

# Public SECTOR

DOT's illegal landfill  
—see pages 6 & 7—

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Association  
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## 'THIS IS A GREAT DAY' —William L. McGowan

### Overwhelming delegate vote supports CSEA/AFSCME bond

ALBANY — The Civil Service Employees Association will become a permanent affiliate of the American Federation of State, County and Municipal Employees, AFL-CIO, following a landslide approval of the affiliation by CSEA Delegates meeting in Albany.

By nearly an eight-to-one margin, 900 elected Delegates representing rank and file CSEA members from across the state voted to accept a continued affiliation agreement negotiated by CSEA President William L. McGowan and AFSCME President Jerry Wurf.

"This is a great day not only for CSEA, but for the entire labor movement," proclaimed President McGowan at a late afternoon press conference at CSEA Headquarters. Said AFSCME President Jerry Wurf to reporters, "We're delighted by the action of the Delegates to make permanent CSEA's affiliation with AFSCME. As one union during the challenging years ahead, CSEA and AFSCME will be a strong voice for public employees and for all Americans who depend upon public services."

The vote of the Delegates ended a lengthy process of negotiations, discussions and debates within the unions and between them as both CSEA and AFSCME tried to reach a successor agreement to replace the "temporary" affiliation agreement of April, 1978 which is now expiring. The final result of the effort was a negotiated addendum to the original agreement which was approved by CSEA's Statewide Officers, the union's Board of Directors, the Special Committee to Study the CSEA/AFSCME Affiliation, and finally by the Delegates. In each case approval was overwhelming.

"Our people know that our affiliation with AFSCME helped CSEA march out of the past and into the present," Mr. McGowan said. "We have made great progress in just the past four years and the continuation of the affiliation assures that the work that we have begun to build a better union shall continue."

An exhaustive process of statewide membership meetings,



SEALED WITH A HANDSHAKE — CSEA President William L. McGowan, left, and AFSCME International President Jerry Wurf shake hands moments after they signed an agreement making CSEA and AFSCME affiliation permanent. The document was inked shortly after CSEA's delegates overwhelmingly approved the affiliation.

preparation of studies and reports, face to face negotiating and complex financial arrangements all played a part in the agreement on a proposed continuation of the affiliation, but no action was taken until an unprecedented information campaign had literally brought all of the details of the affiliation agreement into every CSEA member's home.

For the average CSEA member, there will be no immediate change resulting from the affiliation. The benefits of access to the resources of AFSCME and the AFL-CIO will continue as they existed under the previous agreement. In April, 1982, however, a modest modification to the annual CSEA dues will be made (estimated to be about \$13) to bring CSEA's dues into conformance with the minimum dues rate allowable under the AFSCME Constitution.

Thereafter, annual adjustments to AFSCME's minimum dues will be automatically applied to CSEA dues.

Under the agreement CSEA will continue to maintain its autonomy by keeping its Constitution and By-Laws, the right to make internal decisions about political matters, policies, election of officers, etc., and the union will retain its identity as CSEA, Local 1000, AFSCME AFL-CIO.

Speaking to reporters in Albany, President Wurf stressed the importance of the affiliation to the labor movement. Two great public employee unions have joined hands permanently with the single goal of improving the lives of the public employees that they represent. He said the affiliation was a great achievement for CSEA and for President McGowan who has led the way for CSEA's affiliation with AFSCME and the AFL-CIO.



*the union  
that works  
for you*

# AFSCME



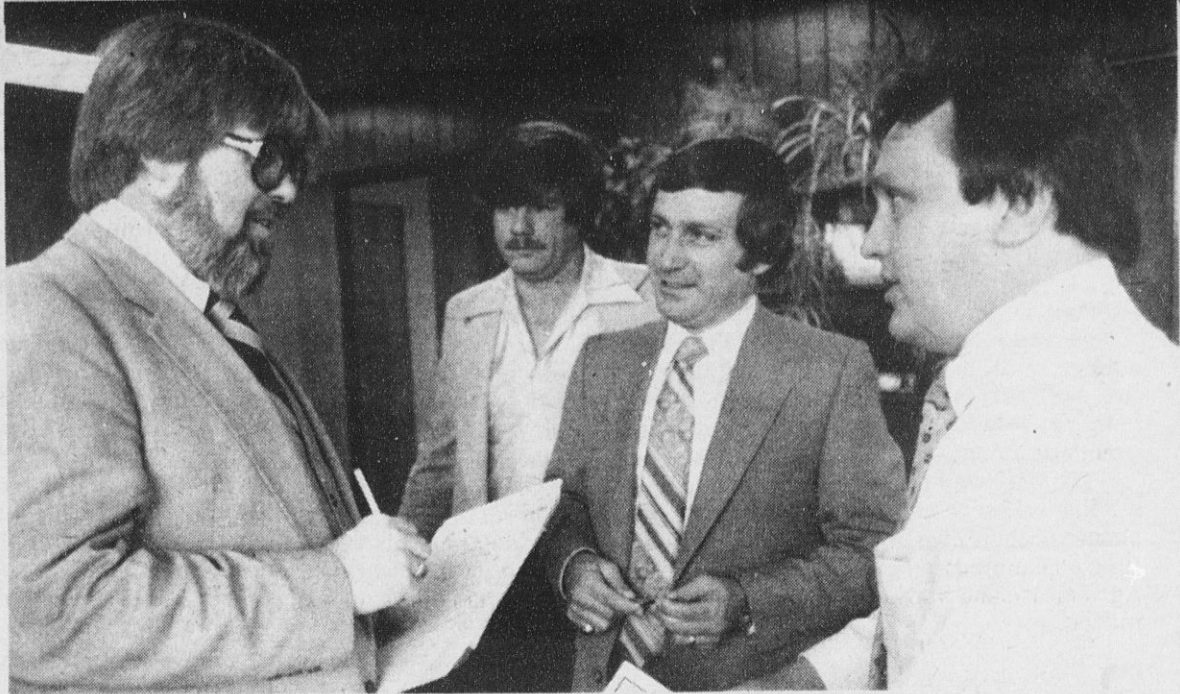
# A tentative contract goes to membership for vote in Suffolk County

HOLTSVILLE — Members of Suffolk County CSEA Local 852 will be voting shortly on ratification of a tentative, one-year, contract covering about 8,000 county employees.

The tentative agreement was reached recently following intensive and extensive negotiations, and would provide a complete overhaul of the current graded salary plan. Tentative agreement was reached January 13 to conclude eight months of bargaining. Local unit presidents were presented details of the tentative contract at a January 15 meeting and recommended sending the document to the membership for a ratification vote.

While complete details will be presented to the membership prior to the balloting, some of the key aspects of the agreement include pay increases ranging from 7½% to 23½%, plus fringe benefits that include a new 20-year longevity step. The proposed package is estimated at \$10.3 million in cash items.

The settlement, in a one-year contract, would provide an all-new, 11-step graded salary plan, eliminating the "locked-in" feature of the last contract under which most employees had



SUFFOLK LOCAL 852 PRESIDENT Ben Boczkowski, right, goes over contents of tentative Local 852 agreement with, from left, CSEA Collective Bargaining Specialist Nels Carlson, negotiating committee chairman Ken Horsford, and staff negotiator Irwin Scharfeld.

reached the maximum step allowed under the four-year pact.

Now, one and two-year employees on Step 2 would be advanced one step effective Jan. 1 and another step July 1. More senior employees locked in Step 2 will get a double step effective Jan. 1 and another step July 1. Step 6 employees would be advanced with an average salary increase of 10½%. Step 7 employees up to Grade 23 get 8% and higher grades get 7½%.

A major feature of the plan is to upgrade on July 1 all regular and senior clerks, clerk-typists and stenographers, account clerks, data entry operators, nurse's aides and home health aides and custodial worker I titles — slots representing more than one-quarter of the membership.

Fringe benefits include a new \$250 longevity at 20 years, \$100 additional premium for rotating shifts, \$50 per member increase in payment to the benefit fund, increased mileage to 23 cents now and 24 cents July 1, higher tool allowance, protection for law enforcement officers against departmental investigations and pay for line-up time for Correction Officers.

CSEA Field Representative Irwin Scharfeld, staff negotiator, commended the negotiating team, which was led by Local President Ben Boczkowski and Chairman Ken Horsford. Scharfeld said the package was "by far the largest monetary package and best overall settlement ever received" in Suffolk. He stressed that the one-year term would allow CSEA to react to changing economic conditions quickly.



CSEA SUFFOLK COUNTY LOCAL NEGOTIATING TEAM members which negotiated the tentative one-year agreement for about 8,000 county workers. From left are Jim Piersanti, Barbara Rotunno, George Kirlokos, Chuck DeMartino, Al Mirani, Chairman Ken Horsford, Dottie Victoria, Preston Singer, Gary Taibbi, and Rose Orenda.

## Maximum available was realized in this pact

"We were faced with two problems: inflation and a complicated and unfair salary schedule that penalized those employees in the lower grades and steps. We feel we have extracted with this contract the maximum amount of money and benefits available for our members this year, while at the same time correcting many of the inequities of the old contract. Furthermore, by limiting the contract to one year, we will be able to react quickly to economic conditions as they develop and, hopefully, to complete the restructuring of our terms and conditions of employment."

—Local 852 President Ben Boczkowski

# Region VI political action seminars set

BUFFALO — An early start on political action and training for 1981 has been announced by Region 6 President Robert Lattimer and CSEA-AFSCME Political Training Specialist Ramona Gallagher. The early start will be in the form of political action organizing seminars throughout the region.

## School workers ok new pact

AVERILL PARK — Civil Service Employee Association represented non-instructional employees of the Averill Park School District have ratified a two-year contract with the district by a vote of 38 to 4.

The contract will provide an overall fiscal improvement package of 20 percent, 9.5 in the first year, 7.7 in salary, the rest in incremental improvements. The second year contains an 8.4% salary adjustment with the rest of the increase also being put into longevity and increments.

Contract language improvements were also achieved.

Topics covered will include committee organization, with specific emphasis on assessment of campaigns for local government and school board races.

The preliminary sessions will be geared to orientation in the basics of developing local and or unit committees. They will be followed up with more in-depth sessions on campaign involvement later in the year, according to Training Specialist Gallagher.

The schedules of the sessions are as follows:

Friday, January 30, 8 p.m., Sheraton Inn, 770 Main St., Canandaigua (For Wayne, Ontario, Yates, Steuben and Allegany Counties)

Sat., Jan. 31, 10:30 a.m., Holiday Inn, Batavia (For Genesee, Orleans, Livingston, Wyoming, and Monroe Counties.)

Sat. Feb. 7, 10:30 a.m., Buffalo Convention Ctr., Buffalo (For Erie, Niagara, Cattaraugus and Chautauqua Counties.)

President Lattimer urged all political action committee members to attend as well as other interested members.



# Buildings a timebomb for disaster

By Deborah Cassidy

ALBANY — The lack of public address systems in three of the largest buildings on the New York State Campus complex in Albany has Civil Service Employees Assn. leaders worried that employees could not be evacuated in major catastrophe.

The buildings, in which the state departments of Taxation and Finance and Agriculture and Markets are housed, are numbers 8, 8A and 9.

Carmen Bagnoli, President of the Taxation and Finance CSEA Local, and a member of the Capital Region Uptown Committee, fears that in the case of a fire, bomb scare or another emergency situation which calls for an evacuation, authorities would not be able to instruct employees of the necessity to evacuate, or what exit routes to take.

The only way to contact the individual offices, presently, is by phone or by sending someone around. However, with the multitude of offices, some without phones of their own, and seven to eight floors in each building, this would be too time consuming and even dangerous, says Sandra Sokolowski, President of the Agriculture and Markets CSEA Local and former chairman of the uptown committee.

Both union leaders say they have discussed the matter, for nearly a year now, at labor management meetings and meetings with the Campus Advisory Committee, a committee created by the Office of General Services to study and improve the working environment on campus.

Earlier in 1980, the systems were lacking in several other campus buildings and were installed over a period of months, as a result of the meetings. Finally, explained Bagnoli, only these three buildings were left and the progress stopped.

CSEA became more concerned about the situation after a recent fire in building nine. The fire occurred after working hours in a wastebasket, outside a first floor elevator. It was spotted and quickly extinguished by a maintenance worker. However, if it had occurred during working hours, it would have been necessary to keep others out of the area and especially keep that elevator from being used.

Following the fire, Jack Corcoran, CSEA Capital Region Director, sent a letter to OGS about the matter. Now that the Occupational Safety and Hazards Act has been put into effect, Corcoran says he may pursue the matter through that channel.

## Proposed 30% pay hike for County Exec. an outrage

UTICA — Two months ago things were looking good for the 1,100 members of CSEA Local 833 Oneida County. Contract negotiations were moving along well — UNTIL the news broke about the County proposing a 30 per cent salary boost for the County Executive.

According to E.R. Ventura, CSEA Field Representative and Chief Negotiator for the County employees, the Union and the County were near agreement.

"We were close to a settlement calling for 7 per cent (increase) and other benefits, when the news broke the story about the proposed \$9,600 pay hike for the County Executive," Ventura explained.

"Naturally, our people were angry. They were being asked to hold the line and take 7 per cent, while the County Exec was going home with the 'bank'. It just seemed totally out of proportion and our negotiating team called a halt to all talk," Ventura said.

The refusal of CSEA to accept the County offer resulted in a declaration of impasse by the County several weeks ago.

The Public Employment Relations Board has since assigned PERB Mediator Paul Curry to help both sides reach a settlement.

The two contracts being negotiated include Highway, Social Services, Mohawk Valley Community College, and Nurses Units and represent 1,100 County employees.



EAP POTSDAM — Formal signing of an Employee Assistance Program for Village of Potsdam employees in St. Lawrence County took place recently in the Village Civic Center. Shown from left are, front row, Stephen Keleher, Mayor Ruth Garner, patrolman Lloyd Shattuck. Second row, Steve Ragan, CSEA Region V field representative; Frank Reynolds, St. Lawrence County Mental Health Unit; patrolman Gerald Thomas. Third row, Lee Benjamin, Robert Burns, Village Trustee; Lt. Dale Wells. (Photo courtesy Potsdam Courier-Freeman)



HONORING RETIREE Beatrice D'Amato of the Nassau County Police Civilian Unit of Nassau County Local 830 are, from left, Parks Unit President Nicholas Dellisanti, Local 830 President Nicholas Abbatiello and Police Civilian Unit President Jay Cartman. In addition to the honoring of D'Amato, employees Lydia Wayne and Richard King of the unit also were honored.

## Local 426 President optimistic about future of Wassaic Center

WASSAIC — The president of the Civil Service Employees Association Local at Wassaic Developmental Center is optimistic that conditions will be improved there for both residents and staff.

Harold Ryan said he bases the optimism on talks with Samuel Kowala, director of a special management team investigating operations at the developmental center. The union leader revealed that he recently accompanied Kowala on two separate unannounced tours of the facilities to give him a first hand look at conditions, and an opportunity to speak candidly with direct care staff. They toured six buildings.

Ryan credits Kowala with the state's recent decision to hire additional staff people at Wassaic, and calls it, "a good start in addressing problems of understaffing which hurt services and morale." He emphasizes that the new items should be deployed where they are most needed, in direct care services.

The CSEA leader also expects the state to establish a special behavioral unit to house aggressive/assaultive residents. Ryan recently charged that there were over 200 assaults on staff last year. The unit would service the Southeastern County Service Group.

Kowala will report his findings at the end of January, and Ryan expects his recommendations to be, "a ray of hope, since Sam seems to be listening to us."

The project management team reports directly to Commissioner of Mental Retardation James Introne, and Ryan asserts it was sent to Wassaic because of pressure from CSEA.



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## New format planned for legislative seminar

ALBANY — How to lobby effectively?

You can learn just that at the annual CSEA Legislative Seminar to be held Saturday, Feb. 21 at the Governor Nelson A. Rockefeller Empire State Plaza Convention Center.

"This year, we're going to have a whole new format for the seminar," said Bernard J. Ryan, director of CSEA's Political Action Department planning the event.

Past seminars have focused on legislative programs. This year, the all-day seminar will take a "how-to" approach to lobbying.

During morning presentations, participants will learn how to lobby staff, the Minority and legislators. Specialists will be on hand to address these topics.

Two workshops on putting your lobbying skills into practice will highlight the afternoon portion of the program.

There will also be an in-depth look at CSEA's 1981 legislative package.

The Legislative Seminar will begin at 9 a.m. Lunch will be provided. All other expenses and arrangements, including transportation and accommodations, are the responsibility of the Local.

Those wishing to attend are urged to register early, as seating capacity is limited. All registration forms must be obtained from and returned to the local presidents. The presidents are asked to sign and forward the forms to: Joyce Dimitri, CSEA Political Action Department, Room 2020, 99 Washington Ave., Albany, N.Y. 12210. All forms must be received by Monday, Feb. 8.

## Region VI workshop

BATAVIA — The Civil Service Employees Association (CSEA), in cooperation with Region VI, is sponsoring a workshop entitled Professional and Personal Relationships on Saturday, February 7 at the Treadway Inn, Batavia, from 9:30 a.m. to 4:30 p.m.

Workshop participants will learn to increase their ability to work with people; increase their problem-solving skills; gain the cooperation of others; keep crises manageable and generally, improve the quality of their professional and personal lives.

