

Date: 12/6/04

Subject: Jim Featherstonhaugh; DeGraff Law Firm, 1969-1976; Roemer and Featherstonhaugh Law Firm, 1976-1995 (1976-1986: General Counsel for CSEA); Featherstonhaugh, Conway, Riley & Clyne LLP, 1995-Present.

James Featherstonhaugh first represented the CSEA as an attorney with the law firm of DeGraff, Foy, Conway, and Holt-Harris in 1969. In 1976, Featherstonhaugh and his partner James Roemer formed their own firm, which captured the CSEA account and represented the CSEA for over 10 years.

Featherstonhaugh recalls working on the legal issues surrounding the early years of the Taylor Law. As a young lawyer he was not at a disadvantage working on the Taylor Law because at the time there were no experienced practitioners.

Featherstonhaugh also explains his involvement with the negotiation of the first CSEA-NYS contracts.

Featherstonhaugh discusses the changes internally that he witnessed throughout the CSEA in the 1970's and 80's. From the emergence of Theodore Wenzl as president, to the transformation from an advocacy association, to the Collective Bargaining agent, Featherstonhaugh notes major changes.

Featherstonhaugh talks about the similarities and differences between his and Roemer's firm and the DeGraff firm in its representation of the CSEA. One of the biggest changes was how he and Roemer handled the government affairs for the union. Featherstonhaugh goes into detail about the CSEA's early involvement in politics and its evolution into a political powerhouse.

Featherstonhaugh mentions the pivotal role the CSEA played in the 1978 gubernatorial race between Hugh Carey and Perry Duryea. Despite the rocky

relationship with Carey and the strong support for Duryea, CSEA sided with Carey because of the strengths of his incumbency. He details the development of the Morgado Memorandum, which protected CSEA members' role in the mental hygiene system.

Featherstonhaugh also gives a brief description of some of the personalities of the CSEA that he worked with over the years. These personalities include: Presidents Joeseph Feilly, Ted Wenzl, William McGowan, Joeseph McDermott and statewide secretary Irene Carr.

Key People

Warren Anderson

Hugh Carey

Irene Carr

Tom Coughlin

Marge Crow

John DeGraff

Perry Duryea

Joeseph Feilly

Art Harvey

Bob Helmsley

Marty Langer

Bob Lattimer

Abe Levine

Joe Lochner

Joeseph McDermott

William McGowan

Jack Rice

Fred Riester

Jim Roemer

Stanley Steingut

Charlie Webb

Theodore Wenzl

Key Words

AFSCME

Collective Bargaining

CSEA

DeGraff Firm

Firm

First State Contracts

Gubernatorial

Litigation

Morgado Memorandum

Negotiations

OMRDD

PALS (Political Action Liasons)

PS&T

Taylor Law

Union

Uniting

CSEA HISTORY PROJECT

JIM FEATHERSTONAUGH INTERVIEW

12/6/04

INTERVIEWER: Jim, just to begin, why don't you just give us your full name and what you do and what your -- what your association with CSEA has been and we should also note that this is December the 6th, 2004, that we're doing this taping.

MR. FEATHERSTONAUGH: Well, it sounds like the beginning of a deposition rather than a videotape, but my name is Jim Featherstonaugh. I'm an attorney and a lobbyist here in Albany at this time with -- with my own firm.

I first worked for CSEA when right out of law school I took a job with the firm that was then their General Counsel, outside counsel -- they actually didn't have an in-house law department at the time -- DeGraff, Foy, Conway & Holt-Harris, and I reported to my first office which I shared with two other young lawyers, Jim Roemer and Fred Riester. We all sat around a table in a little library at 33 Elk Street.

So I was a younger lawyer with CSEA from December of 1969 for a couple of years thereafter, through the organizing wars of the

-- when the Taylor Law at its inception came in. I then left CSEA, worked at the law firm for a year or so and then founded a firm of my own, which -- where we practiced in Schenectady for a few years, and then in 1976 when the Union made its -- made a change in law firms, they had a dispute with the people at DeGraff Foy and they replaced them ultimately with a firm that Jim Roemer and I formed sometime in 1976 and I stayed with 'em as their -- really the head of their political operation and also in a litigating general counsel's role along with Jim from '76 until it must have been about '86, I think, when we -- the Union made another change, went to its in-house program, with Marge Karowe, I think, was their first in-house counsel, and we left at that point.

