

Court rules contracting out is illegal

ALBANY — In a major decision with statewide implications, the Appellate Division of State Supreme Court in Albany ruled late last week that eliminating jobs and then contracting out that work is illegal. The Appellate Division ruled unanimously that the Public Employment Relations Board (PERB) was within its powers when it declared contracting out is a matter of mandatory negotiations.

According to CSEA Atty. Richard Burstein, the ruling came in the appeal of PERB's ruling in favor of CSEA, by the Saratoga Springs City School District. The District had laid off more than 60 employees represented by CSEA in September, 1977, and the employees were then hired by the contractor named to provide the same service.

Burstein, who represented CSEA in the case, said the court decision

not only upholds PERB in the Saratoga Springs School District case, but also affects contracting out throughout New York State, including two recent contracts awarded by Nassau County for janitorial and security services.

Nassau County Local 830 has filed an Improper Employer Practice with PERB on the contracting out.

CSEA Region IV is taking two immediate actions following the court decision:

- A letter is being sent to the school board, the superintendent of schools and the contractor asking for the reinstatement of the employees with all benefits, including pay, insurance and pensions, restored.

- Regional Director John Corcoran and Field Representative William Lochner are attempting to arrange a meeting with the school officials and the contractor.



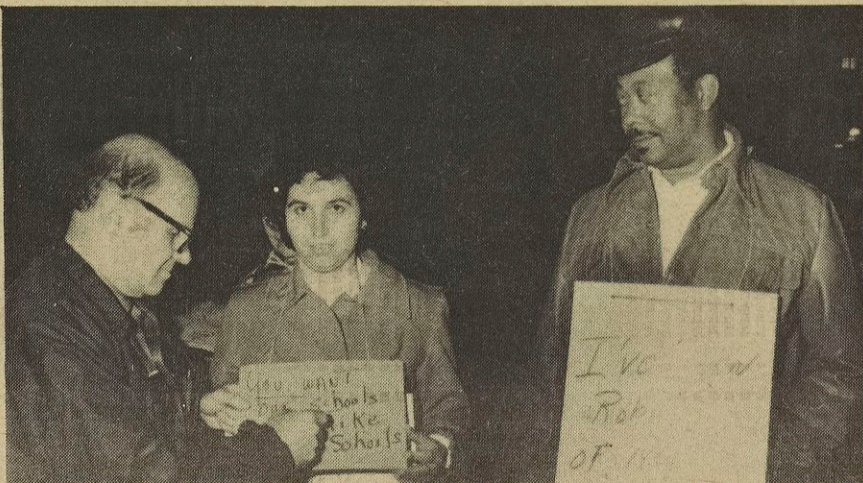
HER JOB ABOLISHED at the end of the current school year, Sheryl Scarmark marches in protest of layoffs of non-teaching personnel in the White Plains school system.

CSEA fighting job cuts

WHITE PLAINS — The planned closing of three city schools plus a projected tight budget has led to the announced firing of 60 or more non-teaching school district employees at the end of the current school year. But the employees, represented by CSEA, hope that a series of public demonstrations will gain support for retaining the jobs, and that a thorough analysis of the proposed budget will show it may not be as tight as projected.

Members of the White Plains School CSEA Unit demonstrated on May 14 outside Mamaroneck Avenue School during a meeting of the School Board. Other public demonstrations are also expected prior to adoption of the next budget. Additionally, the proposed new budget is being carefully checked by CSEA and AFSCME experts prior to testifying at a public hearing in early June relative to the budget.

A union spokesman said the closing of the three schools accounts for only about one-third of the jobs being terminated, and that budgetary cutbacks make up a high percentage of the terminations. "We expect our analysis will show that the proposed budget can and should be revamped to provide for retention of these employees," the union spokesperson said.



CSEA UNIT PRESIDENT Wilfred Migneault, left, helps letter a protest sign during May 14 protest demonstration. Natalie Arone, center, and John Catoe, right, both have had their jobs abolished and are fighting to have them restored. Catoe is second vice president of the CSEA unit.

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Lobby day is scheduled for June 5 at Capitol

ALBANY — The Statewide Legislative and Political Action Committee of CSEA has planned a statewide membership lobby to be held in Albany Tuesday, June 5, at 12 noon.

According to Bernard Ryan, CSEA Political Action Coordinator, the purpose of the Lobby Day will be to have members meet with their legislators and demonstrate membership support of various bills before the Legislature including OSHA, Agency Shop, Pension Supplementation, Unemployment Insurance; and Reclassification of Court Employees.

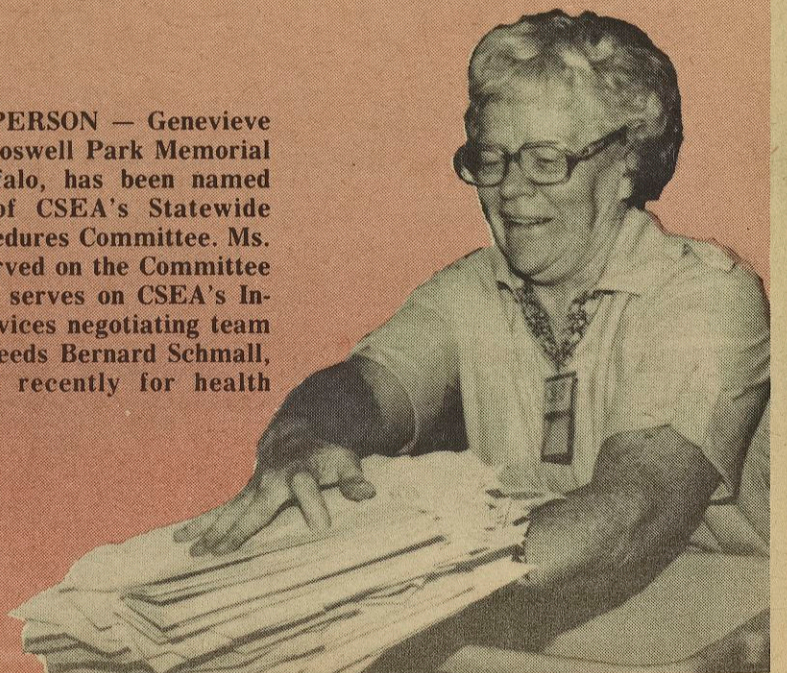
All CSEA Regional Presidents and Regional Political Action Committee

chairpersons have been notified and are expected to coordinate activities with the Statewide Political Action Office in Albany.

Free bus transportation and lunches will be available to CSEA members who participate. Complete information regarding bus locations and departure times can be obtained from any regional headquarters.

Initial plans call for rally buses and other vehicles to arrive in Albany between 9:30 and 11 a.m. Each group will be met by a Lobby Day representative with appropriate literature and information regarding specific bills of interest to public employees before the noon rally.

NEW CHAIRPERSON — Genevieve Clark, from Roswell Park Memorial Institute, Buffalo, has been named chairperson of CSEA's Statewide Election Procedures Committee. Ms. Clark, who served on the Committee several years, serves on CSEA's Institutional Services negotiating team also. She succeeds Bernard Schmall, who resigned recently for health reasons.



CSEA appealing decision

ALBANY — The Civil Service Employees Assn. will present an appeal on Thursday, May 24 of a recent decision which denied state workers in Grades 3 through 6 the opportunity to take a June examination for the position of Computer Programmer Trainee. And CSEA says it would like to see all interested state workers show up for that appeal process.

The formal appeal will be made to the full Civil Service Commission at 11 a.m. Thursday, May 24, in Building No. 1 at the State Office Campus in Albany.

Civil Service Commission President Victor Bahou made the decision to deny the exam to the lower-paid workers for the first time. More than 4% of such employees passed the exam when it was last given, in 1977.

"The decision to deny this opportunity to the employees was not sound," said CSEA Research Analyst Tim Mullens. "It not only discriminates unfairly against the lower-paid employees, but also violates the spirit of the new Clerical and Secretarial Advancement Program in the Ad-

ministrative bargaining unit."

That program was specifically designed to provide lower-paid employees with traineeships and other routes out of the "clerical ghetto."

Mullens noted that nearly 300 employees in the Department of Environmental Conservation alone have signed a petition protesting Bahou's decision.

"I'd like to see all interested employees there," Mr. Mullens said. "This is a meeting which will affect hundreds of workers statewide."

