

Civil Service LEADER

America's Largest Newspaper for Public Employees

Vol. XXXIII, No. 52 Tuesday, March 27, 1973 Price 15 Cents

00000007-COMP-COMP
P R CSEA
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ALBANY NY 12224

NEWS

— See Page 9



Registered nurses and licensed practical nurses from state hospitals throughout New York State marched on the Capitol in Albany recently to demonstrate their dissatisfaction with the state's attitude concerning the development and implementation of a nurses' career ladder.

Nurses Protest At Capitol Over Stall On Career Ladder

ALBANY—Picket placards bearing slogans like "A Better Nursing Career Ladder Means Better Nursing Care!" and "Let Nurses Be Nurses—State Career Ladder Now!" told the story for more than a thousand Civil Service Employees Assn. nurses from all over the state, as they gathered in Albany early last week for a spontaneous demonstration on the Capitol Building's steps.

They marched in protest to "some rather obvious stalling techniques," according to one sign bearer, that Office of Employee Relations officials are reported to have used in negotiating a career ladder providing job progression for both registered nurses and licensed practical nurses in State employment.

The nursing career ladder, which has been in negotiation for better than three years, "has been handed a severe setback," according to the CSEA nursing career ladder bargaining team. They report that OER representatives have cut off any attempt to negotiate and have delivered an ultimatum offer that they refuse to discuss further.

The OER says the "final offer" has been sent to the classification and compensation division of the Civil Service Department for review and they say, "If CSEA doesn't agree with the provisions included in the offer they must take it up in petition form to Civil Service."

As a result of CSEA's 1972-73 contract with the State, the nursing career ladder has a settlement deadline of March 31, 1973. Talks have broken off and resumed several times during the

marathon-like three-year negotiation effort.

(Continued on Page 3)

CSEA, State Pay Talks Continuing

At Leader presstime it was reported that the coalition bargaining team of the Civil Service Employees Assn., representing the majority of the State employees in four units, was still continuing negotiations with the State Administration on a new work contract.

A CSEA spokesman said that it was hoped an acceptable pay and work offer would be made by the State before CSEA delegates concluded their meeting being held this week in New York City.

Hearing Postponed On Orange Unit Pact

HILLSBORO—Public hearing has been postponed on a tentative agreement which has already been overwhelmingly ratified by Orange County unit of the Civil Service Employees Assn. The agreement had been hammered out in an 11th-hour session earlier this month.

Joseph DeVito, chairman of the unit negotiating team, said legal language still has to be worked out to implement the intent of the agreement.

CSEA Makes Demands Concerning Closing Of Homer Folks Hospital

(Special to The Leader)

ONEONTA—A meeting concerning the disposition of civil service employees to be laid off due to the closing of Homer Folks tuberculosis sanatorium here was held recently by representatives of the Civil Service Employees Assn., headquarters staff, the Homer Folks unit of CSEA, the State Office of Employee Relations, and the State Department of Mental Hygiene. State Senator Edwyn E. Mason (R-48th Dist.) was also present.

The institution, which employs 185 workers, is being closed because of a radical shift away from the sanatorium approach to the treatment of T.B. Approximately 20 employees will remain at Homer Folks for maintenance of the plant.

According to a CSEA spokesman, "Although the original date given as the start of layoffs was July 1, all indications now point to around the first of May as the starting time for staff reductions."

In order to assure the Homer Folks employees of maximum local relocation protection, CSEA demanded the following points:

- A list of all titles and employees being displaced and dates on which each individual employee would be laid off.

- An announcement from the Civil Service Commission allowing nursing (TBS) titles to be eligible for comparable nursing titles.

- An indication from civil service that preferred lists will

(Continued on Page 14)



For Mgt./Conf. Aides

Union Membership Right Seen As Up To Legislature

IN a ruling last week, the State Court of Appeals held valid and constitutional a law passed by the Leg-

(Continued on Page 6)

East Hampton Employees Join Suffolk Chapter Fold

EAST HAMPTON—The last unorganized township in Suffolk County has voted by a 2-1 margin to affiliate with the Suffolk chapter, Civil Service Employees Assn.

The strong vote followed persistent action by the chapter and field staff in the face of opposition from at least some officials.

Chapter president E. Ben Porter was especially pleased to welcome the town personnel into the CSEA fold, because he resides in East Hampton.

Porter had intervened last De-

(Continued on Page 3)

Landmark PERB Decision At Stony Point

Rule Pre-Impasse Agreed-Upon Items Valid

(Special to The Leader)

STONY POINT — Civil Service Employees Assn. members in the Town of Stony Point, comprising a unit of the Rockland County CSEA chapter, are soon to benefit from a landmark decision handed down by the State Public Employment Relations Board mandating that contract items which town management had agreed to before reaching a declared impasse, must be included in the provisions of their final settlement.

The milestone order, issued by Howard A. Rubenstein, PERB-appointed hearing officer, said that "Five contract provisions that CSEA and Town Supervisor

Harold Grune had agreed to, before calling an impasse and bringing in a PERB fact-finder to dispute on the issue of salary, must be adhered to and be included in the conditions of the final agreement between CSEA and the town."

CSEA fieldman Jose Sanchez had negotiated "equal pay for equal work," which meant all incumbent employees would be protected by an automatic salary adjustment clause equalizing their rate of pay with any new employee that town management hired at a higher rate in the same or related job titles. Grune took exception to this and four other items that he claimed had been withdrawn before they went to fact-finding.

Sanchez had also negotiated "rest pay" after 24 hours consecutive overtime work as well as extended sick leave half pay. Transportation employee on town by new safety gear was items that Grune according to Sanchez.

"The town attempted to renege on their commitment concerning all previously agreed-upon demands saying that they were no longer valid, since an impasse had been declared and the demands had been withdrawn," according to Sanchez.

Sanchez and his negotiating team proved to the PERB hearing officer that both parties reached agreement on the five

(Continued on Page 3)

Court Rules On Mgt./Conf. Classification

ALBANY—Two decisions concerning the designation of persons as managerial or confidential state employees have recently been handed down by the Court of Appeals and the State Public Employment Relations Board against the position held by the Civil Service Employees Assn.

The Court of Appeals decision upheld the constitutionality of the sections of the Taylor Law concerning the classification of certain employees by the state

as managerial or confidential.

The decision by PERB lists 6,798 positions in state government which fall under the classification of managerial or confidential.

CSEA and State requested that the effective date of the PERB decision be deferred until July 16, 1973, so as to give to management/confidential employees who now carry insurance through employee organizations an opportunity to obtain alternative insurance coverage.



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Addict Treat. Counselor

Of the 583 applicants who filed for counselor (addiction treatment), open competitive exam no. 2067, during January, 290 were found not qualified by the city Dept. of Personnel.

Sanmen

The city Dept. of Personnel has certified 310 sanitation men from the eligible list which resulted from open competitive exam 9110 established June 16, 1970, for appointment to openings within the Environmental Protection Administration. The last number certified was 4809.

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K-4020—Leaving May 24 and returning May 28.
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Delehanty Scores Again With Fire Captain

The recently published 805 name list for promotion to Captain, fire department revealed that Delehanty graduates again upheld the Institutes' 60 year history of helping men in the department obtain the promotion opportunities they deserve. The list showed that Delehanty graduates placed:

**10 Out Of The First 10
80 Out Of The First 100**

City OK's 5.5% Hike For LPN's

The city last week O.K.'d payment of a 5.5 percent interim wage hike to licensed practical nurses, most of whom work in 19 city hospitals, while the federal Cost of Living Council considers their contract providing 8 percent salary increases.

This is the first interim payment authorization made by the city's Office of Labor Relations. Under President Nixon's Phase III, payments of up to the 5.5 percent guideline may be paid prior to CLC approval of the entire contract in certain cases.

The nurses union, Licensed Practical Nurses of New York, Inc., had filed a \$3 million lawsuit Feb. 9 seeking interim payment on their contract, which had been signed Dec. 28, charging that the city refused payment "as a matter of administrative policy, though they admitted it was within the law."

An OLR spokesman said that that office had been waiting for CLC clearance on the interim payment, which came only "within the last two or three weeks."

The OLR spokesman said that one other interim payment has so far been authorized, to city-employed photographers, and that there are 25 other contracts "in the works" being processed for interim payments of 5.5 percent. The spokesman declined to name the unions involved.

The LPN's three-year contract is retroactive to July 1, 1971, and increases maximum pay scales from \$8,000 to \$10,000. A Health and Hospitals Corporation spokesman said that the authorizing order for the interim payments has not yet reached his office, but expected it next week. At that time, he said, he could make an estimation of when the money would appear in employee paychecks. He said this depends on whether the salary recomputations can be made by computer or have to be done by hand.

The retroactive payments will be made in lump sum, he said, and present salary increased 5.5 percent.

HA Police Medicals

Between March 26 and 27, 2662 candidates for patrolman, Housing Authority, will be taking their medical qualifying exams. Of the 5,635 candidates who appeared for written test no. 2226, 2,945 failed and 38 withdrew. The Leader is currently running the list of candidates which was made public March 14. No certifications or appointments will be made until the list is established.

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CIVIL SERVICE LEADER America's Leading Weekly For Public Employees

Published Each Tuesday
11 Warren St., N.Y., N.Y. 10007
Business and Editorial Office:
11 Warren St., N.Y., N.Y. 10007
Entered as Second Class mail and
Second Class postage paid, October
3, 1959, at the Post Office, New
York, New York, under the Act of
March 3, 1879. Additional entry at
Plainfield, New Jersey, Member of
Audit Bureau of Circulation.
Subscription Price \$7.00 Per Year
Individual Copies, 15c

Talks On Nassau Contract Continue With Fact-Finder

(From Leader Correspondent)

MINEOLA—Negotiators for the Nassau chapter, Civil Service Employees Assn., and Nassau County met last week with the fact-finder named to study the impasse on a contract for county employees.

The fact-finder is Richard V. Myers, personnel administrator for AMBAC Industries, Carle Place, formerly known as American Bosch-Arma. Myers is teamed with Mineola labor lawyer Thomas Sheehan, the CSEA member, and Deputy Labor Commissioner Bernard J. O'Reilly, representing the county.

At the first fact-finding meeting Friday, the parties established ground rules and set meetings for March 28 and April 3. The Nassau chapter, Flaumenbaum said, will make a factual presentation supporting the program.

Renewed talks went to impasse almost immediately after CSEA submitted the package of "essentials" voted by the 75-member steering and program committee. The package includes the 75-I retirement provision and 8½ percent pay boosts with \$500 minimum and no maximum in each of two years. In addition, the boost in the second year would be protected by a cost-of-living clause.

County Executive Ralph G. Caso has been quoted in the daily newspapers saying that he refused to discuss the CSEA program.

Irving Flaumenbaum, president of the chapter, said, "the solidarity of the membership

speaks louder than words, and we remain hopeful of an amicable agreement."

New Suffolk Unit

(Continued from Page 1)

Members of the Civil Service Employees Assn. Health Research, Inc. negotiating team meet at CSEA Headquarters in Albany to discuss 1973 contract demands. Pictured, from left, are: Mary Robinson; Mehnert McLaughlin; Thomas J. Linden, CSEA collective negotiating specialist; Anne Weber, chairwoman, and Barbara Fauser.



HEALTH RESEARCH NEGOTIATING TEAM — Members of the Civil Service Employees Assn. Health Research, Inc. negotiating team meet at CSEA Headquarters in Albany to discuss 1973 contract demands. Pictured, from left, are: Mary Robinson; Mehnert McLaughlin; Thomas J. Linden, CSEA collective negotiating specialist; Anne Weber, chairwoman, and Barbara Fauser.

Nurses Picket Over Career Ladder

(Continued from Page 1)

CSEA has stated on several occasions that "The state has bounced the negotiations around from department to department, always being careful to keep talks away from the vital settlement areas."

OER issued their last "take-it-or-leave-it" proposal in late February, according to CSEA collective negotiating specialist Bernard J. Ryan. In it, administration negotiators called for virtually no movement at all for licensed practical nurses, stating that "she could advance by either becoming an RN or entering the Patient Care Career Ladder as a Mental Hygiene Therapy Aide, G-9."

Staff nurses were also unaffected by the February proposal while the registered nurse currently in a G-14 position was allowed a one grade improvement. CSEA's Ryan viewed the proposal as the "end of nursing." He said, "By the provisions of

this proposal, the nurse, upon reaching a head nurse position, could not advance to any higher available position in the career ladder unless she left the field and went into administration or nursing education." The "take-it-or-leave-it" proposal was flatly rejected by the CSEA team and OER representatives were left with the problem of what to do with the careers of more than 6,000 nurses in State employment.

The "final-final" offer issued by John McKenna, OER negotiator, was one which he said "should not in any way be apologized for."

McKenna's plan mandated a two-grade reclassification for the LPN, while the current staff nurse and head nurse would advance one grade. A new nurse specialist, G-17, title would be created, and three grade-nineteen alternatives would be in the areas of nursing administration, clinicians and instruction.

CSEA's original proposal to the state created 12 new titles and allowed the nurses to choose one of three fields—patient care, education or administration. "But," said Ryan, "this final OER proposal, while offering the same three areas of nursing milieu, virtually kills the real possibilities of entering these fields by stipulating education requirements that few nurses can meet."

Offering no incumbent protection, according to the CSEA ne-

gotiator, the "McKenna plan" calls for the minimum of a bachelor's degree for the nursing instructor title and a mandatory master's degree for the nurse clinician title.

The other grade-nineteen avenue open for the registered nurse was the nurse administrator title. This called for two years of college and four years of experience.

Administration negotiators allowed a waiver of qualifications (Continued on Page 16)

Nassau Anniversary

MINEOLA—The silver anniversary of the 20,000-member Nassau chapter of the Civil Service Employees Assn. will be celebrated at the group's annual dinner-dance, which has been scheduled for Sept. 29.

The affair will be held at the Malibu Beach Club, Lido Beach.



Ruth and Irving Flaumenbaum check over their meatless shopping list.

Stony Point Landmark Ruling

(Continued from Page 1)

contract provisions and that the items had not been withdrawn prior to the time the parties submitted their impasse to fact-finding.

Town Supervisor Grune was queried during the course of the hearing as to whether he had agreed on any items discussed before fact-finding. He admitted

that he said, "We are going to agree on the whole thing."

The hearing officer concluded that "it was not the intent of either party during the negotiation process to abrogate their agreements reached before entering fact-finding," thus rendering Town of Stony Point employees with significant improvements in working conditions and fringe benefits.

Suffolk Joins With Nassau In Meat Boycott

MINEOLA — Almost 100,000 flyers provided by the Civil Service Employees Assn. Nassau and Suffolk chapters were on their way to shoppers this week to promote the rapidly spreading meat boycott.

Nassau chapter president Irving Flaumenbaum met with meat-price protesters from half a dozen communities at the chapter office and helped them to organize a countywide protest.

Meanwhile, in Suffolk, chapter president E. Ben Porter met with community leaders there and coordinated a Suffolk campaign.

The two chapters furnished

the protest committee workers with handbills, which are being distributed at supermarkets in a score of communities. The number was expected to mushroom this week.

The flyers urge shoppers: Don't buy or eat meat April 1 to April 7. Do make chain phone calls, send supermarket register tapes to President Nixon, substitute fish, soups, etc.

The women were also distributing a meatless menu for the boycott week.

Flaumenbaum and Porter personally joined in the boycott.

Flaumenbaum, who has regularly done the family shopping, said he had already been boycotting meat for one week. "In

my observation at the meat counter," he said, "there is not as much movement already."

One strike leader wrote to Flaumenbaum thanking CSEA for the technical assistance. "You really have been a great help and motivating factor in this meat boycott," wrote Marlene Hartstein of Hewlett. "If we succeed, we will all thank you."

The strike leaders meeting the CSEA officials included Mrs. Mickey DiLorenzo of Levittown, who received national publicity two years ago when her meat protest prompted a western cattleman to have a young steer delivered to her suburban lawn. The idea was to persuade her

that raising beef is arduous and expensive.

The argument failed to convince the strike leaders that today's prices are tolerable.

CSEA has taken a lead in bringing the scattered protest leaders together in a concerted campaign throughout Long Island.

"We all pay these prices," Porter grumbled. "These women and CSEA members have the same vital interests."

Headquarters telephones for the strike have been established at the Mineola and Smithtown chapter offices, which will relay the names of volunteers to the appropriate community leaders.

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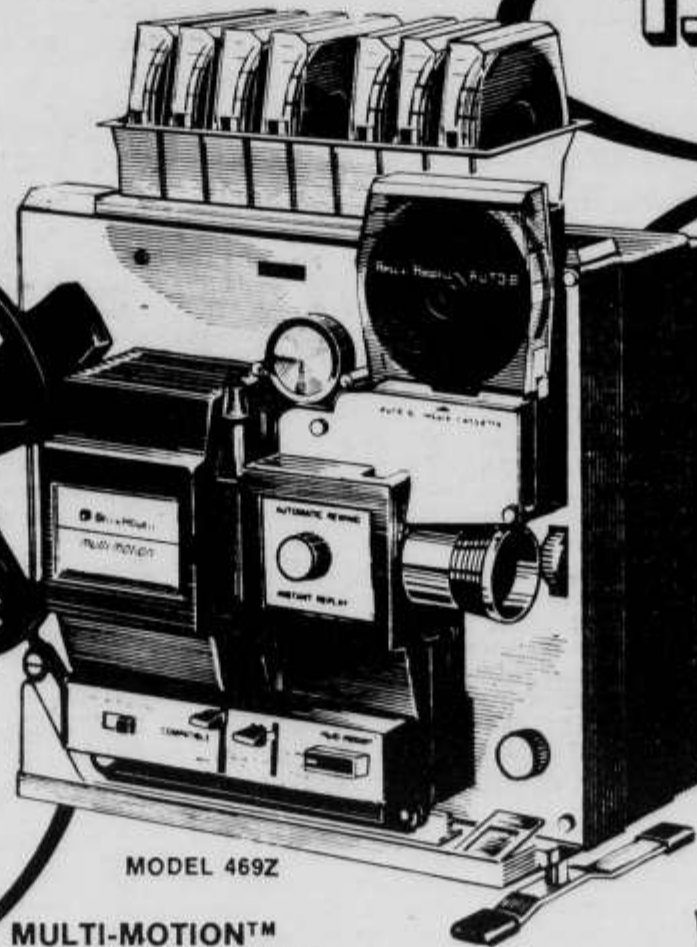
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This Week's New York City Eligible Lists

CIVIL SERVICE LEADER, Tuesday, March 27, 1973

EXAM NO. 1665

PROM. TO SR. MICROBIOLOGIST (BACTERIOLOGY)

This promotional list of five eligibles was established March 21. Of the 27 applicants, 20 appeared for the September 16, 1972, written exam; 4 candidates failed. Starting salary is \$14,000.

1 Alphonza R Ferguson, Sidney Goldberg, William Indyk, Christina Williams, Milton M Lovell.

EXAM NO. 3503

PROM. TO POLICE ADMINISTRATIVE AID

This promotional list of 35 eligibles was established March 21. Of the 65 applicants, 43 appeared for the February 3, 1973, written exam; 11 candidates failed and two withdrew. Starting salary is \$7,900.

1 Patricia M Skeba, Daniel R Danek, William E Ewald, Kenneth M Banks, Leocadia L Kasperzak, Charlotte Kritsberg, Anna A Giovinco, Marie Skeba, Joyce M Seale, Fay Rose, Madeline P Ewald, Helen Orenzoff, Ruby E Ford, Vivian Gregory, Olga Jordan, Frances Dentine, Bessie R Gordon, Geraldine Schoen, Rose M Williams, Marjory C Malus.

21 Mary P Gallo, Leona Merrick, Jean V Mirabile, Dolores F Wade, Hazel P McDonald, Josephine Dantoni, Carnell Eden, Maryrose J Clark, Dorothy Minsker, Shirley Skolky.

EXAM NO. 2140

RADIO OPERATOR

This open competitive list of 37 eligibles was established March 21. The eligibles were chosen on the basis of training and experience from 37 applicants who filed in January 1972. Starting salary is \$9,150.

1 Julius F Gellenkirchen, Sam H Ruffman, Horace Freeman, Howard Epstein, Robert H Neumann, Perry Carter, William D Westmoreland, Robert P Makson, Frank J Pavlicek Jr, Simon Liberman, Gary D Adler, James Wadon, Ronald A Koenecke, Gary C Gromet, Fred Schwartz, Alfredo Miro, Clinton E Joeli, Joseph Gray, Hyman D Chantz, Claude Judkins Jr.

21 Thomas L Scotti, Jose A Alvarez, Kevin A Hendricks, John A Monteleone, Hercules Glover Jr, Isaac Bernstein, Victor K Lee, Jeffrey P Schwarz, Stephen V Linetsky, Kevin T Dunphy, Rudolph G Gregory, John J Addeo, John Q Harris, Rene F Tetro, Jose L Carrasquillo, Eugene Genovese, Michael F Di-rubbio.

EXAM NO. 1662

PROM. TO MICROBIOLOGIST (BACTERIOLOGY)

This promotional list of seven eligibles was established March 21. Of the 32 applicants, 22 appeared for the June 10, 1972, written exam; 14 candidates failed and one withdrew. Starting salary is \$12,100.

1 Lenio E Caprioglio, Earl S Chrichlow, Dasiy S Jones, Rocco Tirotta, Herbert A Ttax, Roland D Clark Jr, Peter P English.

EXAM NO. 2117

PARKING ENFORCEMENT AGENT Group II

This open competitive list of 433 eligibles was made public March 21. The eligibles were chosen from 488 applicants who took the written exam. Starting salary is \$7,300. No certifications

or appointments may be made until the list is established.

No. 1 — 105.9%

1 Samuel Bakal, William J Zimmerman, Morris Beer, Robert D Offenberg, Thomas J Brown, Allen Gross, Morris Miller, Ralph Edison, Gary Grufferman, Richard F Carpenter Jr, Gilbert Goldman, Michael J Picarella, Israel Rivera, Francis P Coyle, Irving Weiss, Sidney Zimmerman, Alfred I Frogel, Anthony A Radano, Alice D Jégou.

No. 21 — 97.9%

21 Yvonne Williams, Stephen G Mulia, Jan A Paderewski, Ed-

ward F Trainor, Harold S Jacobowitz, Anthony Dandrea, Franchot T Smith, Theodore Greenberg, William N Minenna, Paul Fliegel, Joseph Kearns, Leo Bowers, Jaja A Bernard Sr, John A Titone, Tyrone E Christian, Benjamin S Horowitz, Anthony C Rubino, Peggy A Crowson, William Canaan, Samuel Curren.

(To Be Continued)

EXAM NO. 2067

COUNSELOR (ADDICTION TREATMENT)

This open competitive list of 295 eligibles was established

March 21. The eligibles were chosen on the basis of training and experience from 587 applicants who filed in January 1972. Starting salary is \$9,800.

No. 1 — 101.9%

1 Luthera G Wallace, Chester A Wilkins, Janet S Clapsis, Demostheue Dely, Jose L Castro, Walter L Langan, Catherine McDonough, Guillermo Collins, John D Peltz Jr, Serina K Gilbert, John P Healy, John Byrd, Jon G Stathakis, Ruth H Hoffman, Peter W Burke Jr, Alfred A Tarantino, James Gilbert, Angela Harras, Nolan Jones, Elliott N Smith.

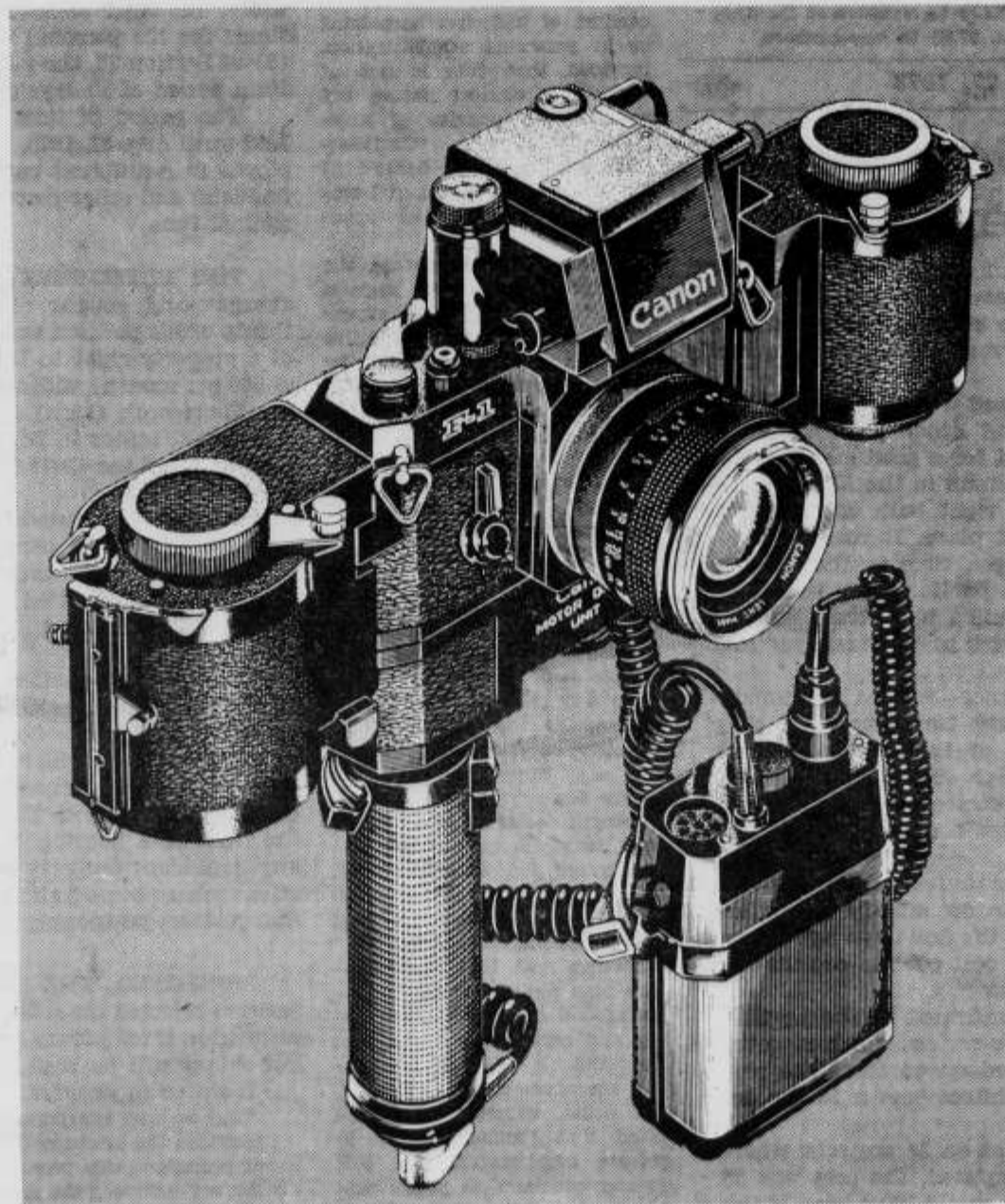
(To Be Continued)

EXAM NO. 2608

PROM. TO SR. AIR POLLUTION CONTROL ENGINEER

This promotional list of 10 eligibles was established March 21. Of the 12 applicants, 10 appeared for the January 30, 1973, technical oral exam. Starting salary is \$16,000.

1 Thomas L Eckrick, Benjamin C Radzka, Henry Dancygier, Paul H Rosche, Stanley E Parkas, Fred J Schuttler, Irving H Braff, Joseph Z Lichtman, George Cecchini, Nicholas D Audi.



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MAIL ORDERS INVITED ADD POSTAGE

Civil Service LEADER

America's Largest Weekly for Public Employees

Member Audit Bureau of Circulations

Published every Tuesday by

LEADER PUBLICATIONS, INC.

Publishing Office: 11 Warren Street, New York, N.Y. 10007

Business & Editorial Office: 11 Warren Street, New York, N.Y. 10007
212-8Eeckman 3-6010

Bronx Office: 406 149th Street, Bronx, N.Y. 10455

Jerry Finkelstein, Publisher

Paul Kyer, Editor

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Stephanie Doba, Assistant Editor

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Advertising Representatives:

ALBANY — Joseph T. Bellew — 303 So. Manning Blvd., IV 2-5474

KINGSTON, N.Y. — Charles Andrews — 239 Wall St., FEderal 8-8350

15c per copy. Subscription Price: \$3.70 to members of the Civil Service Employees Association. \$7.00 to non-members.

TUESDAY, MARCH 27, 1973

"Can Do" State Aides Proving Their Worth

DURING the massive firing of State employees in 1971, the Civil Service Employees Assn. not only fought indiscriminate worker dismissals but also charged that the State's outside contractual agreements were more costly than firing employees.

One of the groups of men and women they fought for were a group of architects and other professional employees. CSEA won reinstatement for a good many of them. The following excerpt from a column in the Albany Knickerbocker News shows just how right both the CSEA and the employees were in the first place. It reads:

"A group of state employees, fired in the massive state layoffs of 1971, raised a public outcry that they could do the work being handled by private consultants at a more reasonable cost to the taxpayer and just as well if not better.

"They were given the chance—rehired as temporary employees under temporary financing—and they have proved their case. One of those backing their cause was Assemblyman Fred G. Field Jr. of Colonie.

"A state Budget Division cost analysis has shown that these state employees saved the state some \$300,000 in one year.

"These architects and other professional employees, who became known as the 'can do' unit in the Office of General Services, have done the design work at some 30 to 36 percent less than the cost private consultants would have forced the state to pay.

"The savings have been confirmed by the Legislative Commission on Expenditure review, which reported the employees had been rehired on at the same percentage basis as a private architect 'less a 10 percent assumed profit.'

"The commission added that on 24 projects, where the design work had been completed, the cost was 36 percent under what the charge would have been if the work had been given to outside consultants.

"In the proposed state budget for 1973-74, these employees, 51 in all, are being made permanent and paid out of regular state funds.

"This gives them the same civil service rights as other state architects, including job security.

"If the Legislature agrees, their promotion rights, which they lost when they were laid off, will be restored.

"To transfer the 'can do' group to the regular state staff, an appropriation of \$676,713 has been recommended.

"It's a happy ending for those state workers who had been laid off to save state money and a vindication of their claim: 'We can do it at less cost.'"

Gen Entrance Pool

Of the 251 candidates who were called to the general entrance hiring pool March 6, 154 failed to report. Those eligibles were called from the list resulting from general entrance exam no. 9117. Various city agencies appointed a total of 49 eligibles, the last number of which was 1701.

Asst Comm Liaison

The Housing and Development Administration has 86 openings for assistant community liaison worker. The city Dept. of Personnel has certified 200 candidates from the eligible list which resulted from open competitive exam 2035, established March 14, 1973. The last number certified for appointment was 200.

Don't Repeat This!

(Continued from Page 1)

islature in 1971 that bars "managerial" or "confidential" employees from membership in public employee bargaining associations. The suit, initially by CSEA, contended that the statute denies the employees freedom of association and equal protection and would impair contractual benefits under life and health insurance programs sponsored by the employee organizations. CSEA further contended that the standards for designating "managerial" and "confidential" employees are impermissibly vague.

Definition Of Terms

As defined by the statute, a "managerial" employee is one who formulates policy or who may be required to assist in the conduct of collective bargaining or in personnel administration, provided that this is not of routine or clerical nature but requires the exercise of independent judgment. "Confidential" employees are defined as those who assist managerial employees in a confidential capacity.

In upholding the statute, the unanimous Court of Appeals said: "The exclusion of supervisory personnel from collective bargaining rights enjoyed by employees is not a new concept," and cited a series of decisions to that effect governing labor relations in the private sector.

The Court dismissed as "not persuasive" CSEA contentions that insurance contract rights would be impaired by the statute, since participation in the insurance plans was made contingent on continued Association membership. Whether a state statute impairs contract obligations may raise a Federal question under the United States Constitution and leave open an avenue of appeal to the United States Supreme Court. If CSEA attorneys decide to take an appeal, they will raise a novel issue before the Supreme Court, with virtually no guidelines to indicate how the Supreme Court would respond.

Having held that the statutory plan for designating managerial and confidential employees and segregating them from rank-and-file collective bargaining arrangements to be valid, the court, nevertheless, recognized that "problems arise in private employment, and still greater problems in public employment, in distinguishing managerial employees from others. Those problems undoubtedly will give rise to recurring disputes in particular instances. But it is to handle such disputes that the procedure, including hearings, may be invoked as has been done in these public employment cases. The resolution of particular disputes may require eventual review, but this appeal is concerned only with the general attack on the scheme."

Individual Appeals

Accordingly, when PERB classifies an employee as "managerial" or "confidential," and thereby bars that employee from CSEA membership as well as from membership in any other collective bargaining unit, an appeal may be taken to the courts based upon the specific job duties and responsibilities of the particular employee involved. Obviously, given the statute, this

(Continued on Page 15)

Civil Service Law & You

By RICHARD GABA



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

Suspension Prior To Hearing

A decision of Supreme Court, Suffolk County, may result in the overturning of parts of Section 75 of the Civil Service Law.

The petitioner (*In the Matter of Randall v. Toll*) had been employed at SUNY at Stony Brook in the title of Senior Financial Secretary since 1965. He had been in the State civil service since 1959 and began working at SUNY in 1962.

In late November 1972, petitioner was served with charges pursuant to Section 75 of the Civil Service Law which included allegations of misappropriation of State funds for his personal use. In accordance with subsection (3) of Section 75, the petitioner was suspended without pay for a period of 30 days pending a disciplinary hearing.

The period of time covered by the charges ran from 1967 until Aug. 31, 1970. Since then, petitioner has been employed in a different capacity which did not involve direct financial and other matters pertinent to the charges lodged against him.

THE PETITIONER categorically denied all of the charges and sought reinstatement to his position. The thrust of his petition was that the suspension deprived him of a property right in the nature of salary (approximately \$1,500 per month) without due process of law in violation of the Fourteenth (14th) Amendment to the Constitution of the United States in that the suspension pursuant to Section 75(3) of the Civil Service Law was effected without a hearing.

Section 75(3) provides for suspension without pay for a period of 30 days pending the determination of charges of misconduct or incompetency filed against a civil service employee. An acquitted employee is entitled to reinstatement to his position with full back pay for the suspension period.

The petitioner cited *Fuentes v. Shavin*, 92 S.Ct.1983 (United States Supreme Court, June 1972). That decision by the U.S. Supreme Court invalidated Florida and Pennsylvania statutes which permitted a secured creditor to seize secured property without notice to the debtor upon default in payment. The U.S. Supreme Court reaffirmed the right to a hearing before an individual is deprived of any significant property right except for extraordinary situations where some valid governmental interest is at stake that justifies postponing the hearing until after the event.

MOREOVER, THE SUPREME COURT in the *Fuentes* decision rejected the rationale of Section 75 (3), i.e., that the suspension is temporary and if the employee is vindicated his lost salary will be restored.

It stated in *Fuentes*:

"But no later hearing and no damage award can undo the fact that the arbitrary taking that was subject to the right of procedural due process has already occurred. This court has not embraced the general proposition that a wrong may be done if it can be undone."

Thus, the State Supreme Court concluded that the *Fuentes* decision required a hearing prior to even a temporary suspension of a public employee unless some valid governmental interest "over-rides the employee's Fourteenth Amendment rights." The issue to be determined then was whether this "governmental interest" was present in the instant case.

The respondent answered that the general public interest involved here justified the suspension procedures because of the quasi-criminal nature of the charges lodged against the petitioner. Respondent relied on *Cafeteria and Restaurant Workers v. McElroy*, 368 U.S. 886 as an instance where the Supreme Court held that governmental considerations may take precedence over individual rights and affirmed the dismissal of a federal employee without a hearing. The plaintiff in *McElroy* was a short order cook working at a naval base who was denied a security clearance and thus barred from entering the base by order of the naval commander.

However, in authoring the *Fuentes* decision, Mr. Justice Stewart distinguished the *McElroy* case as an instance where the national security outweighed the right to a prior hearing.

The court concluded that since Randall was no longer employed in the sensitive area relevant to the charges, and

(Continued on Page 15)

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DYCKMAN COMMUNITY HEALTH CENTER. — The undersigned do hereby certify that they are conducting or transacting business as members of a limited partnership under the name or designation of **DYCKMAN COMMUNITY HEALTH CENTER** located at 100-108 Dyckman Street, in the County of New York, State of New York, and do further certify that the full names of all the persons conducting or transacting such limited partnership including the full names of all the partners with the residence address of each such person are as follows: General Partner — Morton Gottesman, 40 East 84th Street, New York, New York, Limited Partner — Angelo Ortega, 930 East 231st Street, Bronx, New York. The limited partnership shall carry on the business of constructing, maintaining and leasing buildings located at 100-108 Dyckman Street, New York, New York. The limited partnership began on the 1st day of November, 1972, and shall continue until the 1st day of November, 1973, and thereafter from year to year, until terminated. The limited partner has contributed to the capital of the partnership in cash the sum of \$12,500.00. The contribution of each partner is to be returned to each partner out of the profits. Fifty (50%) percent each until the contribution has been returned. The net profits of the partnership shall be divided between the partners, after the contribution of each is returned, and the net losses shall be borne by them in the proportions set opposite their respective names: General Partner — Morton Gottesman, 75%. Limited Partner — Angelo Ortega, 25%. Additional General or Limited partners may be admitted to the partnership on such terms as may be agreed on in writing between all the partners and such new partners. The death of any partner shall dissolve the partnership, but shall have no effect upon the continuance of the partnership business. The surviving partner has the option to purchase the interests of the deceased partner. Each partner agrees to further contribute during the first year of the partnership a sum not exceeding \$37,500.00. Such sum to be repaid on or before Nov. 1, 1974. The above Certificate duly signed and acknowledged by all partners, is on file in the New York County Clerk's Office.

LEGAL NOTICE

LINNETT ASSOCIATES. — Substance of Certificate of Limited Partnership filed in New York County Clerk's office on February 14, 1973. Business: to acquire, own, lease, operate and dispose of equipment and otherwise to acquire, own, lease and deal in real and personal property. Principal place of business: c/o Kent M. Klineman, 888 Seventh Avenue, New York, New York 10019. General Partners: Equipment Management Corp. ("Managing Partner"), 888 Seventh Avenue, New York, New York 10019; VTR Incorporated ("Associate Managing Partner"), 1 Lincoln Plaza, Box 302, New York, New York 10023; Kent M. Klineman, ("Consulting Partner"), 888 Seventh Avenue, New York, New York 10019; Robert S. Sinn, ("Consulting Partner"), 303 East 57th Street, New York, New York 10022. Limited Partners and contributions: Stanley Schuman, 991 Green Meadow, Mamaroneck, New York, \$34,042; Standard, Weisberg, Heckerling & Rosow, 38 Park Row, New York, New York, \$34,042; Weston P. Figgins, 12845 Hanover Street, Los Angeles, California, \$34,042; Herbert Engelhardt, 10 Downing Street, New York, New York, \$34,042; Doris Schwadron, 4925 Collins Avenue, Miami Beach, Florida, \$27,013; Howard S. Tierney, 1130 Mine Hill Road, Fairfield, Connecticut, \$51,063; Jack O. Scher, 150 East 61st Street, New York, New York, \$17,021; Marlene Freedman, 84 Pollands Hill North, London, SW 16, England, \$100; Harold Parker, 14144 Dickens Street, Sherman Oaks, California, \$68,085; M. J. Schwab, 1831 Lombard Street, Philadelphia, Pennsylvania, \$35,744; Joseph X Yaffe, 1006 Aboretum Road, Wyncote, Pennsylvania, \$66,383; William Kleinberg, Ph.D., 50 Woodland Drive, Princeton, New Jersey, \$30,639; Nancy Gordon, 102 Middletown Road, Buffalo, New York, \$29,788; Haskell Stovroff, 25 Hardwood Place, Buffalo, New York, \$68,085; Richard Stovroff, 2640 Divisadero Street, San Francisco, California 94123, \$29,788; James Stovroff, 25 Hardwood Place, Buffalo, New York, \$59,574. Term: March 3, 1972 until December 31, 2022 unless sooner terminated. Limited Partners have contributed an aggregate of \$619,451 cash. Limited Partners are severally liable for additional contributions up to a maximum of 400% of their proportionate shares of the capital contribution of all the Limited Partners and an amount equal to \$2,000 for each \$100,000 of capital contribution, for costs incurred by the Partnership in connection with the admission to the Partnership of the Limited Partners. No fixed time has been agreed upon for return of contributions earlier than dissolution of the Partnership. Profits allocated 30% to Limited Partners in accordance with their respective proportionate shares and 70% to Associate Managing Partner. Limited Partners may assign interests only with consent of Managing Partner. Remaining General Partners may elect bankruptcy, etc. of another General Partner.

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Fete Two Retirees In Cortland

Swanson, Mrs. Patterson Receive Gift Certificates

CORTLAND—At a dinner at the Terrace Restaurant here last month, two long-time employees of the New York State Manpower Services Division were presented with gift certificates on the occasion of their retirement.

Alice Patterson had served 23 years with the local Cortland office. Mrs. Patterson, who was a WAC during World War II, began her state service in 1949 as a clerk-typist, a job which became permanent in 1951.

Glenn Swanson had been a school teacher before he became an interviewer with the Division in 1937. He was appointed assistant employment manager in Cortland 20 years ago, with a later upgrading to employment manager.



Seated at head table during retirement party in their honor are, from left, Glenn Swanson and his wife and Alice Patterson and her husband. Standing are Augustus Thomas, Syracuse district employment service superintendent; Eleanor Fowler, chairman of the evening, and Patrick Kiernan, manager of the Cortland office.



OUTSTANDING SERVICE — Mary Astour, of Utica, an employee of the New York State Department of Correctional Services, Division of Parole, and a long-time member of the Civil Service Employees Assn., was honored at a luncheon in Grimaldi's Restaurant in Utica after 35 years of service. Pictured, from left, are: Joseph L. Maxwell, Syracuse area director, Correctional Services; Ms. Astour; Dan Daniels, representing Utica Mayor Michael R. Caruso and presenting Ms. Astour with a key to the city, and William H. Slater of the state's Utica Office of Correctional Services.



Vincent Leitch, center, accepts retirement congratulations from Louis Colby, left, president of the CSEA Long Island Inter-County State Park chapter, and Philip Alfano, CSEA field representative.

Genesee Armories Honor Haldeman Syracuse Retirees

ROCHESTER — Following a recent meeting of the Genesee Valley Armory Employees chapter of the Civil Service Employees Assn., a retirement party was held for Harry Haldeman.

Haldeman was presented a 45-year service pin from the Department of Military and Naval Affairs, plus an award

from General Baker. Edward R. Murtha, superintendent of the Culver Road Armory where Haldeman has been employed as a mechanic, presented him with a gift of luggage from fellow employees.

AUBURN—The Syracuse Area Retirees chapter of the Civil Service Employees Assn. has scheduled a meeting for April 14 at Riordan's Restaurant on Market St. here. The meeting is slated to get under way at 2 p.m.

Nurse Honored On Retirement

WEST HAVERSTRAW — An estimated 150 co-workers turned out to honor Mrs. William Biedebach on her retirement after 25 years of service with the New York State Rehabilitation and Research Hospital.

In speaking of "Reggie's" (as she is known to friends) accomplishments, Director of Nursing Service Gloria Morstatt said "Reggie has been everything in Nursing Service except director, and I'm not sure she hasn't been that."

During the dinner party at Rockland Lake Manor, Mrs. Biedebach received gifts of a stereo set, a creative sculpture of operating room instruments arranged in a floral design on black velvet, and a check designated for retirement contingencies. Henry Braun, operating room nurse-supervisor, was master of ceremonies and also creator of the instrument sculpture.



Reminiscing about changes they have seen in Oneida County Clerk's office are recent retirees Dorothy Mansell, left, and Ella Perkins.

Vincent Leitch Retires After 45-Year Career

WANTAGH—Vincent Leitch, administrative officer of the Long Island State Park and Recreation Commission, has retired after 45 years of service.

Leitch was honored with a luncheon by his fellow employees upon the occasion of his retirement. Among those attending were Robert Moses, former New York State Parks Commissioner; A. Holly Patterson, chairman of the Long Island Parks, and Harthon Bill, general manager of the Long Island

State Park and Recreation Commission.

Among the gifts he received was a clock radio given him by the Long Island Inter-County State Park and Recreation chapter of the Civil Service Employees Assn. Chapter president Louis Colby was on hand to make the presentation.

154 Retirees Are Honored At Gowanda

GOWANDA—A retirement party in the American Legion Hall here recently honored 154 retirees who have left Gowanda State Hospital between April 1, 1970, and March 31, 1972.

Elizabeth Paul, a former clerk, and Robert Colburn, former business officer, both with more than 40 years of service, headed the list of retirees.

Dr. J. Rothery Haight, hospital director, welcomed the dinner guests and brought them up to date on operations of the Department of Mental Hygiene.

Thomas Armstrong, business officer, was master of ceremonies.



THREE ST. LAWRENCE RETIREES — Employees of St. Lawrence State Hospital have honored three of their fellow workers who recently retired: John Cole, 25 years; William Murray, 22 years, and his wife, 23 years. In photo, from left, are Mrs. Kenneth McDonald, standing next to her father, retiree Cole; Dr. Lee Hanes, director of the hospital; Mr. and Mrs. Murray.

2 Women Leave Service With Oneida County Clerk

UTICA—Two long-service employees of the Oneida County Clerk's Office, Recording Department, were presented with civil service scrolls by Jerry Boehlert, president of the Oneida County unit to which the new retirees had belonged.

Dorothy Mansell, with 30 years of service, and Ella C Perkins, with 43 years of service, were feted to a rousing send-off party in their honor last month at the Twin Ponds Country Club here.

Ms. Mansell began her county career under J. Brayton Fuller in 1942, and has witnessed many changes in department procedures as the system has progressed from photostating to microfilming.

Ms. Perkins served with the Utica municipal government for five years and with the county for the next 38 years. Starting with Fred Wenzel in 1935, she has served under nine County clerks since that time. She remembers when the records were maintained by typing.

The two women worked side by side for many of their years with the department.

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Eligibles

EXAM NO. 2624
PROM. TO SR. INSPECTOR
(HIGHWAYS & SEWERS)

This promotional list of 29 eligibles was established March 21. Of the 51 applicants, 39 appeared for the January 16, 1973, written exam; 10 candidates failed. Starting salary is \$10,700.

1 Leslie M Rabinowitz, Edward F Byrne Jr, James W McDermott, John J Mace, Michael G Chionchio, Michael Canosa, Vincent J Astuto, John W Centorino, Milton Jolkower, Edward S Roth, Francis T McBride, Frank L Sansone, Harold W Sheehan, Murray Finando, Harold Pelsinger, Rosario P Picone, Paul R Mendelsen, Dennis W Roche, Thomas B Mudzinski, Anne J Neubaler.

21 George R Flanagan, Irvin Miles, James J Iller, Dominick A Gravina, Anthony Pappalardo, Arthur F Conway, Robert P Lettieri, Patrick J Ruggiero, Steven D Birns.

EXAM NO. 7611
PROM. TO SUPERVISING
AFFAIRS INSPECTOR

This promotional list of 10 eligibles was established March 21. The eligibles were chosen from 13 applicants who filed for the February 6, 1973, technical oral exam. Starting salary is \$9,900.

1 Albert J Yocono, John F McManus, Jack M Robinson, John J Petito, Frank S Caruso, Clarence Williams, Irving Weinberg, Anthony E Bartolotti, Basil H Capers, Joseph Spevack.

EXAM NO. 1669
PROM. TO SR.
MICROBIOLOGIST

This promotional list of two eligibles was established March 21. Of the 27 applicants, 18 appeared for the September 16, 1972, written exam; 10 candidates failed and two withdrew. Starting salary is \$14,000.

1 Alphonze R Ferguson, Sidney Goldberg.

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Eligibles

EXAM NO. 2614
PROM. TO SR. CHEMIST

These two promotional lists, containing five eligibles, were established March 21. The eligibles were chosen from the 43 applicants who filed for the January 20, 1973, technical oral exam. Starting salary is \$14,000.

Environmental Protection Adm
 1 Maurice H Solomon, Benjamin Nathanson, Norman Padnos.

Bd of Water Supply, Design
 1 Isidore Geld, Howard A Lewin.

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 (1-72 exam)


Aquiles N Conde, 9600; Jose F Torres, 9350; Ralph Gunn, 9250; Sara H Pereda, 9050; Hilda R Gutierrez, 8950; Adela M Casadevall, 8925; Philip L Bruno, 8800; Reinaldo Quinones, 8500; Victor M Miala, 8450; Daniel Betancourt, 8450; Jorge Bermudez, 8300; Maria E Carrasco, 8250; Angel A Alvarez, 8200; Michael M Diner, 8200; Jose I Erezuma, 8150; Lilia L Luna, 8120; Maurilia Casanas, 8075; Teresa Abreu, 8025; Angelo Sanchez, 8000; Herman Martinez, 8000; Maria M Olivera, 8000; Victoria Perez, 7975; Roberto Tapantini, 7960; Tomasito Hidalgo, 7950; Michael Greene, 7950; Iluminada Carragena, 7950; Elizabeth Morales, 7900.
 Evelyn Tirado, 7900; Gertrude K Delgado, 7900; Teresa J Humaran, 7900; Ricardo Martinez, 7850; Peter E Barreto, 7850; Alba L Arevalo, 7800; Juan Garcia, 7800; Ana G Preval, 7750; Enrique Mulero, 7725; Norman Kiperman, 7700; Norma Hurwitz, 7550; John P Casaubon, 7550; Gina M Vaccaro, 7550; Kenneth D Jacoby, 7550; Lydia Felton, 7500; Sergio J Demesa, 7475; Griseledis Carrasco, 7450; Servia P Reyes, 7450; Margarita Sanchez, 7450; Marta Sierra, 7450; Nydia E Perez, 7360; Francis J Steele, 7350; Juanita Huertas, 7300; Ligia I Friedewald, 7300; Socorro Diaz, 7300; Luz M Dalessandri, 7300; Antonio J Valle, 7300; Delia L Quintero, 7250; Adolfo Colon, 7250; Bertha E Maza, 7250.
 Justa S Rubio, 7200; Roberto B Rivera, 7200; Joseph Grasso, 7200; Edna M Ordonez, 7150; Lillian S Tricomi, 7150; Iris T Martinez, 7150; Manuel Perez, 7150; Emiliano Nuevo, 7150;

Eleira Albert, 7100; Nilda L Rexach, 7100; Zoraida Rodriguez, 7100; Manuel Rivera, 7060; Bertha Becerra, 7050; Raul E Acevedo, 7050; Agustin Lopez, 7000; Ana M Villazon, 7000; Robert H Henry, 6950; Marcos A Martinez, 6950; Silvia E Valiente, 6950; Marie T Kuesell, 6900; Elsa I Castillo, 6900; Esther Ortega, 6850; Martha Denis, 6850; Aurea S Delgado, 6800; Diego M Madrigal, 6800; Maria E Alfaro, 6800; Fidel Robledo, 6800; Silvia A Barros, 6800; Concepcion R Nunez, 6750.
 Ignacia R Cruz, 6750; Eric M Rodriguez, 6750; Mayolo G Torres, 6700; Gregorio H Gonzalez, 6700; Richard G Garcia, 6650; Humberto Gomez, 6600; Richard F Ledee, 6600; Deanna I Condino, 6400; Mirtha Farr, 6350; Rafael O O'Bando, 634; Miguel Diaz-Coello, 6200; Rene Derieux, 6200; Carlos F Montesinos, 6150; Micaela Escudero, 6150; John R Domenech, 6150; Lidia R Sosa, 6100; Mario Pecunia, 6050; Lourdes Pena, 6050; Rafael Soto, 6000; Jose O Colon, 6000; Florentina Hernandez, 6000; Emma A Martinez, 6000; Christina S Ansted, 6000; Ada C Turruellas, 6000.

TEACHER OF HEALTH IN DAY HIGH SCHOOL
 (6-69 exam) Supplement
 Emma Klotsky, 6298.

TEACHER OF HEALTH & PHYS ED IN DAY HIGH SCHOOL
 (5-69 exam) Supplement
 Robert B Honigsfeld, 7664.

TEACHER OF WOODWORKING IN DAY HIGH SCHOOL
 (6-69 exam) Supplement
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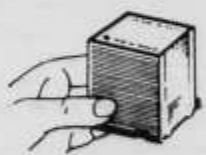
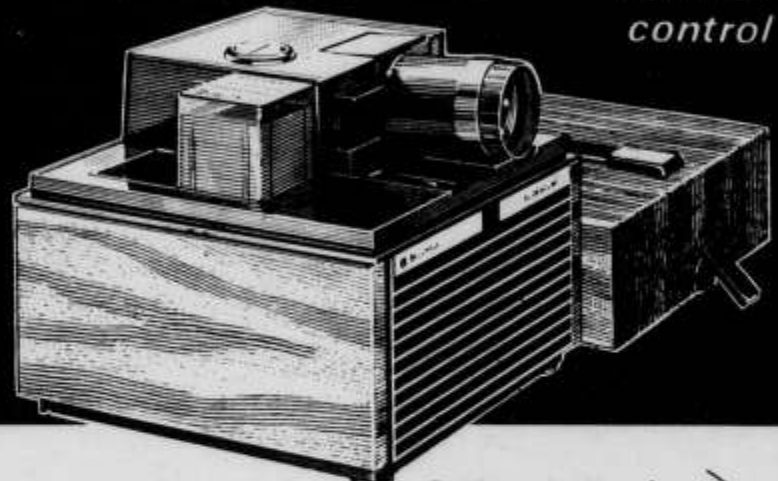
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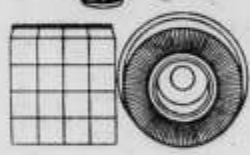
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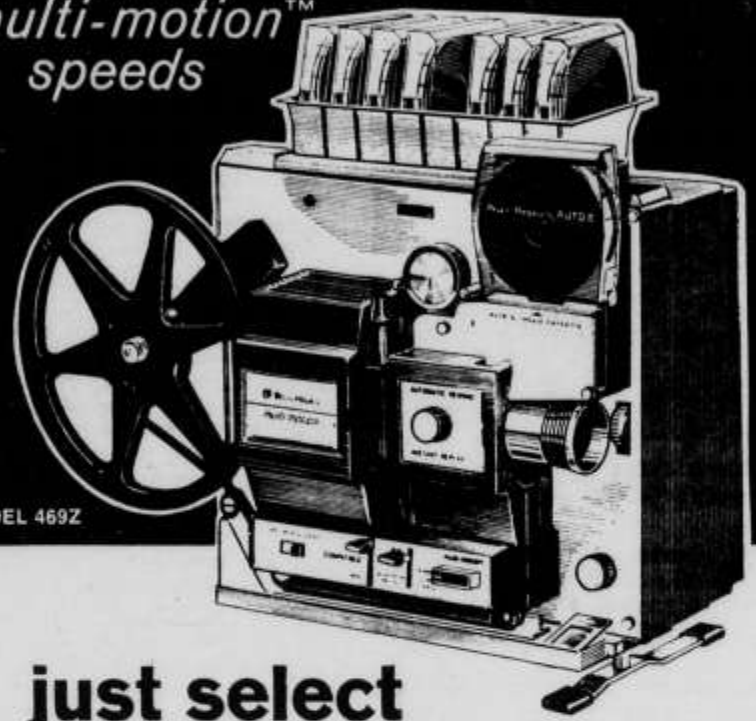
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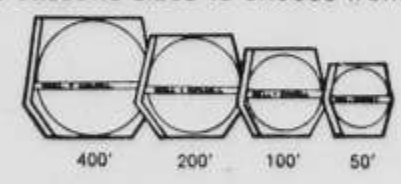


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SAM MOGAVERO: Motivated By Will To Help People Help Themselves

(From Leader Correspondent)

BUFFALO—Twelve years ago Sam Mogavero was making good money as a mechanic's helper at the Bethlehem Steel Corp. in Lackawanna.

But he wasn't happy.

"I didn't enjoy being with the same five or six people every day. I missed people in general," he remembers.

So he quit and took a job and a sizable pay cut as a groundskeeper in the Lake Shore Central School System. It was a decision that eventually not only bettered his lot, but also the lot of the Civil Service Employees Assn. throughout New York State.



Sam Mogavero sports beard as contestant in Angola's Centennial Celebration.

For in 1964, Mogavero founded a unit of the CSEA at Lake Shore. And just eight months ago, he founded a 2,300-member CSEA chapter to deal exclusively with the problems of school employees.

Vowing to establish a union at Lake Shore "even if I have to bring in Jimmy Hoffa," Mogavero worked feverishly for CSEA acceptance "because the school system had previously operated on the who-do-you-know system that provided no security and no possibility of benefits and raises that others in the public sector were enjoying."

In the early days, Mogavero says he and fellow workers had to meet on their lunch hours to discuss their fledgling union. The business manager of the system at the time, he explains, "was somewhat of a whip and there was a tremendous amount of fear if several people were seen talking together."

"... School systems have problems different from other CSEA members ..."

Now the CSEA at Lake Shore has put an end to the 44½-hour work week—a task completed before passage of a federal law—and brought to the 107 members fully paid retirement benefits, paid vacations, sick time increases, personal and bereavement time, longevity payments, paid lunch hours, a senior-

ity list, partial payment of hospitalization and, of course, pay hikes.

With that task completed, Mogavero turned his efforts to a larger puzzle and helped form the Erie County Educational Employees chapter, the 2,300-member group comprised of 14 county school systems that helped serve as a model for other school units in the statewide CSEA picture.

"I hope I'm helping someone who perhaps would have gone through life without having the benefits they are entitled to."

"I became active in county work because I wanted other CSEA units to be made aware of the fact that school systems have problems that are different from other CSEA members, namely county, town and village employees," he explained.

The Erie school chapter led to another organization Mogavero helped found, a statewide ad hoc CSEA school unit committee with five chapters throughout the state.

He's co-chairman of that committee and also serves on the CSEA restructuring committee.

Mogavero, a 53-year-old grandfather who has been married for 33 years, believes he entered CSEA activities to help others help themselves. "I hope I'm helping someone who perhaps would have gone through life without having the benefits they are rightfully entitled to," he explained.

When he first joined the school system, the feeling that prevailed was that school employees were "second-class citizens."

Sometimes, he remembers, employees at the mercy of their boards of education accepted raises of 2 or 3 cents "because that was what they were offered and they had no place to turn."

He was aroused, he feels, "because I was so aware of the fact that so many people will go through life taking just what's handed them, even if it's detrimental to their everyday living, because they are given the leftovers and not what they should be given as first-class citizens."

But the CSEA has not been his only union activity. At Bethlehem, he was active in the United Steel Workers and, before that, when he worked for the Chevrolet Division of General Motors in the Town of Tonawanda, he and 13 other employees helped form in the 1940s what today is a United Auto Workers local of more than 10,000 members.

Sometimes, Sam's devotion to the organized labor movement poses perplexing problems for him.

For instance, in a recent visit to CSEA headquarters in Albany, where as a delegate to the Executive Committee he helps decide the work contracts of CSEA office workers, he found the staffers on strike and picketing headquarters.

He refused to cross their picket lines.

Shift Utica Retirement Service; List Other Counseling Locations

ALBANY—Retirement consultant services to state and municipal employees in the Utica area will relocate beginning April 3 to the State Office Building, main floor, at 207 Genesee St., Utica, it was announced last week by State Comptroller Arthur Levitt. The office will be open on the first and third Tuesday of each month.

The service is open to members of the New York State Employees' Retirement System or the New York State Policemen's and Firemen's Retirement System. Until April 3, the consultation services will continue to be provided at the County Courthouse.

Utica is one of 18 locations throughout the state where the Retirement System provides retirement counseling services for its members.

Following is the complete schedule of retirement consultation services:

Albany	A.E. Smith Office Bldg.	Monday thru Friday
Binghamton	County Courthouse	Third Wednesday
Buffalo	State Office Bldg. (65 Court St.)	Second & Fourth Wed.
	Gen. Wm. Donovan Office Building (125 Main St.)	First & Third Wed.
Canton	County Courthouse	First Thursday
Carle Place	1 Old Country Rd.	First & Fourth Mon.
Goshen	New County Center	Fourth Wednesday
Hauppauge	County Center (Legislative Cbr.)	First Wednesday
Horseheads	Village Hall	Fourth Tuesday
Little Valley	County Office Bldg.	Second Tuesday
Plattsburgh	County Courthouse	Third Thursday
Poughkeepsie	County Office Bldg. (Nelson House Annex)	First Thursday
Riverhead	County Center	Third Wednesday
Rochester	County Office Bldg.	Second & Fourth Thurs.
Syracuse	County Courthouse	Second & Fourth Fri.
Utica	State Office Bldg. (207 Genesee Street)	First & Third Tuesday
White Plains	Westchester Cty. Center	Second & Third Mon.
N.Y. City	State Office Bldg. (270 Broadway)	First & Third Tues.
	State Office Bldg. (80 Centre St.)	Fourth Tuesday

Demands On Homer Folks Closing

(Continued from Page 1)
be sent to all agencies and departments before lay-offs occur.

- A monthly status report from OER listing all those laid off and reinstated. This report will include those who were offered positions and declined.

- Written notification to each employee three weeks prior to lay-off.

- A list of all state vacancies within the Homer Folks geographic area.

In addition, CSEA has requested:

- A list, by title and name, of the employees who will remain at Homer Folks.

- A letter from Melvin Osterman, of OER, or T. Norman Hurd, secretary to the Governor, insuring CSEA that every effort to place these employees is being made.

- In addition to the preferred list, a list of the 10 of the 22 hospital attendants who will be offered positions immediately.

CSEA and Senator Mason

jointly requested that a meeting be set up in the near future with either T. Norman Hurd or Richard L. Dunham, director of the State Division of the Budget, to discuss the disposition of the Homer Folks plant.

Southern Conf To Meet April 19

ORANGEBURG — Next regular meeting of the Southern Conference of the Civil Service Employees Assn., has been scheduled for April 19 at the Holiday Inn in Newburgh, according to Conference president Nicholas Puzifferri.

The meeting is slated for 7 p.m. in the Inn's Charter Oak Room.

Officers of the Conference will hold an executive board meeting earlier in the month. The executive board meeting, Puzifferri announced, will be April 6 at the Newburgh Holiday Inn.

Locust Valley Schools Go For CSEA

LOCUST VALLEY — Employees of the Locust Valley School District voted last week 84-4 for representation by the Civil Service Employees Assn.

Custodians, secretaries and bus drivers had previously been represented by separate, independent associations, but the system apparently collapsed last year when the employer dictated a 1.5 percent pay adjustment.

CSEA field teams directed by field representative Pat Morano and collective bargaining specialist Jim Rogers backed the organizing efforts headed by employee James DiGiovanni.

An earlier overwhelming vote for CSEA had been challenged by the district, only on the re-vote to become a nearly unanimous vote for CSEA. The new unit becomes a part of the Nassau educational chapter.

Tri-Conference Workshop Cancelled For May; New Date To Be Set

ORANGEBURG — The Tri-Conference workshop, which had been scheduled for May 6, 7 and 8 in the Catskills, may be cancelled, according to Southern Conference President Nicholas Puzifferri, who is in charge of arrangements this year for the

annual workshop.

Puzifferri said the workshop was temporarily cancelled because of "unanticipated difficulties" earlier this year in making arrangements for the workshop at a resort hotel. The problem was corrected last week, but

there was not enough time to make arrangements for the workshop for the scheduled date in May, he said.

The three conferences that sponsor the workshop are considering whether it should be postponed until next fall or until the spring of 1974, Puzifferri said. The workshop is sponsored by the Southern, Long Island and Metropolitan conferences.

Liaison Trainee

Of the 543 candidates who filed during December for open competitive exam no. 2064 for the community liaison trainee title, 420 were found not qualified by the city Dept. of Personnel.

Rensselaer Cnty. Wins Employee Credit Union

TROY — Aided by efforts of the Civil Service Employees Assn. staff, the Rensselaer County chapter of CSEA has succeeded in having a resolution passed by the Rensselaer County Legislature approving the establishment of a federal credit union for county employees.

The resolution also authorizes the County Treasurer to make

arrangements for payroll deductions for employees belonging to the credit union.

Joseph Lazarony, Rensselaer County representative to the CSEA Board of Directors and chairman of CSEA's County Executive Committee, commented: "I applaud this as another worthwhile service provided to the public employee by CSEA."

WHERE TO APPLY FOR PUBLIC JOBS

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

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

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

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

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

STATE—Regional offices of the Department of Civil Service are located at: 1350 Ave. of Americas, New York 10019; (phone: 765-9790 or 765-9791); State Office Campus, Albany, 12226; Suite 750, 1 W. Genesee St., Buffalo 14202. Applicants may obtain announcements either in person or by sending a stamped, self-addressed envelope with their request.

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

Judicial Conference jobs are filled at 270 Broadway, New York, 10007, phone: 488-4141. Port Authority jobseekers should contact their offices at 111 Eighth Ave., New York, phone: 620-7000.

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

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

LEGAL NOTICE

RAY-LEE ASSOCIATES, 152 W. 42 St., NYC. Substance of Certificate of Limited Partnership filed in New York, County Clerk's Office on February 5, 1973. Business: Own and operate real property. General Partners: Raymond Heitner, 395 E. 151 St., Bronx, N.Y.; Leona Heitner, 395 E. 151 St., Bronx, N.Y. Limited Partner, Agreed Value of Contribution (Real Property) and Share of Profits: Raymond Heitner and Leona Heitner, \$18,200 each, 26% each; Anne Weinrib, Greenbriar A212 Century Village, W. Palm Beach, Fla.; William Wilson, 91-57 Froud Ave., Surfside, Fla., \$5,600 each, 8% each; Bella Schatzberg, 77 S. Park Ave., Rockville Centre, N.Y.; Beverly Karnell, 1536 E. Colter, Phoenix, Ar.; Samuel Wilson, 6101 Calle Aurora, Tucson, Ar.; Benjamin Wilson, 21911 Whitmore St., Oak Park, Md.; Irene Kellner, 150 Lenox Rd., Brooklyn, N.Y.; Marcia Skalor, 10 Nancy Place E., Massapequa, N.Y., \$2,800 each, 4% each; Barry Heitner, 140 E. 17 St., NYC; Sheila Grossman, 11 Willow Terrace, Verona, N.J.; Mildred Heitner, 321 East 24 St., NYC, \$1,866.67 each, 2 2/3 each. Partnership to terminate on December 31, 1982. No additional contributions agreed to be made. No time is agreed upon for return of contributions. Limited partners shall not substitute assignee in his place without consent of general partners. No additional limited partners to be admitted. No priority among limited partners. The remaining partners may continue the business on death, retirement or insanity of a general partner. No right is given limited partner to demand property other than cash in return for his contribution.

Latest State And County Eligible Lists

EXAM 34932
SR HYDRO-ELECTRIC OPR
Test Held Nov. 11, 1972
List Est. March 9, 1973

- Beutel D Newfane 81.2
- Woodward J Clarksville 78.3
- Aldridge W Albany 73.7

EXAM 34938
MARINE RESOURCES SANITARN
Test Held Oct. 14, 1972
List Est. March 12, 1973

- Schneck R Rocky Pt 73.7

TRANS PROG ADMINR NYC
EXAM 34678
Test Held April 22, 1972
List Est. Feb. 20, 1973

- Dickson A Dix Hills 97.0
- Casseday W Cheektowaga 93.0
- Purple R Canandaigua 93.0
- Ippolito S Massapequa 92.0
- Bauman A Poughkeepsie 90.5
- Shub D Dewitt 86.5
- Throop R New Hartford 86.5
- Heineman D Springbrook 85.7
- Schulman P Elmont 84.0
- Thomas J Albany 82.7
- Pearce R Greenbush 82.0
- Gardeski R Rhinebeck 81.9
- Randles D Schenectady 80.3
- Sigal A E Northport 77.9
- Herr C Delmar 77.2
- Zaines G N Massapequa 76.8
- Parra H Schenectady 75.3
- Hoffman T St James 74.8

- Scheinbart I NY 74.0
- Jeffers J W Babylon 72.8
- Koch T E Greenbush 72.1

EXAM 34929
U I INS ACCOUNTS EXMR
Test Held Oct. 14, 1972
List Est. March 8, 1973

- Dulin D Schenectady 97.6
- Ackerly W Albany 97.1
- Didomenico F Troy 92.6
- Hall G Mt Morris 91.3
- Peters J Tully 89.6
- Cuthrie J Latham 89.5
- Barrett W Albany 89.1
- Trombley A Glens Falls 88.3
- Sherry R Elora 85.6
- Vancranken D Cohoes 85.4
- Howard P Buffalo 84.8
- Larochelle V Cohoes 80.3
- Scott R Albany 79.3
- Craig N Ravena 78.9
- Schreiber J East Aurora 78.1
- Barton D Latham 78.0
- Lipfeld J Albany 77.9
- Galinski R Amsterdam 77.9
- Banta J Amsterdam 77.6
- Tierstein M Bklyn 77.6
- Maxim B Albany 77.3
- Conroy M Waterlvt 76.5
- Lasky H Bklyn 76.4
- Doherty J Troy 75.4
- Higgitt H Waterlvt 74.4
- Mele R Troy 74.4
- Person T Albany 73.1
- Cheanow R Bklyn 73.0
- Tasick J Waterlvt 72.9
- Michaniv M Albany 72.0
- Spencer C Old Chatham 71.9
- Ward C Elizaville 71.8
- Lawrence E Schenectady 71.5

EXAM 34933
HEAD HYDRO-ELECT OPR
Test Held Nov. 11, 1972
List Est. March 9, 1973

- Quimby C Cohoes 87.2
- Watson W Cohoes 78.7
- Miller I Schenectady 75.8
- Woodward J Clarksville 74.3

Don't Repeat This!

(Continued from Page 6) is the only fair and equitable procedure.

It is equally obvious that PERB actions on these employees will impose an impossible administrative burden on that agency and will contribute to the further clogging of court calendars. Neither of these eventualities will in any way promote the public welfare.

This statute was passed by the Legislature in 1971 in a pique of retribution against the growing power and militance of public employee organizations. For more than three decades, CSEA has represented all levels of public employees in the best interests of the public, the public employers and the public employees. It is about time that the Legislature returned to its senses and repealed that iniquitous statute.

Civil Service Law

(Continued from Page 6) since more than two years had elapsed from the time the incident happened until the charges were brought, the Randall case did not present an extraordinary situation where a specific valid governmental interest would justify a suspension and loss of pay prior to a hearing.

This holding, if followed by appellate courts, would bar suspensions prior to hearings under Section 75(3) in the absence of a showing of a "valid governmental interest."

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Chenango Negotiations Break Off After County Nixes Fact-Finder Report

(Special to The Leader)

NORWICH—Negotiations between the Civil Service Employees Assn. and Chenango County bargaining representatives broke off today when the County rejected the fact-finding report of Robert J. Rabin, a representative designated by the State Public Employment Relations Board to review the position of both negotiating parties.

Briefs, submitted by CSEA and the County, indicated that settlement was still to be achieved in the areas of wages, health insurance, retirement, vacations and automobile mileage allowance for privately owned vehicles used for county purposes.

CSEA has justified its impasse position, based on comparable levels of benefits in the four surrounding counties of Broome, Cortland, Otsego and Tompkins, as well as numerous statewide comparisons. CSEA contends that "Chenango County has fallen badly behind the other area counties in most negotiation areas and fares unfavorably in contrast to local private industry."

Fact-finder Rabin, in considering briefs prepared by both sides, made a wage increase recommendation of 5½ percent, which was below the 6 percent CSEA was looking for. He said, however, that "The recommendation should not be taken to mean that the current wage level in the county is adequate. The evidence shows that in general it is not . . ."

CSEA accepted the County's wage offer based on the current 5.5 percent federal guideline, according to CSEA negotiator Harman Swits. "But," said Swits, "the County rejected virtually every other recommendation made by the fact-finder that

wasn't in their favor."

Rabin called for improved health insurance benefits for Chenango County employees, stating that "In view of the low wage of the County employees, these additional benefits are needed to ease their financial burdens." The County turned down this finding.

County bargaining representatives also rejected Rabin's fact-finding changes to the county's retirement plan, which leaves the amount of an employee's pension unaltered, but allows for a death benefit should he die while in county service. He noted that Chenango County was one of three in the state offering the lowest available retirement plan to its employees.

Vacation and mileage also served as negotiation stumbling blocks. CSEA asked for an increase in the number of vacation days to 15, after seven years of county employment. This would increase to 20 after 14 years, according to the CSEA demand.

County negotiators presented no data, but asserted that they would not submit to any improvement of employee vacation benefits.

Rabin's report said, "The fact-finder has studied vacation benefits in other counties including the four contiguous ones, and finds that the Chenango County employees fare badly."



Four of the persons selected to form a slate of nominees for the Capital District Conference elections are, from left, Eleanor Chamberlain, Education; Karen Herbst, Rensselaer County; Santa Orsino, Tax, and Ann Kearney, SLA. Committee member Boris Kramarchyk, OGS, was missing when the photo was taken.

CAPITAL CONF ORGANIZES CAMPAIGN TO PROTECT UNION PENSION RIGHTS

(From Leader Correspondent)

ALBANY — Capital District Conference last week completed plans for a full-scale letter-writing campaign in connection with the Civil Service Employees Association's efforts to protect employee pension rights by defeating the recommendations of the Kinzel Commission.

Conference chapter representatives will be working with their own members to see that a massive mail campaign expressing CSEA's views goes out to every State Senator and Assemblyman representing Conference chapter areas. Conference president Ernest Wagner called the plan "one of the most important selling jobs we can do in order to protect the rights we have won."

The Conference selected as members of a nominating committee for new officers, to report at the next regular meeting in May, Eleanor Chamberlain, Education; Karen Herbst, Rensselaer County; Ann Kearney, SLA; Boris Kramarchyk, OGS, and Santa Orsino, Tax.

Action on site selection for the combined Summer meeting and Conference 25th Anniversary celebration was deferred pending receipt of rates. Dates under discussion are June 15-17.



Manning the registration desk at last week's Capital Conference meeting were, from left, Irene Dougherty, Correctional Services; Connie Buckley, Civil Service, and Barbara McKeever, Insurance. Signing in is CSEA field representative Rex Trobridge.

Nurses Protest On Steps Of Capitol

(Continued from Page 3)

for nurse administrator examinations on a one-time basis. Any incumbent could take the "one-shot" test, but thereafter qualifications must be met before any nurse could enter the administration field.

Waterfront Talks In Bog

Negotiations between the New York Waterfront chapter of the Civil Service Employees Assn. and the Waterfront Commission remain unfruitful, according to chapter president Harold Krangle.

In three meetings during the past month with Commission representatives, no contract proposals have been made on salaries and other benefits. Krangle said, "In fact, the Commission still has not honored its agreement of two years ago to print an employee manual outlining the policies hammered out at that time," he explained.

"They are functioning under a day-to-day policy, depending on whoever is the supervisor," Krangle noted.

Commissioners Joseph Kaits of New York, and Richard Vander Plaats, of New Jersey, have not yet taken personal part in the contract talks.

McKenna offered no such waiver of qualifications for any of the other newly created titles in his ultimatum. "Without some form of incumbent protection," Ryan noted, that "the proposal is out of line with statistical realities."

The certificate in a nursing specialty, required for the G-17 nurse specialist position, is "ridiculous," Ryan said, "since the training programs are simply not available." When queried on this, OER negotiators were vague in specifying what kind of certificate they were looking for, and what schools carried the programs.

The CSEA nurse negotiators universally decried the treatment of the LPN in the career ladder. They said she was "dead-ended" at grade 9 and that CSEA's original demands must be adhered to, in elevating her to a grade 11 after appropriate on-the-job experience.

Judith Wren, speaking for the CSEA negotiating team, said, "Throughout all the negotiation sessions, we have continually asked the OER people for clear-cut job descriptions on all the titles we discussed. They claim we may not get them for another two years. It's becoming obvious that without them, we have no way of knowing how they intend to use the nurse in the new team approach."



Statewide CSEA second vice-president A. Victor Costa beams over plaque presented to him at Long Island Conference meeting on restructuring. Conference officers, from left, are first vice-president David Silverman, treasurer Thomas Kennedy, president George Koch, second vice-president Albert Varacchi and secretary Agnes Miller.

LI Conf Presents Plaque To Costa

PLAINVIEW—The Long Island Conference of the Civil Service Employees Assn. presented state second vice-president A. Victor Costa a bronze plaque in honor of his work as chief of the restructuring committee at a special meeting here Thursday night.

Costa gave the Long Island delegates a detailed analysis of the implementation

of the restructuring program, and pledged that the committee would continue in existence for two years "to see that it is implemented."

Conference president George Koch, who served on the Costa committee, presented the award. It was inscribed, in part, "his dedication and devotion most truly exemplifies CSEA all the way."