The workshop is open to one person from each Region VI local. The union stresses that the seminar will be limited to the first thirty persons who make reservations. Those interested may call the secretary at CSEA's Region VI office at (716) 634-3540 before February 3.

## Metro Region nominations due

NEW YORK CITY — Nominations for the Metropolitan Region 2 election of officers are now open, and must be submitted by the February 19 deadline.

Kirk Scott, chairman of the Region II Nominating Committee, urged members to obtain a "Request to be a Candidate" form from the CSEA Region II office or from any member of the committee.

All nominations should be forwarded by certified mail to Kirk Scott, 100-41 199th Street, Hollis, NY 11423.

Members of the committee are: Chairman Kirk Scott, Brooklyn Developmental Center Local 447; Phyllis Ferguson, Division of Housing Local 258; Rose Feurman, New York City Local 010; Charles Bell, Creedmoor Psychiatric Center Local 406; Sarah Johnson, State Insurance Fund Local 351; and John Gianguercio, Department of Labor Local 350.



THE SOCIAL COMMITTEE of the Saratoga County CSEA Local 846 gathered together for a picture recently, at the Rafter's on Saratoga Lake. In the front row, from left to right, are Sue Briggs, co-chairmen Cheryl Sheller and Ann Marie Meehan and Corine Daley. Behind them, left to right, are Bill McTygue, Percy Allen, Walter Davignon and Rusty Bowers. 200 people attended the event.

## Series of election workshops set for committee chairmen

ALBANY — As election time for the officers of locals and units throughout the Civil Service Employees Assn. nears, the union is sponsoring a series of workshops for the chairmen of local/unit nominations and elections committees.

Gregory Sarnicki, chairman of the Statewide Election Procedures Committee, will conduct a session for Capital Region chairmen on February 7 from 9:30 a.m. to 3 p.m. at the Ramada Inn, Western Avenue, Albany.

Reservations must be made by January 30. Call the Capital Region office at 489-5424 if you need a registration form.

Locals and units are reminded of the schedule to be followed for the election process:

Feb. 15—Deadline for local/unit executive boards to select nominating and election committee and chairmen.

April 20—Deadline candidates to be notified of their selection for positions.

May 1—Deadline for nominations to be submitted to membership.

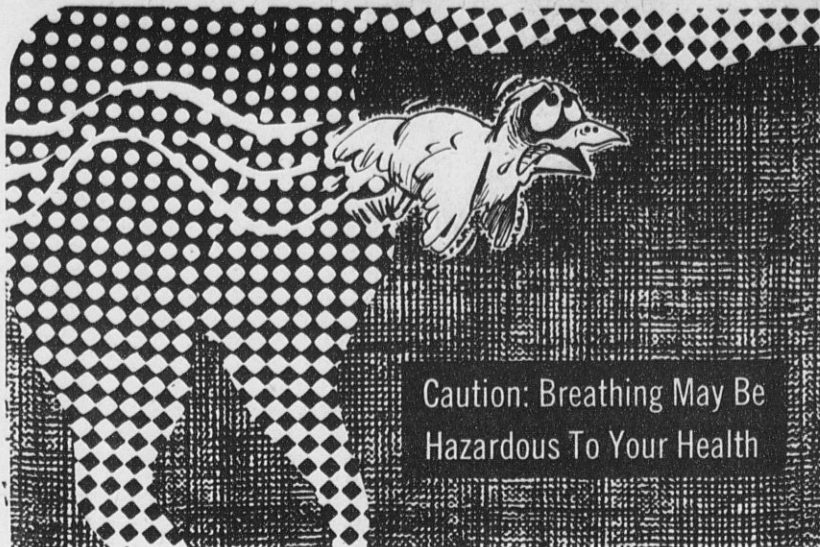
May 15-June 1—Dates elections are to be held.

June 15-July 1—Dates for installation of officers.



## Everything in power plant covered

# Daily soot bath has Stony Brook employees in a black, foul mood



Caution: Breathing May Be Hazardous To Your Health



**BLACK, SICKENING SOOT** covers everything inside the power plant, as CSEA Shop Steward Frank Celentano, above, shows.

**LOCAL 614 PRESIDENT CHARLES SCLAFANI**, right, and Shop Steward Frank Celentano, below, examine pile of plastic bags, all filled with soot, where they are stored before being removed from the plant.



**STONY BROOK** — CSEA members at the Health Services Center power plant at SUNY at Stony Brook are in a black mood because of the virtual "soot bath" they are forced to take each day on the job, and Charles Sclafani, Local 614 president is threatening to take action against the University under the State's OSHA Law.

The cause of the employees' attitude and their rising chorus of complaints, is the sulphur-laden soot generated by the power plant's boilers which burn number 4, 5 and 6 oil to generate steam power for the Health Sciences Center. Employees have to clean out — by hand — soot from hoopers at least three times every 24-hours; bag it in plastic containers similar to lawn or garbage bags and cart it outside the plant to a collection area. In addition, the inside of the plant is covered with soot from the particles that are blown into the air by the boilers.

"It gets into your lungs, nose, ears and throat," said Frank Celentano, CSEA shop steward, who brought the condition of the plant to the attention of Mr. Sclafani. "If you work here you start wheezing sooner or later. If you inhale this stuff, it takes your breath away and leaves you nauseous."

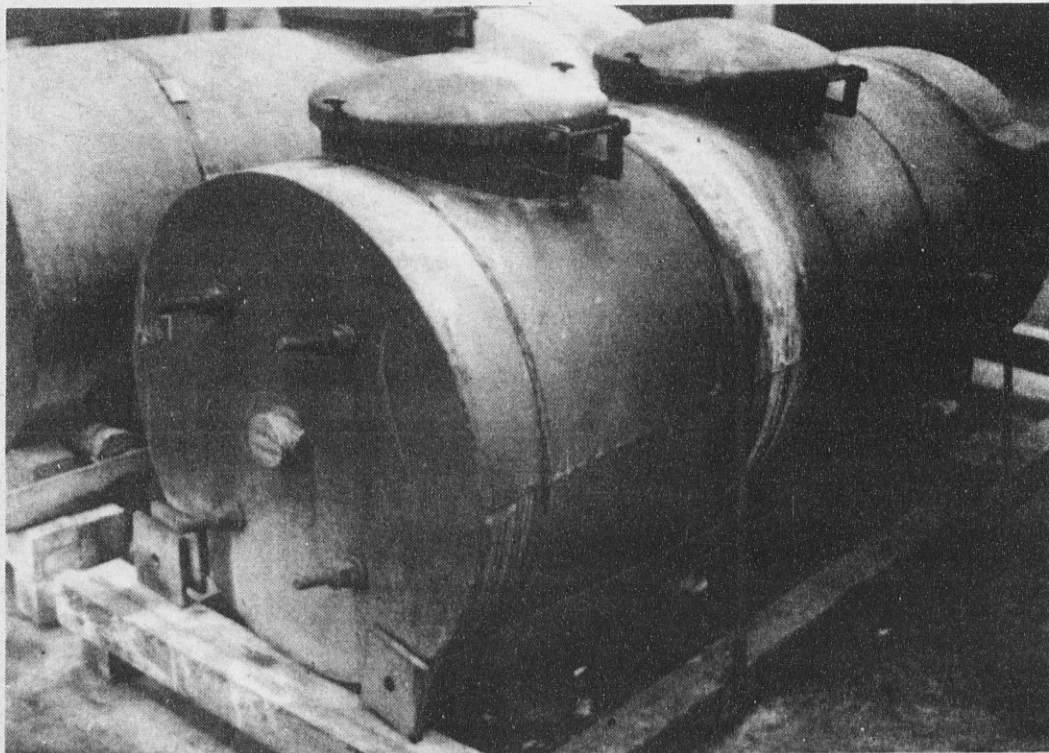
Mr. Celentano said that employees in the power plant experience a high incidence of colds and other respiratory ailments. Employees find the soot in their handkerchiefs after blowing their noses and they cough it up.

"We're not doctors, but this has to be deleterious to our health. We want something done about these unacceptable and unsafe working conditions" Mr. Celentano said.

Ironically, the state has purchased automatic soot collecting equipment that was delivered to the power plant almost two years ago. To this day, it remains rusting and soot covered on the floor of the power plant. If it was hooked up to the boiler, it would separate the soot and place it into sealed metal drums without contacting employees.

A recent tour of the power plant by Mr. Sclafani and a "Public Sector" photographer found the floors, stairs, pipes and machinery covered with thick, black soot. About 35 employees, who work rotating shifts, are exposed to the soot conditions, Mr. Sclafani discovered. The soot also threatens to damage the electrical switching equipment and motors in the power plant, he said.

While the SUNY management has been claiming a lack of funds needed to hook up the automatic soot collection equipment, Mr. Sclafani said that if the situation was not rectified shortly, he would contact the State Labor Department.



**AUTOMATIC SOOT COLLECTING EQUIPMENT**, purchased and delivered to the power plant nearly two years ago, lies rusting and soot-covered, like everything else in the plant. If hooked up and operated, this machinery would eliminate the need for employees to gather soot by hand, which is clearly an unhealthy practice.



# OSHA violations; illegal landfill; harassment by management combine to plague Stafford DOT employees

## Unisex bathroom is just one example of harassment by uncooperative engineer

By Dawn LePore

STAFFORD — Management at the state Department of Transportation outpost here is in violation of OSHA standards by forcing male and female employees to use the same bathroom facilities, and a grievance has been filed by employees who say that sharing the single restroom is not only an invasion of privacy, but "unsafe, unhealthy and inhumane."

The issue was created last November when the resident engineer, David Lange, ordered the four women on the operational crew to use the same bathroom as the two dozen men who work there. He insisted that the change in shifts to winter hours in order to provide 24-hour snow removal necessitated the move.

Previously, the female employees used the women's room in the office section of the building, now used only by the two female members of the clerical staff. All of the male employees use the one, now unisex, facility in the garage.

Lange has said that the office must remain locked to insure the confidentiality of personnel and other records, but the employees question that judgement.

"If we are so untrustworthy that we can't use the john, then why were we hired?" asked Barbara Gage, one of the workers involved. "We're not even allowed to use it during regular office hours anymore."

"When we questioned him (Lange) about it, he said it was no business of mine," she said. "Well, it is my business, because I have to share that bathroom with him."

To make the bathroom unisex, a bolt was placed on the outer door of the restroom. Inside, two of the three stalls have no locks, the urinals have no enclosures and there is no cover for the waste can. In addition, the facility is not cleaned once between Friday and Monday mornings.

The employees claim that the bathroom is just one example of general harassment, especially against women, at the work site. Barb Gage offered another.

"When I came here in July, I had had two years of outside construction experience as a masonry laborer and carpenter, yet I was refused permanent status, while two men who came in after me both received permanent status," she explained.

On a recent Saturday morning, Gage said she was ordered to come to work, although it was her day off and her daughter had a fever of 103 degrees.

"I was told I had no choice, and yet he never called any of the other laborers to see if someone else could make it."

Gerald Dusel, president of the Genesee-Orleans DOT Local 513, said that Lange's behavior is consistently anti-union.

"You can't even talk to him," he said. "He is totally uncooperative. Everything has to be grieved."

When the workers signed a letter of protest about the restroom, they never received a response.

When some windows were found broken at the garage Dusel was blamed for the breakage, although no one was at the site when it occurred. Lange had pictures taken of the windows and placed them in Dusel's personnel file.

When any employee is out sick for more than one day, Lange demands a doctor's certificate, complete with the employee's diagnosis.

"It's none of his business what we're sick with," Gage said. "It could be very personal."

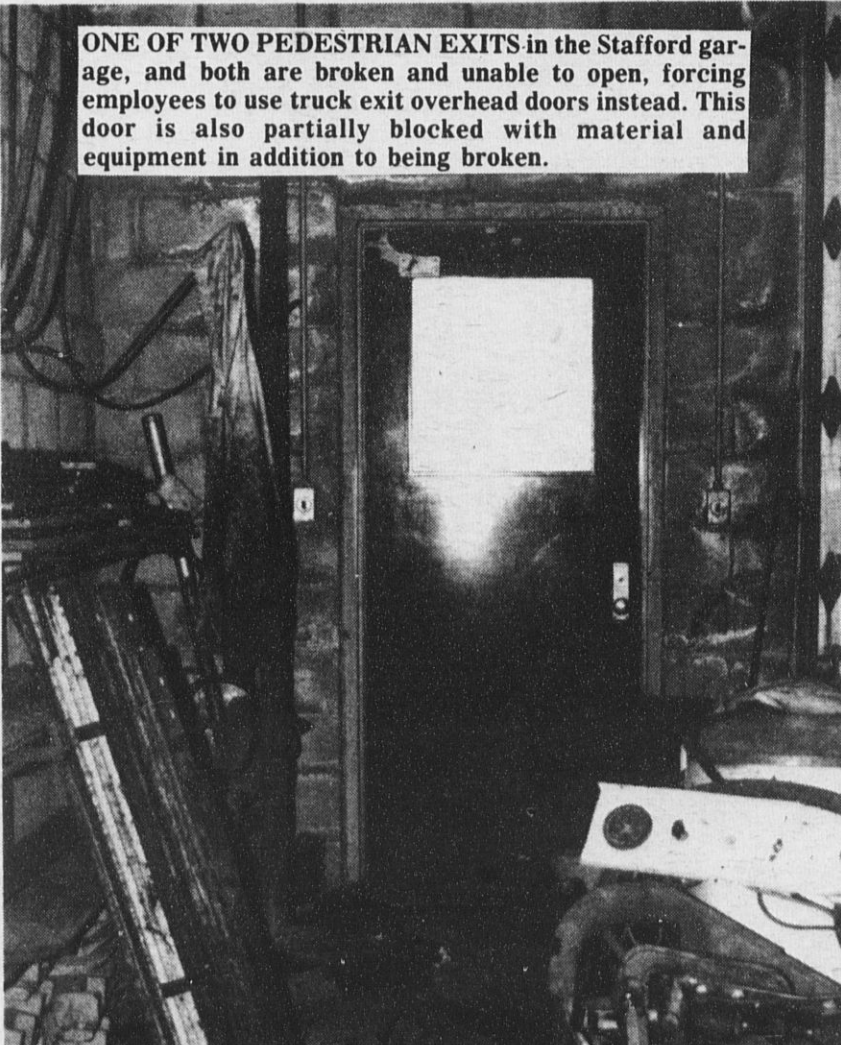
Dusel said that once when his own note did not contain the doctor's diagnosis, he was refused his paycheck until he used two hours of his own time to get the note revised.

"He's done that to a few people," Dusel noted.

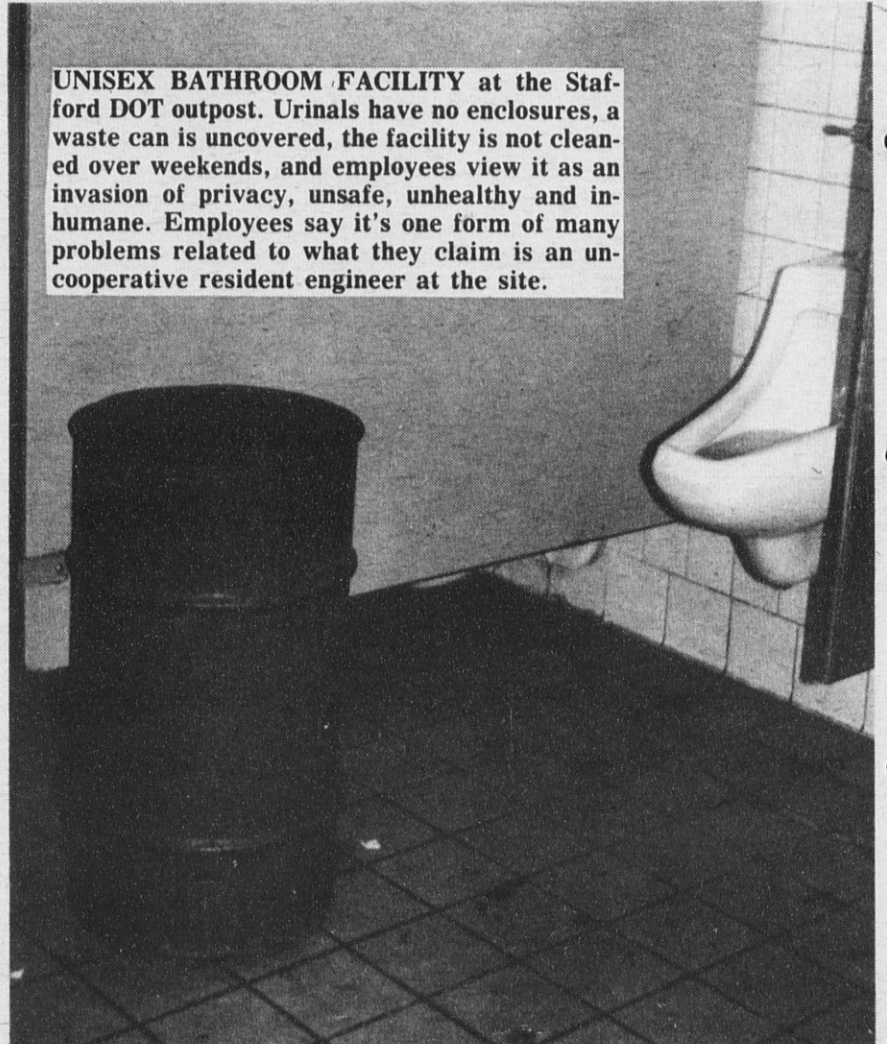
Lange has been similarly unresponsive to various safety hazards at the garage. Doors on several of the trucks have been broken for some time, either flying open unexpectedly or remaining permanently shut.

The two pedestrian exits in the garage have been broken (shut) for a year and a half. The only way employees can exit the building is through the overhead doors used by the DOT trucks, exposing themselves to the hazard of moving vehicles.

ONE OF TWO PEDESTRIAN EXITS in the Stafford garage, and both are broken and unable to open, forcing employees to use truck exit overhead doors instead. This door is also partially blocked with material and equipment in addition to being broken.



UNISEX BATHROOM FACILITY at the Stafford DOT outpost. Urinals have no enclosures, a waste can is uncovered, the facility is not cleaned over weekends, and employees view it as an invasion of privacy, unsafe, unhealthy and inhumane. Employees say it's one form of many problems related to what they claim is an uncooperative resident engineer at the site.





# Illegal landfill catches Conservation officials unaware; worries workers

By Dawn LePore

STAFFORD — State Department of Environmental Conservation officials were surprised and disturbed recently to learn that an illegal landfill is being operated by another arm of state government, the Department of Transportation, at its facility just east of Batavia here.

When this Public Sector reporter — notified by concerned employees at the facility — questioned a DEC official about the landfill, it was discovered that no permit had been issued for such a site.

"This is the first time I've heard anything about a landfill there," said Steven Betts, principal engineering technician with the DEC's Solid Waste Division in Avon. "There is absolutely no way we would issue them a permit without extensive engineering plans, monitoring wells, etcetera. It's a very complicated procedure."

"There is no way of telling what all is buried back there," said Gerald Dusel, president of the Genesee-Orleans DOT Local 513.

But employees do know that dead deer and dogs are routinely thrown in heaps several hundred feet behind the garage. Frequently, the carcasses are not even covered with dirt, leaving access to neighboring dogs and encouraging rats.

"I'd say that some of those rats are about a foot long," said one of the employees, who estimated the practice has been going on since last summer. "We never used to have anything like that around here."

The employees are also worried that the dogs, who feed on the carcasses, could transmit diseases to their owners.

"You see those dogs, just covered with blood, and then they go home and play with the kids," said Dusel.

"They have no business burying those animals back there," Betts said. "They are supposed to be removed to the local town landfill. They (management) should know that."

The employees became even more concerned when several weeks ago they were ordered to bury about 50 five-gallon pails of obsolete lead-based paint at the site.

When someone lodged a complaint with the health department, the pails were dug up. About a dozen were broken in the process. At the same time, employees uncovered a 55-gallon drum containing an unknown substance.

"I have no idea what was in that barrel, but it smelled pretty strong," said Rod Turner, one of the men working on the job. "I saw fumes rising from it and one of the guys said he felt sick."

Because the Batavia area is built over a system of underground lakes and streams beneath a gravel base, everything leaches through pretty fast," he said. "Now, I live less than a mile from here. There are 22 houses with our own private water system. The health department checks it every few months, but still . . . Maybe there's nothing to worry about and maybe there is."

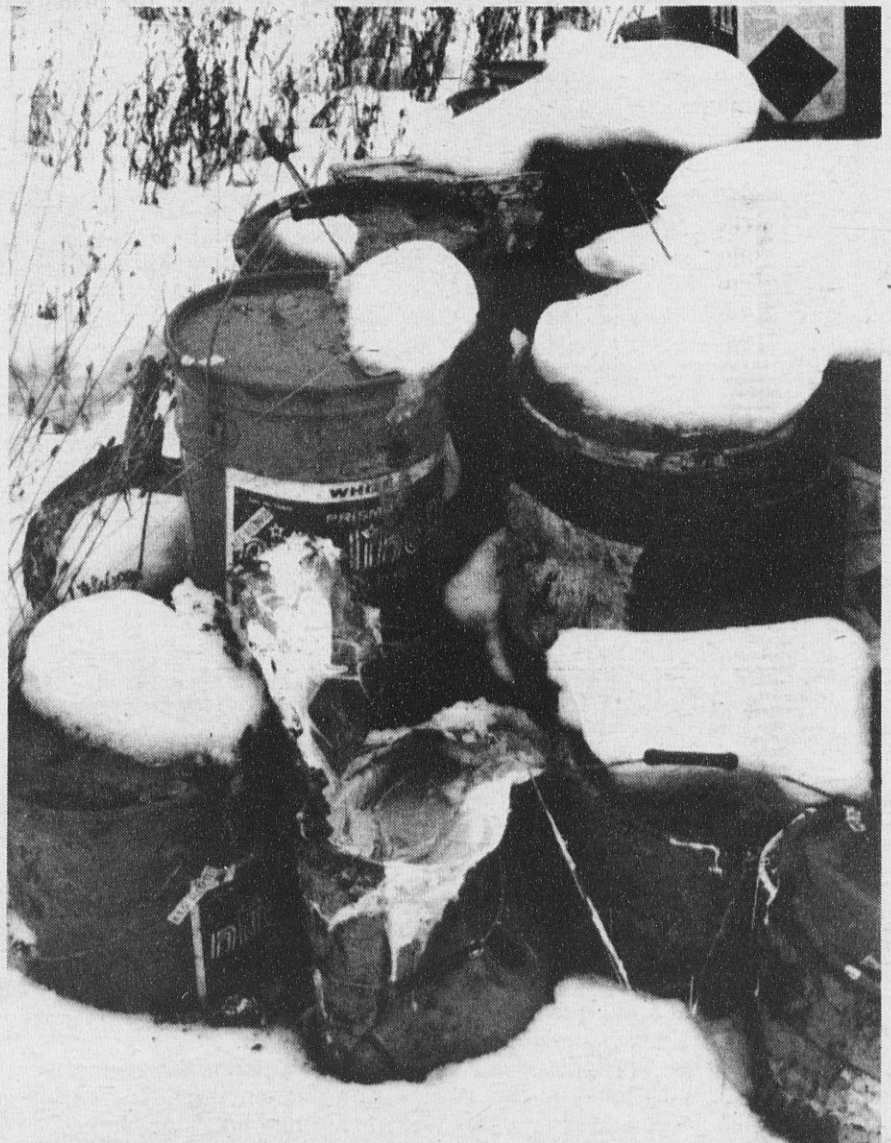
According to Betts, the lead paint falls under state toxic waste regulations and would have to be disposed of at an approved hazardous waste site, probably in Niagara Falls. He said he would investigate the matter immediately.



CSEA LOCAL 513 PRESIDENT Gerald Dusel inspects portion of an illegal landfill being operated by the State Department of Transportation.



DEER CARCASSES are clearly visible poking through snow behind the DOT garage at Stafford. Carcasses of deer and dogs are frequently dumped here but not buried, creating a serious health problem, employees claim. Neighborhood dogs chew on the carcasses, and foot-long rats now infest the area.



LEAKING PAILS of lead-based paint dumped behind the DOT facility. A 55-gallon drum of foul smelling, but unknown, substance was turned up in the same area.



# CSEA launches campaign for pension supplement

ALBANY — With many retired public employees living at just the poverty level, or even below it, CSEA has taken up their cause once again and is proposing legislation to supplement meager pension allowances.

A member of the New York State Retirement System who left public service in 1970 has seen his/her pension dollar decline in value by 57 percent. Indeed, coupled with the reality that the average pension for someone who retired in that year is only \$3,147 (\$1,135 in 1980-dollars) has created a shocking situation which is breaking the backs of countless citizens.

Retirees Director Thomas Gilmartin explains, "between April 1, 1970 and July 1, 1981, there will have been an increase in the cost of living of over 130 percent, and over 67 percent since the end of 1975. The value of the 1970 retiree's pension dollar as of next July will have been reduced in

value to only 43 cents. Clearly, something needs to be done, and this legislation will do just that."

Under CSEA's proposal, all retirees as of Dec. 31, 1979, who are 62 years of age or older, would have the following supplements added to their pension:

Date of Retirement	Supplement
Prior to April 1, 1970	6 percent
April 1, 1970-Dec. 31, 1970	16 percent
1971	15 percent
1972	14 percent
1973	12 percent
1974	10 percent
1975	8 percent
1976	7 percent
1977	6 percent
1978	4 percent
1979	2 percent

Gilmartin calls the legislation, "absolutely necessary to help lift retirees from the clutches of inflation," and statistics are on his side. He can tell you, for example, that since 1975 the General Electric Co. has increased pension payments four times to keep up with inflation, or that eighty-one percent of companies surveyed

## "A matter of simple justice for our retirees . . . . ."

by Bankers Trust in May of 1979 have extended increases to some or all retired employees at least once since 1974. He also sees the pension adjustments as, "a matter of simple justice for our retirees."

Whether or not that "simple justice" comes rests with the New York State Legislature and Gov. Hugh Carey, and Gilmartin urges all retirees to, "prepare for the battle."

# Accord reached on new Sullivan pact



IT WAS A STANDING ROOM ONLY crowd as county workers gathered to hear the contract explained by Collective Bargaining Specialist John Naughter, flanked by negotiating team chairperson Estelle Schmidt and Local President Walter Durkin.

LIBERTY — What a difference six months makes.

In June, 1980, the Sullivan County Board of Supervisors imposed a legislative (Taylor Law) settlement on 470 county workers, yet in December both parties were able to put that behind them and reach accord on a new three-year contract overwhelmingly ratified by union rank and file, and unanimously adopted by the Board of Supervisors.

Local President Walter Durkin explains that the change in circumstances may have had some connection to the fact that the imposition shocked many county workers into political consciousness. Indeed, groundwork was laid with various other unions to get political clout, and since the supervisors come up for reelection in 1981, the implications were certainly not lost on them.

Negotiations were led by Estelle Schmidt, who expressed gratification with the results, calling them, "very good." She praised the efforts of Collective Bargaining Specialist John Naughter, and other members of the negotiating team, who were Belle Cohen, Fritz Kayser, Chris Bracey, Bill Galasow, Sylvia White, J.J. Liimonti, Frances Thomas, Josephin Kuis, Richard Sacco and Nancy Kirchner. Durkin also served as an ex-officio member.

New and significant features of the pact are:

- Agency shop established.
- first year salary raise of nine percent, with a minimum \$1,000 guaranteed, and hikes in the next two years, respectively, of between seven and ten percent, based on annual consumer price index rates.
- increase in "shift differential" over the life of the contract from 24 cents to 30 cents.
- addition of extra longevity step after five years employment.
- raise in clothing allowance to \$150 in 1981, and \$200 afterwards.
- provision that three personal days granted Jan. 1, and additional days July 1 and Oct. 1.
- system changed so vacation time rated on days work instead of annually.
- partial payment of unused sick days permitted upon death or retirement.
- county may look into changing health insurance plan, but can only do so with CSEA's approval, and any money saved put into establishing dental plan.

## Denies request by City of Poughkeepsie to designate jobs 'managerial'

# PERB rules to keep jobs in union

POUGHKEEPSIE — An attempt by the City of Poughkeepsie to take five positions out of the Civil Service Employees Association bargaining unit has been denied by the Public Employment Relations Board.

PERB Director Harvey Milowe rejected the city's petition to designate as "managerial" four positions in the public works department — garage foreman, sanitation foreman, chief water treatment plant operator, and office manager — and to make "confidential" the job of personnel clerk in the finance department.

The actions would have deprived employees of bargaining rights and union representation.

The city argued that the foremen and plant operator should be considered management because they help formulate policy. Public Works Superintendent Al Signore testified that, "due to their union membership he has felt constrain-

ed to keep some matters to himself." Milowe ruled, however, that, "these employees exercise solely a supervisory responsibility for the implementation of policy handed down from their supervisors and have purely a ministerial role in personnel and contract administration."

In regards to the office manager, PERB held that even though he supervises a radio operator and two stenographers the duties, "reflect merely ministerial responsibilities," while in the case of the personnel clerk, the "confidential" designation was turned down because she is not privy to, "labor-management relations information which, because of its significance to the basic mission of the employer, is not intended for the eyes and ears of rank-and-file personnel or their negotiating representatives."

The rulings were handed down Dec. 31, according to CSEA Unit President Al Gallo, who is also the garage foreman affected by the decision.



# Fellowship is central to a holiday treat at O.D. Heck

By Daniel X. Campbell

ALBANY — Public employees are special people, often going beyond the call of duty, the letter and spirit of their respective collective bargaining agreements, to take care of the needs of the public they serve in personal, private, humanitarian ways. Ways which often never gain attention or public appreciation.

Such are the efforts of 183 public workers, some high-level State officials and mid-level management, and many in the general labor classification who worked together as fellow human beings to help brighten Christmas morning, 1980, for 240 "Special Friends", clients at the Oswald D. Heck Developmental Center in Schenectady.

The 183 people are members of the Central Staff of the Office of Mental Retardation and Developmental Disabilities in Albany. During the major portion of the work year, these people administer the OMR-DD Programs which serve the day-to-day needs of thousands of OMR-DD clients throughout the state. But, while involved with every aspect of the well-being of each and every client, this staff has very little direct contact with the men, women and children they serve. However, for Christmas 1979, the Central Office staff resurrected an almost-forgotten holiday project, the "Special Friends" list, and provided 110 personally-selected holiday gifts for clients at the nearby O. D. Heck Facility. And, in 1980, the people wanted to do more with this program.

Karen Rogers, a warm and energetic staffer and a CSEA Local officer, is credited by William Knowlton, OMR-DD press officer, with being the driving force and general organizer behind this project. She explained the internal workings of the "Special Friends" program. "Really, it's quite simple," she said. "First, we have the support of Commissioner Introne as a fellow worker. We informally asked our fellow employees if they would forego sending out the usual holiday greeting cards to each other and use the same amount of money to buy a needed or desired gift for an individual they would select from a list provided by O.D. Heck, our nearest client-serving facility. We posted copies of



**SPECIAL FRIENDS** — Representing the various levels of support for the Special Friends program at O.D. Heck Developmental Center are, from left, O.D. Heck Director Fred Finn, client Linda Harrington, front; CSEA Local President Wanda Lubinski, center rear; client Keith Selner, and OMRDD Commissioner James E. Introne, right. — Photo courtesy OMRDD

a large Christmas/Chanukah greeting card in numerous places in the work location and that replaced the normal greeting cards."

Bill Knowlton praised the efforts of these people. "No one gave an inexpensive gift," he stated. "Everyone outdid themselves. It was as if they wanted their gift to be extra-special for their special friend. They gave watches, sweaters, high-quality items all the way." A broad smile spread across Knowlton's bearded face, "And we're proud of our success; we really did something!"

But, sometimes to do something extra-special takes a little extra-special help. Wanda Lubinski, CSEA Mental Hygiene Central Office Local President, explained CSEA's involvement in this people-oriented project. "When I went to pick out my Special Friend, I noted that, while the people were really doing the best they could, and some were selecting two and three names, a lot of unselected names remained on the list. So, first I took up a collection to help pay for some extra gifts for unselected individuals on the list, and the people in nearby offices contributed fifty dollars. Then, I asked our CSEA Local to donate \$250 to help us help our Special Friends. The donation was approved and

that helped take care of most of the remaining non-selected names on the list."

A total of 240 extra-special gifts were presented by the OMR-DD Central Staff to their Special Friends at O.D. Heck.

This people-to-people project has had a positive effect on the Central Staff of OMR-DD in that it helps them get in touch with the clients they do not normally see. And, according to O. D. Heck Volunteer Coordinator Clara McAllister, this project is "dynamite" for both the clients and staff at the nearby facility. "This project means so much to all of us. Our clients are told that their Special Friend has personally selected a special gift just for them. So they really look forward to opening up that package on Christmas morning. And, our staff is touched and proud of the person-to-person spirit of concern that symbolizes this program."

The whole effort of the "Special Friends" project can be summed up in the personal experience of Colette Crisafulli, an OMR-DD staffer, who personally delivered her special gift to a Special Friend. "My Special Friend asked for a pool cue. So, I delivered one pool stick to O. D. Heck and my Special Friend. I lost two games of pool to my Special Friend, but somehow, I think we all won."



**PROGRAM COMMITTEE** members in Region V met recently in Liverpool to discuss sites and plan agenda for upcoming winter and spring meetings. CSEA members and guests have been attending Region V conferences and workshops in record numbers, thanks in part to the planning and team effort of the committee members shown above. Seated, from left, are James Menechella, chairperson Linda Fiorentino, and Marsha Coppola. Standing, left to right, are Barbara Allen, Margaret Compoli, Helen Hanlon. Not present were vice chairman Roy Hall, advisor Marjorie Coggeshall, Bonnie Barber, and retiree observer Helen Musto.

## Grievance wins \$73,000 in overtime for therapy aides

NEW YORK CITY — Fourteen mental hygiene therapy aides will receive more than \$73,000 in overtime pay previously denied them by Bronx Developmental Center (BDC) as a result of a grievance filed on their behalf by CSEA Local 401.

When BDC opened apartments in the community for the care of adult mentally retarded patients, management assigned grades 7 and 9 mental hygiene therapy aides to supervise patients around-the-clock, or on an oncall basis, and did not pay the aides the proper amount of overtime.

"BDC clearly violated the Institutional Services Unit contract by denying the mental hygiene therapy aides their overtime pay," said CSEA Field Representative Bart Brier. "When the problem was called to the attention of the director of BDC, we were quickly able to reach a settlement on behalf of the aides at step I of the grievance process."

In addition to the request for overtime pay for the mental hygiene therapy aides, the grievance also challenges the policy of the Department of Civil Service and the Office of Mental Retardation that requires BDC to schedule the directors and assistant directors of these apartments on a live-in basis, thus denying these workers overtime pay. This component of the grievance is at step 3, in the office of the Governor's Director of Employee Relations.

There may be more good news for the mental hygiene therapy aides at BDC: Brier will be meeting with the aggrieved workers to audit BDC's records to determine if even more overtime pay is due them.

"I am extremely pleased that we were able to obtain the overtime pay for the members of Local 401," said CSEA Region II Director George Bispham. "It demonstrates that the members are continuing to be represented efficiently and effectively while the local is in trusteeship."



# Committee prepares for May elections

ALBANY — CSEA's Statewide Nominating Committee is at work preparing for union elections in May to choose members of the CSEA's Board of Directors' State Executive Committee.

The Statewide Nominating Committee, comprised of three elected representatives from each CSEA Region, is charged under the union's Constitution with responsibility for nominating candidates to appear on official ballots for each representative on the State Executive Committee.

Under the union's open elections procedures, any eligible member in good standing can have his or her name placed on a ballot either by nomination by the Committee or by obtaining a certain number of CSEA member signatures on an official petition form.

The Committee met January 16 in Albany to begin preparations for the May elections. Rose Marie Saunders of Erie County Local 815 was elected chairperson of the Committee.

Any CSEA members eligible to run for the State Executive Committee are invited to apply for nomination to the Committee by completing an application for candidacy and sending it to: CSEA Statewide Nominating Committee, c/o Executive Director Joseph J. Dolan, 33 Elk Street, Albany, N.Y. 12207.

Applications will be available next week from CSEA State Division Local presidents, CSEA Regional Offices or the Office of the Executive Director at CSEA Headquarters. Completed applications must be received by the Committee no later than February 22, 1981 to be considered.



**CSEA DEMOCRACY** — With elections slated to begin in May for CSEA's State Executive Committee, the union's Statewide Nominating Committee is beginning its efforts to select qualified candidates for nomination for office. Pictured at work, starting left, are committee members Betty Lennon, Anthony Muscattello, James McGuinness, Janice Schaff, Robert Coleman, Robert Greene, John Aloisio, Jr., Lou Mannellino, Pat Froebel, Charles Bell, Kirk Scott, Rose Feuerman (not visible in photo), Ida McDaniel, James Jayes and Rose Marie Saunders (Committee Chairperson). Also pictured are CSEA staff members David Stack, Comptroller, Marcel Gardner and attorney Marge Karowe.

## Rome library employees request to join CSEA

ROME — Citing a lack of contract, no job security, and other hardships brought on by inflation, employees at the Jervis Library here have filed petitions to be represented by the Civil Service Employees Association.

According to Chris Jamison, CSEA Regional Organizer, CSEA has petitioned the National Labor Relations Board (NLRB) and is awaiting a reply. CSEA also petitioned the Public Employment Relations Board in Albany and notification of a hearing date is anticipated in the near future.

In a poll of employees, Jamison indicated a lack of communication was evident between the Library employees and the Board of Trustees.

"In June of 1980 the employees submitted a list of suggestions, only to be told they were too late — the list should have been submitted in April, approximately six months prior to the Annual Meeting of the Library Board. We call that unfair. It clearly indicates a total lack of concern for the needs of the employees," Jamison said.

"Wages and benefits of Jervis Library employees have also failed to keep up with those of City of Rome employees, and every time there is talk of a money 'squeeze', they threaten to cut Library staff or services," Jamison continued.

"The employees at Jervis Library are dedicated to performing valuable service to the Rome community, and have the right to union representation. They are not making unrealistic demands. They simply want to look forward to job security, fair wages and benefits in line with City employees," Jamison concluded.

## Calendar of EVENTS

### February

- 4—Saratoga County Local 846, general membership meeting, 7:30 p.m., VFW Post 420 Home, Excelsior Avenue and Gick Rd.
- 7—Region IV workshop for local/unit nominations and elections chairpersons, 9:30 a.m.-3 p.m., Ramada Inn, Western Avenue, Albany.
- 11—Saratoga County Local 846 stewards meeting, 5 p.m., Solar Bldg., High Street, Ballston Spa.
- 14—Long Island State Parks Local 102 dinner dance, 8 p.m., Huntington Towne House, Huntington.
- 17—Saratoga County Local 846 Executive Board meeting, 7 p.m., Solar Building, High Street, Ballston Spa.
- 18—Buffalo Local 003, executive committee meeting, 5:30 p.m., Plaza Suite, Buffalo.
- 20-22—Region V Winter Conference, Hotel Syracuse, Syracuse.

## In a landmark case, PERB restores town truck for unit pres.

OYSTER BAY — Town of Oyster Bay Unit President Pat D'Alessio has his town-owned truck back, and can once again use it to commute to work. He also, along the way, won a landmark case before the Public Employment Relations Board.

D'Alessio was first given use of the vehicle on a 24-hour basis in 1973 when he became a supervisor in the highway department. He used the truck for job-connected travel, including to and from work. Nighntimes, he used the vehicle only if called out on emergencies. Daytimes, he also had access to it doing union business.

The same arrangement continued in 1978 when the CSEA leader became a supervisor in the parks department. However, two days after an election in which D'Alessio supported the candidate who unsuccessfully challenged the incumbent Town Supervisor, D'Alessio was told he could no longer take the vehicle home. He could only use it on the job, had to provide his own transportation to and from work, and could definitely not take it out on union business.

CSEA objected to this turn of events, filed an Improper Practice charge, and when the case was dismissed by a hearing officer, appealed it.

On Dec. 29, 1980, D'Alessio regained full use of a town-owned vehicle by order of the PERB, and was reimbursed \$15 for each week denied its use.

CSEA Attorney Marjorie Karowe, who argued the case, said the decision was, "an absolute vindication of union rights." She noted that even though Oyster Bay had a past practice of periodically reviewing assignments of vehicles to supervisors in the parks department, the record shows that D'Alessio's vehicle was not reassigned to another supervisor, but instead went to a central garage where two other vehicles were already available. The town attempted to explain that it needed this particular truck because it had a special two-way radio, useful in snow emergencies. Ironically, the radio was originally installed to help the unit president better handle union affairs. When D'Alessio's boss was asked if withdrawing the vehicle was related to snow removal needs, he could give no evidence that it was, said he knew the truck was taken away, but admitted, "I have no idea what the date was." Accordingly, PERB ruled, "we find that the Town withdrew D'Alessio's use of the Town vehicle to commute to and from work for reasons not related to its past practice."



# Albany meeting agenda topped by affiliation

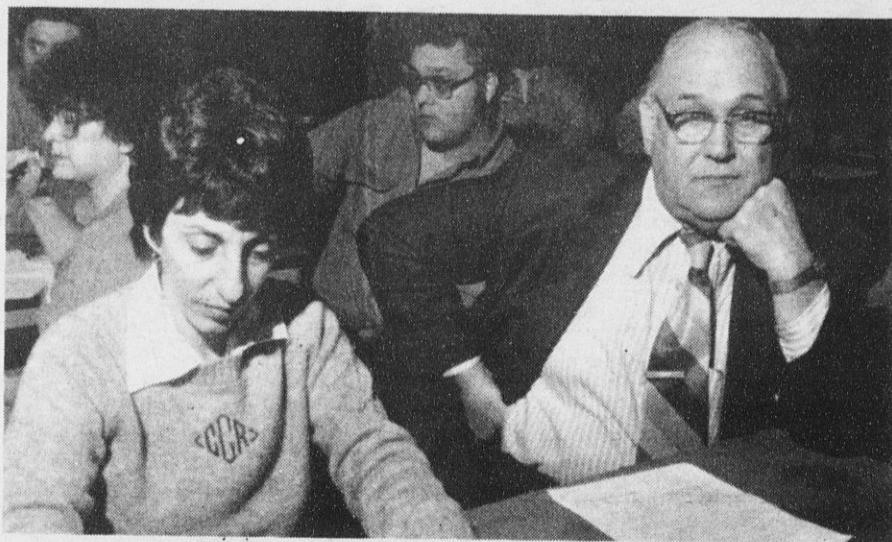
ALBANY — A thorough discussion of the CSEA-AFSCME affiliation was the featured item of the first business meeting of 1981 for the leadership of the Capital Region of the Civil Service Employees Association. Atty. James Roemer of CSEA's law firm, Roemer and Featherstonhaugh, provided the 140-plus regional leaders with a complete overview of the recommended agreement.

Thomas Whitney, Administrative Director of CSEA Office of Member Services, John Carey, Administrative Director of the CSEA Office of Collective Bargaining, and David Stack, CSEA Comptroller, provided detailed explanations of the impact of the agreement on membership services and dues.

The leadership also heard reports from the Regional Political Action, Education and Social Committees. A discussion of Employee Benefit Program coverage for part-time and seasonal public employees was given by John Carey.



**EMPLOYEE EVALUATION** help Charles "Butch" Knox, left, President of CSEA Capital Region SUNYA Local 691 gains some insights into the ongoing employee evaluation program from CSEA staffer Joseph Conway.



**CONNIE COLANGELO**, Schenectady Secretarial Unit, and **Fred Farone**, Schenectady County Local president, listen as debate on affiliation touches some local concerns.



**KAREN MESSIER**, left, former Rensselaer County Unit President, **Joseph Cassidy**, center, Troy Unit President, and **John Francisco**, right, CSEA Capital Region Political Action Committee chairman, listen as the CSEA-AFSCME affiliation addendum is explained by James Roemer.

## AFFILIATION ISSUE highlights regional meetings this month

### Lattimer, McGowan lead Buffalo discussion

BUFFALO — CSEA delegates, attending a Region 6 meeting January 9 and 10 here, voted to recommend that Region 6 support the union's affiliation with AFSCME.

Several days later, on January 22, CSEA delegates from throughout the state met in Albany and voted approval of permanent affiliation between CSEA AND AFSCME. The union's Board of Directors took similar action at a board meeting Albany on January 14.

The group made their recommendation, which did not bind the regional delegates to vote in similar fashion, after posing their last minute questions to CSEA President William McGowan and Region 6 President Robert Lattimer, who chaired the union's affiliation committee.

After the vote was tallied, Lattimer offered his opinion on the importance of the affiliation:

"We have the choice whether as an organization we want to pay the price to stay in the mainstream of labor, to be a force in determining the future of the public employees we represent," he said. "There's no way the union can adequately represent its members without working with the national labor unions."

"We are a force in New York State, but that is no longer enough. Congress controls what money comes back to the state and that determines whether public employees will stay and work and earn a decent wage."

"If we have no capability to talk to Washington and to join forces, we are not going to exist for long and public employees are going to suffer."

Lattimer warned that if CSEA chose to remain independent, it should ready itself for a fight.

"We had better marshal the troops because it takes a lot of energy to fight raids. We will have to withdraw from other member services. We will need money above and beyond the amount needed for affiliation," he said.

In other union business:

—Members voted to increase the per member rebate to the region from five cents to 15 cents in order to offset the rising expense of renting meeting rooms. It was decided that a committee would be formed to study the situation.

—President Lattimer urged members to boycott the Holiday Six Theaters on Union Road in Cheektowaga in response to a request from Local 233 of the International Alliance of

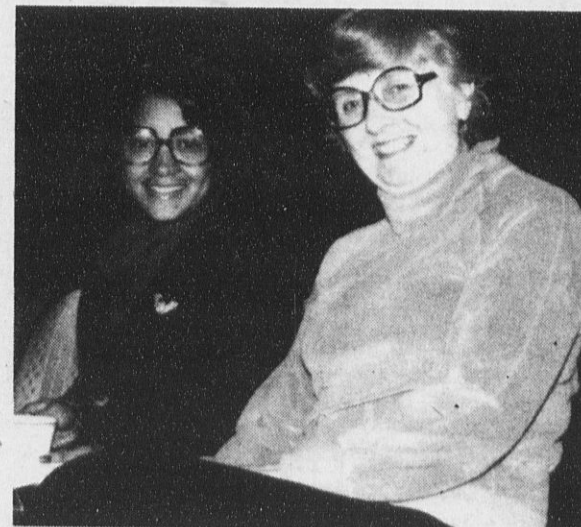
Theatrical Stage Employees and Moving Picture Operators.

—It was announced that a pilot project training seminar entitled "How to Increase Your Effectiveness as a Union Officer" would be held February 7 at the Treadway Inn in Batavia. The six-hour, one-day session is limited to thirty persons, with no more than one attending per local. The seminar will deal with problem solving, crisis management, working with others and how to improve the quality of personal and professional life.

—Members voted to donate \$100 for tickets so that fifty children would be able to attend the Shrine Circus coming to Buffalo in February.



**REGION VI** members listen to discussion on affiliation at Buffalo meeting. At left is **Russell Bettis** of Local 872, and at right is **Sal Castro** of Local 815.



**LOCAL 315 MEMBERS** Jean Benz and Jeanette Shaffer were among those who heard detailed discussion affiliation.



## George Travis reinstated

# CSEA wins job back and 30 months of back pay for Peekskill employee

By Stanley Hornak

PEEKSKILL — It was a very merry Christmas for George Travis, his wife who suffers from multiple sclerosis, and their five children. On Dec. 22, the Public Employment Relations Board (PERB) reinstated Travis on his job as a maintenance-laborer with the Peekskill Housing Authority and awarded him 30-months back pay.

It all started innocently enough when Travis moved his family out of public housing.

When Travis was first hired in 1973, he lived in a housing project, "Bolmann Towers," and was never told that residency was a condition of employment. Later, he moved to another publicly-owned site and arranged with his supervisor to work there as a maintenance-mechanic, even though he retained his old job title as a laborer. Finally, in 1978, seeking to improve his family's living conditions, the father moved his family into privately owned housing, and that's when all his troubles began.

The housing authority's attorney wrote Travis that his, "employment . . . was predicated and conditioned on availability as a resident . . ." and that although he was certainly free to move, if he did so it would be considered a resignation. When Travis moved on March 31, the authority promptly sent him a letter acknowledging his "resignation," but later changed its mind and decided to go after him through disciplinary proceedings, charging in part that he was "incompetent to perform the duties because he was not physically present at said site and on call 24-hours per day." Shortly thereafter, the chairman of the PHA was assigned to hear the charges, and ruled that there was no written policy or job specifications requiring residency. The full housing board agreed, then proceeded to pass two resolutions abolishing Travis' job, and creating a new position of "resident maintenance-mechanic."

When the new title was filled, the man hired as a "mechanic" was told his job duties would be the same as Travis', a "laborer."

CSEA then filed an Improper Practice charge, with Regional Attorneys Arthur H. Grae and James M. Rose maintaining that imposition of a residency requirement on current employees is a subject of bargaining and that the authority abolished one job and created another to avoid such bargaining.

PERB Hearing Officer Louis J. Patack agreed. He ordered George Travis reinstated to his former position with full back pay and benefits, and told the authority that it would have to negotiate in good faith with CSEA concerning imposing residency requirements on current employees.



CELEBRATING THE HOLIDAYS meant something a little extra this year for the Travis family. Standing are, from left, daughters Brenda, Kim, Georgean and Stacey. Sitting are family friend Robin Gardner, George Jr., and parents George and Eileen. Their "Christmas Cheer" was the PERB decision.

## An effort to withhold fee for parking sparks charge

WHITE PLAINS — The decision by Westchester County to withhold parking fees from the paychecks of employees who use the facilities, has resulted in a union grievance being filed by Ray O'Connor, President of the Westchester County Civil Service Employees Association Local.

O'Connor explained that the county should have taken the matter first to the joint labor-management parking committee before initiating the practice at the start of the new year. He is requesting the county to stop the practice, and instead give employees the option of paying the fee directly, as has been done in the past, or else seek their concurrence before making the withholding.

The grievance was filed with the county's Director of Labor Relations.



ELIZABETH A. BIRD discusses her recent out-of-title grievance victory with Francis J. Mitchell, President of Black River Valley Local 015.

## Elizabeth Bird out-of-title pay grievance is won

WATERTOWN — The Governor's Office of Employee Relations (OER) recently notified Elizabeth A. Bird, a member of CSEA Local 015 Black River Valley NYS DOT, that an out-of-title grievance filed in May, 1980, has been decided in her favor.

The grievance contended that as a Grade 7 Senior Clerk, Miss Bird had also been performing the duties of the Principal Clerk, Grade 11.

The Department of Transportation disputed the claim, pointing out that Miss Bird was not permitted to sign attendance and labor distribution reports.

In a Step 3 decision handed down by Nancy L. Hodes, Assistant Director of OER, it was concluded that "For the period in question, Miss Bird was assigned to perform the most difficult duties assigned the Principal Clerk and that these duties require a higher level of performance than is normally required of a Senior Clerk. We, therefore, recommend that this grievance be sustained and that Miss Bird be awarded compensation at the Grade 11 level for the period from May 18, 1980, to August 14, 1980."

In a comment after the decision, Francis J. Mitchell, President of Local 015, said, "Of course we are happy with the outcome. It was an important decision, not only for Elizabeth Bird, but for the union. It proves once again that CSEA will go all out to fight for the rights of a member under the contract."