Local 350 nominations

NEW YORK CITY — Members of Department of Labor CSEA Local 350 interested in running for offices in the local are urged to submit their resumes as soon as possible, newly appointed Nominations Committee Chairman John Gianguercio urged.

Gianguercio said nominations should be sent to his home, 72-50 Manse Street, Forest Hills, N.Y. 11375.

He said members wishing to run for office should submit their resumes as soon as possible because the official election timetable calls for his committee to make its nominating report on June 8.

Among the offices of the local, names can be submitted for: President; first, second and third vice presidents; treasurer; and recording secretary.

Those wishing additional information can contact Gianguercio at work, 461-6900.

Local 350 represents employees of the State Department of Labor in approximately 140 locations in New York City, Long Island and parts of Westchester County.



CAREFULLY SORTING BALLOTS are Elaine Todd, chairman of CSEA's Administrative Unit negotiating team, and Robert Keeler, chairman of the Operational team. The scene was Albany earlier this month during a 12-hour long count of more than 40,000 contract ratification ballots from state workers. The new 3-year pacts were approved.

School cook now janitor

CENTRAL ISLIP — The Suffolk Educational Local 870 has won for a cook the right to take a higher-paying post as custodian in the Central Islip School District.

CSEA had claimed sex discrimination when the district refused to give the post to Diane Mullins, who has dished up 500 lunches a day as head cook at the Mulvey School for the last 15 years.

The district had rejected her request for appointment to the higher-paying job on the ground that she was "not qualified to do heavy work," according to CSEA Field Representative Jim Walters.

CSEA grieved her complaint, and an advisory arbitration award supported Mullins. In a compromise settlement, the school board agreed to appoint Mullins to the custodial worker job immediately with seniority and accrued vacation benefits from September, 1977, when she should have been appointed, and the difference in salary that she would have earned since last December.

Her new job pays about \$2,500 a year better.

Backing her cause were Frank Marshall, a custodian who is head of the CSEA unit, and Walter Weeks, President of the Suffolk Educational Local.

Elections Timetable

Statewide Officers and State Executive Committee

The following dates are to be used as a guideline for the 1979 CSEA Election. To the extent possible, each date will be complied with unless intervening circumstances beyond the control of CSEA make compliance with the exact date impractical.

June 8—Report of Nominating Committee

June 22—Deadline for Declination of Nomination

July 9—Final day for Nominations to Fill Declinations

July 9—Final day for Petitions to be Filed

July 13—Request to each candidate for spelling of name as it will appear on Ballot. To be sent by certified mail, return receipt requested. Deadline for changes is July 20, 1979

July 13—Drawing for Position on Ballot — 10:30 a.m., CSEA Headquarters Conference Room. Candidates (or proxies) may attend as observers

July 13—Mailing of printed copies of Rules and Regulations for the Election to all candidates and local presidents

July 25—Publication of Names of all candidates in the Official CSEA Newspaper

August 6—Ballots delivered to Post Office for Mailing

August 16—Replacement ballots may be requested as of this date if Original Ballot has not been delivered

August 30—Return of ballots — 6:00 p.m. Deadline

August 31—Ballots to be removed from envelopes to prepare for counting. Ballots which cannot be machine-counted will be counted manually during this period

September 7—Return of Replacement Ballots — 6:00 p.m. Deadline

September 7—Ballots to be Counted. Candidates to be notified by telegram by September 11

September 7—Official Results Announced

September 17—End of Protest Period (10 days after Official Results are announced)

NOTE: Those eligible to vote shall be dues paying members in good standing as of June 15, 1979

Names wanted

ALBANY — A complete listing of grievance representatives in CSEA State Division Locals is being compiled by John M. Carey, CSEA's Director of Member Services, for filing under terms of the new CSEA-State contracts.

In a letter to State Division Local presidents, Mr. Carey explained that the contracts in the Administrative, Institutional and Operational bargaining units require submission of the names of CSEA grievance representatives on a quarterly basis to assure organization leave.

Mr. Carey is asking the Local Presidents for a complete list of present grievance representatives in the Locals for transmission to the Governor's Office of Employee Relations which certifies organization leave payment.

President's Message

CSEA opposes all sex discrimination on the job

Sex discrimination in the work place has historically been used to divide workers and undermine the terms and conditions of their employment. Our union has been especially conscious of this fact since at least half of our members are women. Up until this year we made slow progress but the time has come to reaffirm our commitment to women.

To insure full sexual equality with regard to job opportunities, salaries and working conditions and benefits for future generations of public workers, CSEA vigorously supported the Equal Pay Act and the Civil Rights Act. Our 1400 delegates unanimously endorsed passage of the Equal Rights Amendment.

But as the old saying goes, "What have you done for us lately?"

In an effort to take a leading role in the struggle of all working women to overcome the obstacles created by restrictive employment practices, we established the Ad Hoc Women's Committee in March of 1978. The aims and goals of this committee, reflecting our union's traditional concern with the rights of women, are as follows: to contribute to contract negotiation, to ensure promotional opportunities, to eliminate women from the "clerical ghetto"; to help women in employment, training, counseling and education problems; to research the needs and desires of women within the Civil Service System; and to safeguard the rights of all women in public employment.

These are not easy goals but we are making progress.

A significant breakthrough occurred this year in our contract

bargaining with N.Y. State. In the Administrative Unit (80% women) we negotiated for and got some very definite concessions. For the first time the state recognized that many titles in this unit were actually paraprofessional titles and should be treated accordingly. We also have paved the way out of the "clerical ghetto" with the establishment of "Bridge jobs". Promotion within the unit itself, however, was our major concern and we will be meeting jointly on this subject for the next three years. We hope to improve the situation drastically but it will take a strong commitment from our leaderships, both in our locals and on our negotiating team.

We stand beside our sisters in the union and reaffirm their grass roots efforts. As has been proven many times in the past, none of us can do it all alone.



William L. McGowan
CSEA President

TV advertising

The television phase of the largest advertising program in the history of CSEA began last week with CSEA/AFSCME television commercials on channels in the five major media marketing areas of the state.

According to CSEA Director of Communications Gary Fryer, tv commercials are appearing in the Albany, Syracuse, Rochester, Buffalo and New York City areas. CSEA kicked off its image building advertising campaign last January with radio commercials and newspaper advertisements in the same market areas. The tv commercials are usually spotted around area news programs.



CSEA UNIT PRESIDENT Edward P. Kearney, right, is interviewed by Schenectady-area news reporters during a press conference called by CSEA to discuss an arbitrator's ruling relative to parking facilities for City of Schenectady employees.

Photo by Colleen Brescia

Arbitrator hits city on parking

SCHENECTADY — Arbitrator Louis R. Salkever has modified his directive in the recent parking lot dispute between the CSEA and the City of Schenectady administration because of the failure of the City of Schenectady to "negotiate without delay" a resolution to the problem.

Because of the failure of the City of Schenectady to comply to the Arbitrator's original decision and its failure to offer any plan to implement the Arbitrator's award of January 25, 1979, Salkever has directed the dispute be resolved as follows:

1. The City will provide at least sixty (60) free parking spaces for City Hall employees at the Jay Street parking facility.
2. These spaces will be reserved for City Hall employees Monday through Friday, from 7:30 a.m. until 5:30 p.m.
3. The City will issue parking permits to the employees for this purpose.
4. The City will prominently display a sign advising the general public of the reservation of parking spaces, that violators will be towed away and that there is to be no overnight parking by the general public Sunday through Thursday nights.

On the ballot

MINEOLA — In addition to the names of candidates for Nassau County CSEA Local 830 offices announced in the last edition of The Public Sector, Jerome Donahue has become a candidate for first vice president by virtue of collecting the necessary number of signatures on petitions to qualify as a candidate. Ballots for the Local election are being mailed May 24.

Report Card

A biweekly column for and about the thousands of non-instructional employees of school districts throughout New York represented by the Civil Service Employees Association. Comments and/or questions concerning non-instructional school district employees should be directed to Ms. Arne Wipler, Coordinator of School Affairs, CSEA, 33 Elk Street, Albany, New York 12224.

May and June represent two months that are very important to the 658 non-city school districts in New York State. It is during this time period proposed school budgets are either approved or rejected by district taxpayers.

State law has provided for taxpayer budget votes since 1812 in non-city school districts. However, as early as 1665 citizens have been able to vote on school revenues. Although the laws have changed somewhat, the basic concept remains constant: School District taxpayers have the right to accept or reject a school budget.

Twenty years ago the defeat of a school budget was an unusual phenomenon. Times have changed drastically. While ten years ago only 11% of the budgets were defeated, that percentage has risen to 33% in 1978. Not only has the number of budgets defeated risen, the number of contingency budgets adopted has risen to approximately 57%.

The Legislative Commission on Expenditure Review conducted a program audit, School District Budget Voting and Contingency Budgeting, which produced some interesting statistics. For example, the Legislative Commission on Expenditure Review (LCER) found in their study a "moderate" correlation between higher voter participation and negative budget voting for upstate school districts. The audit also revealed an increase in voter participation for the three year period 1975-1978. Again, this is particularly true for upstate. Although it was found that voter participation was increasing, only 20% of the eligible voters statewide actually participated in school budget elections.

Downstate school districts suffer more budget defeats than upstate districts. However, the downstate elections were more closely contested than their upstate counterparts.

The LCER study also noted that timing of the budget vote seemed to affect turnout. The greatest voter participation was noticed in May and again during August and early September. Naturally, the low point would be during the early to mid-summer months.

There are several reasons why the number of budgets defeated each year is on the increase. The most obvious is the cost of education coupled with an anticipated property tax increase. The school budget is one of the few places a taxpayer can voice his discontent over taxes and be heard. The school district voter may also voice his opposition to a school board policy by defeating the budget. Competition for a seat on the board may also be a deterrent in passing a budget.

My next article will deal with the contingency budget and how it can ultimately affect you.

15 members to graduate

ALBANY — Nearly half the 33 graduating students from the Capital District Labor Studies Program this year are members of CSEA, according to an announcement by Robin Gerber, Labor Studies Coordinator for the NYS School of Industrial and Labor Relations, Cornell University.

The Capital District Labor Studies is a two-year credit and certificate program offered jointly in Albany by the New York State School of Industrial and Labor Relations, Cornell University and the State University of New York at Albany. The program is supported by organized labor.

Students attend classes one night a week for 12 weeks completing a required 12-course sequence over a two-year period. Graduates earn 18 college credits from Cornell University and are awarded the Certificate in Labor Studies.

This year's graduation will be held at Michael's Banquet House on June 14, 1979. They keynote speaker is Victor Gotbaum, Executive Director of D.C. 37-AFSCME.

Of the 33 graduating students, the following 15 are members of CSEA: Joy Bryk, Local 670; Joseph Cassidy, Local 842; Dolores Farrell, Local 653; Ronald Galinski, Local 670; Jary Anne Lubinski, Local 688; Patrick Martenis, Local 664; C. Allen Mead, Local 664; Anthony Muscatiello, Local 664; George Pielo, Local 670; Joseph Scalzo, Local 670; Sidney Sherman, Local 664; Alan Siegel, Local 688; Grace Tremblay, Shenendehowa Unit; Daniel Wood, Local 674; and John Zimmerman, Local 670.



Hot line

ALBANY — For information on the status of bills in the Legislature, these "hot line" numbers may be called.

For bills in the Assembly, call (518) 472-6630.

For Senate bills, call (800) 342-9860 or (518) 455-2255.

Ready To Retire?

Protect your future with Retiree membership in CSEA.

- Take an active role in CSEA Retirees' legislative campaigns for pension cost-of-living increases
- Share in activities of the CSEA retiree chapter nearest you
- Continue present CSEA's life insurance policies at the low group rate
- Become eligible for CSEA's "Senior Security 55" life insurance policy for members only
- Acquire low hospital cash-to-you protection for CSEA retirees and spouses
- Send coupon below for additional information on benefits of retiree membership in CSEA

Send the coupon for membership information.

KEEP CSEA INFORMED ON MAILING ADDRESS

In the event that you change your mailing address, please fill out the below form and send to:

CSEA, Inc., P.O. Box 125, Capitol Station, Albany, New York, 12224.

This form is also available from local presidents for CSEA members, but is reproduced here for convenience. It is to be used only by those CSEA members or agency shop payors who are currently employed as civil service workers or by those retirees who are paying full active membership dues.

Change of Address for 'The Public Sector'

My present label reads exactly as shown here

Name _____ Local Number _____

Street _____

City _____ State _____ Zip _____

MY NEW ADDRESS IS:

Street _____

City _____ State _____ Zip _____

Agency where employed _____

My social security no. _____ Agency No. _____

Retiree Division
Civil Service Employees Assn.
33 Elk St., Albany, N.Y. 12207

Please send me a membership form for membership in Retired Civil Service Employees of CSEA.

Name _____

Street _____ Apt. _____

City, State _____ Zip _____

Date of Retirement _____

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Mall safety problems persist

ALBANY — Since moving into the Empire State Plaza in Albany in late 1975, the employees of the New York State Department of Laboratories and Research have been beset by health and safety hazards. Many have been corrected, but some have lingered over the years and new ones crop up, reports Ernst Stroebel, President of that Local of the Civil Service Employees Assn., and chairman of the CSEA safety committee for the Plaza.

In its early stages, the committee became aware of the fact that fire engines owned by the City of Albany could not fit into the mall to fight a fire and pushed for the State to purchase mini engines which would be housed in the mall. At subsequent meetings, problems such as confusion over which stairways were to be used in an emergency escape from the buildings, clogs in an air duct supplying fresh air to the building, fire extinguishers, fire blankets, stretchers, safety goggles and gas masks were discussed.

Both the State and the CSEA recognized the need for training in safety measures and thus began a series of demonstrations, drills,

films and bulletins, all paid for by CSEA-negotiated funds. The lack of equipment was provided or made available to employees on request.

On the whole, Mr. Stroebel says that there have been significant improvements since the bi-monthly meeting between the committee and the State began, but there is still cause for concern. "The employees need confidence and assurance when they come in in the morning that if they are not negligent, they will walk out at night in the same state. And in too many cases, they do not have this confidence and assurance," he said.

The committee feels that some employees are not adequately trained to handle and dispose of toxic chemicals and infectious disease cultures, to handle specific emergency situations or to protect themselves when doing certain tasks. It recommends that a brief safety manual be given to each employee, especially those who are new, to instruct them in these areas. The State, however has told the committee that a book would be needed to cover all this material and that they do not have the funds

to have one printed. "We feel that the manual would suffice if a copy of a more detailed book was made available to employees on a loan basis when they feel more information is needed," commented Mr. Stroebel. "Without the proper training serious accidents can occur."

The CSEA has also begun to press for a broader immunization program, which, in addition to covering employees who work right in the labs, would include those whose jobs bring them in contact with materials used in the labs. Mailroom employees who handle packages of contaminants, which often spill or open, and maintenance men who often enter the labs to do repair work are not immunized in any way. One of the reasons for this, according to Dr. Robert Huffacker, director of Labs and Research, is that the State follows guidelines from the National Center for Disease Control which dictate that immunizations be given only to those who work directly with diseases. Also the State fears that employees may become ill from the shots and does not want the responsibility for this, according to minutes from a meeting between the two groups. "You just can't overlook the fact that these employees are exposed.

We want all employees to be tested for diseases and properly immunized," said Mr. Stroebel.

A dry air condition in carpentry and maintenance rooms is another matter of concern. Originally intended for storage use, the rooms were constructed to be cool and dry, but due to a shortage of space they had to be used for work areas. This condition, according to Mr. Stroebel, is causing nose and throat irritations for the employees. "Because of the way the rooms were built, there is a limit to the changes we can make, but we have recognized the problem and will look further into it," said a spokesperson for the Office of General Services.

Other complaints are about a lingering odor of ammonia in a main hallway after the animal cages are cleaned, swarms of flies and bugs let into the lab area in the summer when the doors to the loading dock are left open and water from melting snow on cars parked in garages above certain rooms leaking through the ceilings. They are "minor, but annoying" conditions, said Mr. Stroebel. "This facility cost the State nearly a hundred million dollars. It's ultra-modern, supposedly the most modern facility in the world. And yet it has such problems".

Health Department has health problems

ALBANY — Not even the employees of the New York State Department of Public Health are free from health and safety hazards.

The lack of an evacuation plan for some of the department's employees, poor ventilation in some of the rooms and overcrowding in offices located in the Empire State Plaza are just some of the problems brought to the attention of a Civil Service Employees Assn. safety committee recently by Health Department CSEA Local President Allen Mead.

The major cause of concern is the lack of an evacuation plan for employees on the lower levels. According to Mr. Mead, when the employees moved into the mall in April of 1975 the state administration told the CSEA they were drawing up plans to appoint permanent fire marshalls and wardens to conduct regular fire drills and to assist in an emergency exit. He says that to date the CSEA has not received an established list of names and that 75 percent of the employees do not know who to call for help in an emergency. He pointed out that there is one stairway which is to be used in a fire exit and one which should absolutely not be used. "Without regular drills to emphasize this and marshalls to direct the employees out, there could be serious problems in an emergency," he commented. In addition, he says,

fire phones which are placed in most corridors are not hooked up to fire stations.

Workrooms, where paint and other chemicals are used, are airtight, because they were originally intended to be storage rooms. The air is hot and dry at all times, and combined with fumes from the chemicals is extremely irritating to employees. Mr. Mead recently brought a representative from the Office of Employee Relations on a tour of the rooms and is waiting for a report and possible solutions to the problem.

Eliminating storage space has caused an overcrowded condition, with the result that boxes and equipment are left standing in the hallways. The condition, says Mr. Mead, poses a problem for traffic flow under normal circumstances and could be more hazardous in an emergency. He also expressed concern that employees could be hurt should any of the piled boxes fall.

In many of the rooms there are not enough electrical outlets and employees often have to plug several cords into one outlet. According to Mr. Mead, capital police have warned them that this is a fire hazard and told them not to do it.

As in other areas of the mall, rooms which are under the parking garage are subject to leaking water from snow melting off cars in the winter.

The CSEA will request safety officers be appointed and meetings held on a regular basis until these conditions are corrected.

The articles on this page dealing with health and safety conditions affecting employees of the State Department of Laboratories and Research, the Department of Public Health, and other public workers were compiled by Deborah Cassidy, Staff Writer for The Public Sector.

State laboratory workers facing tuberculosis hazard

ALBANY — The Civil Service Employees Assn. is fighting to keep the cases open for several employees of the New York State Department of Laboratories and Research, who were positively tested for the presence of tuberculosis antibodies late in 1978, because it believes that, although it has been determined that none of the victims has an active case of TB, there is a possibility that it could develop in the future.

Ernst Stroebel, President of the Labs and Research Local of the CSEA and chairman of a safety committee for the Empire State Plaza, where some of the employees work, said that the cases are currently before a Worker's Compensation hearing board and that the State Insurance Fund wants to close them after this step. "Health department officials say that the chances of reactivation are remote, but as long as there is the slightest possibility, we want to be sure that the employees are protected," he said.

Original reports in November revealed that 16 employees had been affected, but since that time, says Mr. Stroebel, the number has nearly doubled, with levels of antibodies varying from one individual to another. Most of the employees are lab workers who clean glassware and it is believed that this is where they came in contact with the disease. Officials are confused, however, because at least two of the employees are clerical and the problem showed up at facilities in the Plaza and at New Scotland Avenue.

According to Russell Hansen, coordinator of the TB control program in the NYS Bureau of Disease Control, all the affected employees are taking Isoniazid, a drug which is used to prevent, as well as treat, TB. They are also being tested every six months.

A microbiologist consultant from the Department of Health, Education and Welfare was called in to inspect the two facilities and has made suggestions to the Department of Health as to how the disease could have been transmitted and recommendations for preventing the situation in the future.

Membership lobbying for Agency Shop

ALBANY — The Civil Service Employees Assn. continued its organized lobbying effort to gain passage of a number of key bills, with special emphasis on a permanent agency shop proposal and extension of agency shop into the local government areas, last week when representatives from CSEA's Regions III and IV met with their area legislators at the Capitol.

Region I and II representatives have already visited their legislators, and this week its Region V's turn to bring grassroots members and leaders into Albany for visits with State Legislators. The concentrated lobbying program will conclude next week when representatives from both Regions I and VI visit.

The personal visit format is being followed up by letter writing campaigns from the membership across the state to reinforce the union's position regarding the various bills.

The regional lobbying efforts are being coordinated by CSEA Legislative and Political Action Director Bernard Ryan, other staff members of the union's legislative office, and members of the statewide political and legislative committee.

CSEA is seeking positive action of its bills prior to the end of the current legislative session, and the visitation programs and letter writing campaigns are designed to show legislators how important the bills are to CSEA's membership.



THOMAS HALEY, right, Research Associate in CSEA's Office of Legislative and Political Action, briefs union members about status of bills. At left are Alexander Hogg, President of Middletown Psychiatric Center Local 415, and Gordon Hobbs, a member of the Orange-Ulster-Sullivan CSEA Retirees Local 917.



AMONG THOSE VISITING THEIR LEGISLATORS were, from left, William Gege of SUNY New Paltz Local 610, and J. J. Cassidy of the Department of Transportation EA Local 507, Poughkeepsie.



SENATOR JOHN E. FLYNN, center, greets Raymond J. O'Connor, left, President of Westchester County Unit of CSEA Local 860. At right is Carmine DiBattista of the Westchester County Unit (see related story, page 11).



RECEIVING SPECIAL INSTRUCTIONS prior to lobbying effort are Betty C. Collins, President of State Insurance Department CSEA Local 666, and Ernestine Lafayette, of Department of Labor CSEA Local 670, Albany.



AMONG THOSE LOBBYING were Grace Hill, Isabel Rossi and Barbara Stack, all members of Department of Motor Vehicles CSEA Local 674, Albany.



ASSEMBLYMAN STEPHEN R. GRECO, right, has an animated chat with James E. Steas, left, President of Capital District Armories CSEA Local 250.



ASSEMBLYWOMAN JOAN B. HAGUE chats with William McTygue of Saratoga County CSEA Local 846.



SAM CIRAULO, left, President of Rensselaer County CSEA Local 842, discusses agency shop legislation with Senator Joseph L. Bruno, right.



A MEMBER OF the Statewide and Region IV Legislative and Political Action Committees, Stanley Polonski assisted in briefing members prior to tour of Capitol.



SENATOR HUGH L. FARLEY, left, ponders a point during discussion with CSEA members James E. Stevens, August Galuzzi, Robert Minch Jr., and William McTygue.



SENATOR RICHARD E. SCHERMERHORN, left, discusses legislation with Albert J. Ruggiero, President of Orange County CSEA Local 836.

Vote **YES** on Agency Shop

The two-year trial period has been a success. State employees finally have the freeloaders off their backs. But if state workers don't have to negotiate agency shop, why should anybody else? Let's make agency shop provisions equitable; by applying them to that small minority of non-members in the local jurisdictions, too.

...IT'S ONLY FAIR.

Laid off workers rehired

SCHENECTADY — The Capital Region of the Civil Service Employees Assn. reports that most of the employees of Glenridge hospital, an acute care facility in Schenectady County, which was closed down in October of 1978, have been offered full or part time employment in other areas of the county or remain on preferred lists.

According to Donald McCarthy, CSEA Field Representative in the Capital Region, almost all the maintenance workers, clerical staff and full and part time nurses have been transferred to the county run Glendale Nursing Home, or county offices. Those who could not accept part time positions remain on preferred lists until full time positions open. Also on preferred lists are the more specialized medical personnel such as laboratory workers and technicians for whom positions are not readily available.

CSEA has been monitoring the situation and will assist employees who have questions or complaints.

The Schenectady County Board of Representatives closed the hospital, which specializes in heart and lung diseases, in October because it had been running on a deficit budget and was costing taxpayers too much money. The Board turned down a request by CSEA and the hospital board of managers to operate the facility for one more year in an attempt to alleviate the deficit. Maintaining that Glenridge offered more specialized and higher quality care than other area hospitals, the two groups wanted to hire more doctors and attract more patients.

McCarthy says that the Board has told CSEA that it is considering reopening the hospital as an acute care nursing home or selling it to a private firm which has submitted a bid. "We are waiting for this decision and will attempt to aid employees in gaining reemployment in either case," said Mr. McCarthy. CSEA, he says, will meet with the board when any changes occur.

6% pay raise in Erie County

White collar workers of the Erie County Water Authority represented by Erie County Local 815 will receive raises of 6 percent effective May 1, 1979 and another 6 percent April 1, 1980. Both raises are on step.

They will also be paid double time and a half on holidays, and longevity raises have been increased from 8 cents per hour to 16 cents.

Cashiers and assistant cashiers have been upgraded and all workers in the bargaining unit will benefit from many contract language improvements.

With chief negotiator CSEA Field Representative Bob Young on the negotiating team were Unit President Ralph Wiest, Tom Collins, Charles Derner, Bea Kurtz, Grif Smith and Roseanne Wolosey.

Imposed contract?

BROOKHAVEN — An expected imposed contract on three Brookhaven Town CSEA units following a legislative hearing two weeks ago has not yet been announced, but may come sometime this week.

Nearly 600 CSEA members representing state, county and educational chapters rallied in support of the Brookhaven employees and packed the legislative hearing room. A CSEA radio advertising campaign has also been conducted.

The campaign charged that the town budget contained a hidden \$3 million to \$4 million — more than enough to provide employees with at least a 7% guidelines pay increase. The town had offered 5% and 6% in a two-year package during negotiations, but the amount was rejected by the union.

CSEA also campaigned against growing subcontracting of work, especially in the Highway Department, and a growing practice of hiring so-called "temporary" employees without full fringe benefits and retaining them permanently.



MORE THAN 600 members turned out to demonstrate support for three CSEA Brookhaven units which recently underwent legislative hearings in a contract dispute. Entire families turned out to show that rising inflation hurts everyone.

Local 830 alleges CETA violation

MINEOLA — Nassau County CSEA Local 830 is filing a complaint with the federal government on alleged abuse of the Comprehensive Employment and Training Act (CETA) by Nassau County, Local 830 President Nicholas Abbatiello reported.

Abbatiello said the county has used CETA money to hire 100 persons as recreational aides for the county parks.

He said those aides are being used to replace 86 parks employees represented by CSEA who were laid off earlier this year — a violation of CETA regulations.

"They're being used as drivers, cashiers, mechanics and grounds keepers," Abbatiello said.

He also said the 100 CETA employees at these parks had been CETA employees in other capacities who had already used up their maximum of 78 weeks of CETA funding.

Working on the complaint was Local 830 member Nicholas Dellasanti, who consulted with CSEA CETA Committee Chairman Robert Maletta prior to filing the complaint.

Staff changes

BUFFALO — CSEA Regional Director Lee Frank has announced the following personnel changes in Region 6, effective immediately.

Buffalo Regional Organizer Michael Painter will become the new field representative in the Jamestown area. Rochester Field Representative Vincent Sicari will replace Painter in Buffalo, and Buffalo Research Assistant Mark Higgins will serve as field representative in the Rochester area.

Laundry danger solved

VALHALLA — The dangerous and unhealthy situation facing some members of the Westchester County Unit of CSEA Local 860 appears to be on the road to being solved, Unit President Raymond J. O'Connor reports.

The laundry workers at the Westchester County Medical Center have been injured by surgical instruments and hypodermic needles which were dumped in laundry bags, O'Connor said.

He met with the supervisor of the laundry, the supervisor of nursing and the head of housekeeping at the medical center on May 10 to work out the problem. Also attending the

meeting was Jack Whalen, unit grievance chairman.

O'Connor said the medical center agreed to supply hand metal detectors to laundry personnel to alert them to hazards in the laundry bags.

Other changes will include the use of water soluble bags for contaminated laundry and spot checks by management to locate the sources of the abuse, O'Connor said.

He said the medical center management suspects one source could be the operating rooms. O'Connor was expected to meet with operating room personnel on May 21 to discuss the problem.

Calendar of EVENTS

MAY

- 24 — Westchester-County Unit shop steward meetings, 12:30 p.m., 7:30 p.m., 196 Maple Ave., White Plains.
- 24-26 — CSEA Armory Committee meeting and elections, Long Island.
- 28-30 — NYC Local 010 workshop, Concord Hotel, Kiamesha Lake.
- 25 — Westchester County legislative breakfast, 10 a.m., White Plains Hotel, White Plains.

JUNE

- 6 — Westchester County Local 860 Executive Committee meeting, 8 p.m., 196 Maple Ave., White Plains.
- 8 — Capital District CSEA Armories meeting, dinner, election, Guilderland Range.
- 9 — SUC Brockport Local 601 24th Annual Awards Banquet, Elks Club, Brockport, Prime Rib sit down dinner. Entertainment by Robert Maxwell Case.
- 12 — Westchester County Unit membership meeting, 6 p.m., 196 Maple Avenue, White Plains.
- 13-15 — County Workshop, Kutcher's Country Club, Monticello.
- 15-17 — Region V Spring Workshop, Holiday Inn, Watertown.
- 23 — Saratoga County Local 846 installation dinner, 6:30 p.m., Elks Club, Saratoga Springs.
- 22-23 — Western Region No. 6 Conference, hosted by Chautauqua County Local 805, Holiday Inn, Jamestown.

JULY

- 20-22 — Region IV Summer Workshop, Sagamore Hotel, Lake George.



OFFICERS INSTALLED — Cathy Green, right, President, and Aileen Ronayne, second from right, First Vice President, of the White Collar CSEA Unit of the Town of Babylon are sworn into office by Suffolk County CSEA Local President Bill Lewis, left. Watching are other officers also sworn in, from left, Estelle Yesowitch, Secretary; Marjorie Engles, Third Vice President; Jeanne McCarthy, Second Vice President; Doris Petke, Treasurer; and Marie Dawson, Sgt. at Arms. The ceremony was held May 7 in conjunction with a celebration to mark the recent signing of a new contract covering unit members.

Photo by Tony Jerome

CSEA program bills

All bills on this status report are supported by CSEA

Week of May 14, 1979

CSEA Program Bill Number Summary of Provisions	Bill Number, Sponsors	Status	CSEA Program Bill Number, Summary of Provisions	Bill Number, Sponsors	Status
P-79-1, Agency Shop—Agency shop would become permanent and mandatory.	A-6748 Barbaro S-4458 Rules	Governmental Employees Comm. Civil Service Comm.	P-79-16, Office of Court Administration—Unified Court System employees would be transferred to the State payroll as of April 1, 1977, and would receive permanent status in their competitive class if they have performed the duties of their positions for one year prior to the effective date of this law.	A-6194 Connor S-4142 Rolison	Governmental Employees Comm. Civil Service Comm.
P-79-2, OSHA—Minimum health and safety standards for public employees would be established.	A-6619 Weprin DelToro, Marchiselli, et al S-Pending	Labor Comm.	P-79-17, Employee Indemnification—Additional instance in which public employees should be indemnified from suit by the employer for acts which arise in the course of performing their duties.	A-5963 Greco S-2766 Schermerhorn	Governmental Employees Comm. Judiciary
P-79-3, Two-for-One—The fine for striking would be reduced from two day's pay for each day struck to one day's pay for each day struck.	A-4169 Connor, Greco, Barbaro S-4457 Rules	Governmental Employees Comm. Civil Service Comm.	P-79-18, Sheriff's Reopener—Approximately eight employees of the Sullivan County Sheriff's Department would be allowed to choose the provisions of the Retirement and Social Security Law (optional 20-year retirement).	A-Pending S-Pending	
P-79-4, Injunctive Notice—Unions and employees would be required to receive notice and have an opportunity to be heard before a temporary restraining order could be issued against a strike.	A-4167 Barbaro, Greco, Johnson, et al S-4452 Rules	Governmental Employees Comm. Civil Service Comm.	P-79-19, State University Unclassified Service—The power to remove State University employees from classified service would be returned to the Civil Service Commission from the State University Chancellor.	A-3836 M. Miller S-3754 Cook	Governmental Employees Comm. Civil Service Comm.
P-79-5, Presumption of Arbitrability—The presumption of arbitrability for contract grievances would be restored.	A-4168 Connor, Johnson, Marchiselli, et al S-4451 Rules	Governmental Employees Comm. Civil Service Comm.	P-79-20, University of Buffalo Buy-Back—State employees working at the University of Buffalo before it was acquired by the State would be allowed to purchase retirement credits for the time they were employed by the University.	A-7559 Rules S-4928 Volker	Ways & Means Comm. Civil Service Comm.
P-79-6, Limited Right to Strike—Strike would be redefined to mean a work stoppage that threatens irreparable injury to the public health, safety and welfare.	A-6423 Barbaro S-7588	Governmental Employees Comm.	P-79-21 (a), Veterans Buy-Back—World War II veterans would be allowed to purchase up to three years of credit toward retirement.	A-Pending S-Pending	
P-79-7, 1979 Contract—The provisions of the CSEA-State contract would be implemented.	A-Pending S-Pending		P-79-21 (b), Veterans Buy-Back—Korean War veterans would be allowed to purchase up to three years credit toward retirement.	A-Pending S-Pending	
P-79-8, Triborough—A public employer would be required to continue an expired contract until a new agreement is reached.	A-4165 Greco, et al S-4454 Rules	Governmental Employees Comm. Civil Service Comm.	P-79-22, Sanitarians—Sanitarians working for public and private employers would be certified by the Department of Education.	A-Pending S-Pending	
P-79-9, Redefine Daily Rate of Pay—Strikers assessed a two-for-one penalty would be fined based on net take-home pay, not on gross pay.	A-4171 Connor, Finneran, Nine S-4456 Rules	Governmental Employees Comm. Civil Service Comm.	P-79-23, Suffolk County Retirement—The Suffolk County contract allowing investigators to elect 20-year retirement would be implemented.	A-4204 Hochbrueckner S-3079 Johnson, Lack, Trunzo	Ways & Means Comm. Passed
P-79-10, Alternative Disciplinary Procedures—Unions, including subdivision employers, would be allowed to negotiate disciplinary procedures.	A-4166 DelToro, Greco, Finneran, Barbaro, et al S-4453 Rules	Governmental Employees Comm. Civil Service Comm.	P-79-24, Pension Advisory Board—Power to invest pension funds would be vested in a board of trustees with meaningful public employee representation.	A-Pending S-Pending	
P-79-11, Retirees Death Benefit—State employees who retired before Sept. 30, 1966, would be eligible for a \$2,000 death benefit.	A-4416 Greco S-3221 Flynn	Ways & Means Comm. Civil Service Comm.	P-79-25, Correction Officers—Correction officers employed by Westchester County would be eligible to elect participation in a 20-year retirement plan.	A-Pending S-Pending	
P-79-12, Permanent Cost of Living—Starting in 1980, retirees would receive an increase in the retirement allowance based on increases in the cost of living for the previous year.	A-6618 Rules S-4158 Rules	Governmental Employees Comm. Civil Service Comm.	P-79-26, Showing of Interest—The procedure for verifying a showing of interest in a representation determination would be changed.	A-Pending S-Pending	
P-79-13, Extension of Supplementation—Pension supplementation would include those who retired before April 1, 1969, would be extended to those who retired before Jan. 1, 1972, and would increase supplements to reflect increases in the cost of living.	A-4509 Barbaro S-3361 Flynn	Governmental Employees Comm. Civil Service Comm.	P-79-27, Court Employees Contract—The collective bargaining agreement for employees of the Unified Court System be implemented.	A-1773 McCabe, et al S-1304 Barclay, et al	Passed Passed (Ch. 4, Laws of 1979)
P-79-14, Education Law Parity—The financial advantage school districts receive when contracting out for student transportation would be eliminated.	A-4877 Orazio S-3441 Donovan, et al	Ways & Means Comm. Vote expected	P-79-28, Employer Improper Practice—An employee organization would not be determined to be guilty of violating the no-strike provision when the strike was caused, in whole or in part, by an improper employer practice.	A-4170 Greco, Barbaro, Lentol, et al S-4455 Rules	Governmental Employees Comm. Civil Service Comm.
P-79-15, Division of Youth Transfer—Division of Youth employees transferred to a non-profit corporation would not lose benefits of State service.	A-2519 Budget S-1719 Budget	Ways & Means Comm. Finance Comm.			

A-Assembly

S-Senate

LETTERS to the Editor

Editor, The Public Sector:

The leadership of the State Employees Federated Appeal for 1979 which was conducted last fall would like to take this opportunity to thank over 19,000 state employees in the Albany/Saratoga area for contributing over \$584,000 to this local campaign for human services. Commissioner James C. O'Shea, N.Y.S. Office of General Services, Commissioner Gordon M. Ambach, N.Y.S. Department of Education and Joseph McDermott, President of Region IV, CSEA, were the leadership for the last campaign.

In the agencies, departments, commissions and authorities of state government in the capital area, members and officers of CSEA played very significant roles in running the various SEFA solicitations in many

agencies. The State Employees Federated Appeal in the Albany/Saratoga area is conducted on behalf of 68 human care agencies affiliated with the United Way of Northeastern New York or the Albany Area Health Council.

Commissioner Ambach will assume the leadership role in the SEFA campaign for 1980 with the assistance of another commissioner and representatives of organized labor.

Once again, a sincere thank you from the thousands of recipients of the services provided through the SEFA agencies.

Sincerely,
United Way of
Northeastern New York, Inc.
877 Madison Avenue
Albany

PERB reinstates State auditor

BUFFALO — Basing his decision in part on Common Law, a PERB arbitrator has reinstated a sales tax auditor suspended by the state following his arrest on drug charges.

Arbitrator Eric W. Lawson, Sr, rejected the state's argument that notoriety resulting from media reporting of the arrest would hinder the auditor's work.

CSEA Associate Regional Attorney Ronald L. Jaros argued that the suspended auditor did not seek such publicity.

Ruling that the state failed to substantiate its need for the suspension, Mr. Lawson said that Anglo Saxon justice requires that a person be judged innocent unless proven guilty.

He ordered that the auditor be reinstated and be reimbursed for pay losses, except for deductions for unemployment insurance, other earnings and a period of delay in the proceedings not attributable to the state.

The individual was suspended November 24, 1978 and returned to the payroll April 3, 1979.

Committee wants members

SYRACUSE — Central Region V President James Moore has issued a call for additional members to serve on the regional educational committee which, with regional professional staff, will seek to expand steward training programs.

As formulated at the May 12, 1979 regional executive board meeting, Mr. Moore said, "needed are persons with training, experience or just plain dedication" to help train stewards. First, he said, committee members will themselves be trained at a seminar to be held on June 4, 1979 at a location to be determined.

The regional board also is urging members in the region to write to

their state senators and assemblymen in favor of a permanent agency shop law, which would guarantee that all workers benefiting from union representation would share the cost of that representation.

Named to the new nominating committee were: Bob Vincent, Upstate Medical Center Local 615; Claire McGrath, Syracuse City Local 013; Nancy Morrison, Syracuse City Local 013; Bob Greene, Utica Psychiatric Center 425; Sharon Keesler, Broome County 804; Bruce Nolan, Cayuga County 806; Mary Nelan, Chemung County 808; Marsha Coppola, Jefferson County 823; and Francis De Lemo, Ft. Schuyler Local 014.

STATE OPEN COMPETITIVE JOB CALENDAR

FILING ENDS JUNE 4, 1979

Clinical Physician III	\$38,171	No. 27-929
Medical Specialist III	\$40,374	No. 27-928
Chief of Service—Mental Health	\$40,374	No. 27-926
Chief of Service—Mental Retardation and Developmental Disabilities	\$40,374	No. 27-927

FILING ENDS JUNE 25, 1979

Recreation Therapist	\$11,250	No. 27-765
Recreation Therapist (Spanish Sp.)	\$11,250	No. 27-765
Recreation Therapist (Art)	\$11,250	No. 27-898
Recreation Therapist (Dance)	\$11,250	No. 27-899
Recreation Therapist (Music)	\$11,250	No. 27-900

You can also contact your local Manpower Services Office for examination information.

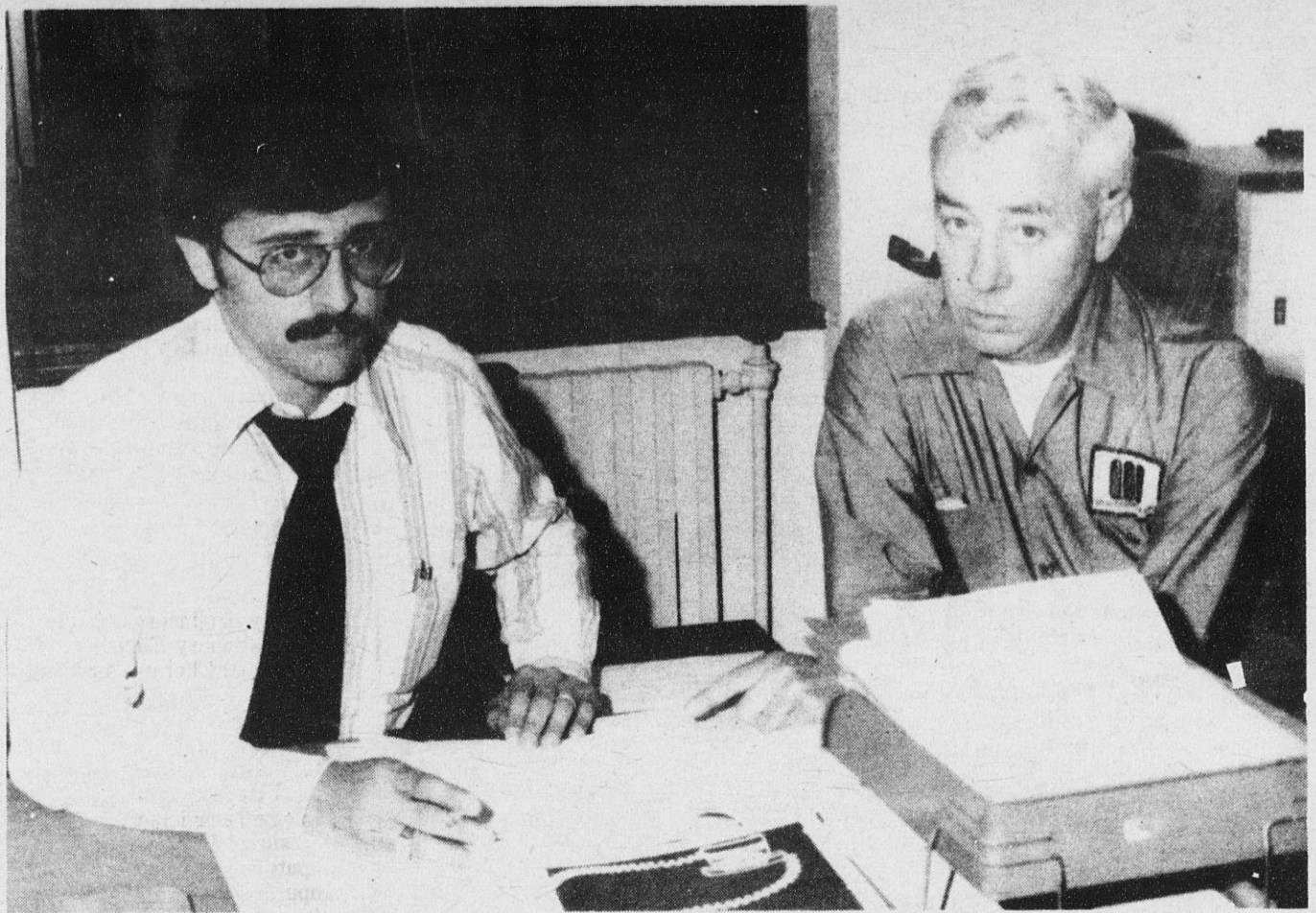
OPEN CONTINUOUS STATE JOB CALENDAR

Title	Salary	Exam No.
Pharmacist (salary varies with location)	\$14,388-\$15,562	20-129
Assistant Sanitary Engineer	\$16,040	20-122
Senior Sanitary Engineer	\$18,301	20-123
Clinical Physician I	\$27,942	20-118
Clinical Physician II	\$31,055	20-119
Assistant Clinical Physician	\$25,161	20-117
Attorney	\$14,850	20-113
Assistant Attorney	\$12,397	20-113
Attorney Trainee	\$11,723	20-113
Junior Engineer (Bachelor's Degree)	\$12,890	20-109
Junior Engineer (Master's Degree)	\$13,876	20-109
Dental Hygienist	\$8,950	20-107
Licensed Practical Nurse	\$8,051	20-106
Nutrition Services Consultant	\$13,404	20-139
Stationary Engineer	\$10,042	20-100
Senior Stationary Engineer	\$11,250	20-101
Occupational Therapy Assistant I	\$9,029	20-174
Occupational Therapy Assistant I (Spanish Speaking)	\$9,029	20-174
Vocational Rehabilitation Counselor	\$14,142	20-140
Vocational Rehabilitation Counselor Trainee	\$11,983	20-140
Medical Record Technician	\$9,481	20-143
Histology Technician	\$8,051	20-170
Professional Positions in Auditing and Accounting	\$11,250	20-200
Computer Programmer	\$11,250	20-220
Computer Programmer (Scientific)	\$11,250	20-222
Senior Programmer	\$14,075	20-221
Senior Computer Programmer (Scientific)	\$14,075	20-223
Mobility Instructor	\$11,904	20-224
Instructor of the Blind	\$11,250	20-225
Health Services Nurse (salary varies with location)	\$11,250-\$12,025	20-226
Senior Heating and Ventilating Engineer	\$18,301	20-227
Senior Sanitary Engineer (Design)	\$18,301	20-228
Senior Building Electrical Engineer	\$18,301	20-229
Senior Building Structural Engineer	\$18,301	20-230
Senior Mechanical Construction Engineer	\$18,301	20-231
Senior Plumbing Engineer	\$18,301	20-232
Assistant Stationary Engineer	\$7,616	20-303
Electroencephalograph Technician	\$7,616	20-308
Radiologic Technologist (salary varies with location)	\$8,454-\$10,369	20-334
Medical Record Administrator	\$11,904	20-348
Food Service Worker I	\$6,456	20-352
Mental Hygiene Therapy Aide Trainee	\$7,204	20-394
Mental Hygiene Therapy Aide Trainee (Spanish Speaking)	\$7,204	20-394
Associate Actuary (Casualty)	\$18,369	20-416
Principal Actuary (Casualty)	\$22,364	20-417
Supervising Actuary (Casualty)	\$26,516	20-418
Assistant Actuary	\$10,714	20-556
Nurse I	\$10,624	20-584
Nurse II	\$11,904	20-585
Nurse II (Psychiatric)	\$11,904	20-586
Nurse II (Rehabilitation)	\$11,904	20-587
Medical Specialist II	\$33,705	20-840
Medical Specialist I	\$27,942	20-841
Psychiatrist I	\$27,942	20-842
Psychiatrist II	\$33,705	20-843
Social Services Management Trainee	\$10,824	20-875
Social Services Management Specialist	\$11,450	20-875
Social Services Management Trainee (Spanish Speaking)	\$10,824	20-876
Social Services Management Specialist (Spanish Speaking)	\$11,450	20-876
Industrial Training Supervisor (salary varies depending on specialty)	\$10,624-\$12,583	20-877
Physical Therapist	\$11,337	20-880
Physical Therapist (Spanish Speaking)	\$11,337	20-880
Senior Physical Therapist	\$12,670	20-881
Senior Physical Therapist (Spanish Speaking)	\$12,670	20-881
Speech Pathologist	\$12,670	20-883
Audiologist	\$12,670	20-882
Assistant Speech Pathologist	\$11,337	20-884
Assistant Audiologist	\$11,337	20-885
Dietician Trainee	\$10,624	20-888
Dietician	\$11,250	20-887
Supervising Dietician	\$13,304	20-886
Stenographer	\$6,650	20-890
Typist	\$6,071	20-891
Senior Occupational Therapist	\$12,670	20-894
Senior Occupational Therapist (Spanish Speaking)	\$12,670	20-894
Occupational Therapist	\$11,337	20-895
Occupational Therapist (Spanish Speaking)	\$11,337	20-895

You may contact the following offices of the New York State Department of Civil Service for announcements, applications, and other details concerning examinations for the positions listed above.
State Office Building Campus, First Floor, Building I, Albany, New York 12239 (518) 457-6216.
2 World Trade Center, 55th Floor, New York City 10047 (212) 488-4248.
Suite 750, Genesee Building, West Genesee Street, Buffalo, New York 14202 (716) 842-4260.

FACES in the crowd

A periodic series about activist members who, often without fanfare and public recognition, contribute to the success of CSEA.



BUSINESS AGENT CARMINE DIBATTISTA, left, of the Westchester County Unit of Local 860, finds out what's new from John Smith, shop steward for the county's Department of Public Works Buildings.

A business agent emerges in Westchester

WHITE PLAINS — CSEA's development from an association into a labor union, which started with the passage of the Taylor Law in 1967, continues.

In April 1979, the union's first business agent was appointed. The membership of the 6,000-member Westchester County Unit of CSEA Local 860 voted to make Carmine DiBattista its first business agent.

DiBattista, who has been chief shop steward of the unit since 1976, will continue to work from his office in Room 222 of the County Office Building at 148 Maritime Ave., White Plains.

However, his duties as business agent are much different than the work he did in 1976 when he started as chief shop steward. The evolution of his duties over the last three years had a lot to do with the change in his title.

He became chief shop steward in May 1976 at the request of the then unit president, Michael Morella.

One of DiBattista's first acts was to replace the union representative system which had 18 reps covering the approximately 100 buildings and worksites of the county.

By Sept. 1, 1976, 90 shop stewards were in place. Today there are

more than 120 shop stewards, and by the end of the year, DiBattista hopes to have 200 trained shop stewards on the job.

The original group of shop stewards received training in October 1976 in a four-class program organized by DiBattista.

Among those taking part in the sessions were DiBattista; Region III President James Lennon; unit grievance chairman Jack Whalen; Morella; CSEA staffers, Dr. Edward Diamond, Thomas Lupposello, Ronald Mazzola, Joseph O'Connor, and Don Patrick; CSEA Regional Attorney Arthur Grae; and Prof. Joel Douglas, State School of Industrial and Labor Relations — Cornell.

DiBattista explained that the shop stewards served two important functions, including:

— A communication system was established to allow for information to reach the membership and for information to reach the unit leadership.

— Trained representatives of the unit were available to help protect the rights of the membership.

During his first two years as chief shop steward, DiBattista handled almost all grievances through the third step. The unit won 99 of the 102 grievances during 1976 and 1977.

He also pointed out that through the shop steward system the number of formal grievances was held down because many potential problems were handled verbally before reaching the first step.

He held many shop steward meetings as a means to impart information to the membership, to educate the shop stewards and to receive feedback from the membership.

However, the nature of his job

has changed. DiBattista's duties expanded under Morella and under the present unit president, Raymond J. O'Connor.

DiBattista still handles grievances for members in the Sheriff's Department and in the Corrections Department. Whalen now handles other grievances.

The newer duties now include:

- Representing members and groups of members before the county's Reclassification Appeals Board.

- Coordinating the filing of Improper Employer Practices with the regional attorneys.

- Coordinating legal assistance for arbitrations and disciplinaries.

- Liaison for members needing the help of the Employee Assistance Program.

- Representative of the unit to higher levels of CSEA. He was the contact with CSEA headquarters last fall when research provided by the union on the county's budget proposal helped save a number of members from layoffs.

DiBattista joined CSEA in 1968 when he was hired as a health inspector by Westchester County.

He became active in union activities in 1971 and was a union representative, handling grievances, from 1971 to 1975.

He also is a member of the statewide Legislative and Political Action Committee and is Region III acting political action chairman. He has been a member of the statewide Board of Directors.

DiBattista is running unopposed for second vice president of Local 860, having served as its third and fourth vice president.

DiBattista, 33, was born near Naples, Italy; came to the United States in 1952; and has lived most of his life in Yonkers.



WESTCHESTER COUNTY UNIT BUSINESS AGENT CARMINE DIBATTISTA, left, discusses problems of the county with the unit's president and first vice president, Raymond J. O'Connor, center, and Pat Mascioli, respectively.

AFSCME ALERT

New rules for CETA in effect



A little over a month ago, new Comprehensive Employment and Training Act (CETA) regulations — many of which CSEA had very actively pushed for — went into effect. Many previous loopholes through which employers were able to use CETA employees to the detriment of regular unionized workers were closed.

Also last month, new CETA average wage limitations went into effect, and that is causing problems that has caused CSEA's parent national organization, AFSCME, to issue an alert for union representatives to be on the watch for attempts by CETA employees to comply with the new wage limitations by undercutting prevailing area wage levels.

Now CETA prime sponsors must calculate an average wage using the wages for all CETA public service employment participants hired after April 1 of this year. The legislated nationwide average is now \$7,200, which may be indexed up or down depending upon the area wage average.

Because, AFSCME says, many employers are already attempting to meet the average CETA wage limitations by undercutting prevailing wages, the international union is attempting to persuade the Federal Department of Labor to either eliminate the wage limitations or raise the average to a more realistic level.

Undercutting of prevailing wages must be prevented, AFSCME warns. The following are some of the ways employers might try to lower public service employment wages, and all can be challenged.

Job restructuring — i.e., breaking down existing jobs into jobs requiring fewer or simpler tasks and paying a lower wage for the restructured job.

Lowering the starting pay for an existing job.

Reclassifying CETA employees into new or existing classifications with lower pay schedules. For example, in some places, temporary jobs have lower pay rates than comparable jobs in other classifications.

Outstanding CETA participants to high wage worksites by a low-wage employer, such as a school district

outstationing participants to city worksites. School district wages would be paid to the CETA participants.

Using work experience as a substitute. Work experience wages are not included in the computation for the average CETA wage.

Regardless of the particular method used by the employer — restructuring, reclassification etc., it should be presumed that payment of lower than prevailing rates is a violation of CETA. If the issue cannot be informally resolved a formal complaint should be filed. The employer's proposal may also be a violation of a collective bargaining agreement — such as failure to negotiate new job classifications. You can file both a grievance under a collective bargaining agreement and a complaint under the CETA grievance procedure.

The CETA amendments and new regulations contain new requirements about local level complaint procedures. Most important, complaints must be resolved within 60 days. Also, many kinds of CETA violations require an opportunity for a hearing before an impartial hearing officer.

How to investigate violations of CETA

If you feel that CETA regulations are being violated in your area, you should immediately notify CSEA so that a proper investigation can be made and action taken to correct the situation.

The telephone numbers of CSEA's Regional headquarters are periodically listed in The Public Sector. If you have reason to believe that an investigation should be undertaken, notify your CSEA regional office.

CSEA has a new standing CETA Committee, with a CSEA staff advisor, research specialist, and attorney assigned to work with it, to monitor CSEA throughout New York State.

In filing a CETA complaint with

the union, provide as much descriptive detail as possible about the local situation, such as:

- The number of employees involved.
- Locations where violations are occurring — in which department(s) or which employer (if the employer is not the prime sponsor).
- The job titles and wage rates for the CETA employees compared with the job titles and wage rates for non-CETA employees performing similar work. (If CETA jobs are called "trainee" jobs, but the work is the same as the work done by others who aren't trainees, say so in your description.)
- Job description, if available.

Sponsors filing for grants

Prime sponsors of CETA programs will shortly be filing their final grant applications to the appropriate Regional Administrator for Fiscal Year 1980. Those final applications are due by August 15, and FY 1979 grants to prime sponsors will be executed by October 1, 1979.

The primary basis upon which a unit of general local government may qualify as a prime sponsor of CETA programs is having a population of 100,000 or more. However, there are other factors considered and local governments or units of local governments having less than the 100,000 population may apply and, if meeting certain requirements, be eligible to hold prime sponsor status.

According to the Department of Labor, the following New York State general local government units qualify as prime sponsors by virtue of having a population of 100,000 or more:

Albany City, Buffalo City, New York City, Rochester City, Syracuse City, Town of Amherst, Town of Cheektowaga, Town of Tonawanda, Yonkers City, Town of Babylon, Town of Brookhaven, Town of Huntington, Town of Islip, Town of Smithtown, Town of Hempstead, North Hempstead Township, Oyster Bay Township, Albany County, Broome County, Chautauqua County, Chemung County, Dutchess County, Erie County, Monroe County, Niagara County, Oneida County, Onondaga County, Orange County, Oswego County, Rensselaer County, Rockland County, Saratoga County, Schenectady County, St. Lawrence County, Steuben County, Ulster County, Westchester County.



KEEPING AN EYE ON CETA — The CSEA Committee to Oversee the Comprehensive Employment and Training Act meets periodically to discuss the ramifications of CETA upon CSEA members. Shown at a committee meeting are, from left, Paul Kamrass of New York City CSEA Local 010; CSEA Attorney Marge Karowe; CSEA Research Analyst Joseph Abbey; CSEA Collective Bargaining Specialist Paul Burch; Robert Gailor of Cortland County CSEA Local 812; and Committee Chairman Robert Maletta from Suffolk County CSEA Local 852.