INTERVIEWER: Do you know how long DeGraff Foy had represented CSEA?

MR. FEATHERSTONAUGH: I know that they had represented the Association for a long time. John DeGraff when I went there was in his seventies. He had represented the Association for at least a couple of decades at that point

and maybe a little before that. 33 Elk Street actually was built on a lot that was sold -- there had been some old brownstones there that John DeGraff, Sr. owned and they -- he sold 'em to the Association and they knocked 'em down and built -- built 33 Elk Street.

In fact, my first legal job for CSEA was there was a party wall question between 33 Elk Street and the adjoining building that was owned by a guy named Art Harvey, who was counsel to the Police Conferences of New York, and my first -- really the first thing I worked on were the legal problems between the Police Conference and CSEA over their shared wall of their building.

INTERVIEWER: M-m-m. So with you representing the firm, you were physically located within the CSEA offices?

MR. FEATHERSTONAUGH: Yes. Fred Riester, Jim Roemer, myself were physically located in the CSEA offices. Jack Rice, who was the lead partner in the firm at the time doing the work for CSEA had an office in 33 Elk Street and also had one down at the firm at 90 State

Street, but he spent, you know, 90 percent of his time also physically located up at CSEA.

INTERVIEWER: Those must have been --

MR. FEATHERSTONAUGH: Joe Feeley was the president when we came in.

INTERVIEWER: Okay. And as I say, those must have been very interesting times in that you had the Taylor Law recently passed. You were fresh out of law school. I would imagine that a lot of what you were doing was kind of making -- making some law for the first time.

MR. FEATHERSTONAUGH: Well, we were, but the great thing was we were at no disadvantage. There were no experienced practitioners under the Taylor Law (laughter) because it had just come into being, and we also played not only a legal role but to some degree the organizing fights that were going on then required an enormous -- particularly, CSEA had never been in them before.

They were changing and evolving very, very rapidly in order to compete for the units after the uniting determinations were made, so

we also got to go out and do a lot of public speaking and help the organizers and the organizing effort which was certainly something most young lawyers didn't get to do. It was a lot of fun and --

INTERVIEWER: Explain a little bit about what you mean when you talk about the organizing. I mean obviously CSEA had been around for a long time but when the Taylor Law came into being, they still actually had to go out and sign up the members of the Union, I take it?

MR. FEATHERSTONAUGH: Yes. That ultimately turned out to be a -- not a failure but that was an objective that they had tried to avoid, as you might expect, but failed to avoid. They had hoped to simply be certified as the collective bargaining representative for all State employees.

Ultimately, after the Taylor Law was enacted and the first PERB board was appointed, Bob Helmsley as I recall, uniting decisions were made, very much like the units that the State has today. There have been some additional

uniting decisions made subsequently, but the big ones, the occupational services unit, institutional services unit, the PS&T unit which is no longer represented by CSEA, and the administrative services unit, when those units were created CSEA had to compete and had to win an election to represent em. They eventually won all four of the statewide units, although they didn't win 'em all.

They lost the police, they lost corrections, and at the same time that was happening they were having organizing battles in all the local governments across the state, so CSEA which prior to that was -- and to some extent even after that, but prior to that was really an Association. They had no collective bargaining rates. President Feeley and John DeGraff, Sr. and a few of the members of the board would go up, sit down with the administration and just work out whatever they could, but they had no leverage at all.

Now they had to convert -- it was really their first baby steps towards becoming a Union were the organizing struggles of the early

seventies.

INTERVIEWER: So were you involved with the negotiation of the first State contracts?

MR. FEATHERSTONAUGH: Yes. First State contracts which were negotiated between -- after the organizing was done, they negot...they worked out how they were gonna negotiate those contracts. I think Abe Levine was the chief negotiator for the State, although there was another guy who wasn't actually a State employee who the Rockefeller people relied on a lot. His name escapes me at the moment.

But, yes, we each got assigned to be the lawyer to one of the units and to assist the collective bargaining specialists in the unit negotiations. Then there was above the four units who would negotiate about whatever it was that was unique to their job titles that they wanted to -- there was an umbrella negotiation that took place over financial issues, retirement issues, things like -- that went across the four units.

So that first contract for the

institutional services unit, the collective bargaining specialist was Bob Guiled and I was assigned to sit and provide the legal support for him at those negotiations.

INTERVIEWER: Was there a large number of staff at that time?

MR. FEATHERSTONAUGH: There was a -- there was a pretty good number of staff. You know, there were -- I don't know, something more than a hundred and probably less than two hundred initially. They had organizers. They had the newly-created collective bargaining specialists, some of whom had sort of morphed into that, having been organizers, but some of the -- some of the organizers themselves were the most colorful guys that --

(Laughter.)

MR. FEATHERSTONAUGH: As you can well imagine, the nature of that job that the Union had, and they were just organized. They'd get sent off to someplace to get the Union, you know, recognized. For the people -- get the people to want to have the Union. At that time it was a little less structured than it had

become when I left and I would hazard a guess that it's even a lot more structured now.

I mean they would -- the organizers and the CBSs, when they had a convention and stuff, they would sit up in Jack Rice's office and they would just hand 'em handfuls of cash to be used to entertain the people they were trying to organize or -- and actually, at the delegate conventions in those early ones, just keep the delegates happy, and their real assignment would be to go out and socialize and pick up the check at every gathering they went to and there was really no accountability (laughter) for the way they did it in those days.

But it -- there was a little bit of a frontier atmosphere and it worked, you know, it worked well. It was -- it was a very exciting place to work at that time.

INTERVIEWER: What was the dynamic internally --

INTERVIEWER: Go ahead.

INTERVIEWER: Fixing the mike a little bit.

MR. FEATHERSTONAUGH: Yep.

INTERVIEWER: So tell me a little bit about the dynamic internally because you're talking about a circumstance where you have a new law, there's a lot of change. Suddenly you're representing people in a different way. I would imagine that there would have had to be a lot of change internally in terms of the structure and dynamics of the leadership of the organization to deal with these new challenges.

MR. FEATHERSTONAUGH: Well, there was. There was -- concomitant with all that, change was taking place. Ted Wenzel had been elected president. Joe Feeley had -- that election had taken place just as I came. I don't think they ran against one another. I think Feeley just stepped aside, but I'm not sure of that. Someone else would know.

In any event, Wenzel was the new president. The executive director of the unit -- of the Union was a guy named Joe Lochner and he had spent his professional life -- at that time Joe was with the Union for a long time, so he'd already been with it for -- this would be a guess, but I would hazard a guess that he had

been with the Union for somewhere between 10 and 20 years before the Taylor Law changes came along, and so he did have a structure and a way of doing things and the Union, even when it was an Association, was quite large.

So the administrative side of the operation was already pretty complex, but in addition to the other changes that were taking place they now had to go and deal with things like the dues check-off, and how to account for it so they were putting -- if you think back in the seventies, they were also just beginning to work through the data processing issues, which now you would look back at and think, well, those are pretty simple, but they weren't at all simple at that time.

And on at least two occasions the data processing issues almost put the Union out of business. I mean took 'em right to the edge of going out of business because they couldn't post to accounts. They had hired an outside firm, Touchette Company, that was headquartered I think out of Canada, or at least the founders came from there, and the data processing got so

fouled up that they couldn't pay their bills for a while.

Anyway they worked through that, but Joe, he was the executive director, and normally you would have looked to him, I think, to set up the structure that would have dealt with the collective bargaining and such.

Instead, actually in an informal way, a lot of those structural issues were addressed by a -- by a very informal partnership between Jack Rice and Joe Lochner. The two men got along extremely well, trusted one another, had very different personalities but a lot of respect for one another, and they set up the system with the collective bargaining specialists.

Those first negotiations were not for the CBSs but Jack Rice, who served as the chief negotiator for the Union, that was his first negotiation and he -- so he started out by negotiating a contract for essentially all employees in New York State, and they did have to deal with a lot of those kinds of issues as they converted.

INTERVIEWER: Did they have representative negotiating teams with members sitting there at the table and --

MR. FEATHERSTONAUGH: Yes, they did. They had negotiating teams. The negotiating teams sat at the unit negotiations where I was. When they went to the umbrella negotiations there would be a representative from each of the teams, but all of the members who were on the team didn't go, so that there might have been two -- there probably were two from each of the units that went up to the umbrella negotiations.

INTERVIEWER: M-m h-m-m. Tell me a little bit about how your law firm began associating with CSEA, and obviously you had a longstanding relationship with their previous firm. How did that change and how did you convince CSEA to take you -- you guys on as a relatively young firm?

MR. FEATHERSTONAUGH: Well, I had left the other firm and was in a practice on my own, chiefly a litigation practice over in Schenectady, New York. I was aware of what was going on in CSEA. I had made a lot of friends

and continued to talk to people here, but there was a -- as there frequently is, at that point DeGraff Foy had represented them for a long time.

There began to be -- as the Union grew and aged, its structure -- its internal structure and the degree of participation of the members grew. When it was an Association it was a very leadership-driven group. When you had those first negotiations and people could begin to bargain collectively, the members themselves became more active and in the first negotiations they were willing to negotiate time off for members so they now had the time to become active, which they had not done other than for their statewide officers before that, so you began to get a lot more member involvement.

As time went on that led to some tensions between the law firm and the Union and they -- Jim Roemer, who was still with the law firm and was still working up here, had managed -- although the law firm was in a dispute with the Union -- had managed to stay on very good terms with a number of the statewide officers,

particularly Bob Lattimer who was the -- from the Western Region at that time. Bill McGowan, who was the -- I think he was the executive vice president at that time, and a couple of the others.

And at that time Jim was doing -- was really the lead lawyer doing most of the day-to-day legal work of the Union. Rice and DeGraff Foy was doing the public policy and governmental relations for the Union primarily and not doing as much of the legal work at that point.

In any event, when they -- and there was a split between the officers and the board as to whether they wanted to fire DeGraff Foy or not. Eventually they made a decision to do it. In order -- and Jim had the idea that he would like to continue with the Union and form a firm to continue with it. One of the things he had to convince them of was that his new firm would be able to handle the political world and Jim had no background and actually no interest in that, so he had to look outside for it.

When I had been here in my first incarnation I had worked in the Legislature on

behalf of the Union with Jack and when I had gone down to the firm for a year or two I had continued to be active in the legislative end of the practice, so we conceived the idea that together, if we formed a firm, we could reasonably represent to the Union that we could continue to provide the services, all of the entire menu of services, that they had had with their prior firm and for reasons that have never been quite clear to me they decided to take a chance on us and let us try that, so we did.

INTERVIEWER: Now, when you -- when you came on, did you pretty much carry forward the same kind of relationship that they had had with the previous firm or did you kind of take a new role in terms of the way you interacted with -- toward the Union?

MR. FEATHERSTONAUGH: I think the way we -- if you're talking about the way the firm interacted with the -- with the -- interacted with the Union, it was similar structurally, you know. We simply had a retainer for which we agreed to provide certain stated services. We had offices, you know, separate and apart from

the Union, but Jim and I also had places to work at 33 Elk Street when -- when we were there and we had offices for some of the other lawyers there at 33 Elk Street, people we put together to represent 'em, so in a structural sense it was the same.

However, in a practical sense it did continue the evolution in that the -- the old firm and the criticism of the old firm had been that the lawyers were running the Union. That eventually got to be the criticism of our firm as it went on, but when it started we did -- we did interact differently with the leadership and much more broadly with the leadership than the DeGraff firm had, but that was really evolutionary. It wasn't a sudden change.

The most -- probably the most observable dramatic change when we came was the change on the -- on the political side and how we handed -- handled the government affairs for the Union.

INTERVIEWER: Okay. Talk a little bit about that, how -- how did you interact on that basis?

MR. FEATHERSTONAUGH: Well, the one -- and this was both struc...practical and structural. One -- one agreement we made when we came and one of the difficulties that the Union had been experiencing with DeGraff Foy, DeGraff Foy at that time was the largest lobbying firm in the state in terms of number of clients they represented, billings and so on.

And many of their clients were -- they represented at that time the Medical Society, a whole panoply of clients, many of whom would have at least in general terms, it wasn't so much that they were specifically adversarial to the Union, but they had a great many other interests that were kind of generally, if not adversarial, at least not arm-in-arm with the Union.

So one of the things we did do when we came in was we agreed that for purposes of government relations we'd -- the Union would be our only client. Well, actually we agreed they would be our only client unless the Union gave us specific permission to represent somebody else. And in the ten years we were there we

asked them to do that a couple of times and they did, but for the most part for that entire period we represented only them in terms of lobbying public policy and government relations, so that was the first change. Now the Union could actually -- could assert without concern of it being filtered its positions on a whole host of public policy issues.

The second change we made is up until that time the public policy and the lobbying of the Union was strictly a conversation between Jack and the president and/or the executive director. When I came is co-terminus with when the political action committee began to have an actual role as opposed to a cameo role.

At that time -- and that worked out again partly because of personalities that the committee at that time was headed by a guy from Rockland County named Marty Langer and Marty and I set about trying to create a statewide political program that would then support a strong lobbying position by the Union.

You have to remember between '70 -- well, between '69 and '76 when I began to assume

the role we're talking about now, you had all of those -- that early tension that people expected and that now if you look back you say, what was the tension about the Taylor Law, whether you were gonna achieve your aims strictly through collective bargaining in the classic trade union model that had been built in the private sector all over the country or whether you were gonna do it in some combination of collective bargaining and political persuasion.

Well, I felt, I think, much more than some of the -- than my predecessor that, in fact, it was gonna have to be a combination and I believed then and I think I've really been proven right in some respects that the political arm of that -- of that equation would ultimately be at least as important, if not more important, than the collective bargaining arm and that's because of the prohibition on strikes obviously.

INTERVIEWER: What -- what was the -- what was it like for you lobbying on behalf of CSEA in those years, particularly did the fact that you were representing CSEA get you entree and what was the perception of CSEA in terms of

its political climate?

MR. FEATHERSTONAUGH: Well, in the -- in the first six months what it did was make all of his hair that's fallen out, fall out. Actually when I came on the Union was at the absolute rock bottom of its political influence, even below what it had had as an Association, and that was a result of a combination of unfortunate events.

They hadn't gotten organized politically, so they had no grassroots operation whatsoever. They had no political action committee. They had no funds whatsoever. That might have been all right if it had stopped there but then they had gotten into a horrendous fight with the State Legislature arising out of a number of things, but the crowning blow was when they joined with then Assemblyman Andy Stein who was interestingly enough the son of the publisher of their -- it was an outside newspaper called The Civil Service Leader, and they had sent him on a statewide tour and done it in conjunction with him, where he was attacking the legislative system of lulus.

And if you look back in the newspaper archives you'll see Hy Rosen cartoons of Ted Wenzel looking under a rug for Lulu who is depicted as a girl with curly hair (laughter) and they had just -- I mean it was just awful. There was a new Governor in town at that point, a new head of the Office of Employee Relations, and Stanley Steingut and Warren Anderson were the two leaders.

So when I came on and, by the way, the president at that time, Ted Wenzel, had opposed the firing of the old law firm and the hiring of the new one, so my first couple of days were pretty easy. Nobody bothered me. I was able to sit through and think how we might proceed because the only person that would talk to me, either from the Legislature, anybody important inside the Union, Marty and I could talk through what we might do.

I set up a series of meetings because we obviously -- the first thing we had to do was have a dialogue with somebody and we started with the legislative leaders. We went to see Stanley Steingut first. I set up the meetings

and I knew both he and Senator Anderson, and told 'em we'd like to come over and Marty and I went. Dr. Wenzel was with us at the meeting and I think we met -- we had scheduled to meet with a couple of committee chairmen also.

At the first meeting when we walked in, Stanley started running around his office when Ted came in saying, "Is there a Lulu here, Ted? I don't see any Lulu." The meeting ended disastrously. Dr. Wenzel, unwilling to be humiliated again left and refused to go meet with Senator Anderson.

We went on and concluded the meeting, explained to Senator Anderson. