Official publication of The Civil Service Employees **Association** 

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## CSEA WINSOSHA

### McGowan calls passage a great union victory

### Bill on governor's desk, union urging immediate signing, implementation

ANAHEIM, Calif. - "We're now only a signature away from the reality of occupational safety and health protection for our people.

"This is a great victory," de-clared CSEA President William L. McGowan upon hearing that the Senate had joined the Assembly in passing the public employee OHSA (Occupational Safety and Health Act)

McGowan had earlier called achievement of OSHA legislation the top priority legislative objective of the union. CSEA had worked for two years and had devoted weeks of intensive lobbying effort this spring to

obtain passage of the measure.

Final passage of the bill came in the
Senate late Wednesday afternoon with only 10 dissenting votes registered. The previous day, only two Assemblymen had voted against the safety bill.

"We are now urging Governor Carey to sign this legislation immediately. The sooner the law is implemented, the sooner we can be assured that many among us will be spared needless suffering and hardship from avoidable occupational accidents and health hazards, McGowan said.

Some 900,000 public employees throughout New York state would benefit from safer workplaces under the OSHA coverage.

McGowan commended the many rank and file union members who converged upon Albany in recent weeks to lobby for the OSHA legislation.

Augmenting the efforts of CSEA expert lobbyists were hundreds of individual members who expressed their support for the measure both in person in the capital and through cards, letters and phone calls to their legislators.

"Of course, this is a great victory on a humanitarian basis. But legislators also recognized that this measure will actually save money in the long run, because ultimately it's cheaper to prevent an accident than to pay the full cost that governments incur as the result of an accident," he

CSEA Legislative and Political Action Director Bernard Ryan reported that debate on the floor of the legislature was led by the bill's sponsors, Labor Committee Chairman Frank Barbaro, a Democrat, in the Assembly; and John Flynn, a Republican, in the Senate.

Helping Barbaro in the two-and-ahalf-hour debate on the bill were Democrats Saul Weprin, Anthony





LEADING THE DEBATE FOR OSHA in the State Legislature are the sponsors of the bill, from left, Senator John Flynn and Assemblyman Frank Bar-

Seminerio and Dennis Butler and Labor Committee ranking Republican Joseph Reilly.

Barbaro, in the debate, called for an end of the second-class citizenship public employees have been suffering under regarding on-the-job safety. Joining Flynn in the Senate debate

were Republican Majority Leader Warren Anderson and Labor Committee Chairman Norman Levy

Levy, who had introduced an OSHA bill of his own, said in support of the CSEA-backed legislation: "This bill is tough medicine . . . Public employers have brought this on themselves."

#### Cars returned to Parks employees

ALBANY — Agreement has been reached with the State Office of Parks and Recreation (OPR) to restore employees' use of vehicles on a round-theclock basis

CSEA filed an Improper Practice charge in early 1979 when OPR unilaterally changed its policy on assignment and use of State vehicles.

Previously some personnel, who were on call 24 hours a day, were provided with State-owned vehicles as a condition of their employment.

Such employees included maintenance supervisors, plumbers, carpenters, enforcement personnel, and field men responsible for boating and snowmobile safety, as well as staff who would have to respond in the event of forest fire.

By having their State vehicles at home, for example, employees would be able to respond quickly to emergencies arising at night or on weekends.

CSEA contended in its Improper Practice charge that the unilateral change in condition of employment was a violation.

"The State was motivated in large part by a need to save money on fuel as the cost of gasoline rose commented CSEA Collective Bargaining Specialist Nels E. Carlson, who brought the charge

'So they switched the burden to the employees. Public employees have a difficult enough time keeping up with the rising cost of living and runaway gasoline prices without the State adding undue hardship by taking away work vehicles," he said.

Under the agreement reached earlier in June, CSEA withdrew its Improper Practice charge, and the Office of Parks and Recreation returned vehicles to all employees who had use of State-owned vehicles prior to February 1979.

#### Some EnCon problems resolved

ALBANY — The latest in a seemingly endless sequence of labor problems with the New York State Department of Environmental Conservation have been resolved, and a meeting scheduled for mid-June between Civil Service Employees Assn. and EnCon representatives may be the first step toward minimizing difficulties for good, says Jack Corcoran Regional Director for the Capital Region of CSEA.

The union recently reacted angrily when it discovered that the administration at Gore, Whiteface and Bellayre Ski Centers had not been paying overtime meal allowances to seasonal employees. Then in May, when the seasonal employees were laid off for the

summer months, they found they were unable to collect unemployment insurance because EnCon's main office of personnel in Albany failed to meet a deadline for filing the necessary records with the State Department of Labor.

In the past, only permanent workers were entitled to receive payment for meals when working overtime, and ski center officials told the union they were not aware that a clause in the state contract, effective April 1979, extended this benefit to seasonal employees.

As a result, more than a year's worth of reimbursements were due some 300 employees at the three centers. Though the debt has been paid, following a grievance filed by

the union, Corcoran says he has not yet received information he requested from EnCon detailing the individual amounts owed and the number of hours worked.

The union voiced discontent with EnCon and demanded an explanation when the seasonal employees were forced to wait an additional two weeks to collect unemployment benefits due to the untimely filing of records. All employees have now been paid the delayed amount retroactively, Corcoran reports.

The union has had numerous disputes with EnCon in the past over its treatment of employees, particularly attempts to deny rights to seasonal workers. Most of the difficulties, Corcoran and other union

personnel believe, stem from a lack of communications between the EnCon's main personnel office in Albany and personnel offices at the many job sites.

"It seems the main office operates on one set of policies and the branch offices operate on another set. When they conflict it's the employee who suffers," Corcoran commented.

In May Corcoran and North Country Field Representative Charles Scott presented EnCon officials Tom Ryder, Frank Ducharme and Will Righter with an agenda containing 25 items which have caused hardships for the workers. The three have been given some time to review the list and the two sides will meet for further discussion on June 19.

# CSEA stands on affirmative action bills

ALBANY — Recent CSEA testimony before the state legislature emphasized the union's strong support of affirmative action in the public sector.

public sector.

However, that support did not necessarily extend to the four proposed bills on which CSEA Political Action Director Bernard J. Ryan testified.

"The bills vary greatly in quality and effectiveness," Ryan said. The only one the union supports as proposed is Bill Number 10861, which simply requires the review of affirmative action plans by state agencies and the Division of Human Rights.

Division of Human Rights.

Bill 10863 would require unbiased Civil Service exams — a concept that CSEA wholeheartedly endorses. But the bill as written overlooks the fact that many civil service exams are already "biased" in that they do not relate closely enough to the jobs in question. "Until the Civil Service Dept. is adequately funded, so that all exams can be both bias-free and jobrelated, this bill itself will not alleviate the problem," Ryan noted.

Bill 10862 would create two sets of eligible lists in job series where women and minorities are underrepresented — one for women and minorities, and one for all others. The appointing authority could then appoint from either list. Ryan said that this bill, like 10863, is noble enough in intent, but that it doesn't really address the problem.

Finally, bill 10864 would mandate

Finally, bill 10864 would mandate that exams be given in job series where women and minorities are underrepresented, but the fact that it does not adequately define "underrepresented" loses it the sup-

port of the union.



THE BEST CONTRACT EVER - A two-year contract, effective July 1, 1980, has been signed for the Oceanside School District by Dr. William F. Tucker, Superintendent of Schools, center; Mrs. Trudy Fox, President, Oceanside CSEA Clerical Unit, right; and Frank Fasano, President of the Nassau Educational Local, left. Standing are John O'Sullivan, CSEA Field Representative and chief negotiator; Mrs. Margaret Pepe, First Vice President and Mrs. Betty Dunwoody, member of the Oceanside Negotiating unit. Other members, not pictured were: Mrs. Ellen Hughes and Mrs. Vivian Wulbern.

#### Schodack contract

SCHODACK — The Schodack School District Unit of the Civil Service Employees Assn. recently reopened negotiations on a contract effective June 1979 to June 1981, and succeeded in adding another year.

The contract, which now expires in June, 1982, calls for additional

The contract, which now expires in June, 1982, calls for additional monetary increases in the last year, a streamlined job security clause identical to Article 33 of the state employees contract and a sick leave bank, in which employees voluntarily contribute some of their unused sick leave for the benefit of those who have used theirs up.



OFFICERS OF THE AMAGANSETT UNIT of Suffolk County Local 852 recently were sworn in, including from right, Gordon Vorpahl, Jacqueline Dutton, Bonnie Englehardt, Eugene Garypie and Cheryl Ecker. Local 852 President Ben Boczkowski, left, is the installing officer.

Creedmoor Psychiatric Center recently named Grace Garside, left Senior Mechanical Stores clerk, Engineering Department, as its Employee of the Month. The award is presented to employees whose work has, directly or indirectly, most raised the level of patient care at the hospital. Joining Ms. Garside after the ceremony are supervisor Frank Tassiello and Dorothy King, President of CSEA Local 406.



#### Pilgrim Local holds open house

WEST BRENTWOOD — Pilgrim Psychiatric Center CSEA Local 418 held its first Open House on May 27 at the State facility.

At the Open House, members of Local 418 manned a number of information tables on local and union activities including stewards, political action, retirement, Employee Benefit Fund and the Clerical and Secretarial Employee Advancement Program.

Health care and insurance providers also had information tables at the Open House.

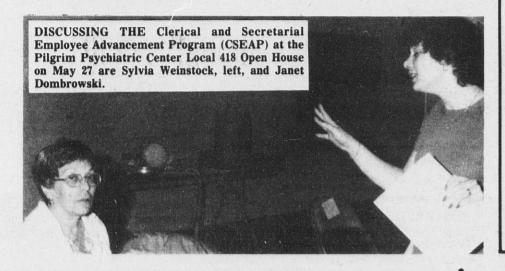
Local 418 President Bill Chacona said, "This open house will allow many of our members who don't usually attend meetings to obtain a lot of information about the local and the many services available to them."



OPEN HOUSE BY Pilgrim Psychiatric Center CSEA Local 418 on May 27 is attended by, from left, Long Island Region I Director William Griffin, Local 418 First Vice President Jean Frazier, Region I President Irving Flaumenbaum and Local 418 President William Chacona.



PILGRIM PSYCHIATRIC CENTER LOCAL 418 Legislative and Political Action Committee members, from left sitting, Chairman Ray Magliulo, John Mills and David R. Williams; are joined at the Local 418 Open House on May 27 by, from left, Robert Kolterman and Norman Bohrer, both of Suffolk County Local 852; and Hugh O'Haire, CSEA communications specialist.





MANNING THE STEWARDS TABLE at the Pilgrim Psychiatric Center Local 418 Open House on May 27 are, from left, Joseph Lind, John Jackson, Jackie Boboris and Helen Regis.

# Arbitrator restores back pay

PLEASANTVILLE — The president of the Village of Pleasant-ville CSEA Unit, Catherine Long, has been awarded back holiday pay as the result of a favorable arbitration of a grievance filed on her behalf by CSEA.

Arbitrator Steven J. Goldsmith, in a decision dated May 19, 1980, restored two days of holiday pay originally denied Ms. Long.

CSEA Field Representative Donald Partrick told the following story:

Ms. Long has been an employee of the Village of Pleasantville since January 1972. She is a control clerk in the Office of Finance of the village.

She received a memorandum in September 1972 reducing her workweek from five days to four days. From that time until January 20, 1980, she worked Mondays, Wednesdays, Thursdays and Fridays. By agreement, during the holiday weeks Ms. Long worked four days and received five days pay

received five days pay.
On Jan. 7, 1980, she received a memorandum effective Jan. 21, 1980, changing her work week to Tuesday through Friday. The memorandum also changed her holiday pay situation. She would not receive pay when a holiday fell on Monday, which many do.

On Jan. 15, 1980, Partrick filed a grievance and an Improper Practice.

The grievance claimed a violation of the holiday clause of the contract by the village.

The improper Practice, in addition to the contract violation, alleged a unilateral change in terms and conditions of employment and harassment of Ms. Long, a union officer.

The grievance was carried through all four steps before CSEA won at the arbitration level. Representing CSEA in the arbitration was Regional Attorney Arthur Grae.

The arbitrator's award included the paying Ms. Long for the birthdays of Lincoln and Washington which the village had not paid in February 1980.

#### **Steward reinstatement**

SYRACUSE — A settlement has been reached between CSEA and the New York State Office of Employee Relations regarding three grievances and an Improper Practice Charge filed on behalf of Ms. Karen Gardner, an employee of the State Department of Transportation.

Claire McGrath, Syracuse City Local 013 President, announced the settlement specified Ms. Gardner be reinstated to the position of Senior Clerk, Grade 7, retroactive to April 10, 1980, with pay reimbursement consisting of the difference in salary between the Grade 7 rate of pay less her earnings at Grade 5.

In reviewing the issues leading to the May 16, 1980 settlement, McGrath said four grievances and an IP Charge were filed in mid-April on behalf of Ms. Gardner following an incident involving spray painting at a DOT facility in March.

According to McGrath, Ms. Gardner, while serving as union steward, had requested a supervisor to take the necessary steps to correct a serious ventilation problem caused by fumes in a work area being spray painted. The reasonable request met with resistance and, in the evening of the day of the incident, she was notified of her termination.

Ms. Gardner notified her Local president and CSEA Field Representative Terry Moxley. The grievances and IP charge were filed and subsequently the case was turned over to CSEA Counsel Michael Smith.

Following a review of the case by both sides in Albany, a settlement was reached with Ms. Gardner receiving full reinstatement and retroactive salary. In return, CSEA agreed to withdraw the IP charge and three of the grievances. A fourth grievance involving a safety violation is still pending.

### Public—SECTOR

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SCHOLARSHIP COMMITTEE—CSEA recently announced the awarding of CSEA College Scholarships to a dozen high school seniors for the 1980-81 academic year. Members of the Special CSEA Scholarship Fund Committee are shown studying the approximately 625 applications for the 12 awards, given this year in memory of long-time CSEA Region IV activist Geraldine Dickson. From left front, clockwise, are Sandra Delia, Nina Spacone, committee chairman Dominic Spacone, Tom Stapleton, Judy Wilson and Mary Majestic. Committee member Joe Johnson is missing from the photo.

#### State awards 10 employees for suggestions

Ten State employees received a total of \$650 in cash awards in April for money-saving ideas submitted to the New York State Employee Suggestion Program. This Program is administered by the New York State Department of Civil Service, Estimated first-year savings from these suggestions total more than \$7,500.

Award Recipients:

\$100 — Kristin Bliven, Senior Data Entry Machine Operator, Patrick Keevern, Senior Clerk, and Cynthia Sadowski, Taxation Technician I, Department of Taxation and Finance, Albany; Rita Johnson, Senior Identification Clerk, Division of Criminal Justice Services, Albany, and William Divinsky, Social Services Disability Analyst, Department of Social Services, New York City.

\$50 — Dorothy Labonte, Tax, Albany.

\$25 — Joseph Liotta, Social Services, Albany; W. R. Soloski,

Department of Labor, Port Henry; Thomas Dixon, Labor, Buffalo, and Margaret Schumaker, Labor, Albany.

Cash award recipients also received Certificates of Merit. Certificates of Merit were also awarded to Deborah Kazukenus, Social Services, Albany; Rose Zegel, Labor, Patchogue; Arlene Weisman, Labor, Bay Shore, and William Baker, Department of Transportation, Hauppauge.

## Village unit pay raise

MANORHAVEN — In an unprecedented move, the Village Board of the Village of Manorhaven, voted at its May meeting to increase the salaries of its employees an additional 3 percent.

The employees, all members of CSEA Local 830, will receive a total of 8 percent this year in addition to other benefits negotiated last year. The 4-year settlement had given the employees a 20 percent increase in wages, a vast improvement in their retirement benefits, extra vacation, sick and personal days and other fringe benefits.

According to Mayor James F. Mattei, the Board, in appreciation for the workers dedication to the village and in view of the high cost of living increases experienced this year, felt that the workers should receive some increase.

Mattei, a full time Nassau County employee, abstained in the vote, since he is an active union member. Mattei is a Grievance Board member and an elected delegate of Local 830.

#### SYMPOSIUM on Social Security in https://www.front.gov.County Local 860: Long Island Region

Editor's note: The following letter of thanks was written to Nicholas Abbatiello, president of Nassau County CSEA Local 830, by a CSEA member who heretofore did not have an occasion to call upon the union for assistance. The promptness with which the union assisted the member, and the manner in which she was treated, led to this letter of appreciation.

Dear Mr. Abbatiello:

In all the years I have been a member of CSEA I have never had the occasion to use the services of the Union that protects me and my rights. But on May 15 I had occasion to call on Rita Wallace with a grievance I had regarding my

Contract Longevity. She made one phone call to the Civil Service Commission and the problem was resolved promptly. I could not believe it. Needless to say I was overjoyed and overwhelmed by the courtesy and service afforded to me.

I want to thank you and your wonderful staff, Rita Wallace in particular, for the truly fine service CSEA gives to County employees, and to me in particular.

Sincerely, Edith Lieberman Clerk Typist I Dept. of Commerce & Industry Code 161



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#### Nassau County adds two more holidays

MINEOLA — The 14,000 employees of Nassau County represented by CSEA Local 830 have two more holidays — Martin Luther King Day and Flag Day — Local 830 President Nicholas Abbatiello announced.

The two holidays officially became part of the CSEA contract with the county when the New York State Court of Appeals in March 1980 refused to grant the county permission to appeal a lower court ruling on the holidays.

Abbatiello said the mechanics of paying holiday pay, compensatory

NEWLY APPOINTED Long Island Region I Director William Griffin, left, is congratulated by fellow regional directors, from left. Thomas Luposello, Region III; George Bispham, Region II; and Lee Frank, Region VI. The regional directors are attending the CSEA County Delegates Workshop on June 5.

time, etc., back to 1977 have been worked out by attorneys for CSEA and the county.

He said because of the thousands of present and former county employees involved and the many different rates of pay involved, there will be some time lag between the working out of the agreement and the retroactive payment to the employees.

As of June 8, 1980, those employees of the county since CSEA attempted to have the two days recognized as holidays, are owed pay and/or time for 8 days.

According to the New York State General Construction Law, Martin Luther King Day is celebrated on the third Sunday in January and Flag Day is celebrated on the second Sunday in June.

In 1977, newly elected Local 830 President Abbatiello discovered that the General Construction Law had been amended by the State Legislature to include Martin Luther King Day and Flag Day to be celebrated as mentioned above.

The CSEA-Nassau County contract gives the employees those holidays

State designated in the General Iartin Construction Law.

When the county refused to grant the holidays, CSEA took the matter to

When the county refused to grant the holidays, CSEA took the matter to court. It was finally resolved in March 1980.

Abbatiello said he expects employees to be given pay and/or time off retroactive to 1977 as follows:

- Those employees who worked on the holidays would be paid holiday pay.
- Those employees who did not work on those holidays would be owed one day off for each holiday. Medical Center and Social Services employees would be paid for those holidays not worked.
- Compensatory time or cash payments would be based on the contracts in effect at the time of the holidays.
- Compensatory time must be used no later than Dec. 31, 1981.
- Employees who used sick leave, vacation, personal leave or bereavement leave on those holidays would have those days restored.





DISCUSSING LOCAL FINANCES at the Region I officers training workshop are, from left, Joseph Salvino, CSEA staff; Louis Mannellino and Vincent LeDonne, DOT Local 508; Ethel Strachan, Eric Broecker and Arthur Loving, State Parks Local 102; and Cathy Green, Suffolk County Local 852.



LECTURING ON DUTIES OF OFFICERS at the Region 1 officers training workshop is regional Education Committee Chairman Gregory Zurnicki.

# Region I training meetings

CSEA leadership from Long Island Region I received instruction on lobbying and voter registration at a political action workshop recently.

The region also held an Officers Training Workshop recently.

Lobbying techniques were explained and demonstrated by Edward Draves of AFSCME. Voter registration was discussed by John D'Alessandro, also of AFSCME.

CSEA Legislative and Political Action Committee members and

co-chairmen of the Region I committee Mike Curtin and Nicholas Abbatiello spoke on CSEA's lobbying efforts in Albany this year.

Abbatiello reminded the audience of CSEA President William McGowan's promise to use the union's political ability to try to help elect "our friends and bury our enemies."

Draves also spoke on the 800,000 member New York State Public Employee Conference (PEC) of which CSEA and AFSCME are

members

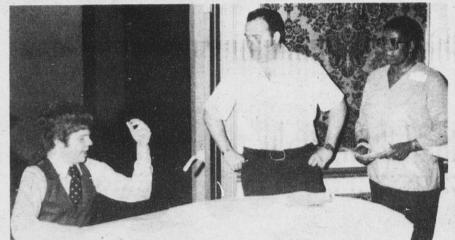
He said PEC is supporting six pieces of legislation this year including OSHA of which CSEA is out front on.

"PEC is the biggest lobby in the state," Draves said.

Draves also explained AFSCME's computerized Congressional District Information System (CSIC) which will be able to identify all AFSCME members in a particular geographic area.

LONG ISLAND REGION I PRESIDENT Irving Flaumenbaum, left, greets members of the region at the political action workshop in Melville. Other speakers at the workshop included, from left, regional Legislative and Political Action Committee Co-chairmen Michael Curtin and Nicholas Abbatiello from Suffolk Education







(Above) THE JUNE 5 BANQUET at the County Delegates Workshop is attended by, from left, statewide Secretary Irene Carr, Region IV President Joseph McDermott, new CSEA Administrative Director Thomas Whitney and County Executive Committee Chairman Mary Sullivan.

(Left) CHAIRING THE GENERAL SESSION at the County Delegates meeting on June 6 at Kutsher's Country Club is County Executive Committee Chairman Mary Sullivan. She is joined at the session by the committee co-chairman, Dominic Spacone.



(Above) CSEA OFFICIALS AT THE County Delegates Meeting include, from left, Executive Vice President Thomas McDonough, Executive Director Joseph Dolan and statewide Treasurer John

MONTICELLO — "The County Division is growing and will continue to grow," predicted CSEA Executive Vice President Thomas McDonough.

McDonough spoke at the banquet on June 5 of the County Delegates Meeting, June 4-6, at Kutsher's

Country Club. County Executive Committee Chairman Mary Sullivan praised the work of CSEA Administrative Director Thomas Whitney, CSEA Education Director Thomas Quimby, the regional directors, the collective bargaining specialists and the AFSCME education

County

Meeting

staff for putting the program together.

The program consisted of meetings of the Probation, Social Services, Non-Teaching School Personnel and Women's committee; an AFSCME program on leadership development; orientation for AFSCME convention delegates; the labor film "Maria," the story of a union organizer; and the general session

There also were information tables by the CSEA Employees Benefit Fund, CSEA Employee Assistance Program, CSEA treasurers, New York State Retirement System and various medical and insurance providers.

Ms. Sullivan informed the delegates that a committee of 10 members of the County Executive Committee — two from each region except Region II — is studying a restructuring of the County Executive Committee.

At the banquet, she announced the retirement in August of Westchester County Local 860 First Vice President Carmine LaMagna, who has been an officer of Local 860 and/or the Westchester County Unit since

Banquet speaker Martin Scheinman, an arbitrator and mediator, spoke on what public employee labor should expect in the 1980s.

Scheinman said that while public employees have been the "whipping boys for the community," inflation is starting to cause a "sympathy for public

He said it is hard for persons to demand a freeze on public employee salaries when inflation jumps to 18 percent

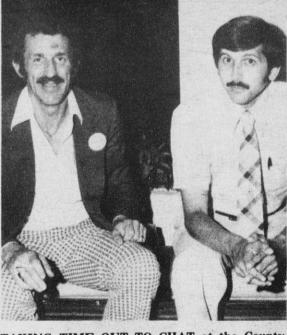
(Below) HOLDING A DISCUSSION at the County Delegates Meeting are, from left, CSEA Communications Director Gary Fryer, Saratoga County Local 846 Board Representative William McTigue and Metropolitan Region II President James Gripper. Mc-Tigue is chairman of the statewide Communications Committee.





RECING A WARM ROUND OF APPLAUSE at ty Delegates Meeting on June 5 is Carmine and his wife, Kay, following the an-Lal noument by County Executive Committee Chain Mary Sullivan that LaMagna would be retir-ing igust 1980. He has been a Westchester County Unit officer since the mid 1960s. He is First sident of Westchester County Local 860.

THERIENTATION SESSION FOR AFSCME at the County Delegates Meeting is attended as Murphy, Onondaga County Local 834; and Ierrig, Oneida County Education Local 869.



TAKING TIME OUT TO CHAT at the County Delegates Meeting are, from left, Walter Davenault, Saratoga County Local 846; and Thomas Bruno, Cattaraugus County Local 805.



THE TWO MEN holding a discussion are, from left, Carmine DiBattista, Westchester County Local 860; and John Valle, Rensselaer County Local 842. They both attended the County Delegates Meeting.



THE LARGEST COUNTY LOCAL, Nassau County Local 830, is represented by, from left, John and Dolly Aloisio, Nicholas Abbatiello, Trudy Schwin and Lou Corte at the County Delegates Meeting.







ATTENDING THE COUNTY DELEGATES MEETING are, from left, Richard Brown, Jefferson County Local 823; Howard Cropsy, Albany County Local 801; and Richard Grieco and Marsha Cappolla, both of Local 823.



(Right) THE WOMENS COM-MITTEE PROGRAM at the County Delegates Meeting includes speaker Ruth Spruck of the New York State School of Industrial and Labor Relations - Cornell Univer-



(Left) SUFFOLK COUNTY LOCAL 852 is represented by, from left, Barbara Rotunno, Kevin Mastridge and Ed Garcia at the County Delegates meeting.

### Harassment charged at Kings Park PC

KINGS PARK — Kings Park Psychiatric Center (KPPC) Local 411 has filed charges of harassment against a KPPC official for halting compensation payments to the cochairman of the Local 411 Safety Committee, whom he has wrongfully accused of taking unwarranted sick leave.

Due to a back injury, the employee,

C. J. Smith, was ordered by two doctors not to perform his job at the center because it required him to do heavy lifting, according to Gregory Szurnicki, Local 411 president.

Other non-physical activities including safety committee business, need not be restricted, the doctors told Smith.

However, after a picture of Smith attending a recent meeting of the committee appeared in the "Public Sector," Harold Bloch, director of Manpower and Management at KPPC, wrote him a letter threatening to hold up his checks unless he produced a doctor's statement, within three days of receiving the letter, to verify his ability to be out, while not able to work.

Smith received the letter on a Friday and was not able to get an appointment with his doctor over the weekend to meet the Monday deadline given him, Szurnicki said.

He volunteered to be examined by a KPPC staff doctor, but management refused him that option.

Subsequently, Bloch discontinued Smith's disability insurance payments. As of "Public Sector" presstime, Smith, who has a family to support, remains without an income.

Calling it a case of harassment, the union has charged this is management's attempt to "punish" Smith for statements he made in a previous issue of the "Public Sector" concerning the union's complaints over a lack of provisions for the handicapped at KPPC.

"Bloch has acted unilaterally, basing his opinions on a simple newspaper picture, which verifies nothing," Szurnicki said.

In April, Local 411 voiced concern over the lack of accessibility to the personnel office for handicapped persons looking for jobs, widespread unsafe working conditions, inadequate facilities for handicapped patients and failure on the part of the administration to recruit handicapped

#### Local wants forensic unit closed

NEW YORK CITY — Creedmoor Psychiatric Center (CPC) Local 406 President Dorothy King is calling for the closing of an unofficial forensic unit at CPC and the transfer of its approximately 50 patients to another facility.

Those patients have been acquitted of violent crimes for reason of insanity. King said

of insanity, King said.
"The forensic unit is inadequately staffed by unarmed therapy aides. There are no security personnel on duty in the unit.

"Our members are threatened with violence by these dangerous patients and some employees have been attacked by the patients," she said.

There also have been a number of escapes from the unit because of inadequate staffing and security, she said.

King said at the time of the most recent escape — the end of May — only two female therapy aides were on duty and one was pregnant. She said there are approximately 40 males and 10 female patients in the unit.

She said the forensic unit should be removed from CPC for a number of reasons, including:

 The patients in the unit are a threat to other CPC patients and to the surrounding community.

— CPC employees are in danger from these dangerously violent patients.

 Staff assigned to the unit could be used to provide needed care for the other CPC patients.

— Beefing up the forensic unit staff at the expense of staffing the rest of CPC would create other obvious problems.

King also said in the three years the unofficial forensic unit has been in operation at CPC, the



DOROTHY KING Local 406 President

employees have received no special training.

Other problems associated with the unit identified by King include:

 Only one employee per shift is issued keys for the unit.

• Persons ordered by the courts for psychiatric observation are placed in the unit with the dangerously violent patients.

CSEA Field Representative Bart Brier, commenting on a report that State Commissioner of Mental Health James Prevost would seek funds to upgrade the unit into an official forensic unit, said:

"If such an upgrading occurs, it can't come until fall, when the State Legislature could take up a Supplementary Budget.

"By then, who knows how many patients will escape and how many employees will be assaulted.

"Also, if we look at Prevost's past pronouncements concerning other facilities, who knows what the commissioner has in mind for Creedmoor."

King said she has written to Prevost calling for the dangerous patients to be moved to another facility. She said she plans to contact members of the State Legislature and the governor's office on the subject.

#### LOCAL PRESIDENTS AND CSEA

Mental Hygiene Board
Representatives, from left,
Alex Hogg, Middletown Psychiatric
Center (PC); Fran Wilusz,
Wilton Developmental Center (DC);
Eva Katz, Rockland PC;
Robert Thompson, Harlem Valley PC;
and Rochard Snyder, Wassaic DC;
attend the Region III
Mental Health labor-management
meeting in Newburgh.







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#### Social Services Local

### Safety problems on mend

ALBANY — A host of safety and health problems at the worksites of the State Department of Social Services (DSS) have been corrected or are in the process of being corrected, thanks to the efforts of the DSS CSEA Local 688 Safety Committee, Local 688 President Alan Siegel reported.

The employees work in six separate locations in downtown Albany.

Safety and health become a top priority of Local 688 in November 1979 when its newly appointed safety committee toured one of the worksites to investigate the ever-increasing complaints being made by the employees.

A plan which called for all serious violations to be rectified im-

mediately, and other matters to be taken care of on a schedule to be devised by management was worked out by both sides.

Alan Siegel, DSS Local President and a member of the local safety committee, outlined some of the issues that have been addressed by the committee since it began biweekly meetings with management late last January.

"It seemed the same conditions plagued each building; everything from overcrowding to possible asbestos contamination," he said.

A fire retardant substance, thought to be asbestos, was discovered on the steel ceiling girders of the Ten Eyck Building and in some cases it was flaking off. Employees were naturally concerned about the possibility of cancer and lung diseases that could be contracted from breathing the chemical.

The committee requested the State Office of General Services, which oversees the maintenance of the building, to take immediate action. Tests revealed the substance was asbestos, but the levels of it in the air had not reached the danger point.

OGS has, however, been monitoring the air on a regular basis to be sure the contamination remains at a low level.

The improper functioning of heating systems, causing it to be so cold in

some areas during the winter that employees would have to wear coats and gloves while they worked was becoming a widespread problem.

It was most pronounced on what is known as the 51 level of the Ten Eyck location, where employees had to leave the room periodically to warm up.

Siegel said OGS crews have recently begun installing air ducts which will permit the flow of warm air into these areas. Completion of this project is expected by next winter, he said.

Too many desks are crowded into each office, creating aisles that are difficult to pass through. Further crowding is caused by a proliferation of privacy screens set up around the desks. Mazes, which have only one opening are being created and could prove restrictive in an emergency evacuation.

A mass reorganization is being undertaken to eliminate many of the screens Siegel explained.

Desks have been moved to create aisleways 60 inches wide and secondary aisles 44 inches wide, measurements which meet federal safety standards, he said.

Many employees are being moved from the Twin Towers to new offices at 67 North Pearl Street where a carefully designed floor plan will prevent the same conditions from developing.

Fire extinguishers, which have been lacking in the past, are now being installed throughout the buildings. A fire warden system to guide employees, especially the handicapped, out in an emergency will soon be instituted and all exits are being clearly designated with signs.

Missing ceiling tiles have all been replaced. The spaces created by missing tile would have provided a draft to draw up and spread fire.

Masses of paperwork, resulting from heavy use of computers, have been allowed to crowd aisles and exits. At the committee's request, a concerted effort to clean the paper up is being made.

"Management has promised to take a close look at what is being saved, to determine if it really could be thrown away. Other information could be put on microfilm or sent to central storage." Siegel said

storage," Siegel said.
Electrical doghouses, which have been left exposed in all locations are now being covered by desks and furniture. In addition, the use of extension cords is being reduced and they will be checked periodically to be sure they are not being overloaded.

The DSS administration is in the process of drawing up a five year plan which should alleviate all these problems. The committee will be given a copy of the report before it is finalized or put into effect and all reports from regular building inspections made by OGS will go to the committee, he said.

At the request of employees who were concerned about reports that breathing the smoke of others' cigarettes was harmful to the non-smoker, the committee, with management's cooperation has divided the cafeteria into smoking and non-smoking areas.

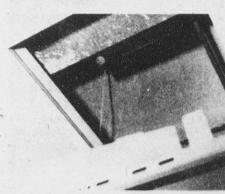


(Above) CRAMPED QUARTERS are typical of all the buildings housing New York State Department of Social Services (DSS) employees in Albany. A clean up effort has been initiated by the CSEA DSS Local 688 Safety Committee and DSS management.

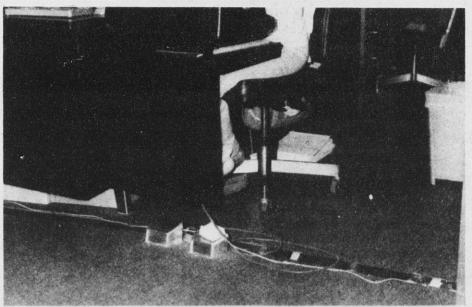
(Right) A PROLIFERATION OF PAPERWORK has been overrunning work space. Most of this work, Alan Siegel, DSS Local 688 President said, can be put on microfilm or shipped to central storage. Management has promised the union it will begin working toward this goal.

(Below right) THIS EXPOSED ELECTRICAL OUTLET is the result of poor layout planning or careless shifting around of furniture by employees. As a result of complaints made by the safety committee, OGS has been moving furniture to correct this situation.

(Below) IT TOOK ONLY A FEW AFTER-NOONS OF WORK to replace missing ceiling tiles throughout DSS buildings. The safety committee complained that a draft coming through the gaps would draw up and spread a fire.







### Agency shop growing

By William Hidlay LIVERPOOL — The time for full implementation of the agency shop concept throughout Central Region V has arrived, Regional Director Frank Martello said9

'An agency shop is a requirement that non-union members pay their fair share toward the cost of union representation for all employees as required by law," Martello said.

He explained that by definition the Taylor Law gives all public employees the right to join or refrain from joining a labor union such as CSEA

But the Taylor Law requires every public sector union in New York State "to represent all employees in a bargaining unit, not just members," Martello said. "Consequently, CSEA is faced with the large costs in a bargaining situation which only members are paying for and which benefit all employees

In 1977, 10 years after passage of the Taylor Law, the New York State Legislature passed the concept of agency shop dues into law, but only mandated that all state employees pay these non-member union dues.

The state legislature gave local governments a free hand to negotiate agency shop agreements on a localityby-locality basis in their contracts with public employees. As a result of this home-rule concept for local government, CSEA has had to negotiate all agency shop agreements with non-state public employers at the local level.

"The union has an obligation by law to represent all employees in a bargaining unit whether county, city or school district. But the membership should not be expected to bear the brunt of the entire cost involved with union representation, Martello said.

Because almost all public sector employees benefit from CSEA contract negotiations, "eliminating the free riders is what an agency shop is all about - requiring non-members to pay their fair share for the representation afforded them by CSEA.

"But it has only been in the past two years that it has really taken hold in local government," Martello said.

The regional director pointed out, however, that in the past two years CSEA has met with great success in implementing agency shop dues provisions throughout Region V

The counties of Franklin, St. Lawrence, Oneida, Madison, Cayuga, Chemung and Tioga have all implemented agency shop clauses in their recent contracts with public employees as have the cities of Utica, Rome, Auburn and Ogdensburg.

In addition, a number of school districts, villages, state university branches and F.S.A.s across the region also have implemented agency shop agreements.

A most recent case where Region V has implemented agency shop dues is in the 30-month contract for Onondaga County employees.

For the last 10 years, CSEA has been representing approximately 3,-500 of Onondaga County's 4,500 public employees. As a result, a certain number of these employees - those who are not CSEA members - have been getting a free ride from union representation in bargaining situations for the past decade, Martello said. But he also pointed out that employees who pay agency shop dues have none of the rights and privileges of full dues-paying CSEA members.

We look at agency shop as a means of encouraging people to become members. What this may do is move those people off dead center and get them to realize that as long as they have to pay their fair share, why not become a member and have the opportunity to be heard and to participate in the union's voting process.

The free-loader concept is quickly coming to an end. This (the agency shop concept) really should encourage membership if these people really want to contribute and offer their thoughts and ideas for the development and betterment of the union," Martello said.



FRANK MARTELLO Central Region V Director



CSEA IS CAUTIOUSLY OPTIMISTIC the State Legislature will take action on the court employees pay bill before adjourning. Speaking to newsmen about the situation are, from right, CSEA Legislative and Political Action Chairman Joseph Conway, Legislative and Political Action Director Bernard Ryan and Collective Bargaining Specialist Pat

#### Region V MH election set

 ${\bf ALBANY-The\ candidates\ for\ member\ of\ the\ CSEA\ Board\ of\ Directors\ representing\ Mental\ Hygiene\ Region\ V\ members\ are,\ in\ the\ order\ in}$ which they will appear on the ballot:

George McCarthy Charles Gregory William Krivyar

Ballots will be mailed out on June 18 to all Region V Mental Hygiene CSEA members, and must be returned to the Albany Post Office by 9 a.m. on July 3. Any eligible voter who does not receive a ballot by June 24 may obtain a replacement ballot by calling the office of the Executive Director of CSEA at (518) 434-0191.

Ballots will be counted by the CSEA statewide Election Procedures Committee on July 3. The results will be announced as soon as possible.

#### **CSEA** budget examiner position open

ALBANY - CSEA is accepting applications for budget examiner.

Duties include reviewing and analyzing state and municipal budgets; identifying the impact of such budgets on the workforce; determining the availability of state and federal aid for employee salary and fringe benefit increases; and ascertaining whether contracted-out services could be performed by the current workforce at a lower cost.

The position requires occasional travel throughout the state.

Minimum qualifications includegraduation from a four-year college with a major in public or business administration plus three years of state or municipal employment with responsibility for management of fiscal affairs, one of which must include preparation or analysis and interpretation of budgets or fiscal reports.

Excellent presentation skills are re-

Excellent compensation package. Send resume or write for application: Personnel Ofice, 33 Elk St., Albany,

#### New contract for police in **East Aurora**

EAST AURORA - A new two year contract between the East Aurora Police Unit of Erie County CSEA Local 815 and the Village of East Aurora was ratified recently and signed by both sides

Vincent P. Sicari, CSEA field representative and chief negotiator, said the new pact concluded negotiations begun in January and includes a salary increase of \$2,800 plus increments over two years.

The pay differential for lieutenants was also upgraded.

Other benefits include a paid up life insurance program for retirees, improved travel mileage, an increase in uniform allowance and Agency Shop

Unit members of the negotiating team included Unit President Robert Cunningham, Bernard Nicholson, Ronald Hartman and Carl Wohlhueter.

#### Promotion not what it seemed

NEW YORK CITY - Concern is mounting that management may be using the tactic of promoting union leaders to positions outside the union bargaining unit as a means to reducing the effectiveness of CSEA within Metropolitan Region II.

CSEA Region II Secretary Helen Cugno Carter says management has used "underhanded methods" in using promotions to remove CSEA officers

from the bargaining units, and cites her own personal case just last month when she was transferred to a new position but was never informed it was a confidential position which would make her ineligible to hold CSEA office.

And the president of the large Department of Labor Local 350 in Region II says that just since last September, three local vice

presidents and the local treasurer have all been promoted into another bargaining unit not represented by CSEA. Local 350 President George Caloumeno says that a new local executive committee was formed because all previous officers of the local were in the PS&T Unit when that unit became represented by another union. But, noting the depletion of the new committee members since last

Ulster and Sullivan Counties - New

Most of Orange County - Flip

Northern part of Rockland County

and Newburgh area of Orange County

Southern part of Rockland County - Thomas Brann.

Luposello said once the

reorganization goes into effect, the

field representatives will be

geographically closer to the locals

they will be working with. This will

increase the efficiency of the staff, he

Region III President James Lennon

reported to the Executive Committee

on the proposed closing of Harlem

Valley Psychiatric Center, the

statewide Board of Directors meeting

and the region's April 18 legislative breakfast; and he unveiled a new

The Executive Committee voted to

Regional Legislative and Political

Action Committee Chairman Car-

mine DiBattista of Westchester

County Local 860 announced that

Patricia Neelon of State Judiciary Local 332 and C. Scott Daniels of

**Dutchess County Local 814 have been** 

elected vice chairmen of the com-

DiBattista also informed the Ex-

ecutive Committee of an upcoming

voter registration drive.

approve the jacket for the region.

field representative.

Laura Woolis.

Region III jacket.

mittee

Amodio.

September, he charges "it didn't take management long to use promotions to slow down the organization of our new local executive committee.

Mrs. Carter related the following story of her personal experience with a promotion last month that, without her knowledge, would have removed her from the CSEA bargaining unit:

Mrs. Carter had been a member of Basic Research Institute Local 438. She also was grievance chairman of the local.

In April, 1980, Mrs. Carter was interviewed for a lateral transfer as a senior stenographer at Manhattan Developmental Center (MDC). She was offered the position and she accepted it.

During the last week of April, she was interviewed at MDC for a provisional principal stenographic

She was offered the provisional position with her senior stenographic position as a backup item. She started work on May 1.

On May 15, Mrs. Carter received her first pay check at MDC. She noticed there was no deduction for CSEA

She called the MDC Personnel Office and was told she was in a Confidential item. She told the Personnel Office during the phone call that she was resigning from the Confidential position and she sent a resignation letter the following day. Mrs. Carter also sent CSEA a check for her dues.

On May 16, Mrs. Carter was notified her backup item was changed to another Confidential position. Mrs. Carter said CSEA Region II

staff was ready to intervene in her behalf when, on May 19, MDC notified her that she would stay in the Administrative Unit.

Mrs. Carter said: "These are underhanded methods by management to attempt to reduce the effectiveness of CSEA by using promotions to remove officers from our union.

'They knew I was active in CSEA, yet they never told me the position was Confidential.

"Then, after I resigned from the position to remain in CSEA, they change my backup item to try to keep me out of the union.



NEWBURGH - Southern Region III Director Thomas Luposello announced a pending reorganization of the region staff. The announcement came at the Region III Executive Committee meeting.

Luposello emphasized the reorganization will not start for a number of months - until a new field representative is hired in the region. Once started, the reorganization will take a number of months to complete because of on-going negotiations.

As for now, all field staff

assignments remain the same.

The pending reorganization will deploy the staff to service both State and County locals as follows:

Westchester County - No change with Joe O'Connor, Don Patrick and Larry Sparber.

Putnam County and the southern part of Dutchess County - Bruce

Northern part of Dutchess County

- John Deyo.

Thomas Luposello reports to the region's Executive Committee on a pending reorganization of the field staff in the

SOUTHERN REGION III DIRECTOR

#### **CSEA Safety Hotline** 800-342-4824

#### Calendar of EVENTS

18-CSEAP workshop, Region VI, 9:30 a.m.-2:30 p.m., conference center, Genesee Community College, Batavia. -Region IV workshop, Otesaga Hotel, Cooperstown. -Wassaic Developmental Center Local 426 training workshop, Wassaic

Developmental Center.

-New York City Local 010 training workshop, Sheraton Center, New York City.

-Upstate Medical Center Local 615 spring/summer dinner dance, 6 p.m.,
Raphael's Restaurant, 930 State Fair Boulevard, Lakeland.

July

-Genesee Valley Armory Employees Local 251 annual picnic, noon, Stony Brook

Suffolk County Local 852 Executive Committee meeting, 7 p.m., 755 Waverly Ave., Holtsville.

9—CSEAP workshop, Region II, 10 a.m.-3:30 p.m., Room 4430, 2 World Trade Center, New York City.
 10—CSEAP workshop, Region I, 10 a.m.-3 p.m., Room 2B43, State Office Building,

Hauppauge.
-Syracuse City Local 013 annual clambake, 5 p.m., Hinerwadel's Grove, Taft

Road, North Syracuse. -CSEAP workshop, Region III, 10 a.m.-3 p.m., Room 100, Lecture Center, SUNY New Paltz, New Paltz. Saratoga County Local 846 Executive Board meeting, 7 p.m., Solor Building,

High Street, Ballston Spa.

Region III Mental Health labor/management meeting, 1 p.m., Hudson River

Psychiatric Center, Poughkeepsie.

Saratoga County Local 846 general membership meeting, 7 p.m., Solor Building,
High Street, Ballston Spa.

DOT Local 505 annual clambake, Roselawn Restaurant, New York Mills.

Rockland Psychiatric Center Local 421 family picnic, 11 a.m., Anderson Field, Orangeburg.

August

2-DOT Local 508 first annual picnic, Belmont State Park, Babylon.

#### **Promotion denial causes** IP by Watertown Unit

WATERTOWN - CSEA has filed an Improper Practice charge (IP) against the City of Watertown alleging the city has violated the Public Employees Fair Employment Act by discriminating against a union officer who had been recommended for a promotion.

The IP charges that Ronald Spinner, president of the Watertown City Unit of Jefferson County CSEA Local 823, was eligible for a promotion to heavy equipment operator and was recommended in writing by the superintendent of the Department of Public Works.

The charge further alleges that the recommended promotion was passed over by the Watertown City Manager and awarded to an employee from a lesser position because Spinner was actively involved in contract negotiations with the city, and the

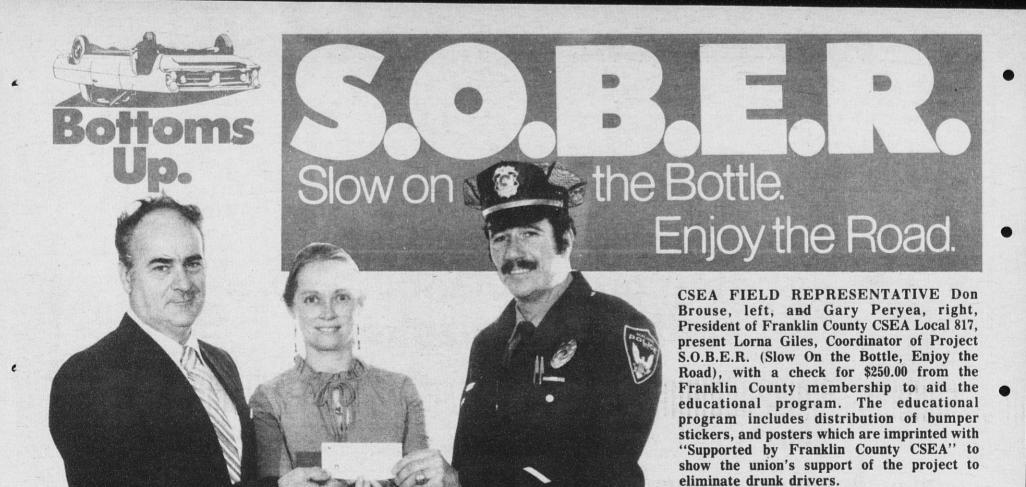
City Manager of Watertown also was directly involved in all contracts between the city and CSEA.

The charge also cited difficulties with negotiations on prior occasions, including a stalemate in 1979 which led to a legislative hearing.

Tom Dupee, CSEA field representative for the local, said notification of a hearing date can be expected from PERB in the near future.

#### Free checking

HOLTSVILLE - Free checking privileges are available to all members of Suffolk County Local 852 at any Chemical Bank branch in Suffolk or Nassau counties, Local 852 President Ben Boczkowski announced.



#### **Model works for DOT**

By Dawn Le Pore

DEPEW - Even in these days of women's liberation, you won't see too many women working on a road crew. And you'd hardly expect to find a model and a beauty queen at a hot and dusty construction site with a shovel in her hands.

But that's exactly where you'll find Darlene Pfalzer.

"I like working outdoors. I've always done physical work, so that wasn't really a problem for me," said the petite blonde. "In the beginning, some of the men resented me being there, but, more or less, they've been very helpful. They're learning that I'm there for the job just the same as they are.

A member of the Hamburg Department of Transportation Local 514, Darlene has been a laborer for not quite a year. She turns 21 in July.

It was her desire to become a model that led Darlene to enter the Miss USA pageant earlier this year. As a finalist in the Miss Buffalo contest, she traveled with five other young women from Western New York to New York City for the state pageant, and although her participation ended there, she says she's not really disappointed.

"I thought it was very exciting," she said. "It was a good experience

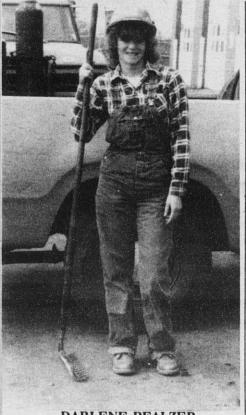
for modeling."

How did her coworkers react? "They were all very supportive," she said. They cheered me on and that helped."

Puffelo and has

Darlene attends the June II modeling school in Buffalo and has already had some photography and promotional assignments ("At 5'5", I'm too short for runway modeling," she said).

Will she ever try again in another contest? "I don't think so. I've had my chance. I don't know. There's always Miss America. . ."



DARLENE PFALZER Model from DOT

MALONE — Members of Franklin County Local 817 of the Civil Service Employees Assn. recently demonstrated their strong support of community project S.O.B.E.R. (SLOW ON THE BOTTLE, ENJOY THE ROAD) by donating \$250.00 to aid the North Country program.

Gary Peryea, President of CSEA Local 817, said, "We believe Project S.O.B.E.R. is a significant deterrent in reducing automobile accidents and fatalities. We offer the complete support of the CSEA membership in Franklin County, and we hope this donation will help spread the educational program throughout the entire north country region'

The project is aimed at involving employers, utilities, insurance agencies, and retailers to promote its "Bottoms Up" logo and suggesting alternatives to driving after drinking alcoholic beverages.

Requests for posters, bumper stickers, buttons and information flyers should be sent to:Lorna Giles, Franklin County Coordinator of Project S.O.B.E.R., P.O. Box 336, Hogansburg, N.Y. Phone (518) 358-

#### 1979 June 5, Letters recall tragic

June 5 marked the first anniversary of a tragic day in the history of the Civil Service Employees Assn. On June 5, 1979, four members of CSEA were killed in two separate on-the-job mishaps.

That morning three employees of the State Department of Transportation, all members of Orange County Transportation CSEA Local 515, were repairing a section of Interstate 84 at Newburgh when they were struck and killed by a flatbed truck loaded with lumber. Killed in that mishap were George Ficarra, 49, of Maybrook; Ernest Mimms, 53, of Newburgh, and Garrett Marsh, 40, of Highland Mills.

That same day, Alfred Jaroszewicz, a maintenance mechanic employed by Westchester County, was electrocuted in an on-the-job accident at the Westchester County Medical Center in Valhalla.

Just 24 hours before the fatal mishaps, CSEA President William L. McGowan had opened a massive statewide campaign designed to alert the general public to the hazards of public employment without coverage of occupational safety and health standards afforded most other workers in the state. OSHA coverage for public workers, since that time, has been the number one legislative priority of CSEA.

A special "Family Fund" was started for the surviving family members of the three DOT employees killed on Interstate 84. On the first anniversary of that fateful June 5, the following messages were given by Robert A.

Harris, President of CSEA Local 515, and Mrs. Agatha Fiscarra, widow of George Ficarra.

Dear Friends:

On behalf of myself, the families who lost their loved ones, and the members of Department of Transportation Local 515 in Orange County, I would like to express my deepest appreciation to all of those involved in forming and donating to the "Family Fund". I cannot begin to say what it means to all of us when fellow employees join hands to help those in need. June 5, 1980 was one year since the tragedy on Route I-84 where George Ficarra, Garrett Marsh and Ernest Mimms needlessly lost their lives to a neglected and unsafe tractor trailer.

We all preach and are instructed on the factors of safety. It takes a little extra time to be safe but only a split-second to wipe out someone's life. Let's not forget!

Again, my sincerest thanks to

Robert A. Harris President, Local 515

To all those wonderful people that donated to the "Family Fund" of the three state workers that lost their lives on I-84 this past June. Thank you. May your thoughtfulness be rewarded.

My daughter and I thank each and everyone of you, for making our days easier to cope with, as we try to adjust our lives to changes.

May God Bless All of You!

Mrs. Agatha Ficarra (Widow of George Ficarra)