

The park engineer noted that the wall, which the employees were removing, does not appear on the most recent engineering plans of the building. "It probably was added during the 40's. But we don't know why it was built, how it was constructed. So the workers were dealing with an unknown element."

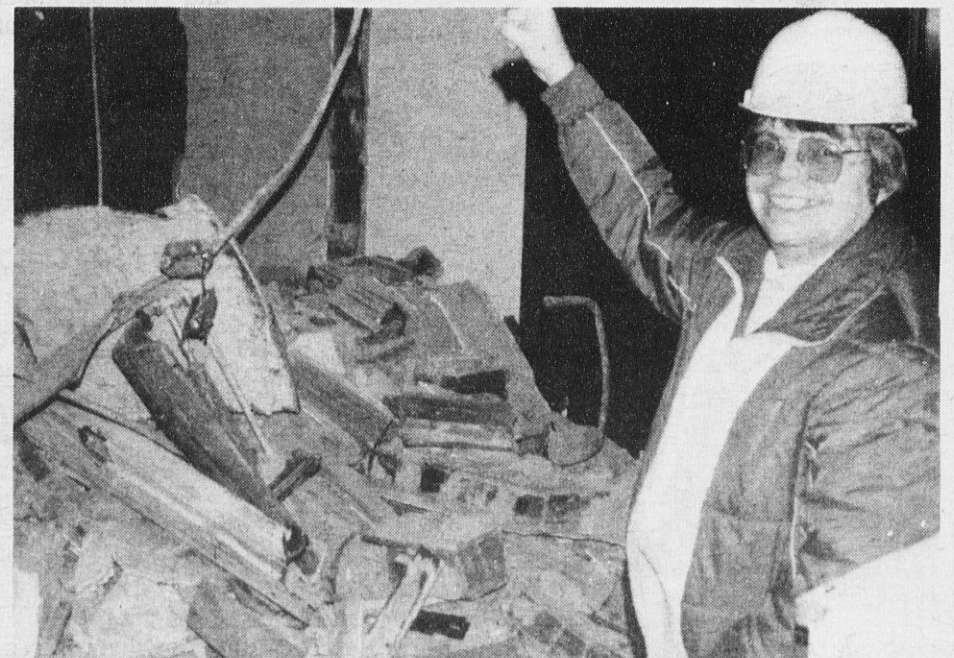
Iglar could not place the blame for the accident on any specific reason and refused to speculate on the possible cause. "There will be a full report on the whole matter," he said.

The comments on the apparent lack of information on structural changes recalls the Fulton County ceiling collapse incident in which a private contractor's employee and a county attorney were slightly injured.

In that accident, which is still under investigation, the private roofing contractor allegedly used plans which did not include all of the structural changes that had been made in the roof and its supporting strut system over the past century. The workers cut what they believed to be non-supporting roof struts and minutes later the ceiling, supported by the cut struts, crashed to the second floor staircase landing.

"In September, we warned the Capital Region leadership of the dangers involved in the renovation of existing structures for modern utilization. We suggested that each local/unit, where such a project was on-going or scheduled, ask management to do a pre-renovation visual inspection and a structural change history. This would identify any unknown elements in such projects," John D. Corcoran, Jr., Region Director, recalled.

"Now, after the Saratoga wall and Fulton ceiling accidents, we will hold management totally responsible if such precautions are not implemented immediately upon their request."



SENIOR PARK ENGINEER George H. Iglar points to where a portion of a wall collapsed, slightly injuring two park employees.

For Marge Karowe, new board poses major obligations



CSEA ATTORNEY MARGE KAROWE discusses procedure with members of the new Judicial Board at a recent meeting in Albany.

ALBANY — The task of working with CSEA's new statewide Judicial Board to flesh out details of procedure and internal operations falls to attorney Marjorie Karowe of the firm of Roemer and Featherstonhaugh.

"When the delegates amended the constitution and by-laws, they gave us a good framework within which to work," she said. "But obviously we now have to go through a period of learning, of finding the rough spots and fleshing out the day-to-day details."

"It's going to be a good system, and it's certainly a very open system. But our job is to develop procedures that are as fair to everyone as we can possibly make them without being technically too burdensome."

She stressed that the Judicial Board has three major obligations — to the union as a whole, to the member bringing allegations, and to the member against whom allegations are brought.

"For one thing, this means making sure that all allegations are investigated, while at the same time making sure that only substantial, documented allegations are carried through as formal charges," the attorney said.

In order to do this, a two-step process has been set up. The two steps can be roughly compared to the functions of a grand jury and a trial jury. The first

...we now have to go through a period of learning, of finding the rough spots and fleshing out the day-to-day details. . .

step occurs when allegations are made against a member, and the Judicial Board must decide whether to bring formal charges.

"In other words, the Judicial Board will not automatically bring charges and hold hearings on every allegation made," Ms. Karowe explained. "They'll ask for supporting information and documentation. They give the person against whom allegations are made an opportunity to respond so that they can determine whether there's 'probable cause' to justify formal charges and a full hearing."

The second step occurs only when the board issues formal charges. A hearing is conducted, following procedures closely paralleling trial procedures.

For example: the Judicial Board has the power to subpoena witnesses and documents, members charged with misconduct are presumed innocent until proven guilty, parties have a right to be represented by an attorney, and a number of safeguards are built in to protect the rights of everyone concerned.

One major safeguard, designed to avoid conflict of interest, was built into the way Judicial Board members are appointed. The board consists of eight members: one from each of the six regions, appointed by the region president; plus two members appointed at large by the statewide president. In addition, members must disqualify themselves when cases involve their own Regions.

Ms. Karowe described another safeguard: "If the Judicial Board decides that allegations against a member were not brought in good faith or were investigated by malice, they can turn around and invoke penalties against the member who made the allegation." She added that the penalty might include imposition of all costs incurred by the board and the person charged, including such items as travel expenses and stenographic costs.

New procedures still allow for an appeals process. Written objections to a Judicial Board decision may be filed with the statewide Board of Directors.

"But again, this is intended to parallel an appeal as we know it in the court system," Ms. Karowe explained. "It's supposed to review specific questions of procedure or policy, not be an automatic re-hearing of the whole charges."

Employees to receive 'location preference questionnaires'

1,521 DOL Reaganomics victims await March 17 layoff notices

ALBANY — The state Department of Labor will be sending layoff notices to 1,521 state workers on March 17 as a result of massive federal budget cuts in a state department that receives 95 percent of its funding from federal sources.

The Public Sector reported last week that more than 1,000 DOL jobs were targeted, but following a Jan. 21 meeting between Commissioner Lillian Roberts and CSEA officials, the actual layoff estimate was placed at more than 1,500 jobs.

"Reaganomics is the sole cause of this disastrous cut that will mean financial hardship for 1,500 dedicated state workers, devastating cuts in services to the people of this state, and more people on this nation's unemployment lines," commented CSEA President William L. McGowan in responding to the announcement.

The actual layoff target was revealed during a meeting of DOL officials and CSEA representatives including DOL Board Representatives Shirley Brown and Brian Ruff; CSEA Field Service Director Paul Burch; Bruce Wyngaard, assistant director of the union's Research Department; Labor Department Local 670 President Jeanne Lyons; CSEA Local 012 President Sylvia Ebersold; and Tina Packer, representing Labor Department Local 350 President Dennis Tobin.

All Labor Department employees in job titles where layoffs are targeted were expected to receive location preference questionnaires this month as part of a procedure intended to locate

alternate state employment for some of the displaced employees. Employees must fill out and return their questionnaires immediately.

Since actual offices and work locations to be affected by the cuts have not yet been determined, employees are being encouraged not to limit themselves on alternatives more than necessary. The anticipated return deadline for the questionnaires is expected to be Feb. 5, so employees have been encouraged to read questionnaire directions carefully and respond immediately.

On April 7 target date for the layoffs has been established because the department is attempting to expedite the layoff to limit its effect. The longer the layoff is delayed, the more people will be affected in order to reach the reduced level of funding. It has not been determined how many of the employees affected will be CSEA members.

Prior to the anticipated layoff date, the department, assisted by the Department of Civil Service, will be establishing placement rosters for affected positions. The plan is for rosters to be organized by title to allow employees to transfer to other agencies with vacancies in the same title prior to their anticipated layoffs. Where layoffs actually occur, however, preferred lists will be established.

CSEA is organizing a mailing to all department employees it represents to update them on the situation and provide them with a detailed list of resource names of local presidents and members of CSEA's labor-management committee to assist

them with problems or questions stemming from the layoffs. CSEA Board Representatives Shirley Brown and Brian Ruff have compiled that information.

Meanwhile, President McGowan has appointed an Ad Hoc Committee on the Federal Budget to deal with threats to CSEA members stemming directly from budget cuts. That committee is planning to meet in the near future with the New York Congressional Delegation to protest the effects of Reaganomics and to appeal for special assistance to deal with the Labor Department cutbacks.

In addition, President McGowan has written to the delegation asking for emergency action to restore funding to the department citing the devastating consequences of such massive cuts in the employment services division in the midst of a growing national recession.

"We told everyone before Ronald Reagan got elected that this would happen," President McGowan said, "and when they cut the federal budget to implement Reaganomics, organized labor said it was pure folly to cut services while unemployment was on the rise. They didn't listen to us then, but maybe now they will. CSEA will certainly do all it can to try to reverse this deplorable situation."

All Department of Labor employees are being urged to keep in touch with developments in this situation through The Public Sector.

Agreements signed in Westchester, Nassau



SUPERVISOR NANCY ELLIOTT puts her signature on a two-year contract with members of the Yorktown Unit of Westchester Local 860. Looking on are, from left, negotiating team member Anthony LaPeter, Unit President Steve Chanowsky and Field Representative Don Partrick. Wages will rise 17 percent during the two years of the agreement, which went into effect Jan. 1.



NASSAU COUNTY Local President Jerry Donahue, right, signs a new contract covering CSEA-represented employees of the Village of East Rockaway as mayor Theodore Reinhard, left, watches. Standing is East Rockaway Unit President Charlie Henshaw.

... and in Steuben County

BATH — The Steuben County Employees Unit of CSEA Local 851 has reached agreement with the county on a two-year collective bargaining contract.

The 650-member unit will receive wage increases of 4 percent, effective Jan. 1 and July 1 of 1982, and 5 percent, effective Jan. 1 and July 1 of 1983. A minimum of \$400 will apply in 1982 and a \$500 minimum is provided in 1983.

The wage increases are in addition to all increments due.

The county employees also gained an educational provision, whereby with department head approval, tuition at any New York approved school will be paid by the county and employees will not be charged for time off while attending school.

The contract also provides for an increase in meal allowances, on-call pay for child protective caseworkers,

and addition of a Blue Cross-Blue Shield non-participating hospital rider.

Overtime pay will continue at time-and-a-half and the employer may not change work shift or work day to avoid payment of overtime.

Unit President Pete Nielsen said his members were "pretty happy with what we were able to get, in light of the tight economy and the county's tax problems."

CSEA field representative Ray Ducharme said there were no "give-backs" in the contract. He was joined in negotiations by a committee that included Tom Crossett, Dave Buckley, Pat Brink, Debbie Hall, Terry Miller, Clayton Learn, Tim Wolcott, Lou Ann McNally, Kathy Holly, Judi DuVall, Cheryl Ambrosone, Martha Chilbert, Barb Drake, Bob Kimball and Gale Sick.

Budget analyst Kathy Albowicz

Providing CSEA with the edge in negotiations



CSEA Budget Analyst Kathy Albowicz

ALBANY — A county claims it can only balance its new budget by laying off 150 employees. City management insists at the negotiating table that the city is broke and can't afford the pay increases the union demands. A school district proposes to "cut costs" by contracting out transportation to a private firm.

To get the evidence needed to counter these management claims of poverty, the field representative calls in the union's budget sleuth — CSEA budget analyst Kathryn Albowicz.



IN SEARCH OF — Budget Analyst Kathryn Albowicz reviews a thick-volumed county budget with Collective Bargaining Specialist Pat Monachino.

It's tempting to think of her weeks-long study of volumes of budget records as a treasure hunt — a search to discover funds which will help avert layoffs, support members' raises or dissuade management from contracting out. But while budget analysis can be highly effective in these situations, Ms. Albowicz can't guarantee success.

"You can't find a pot of gold if it's not there," she maintains. "Generally it isn't that easy. It's not magic.

"Right now, for example, we're looking at a budget where \$2 million showed up one year and didn't appear the next. But I'm not assuming that I've 'found' \$2 million. Chances are there was just a change in the accounting system. However, that \$2 million becomes something we investigate further and ask some questions about."

When Locals bring their budget analysis requests to Ms. Albowicz' desk, they're looking for answers. What they often get is questions — questions they can pose to management or use to probe a government's fiscal situation more deeply.

"I tell them where to look for answers. I give them the questions to ask, and show them where some possibilities are," Ms. Albowicz explained.

Budget analysis can be an important tool for the union because of the nature of government budgets.

"Any budget is a prediction of the future," the analyst said. "A local government is predicting its revenues, predicting how much income its going to have. And predicting its expenditures, how much money it's going to have to pay out during the year."

Ms. Albowicz describes people who formulate budgets as "conservative creatures by nature," because it's to their advantage to figure conservatively and then end up with a surplus.

"And they tend to be even more conservative in a period such as we have now when federal and state funding cutbacks are expected," she added. "They reason that if each item is underestimated a little and then one item's funding gets cut, they have a better chance of being able to make up the difference."

One of her jobs then becomes identifying areas in

which a local government's income has been underestimated.

"City officials in Poughkeepsie called my budget analysis a 'fantasy.' They said that in print," she laughed. "Yet the factfinder evidently didn't consider it a fantasy. He based his economic recommendations firmly on my analysis."

Since joining the CSEA staff some six months ago, Ms. Albowicz has dealt with about 20 budget analyses. Demand for her services has been high in recent months, because most local governments finalize their budgets in January.

The budget analysis process takes four to six weeks, including the time it takes the Local or Unit to do the legwork of gathering budget documents and other fiscal information the job requires.

Although most requests for her services come through field representatives, she sometimes gets the word from another source.

"My husband and I were watching television a few months back and heard the story about Saratoga County's plan to lay off a lot of county employees including most of the deputy sheriffs," she said. "We made a bet about when the budget analysis request would hit my desk the next morning. I was only off by about five minutes."

Poughkeepsie budget analysis: a case in point

POUGHKEEPSIE — Budget analysis can be a powerful tool. Here is one example:

Factfinder James Cashen recently recommended that City of Poughkeepsie employees receive a retroactive nine percent pay raise for fiscal year 1981. In making the recommendation, Cashen relied heavily on the analysis submitted by CSEA as part of its factfinding brief. He noted, for instance, that revenue projections made by the city were conservative and that in the first six months of 1981, the city's actual revenues already exceeded by \$700,000 projections for the entire year.

Cashen added: "The analysis of the city budget made by CSEA also indicated that the City will underspend for calendar year 1981 in at least three major areas, including projected underspending of \$165,000 in personnel services for the year. Together these three items indicate that actual expenditures

will be some \$575,000 less than projected expenditures."

These and other facts revealed by the budget analysis led the factfinder to the inescapable conclusion: "It (the city) can afford a salary increase for unit employees.

"Examination of the extensive evidence relating to city finances leaves the factfinder to believe that although, like many other government units, the financing of any additional expenses is difficult, the claim of the city of Poughkeepsie of inability to fund any salary or benefit increases unless there was diminution in the work force has not been proven by credible evidence. Representatives of the Civil Service Employees Association have shown a number of areas both of expenditures and revenues where reasonable analysis and projection can indicate that amounts of money that which has been projected by the city is or could be available for salary increases."

Montgomery Co. dragging feet in negotiations, says Local pres.

AMSTERDAM — William Zippiere, CSEA Montgomery County Local 829 president, charges that "the Montgomery County Board of Supervisors isn't acting responsibly in its negotiations with the county employees."

"We do not want a repeat of the Easter Weekend confrontations of 1976 and 1978," the union leader explained. "But we would like real negotiations to begin now. However, the board of supervisors seems to be dragging their feet."

According to the union leader, the county supervisors have not met with their negotiator,

Peter Copus, to authorize or even begin the real bargaining process.

"The board has required that their negotiator attend their business meetings. But they haven't bothered to listen to his report, as yet," Zippiere said.

"This means another week long delay. We don't like that tactic. If the board is serious in its desires to reach a fair and equitable contract with the 420 county employees we represent, then it should begin to bargain — now."

State contract talks zeroing in on major issues of salary and benefits

ALBANY — After weeks of wrangling over details of unit agreements covering the state's Administrative, Institutional and Operational bargaining units, CSEA and state negotiators last week began coalition negotiations for salary and benefit increases covering 107,000 union members.

A three-hour briefing by C. Mark Lawton, state director of the Division of the Budget, was the state's opening salvo in what promises to be tedious negotiations complicated by the surprise settlement of bargaining in the state's Professional, Scientific and Technical (PS&T) unit.

Negotiators were expected to be back at the table next week to begin intense negotiations on salary, benefits and other issues that apply to all three CSEA bargaining units. Historically, these talks take place with all three CSEA negotiating teams meeting together. CSEA President William L. McGowan and CSEA Counsel James Roemer will lead the teams through coalition bargaining.

UNIT TALKS CONTINUING

Talks in unit negotiations, meanwhile, were continuing this week. While details of all negotiations are not disclosed under provisions of a traditional news blackout, John M. Carey, CSEA's administrative director of collective bargaining, said the talks are generally proceeding well in unit negotiations but no end to negotiations has yet been reached.

Coalition talks, encompassing salary, health insurance, leave accruals, and other major interest areas for all CSEA's state membership, are another story. They are just beginning. Normally unit negotiations begin the overall negotiation process and coalition talks only begin after most of the unit agreements are resolved.

OTHER TENTATIVE AGREEMENTS

Already two state bargaining units have reached tentative agreement with the state. Negotiators for the State Police Bureau of Criminal Investigations (BCI), reached agreement several weeks ago on a three-year package providing straight salary increases of eight percent per year for the next three years. The agreement also reportedly provided for a change in salary schedules from a three step schedule to a single step in exchange for some upgraded employees working additional pass days.

More recently the Public Employees Federation (PEF) announced tentative agreement with the state on a three-year contract providing a 9 percent increase in the first year, but with a state option for a "lag payroll," and 8 per-



TOP UNION NEGOTIATORS give strict attention during recent bargaining discussions. From left are CSEA President William L. McGowan, CSEA Counsel James Roemer, and Administrative Director of Collective Bargaining John M. Carey.

cent increases in the second and third years. The agreement also reportedly gave the state an option to freeze health insurance costs by working out benefit reductions or employee contributions with the union to avoid any cost increases, and a reduction in annual vacation and personal leave accruals for any new employees.

There are other major provisions of both agreements, of course, which were not immediately disclosed pending internal information and ratification.

NOT BOUND BY OTHER PACTS

Commenting on the settlements in response to news media inquiries, President McGowan said that some of the published provisions would not be acceptable to CSEA and the union would not be bound by any other union's agreement.

"Our average member earns \$11,700 per year," he told the press, "and in some bargaining units the average salary is nearly twice as high. While a certain percentage salary increase would mean a decent amount for a high paid worker, for us it would be worth half as much and not be acceptable."

An added option for CSEA, should negotiations with the state bog down, is an agreement reached with the Governor's Office of Employee Relations at the outset of the negotiations providing

for Last Offer Binding Arbitration (LOBA) as an alternate dispute resolution mechanism. CSEA was the only state employee union able to reach an arbitration agreement.

LOBA would be used by the sides should negotiations lead to impasse. Unresolved issues would then be submitted to a special panel of independent arbitrators. The state would submit its last best offer for a settlement and CSEA would do the same. The arbitrators would then select the offer which they considered to be the most reasonable and the arbitrators' decision would be binding on both the state and the union. The package would then be submitted to the legislature for funding.



BRUCE WYNGAARD, above right, assistant director of research for CSEA, talks over bargaining strategy with union negotiating team member Alex Hogg of Middletown Psychiatric Center.

DISCUSSING ISSUES, left, during break in contract talks are union negotiating team members Debbie Lee, left, of West Seneca Developmental Center, and Art Loving, right, of Parks and Recreation. In background, center, is Liz Watts of Roswell Park Memorial Institute.

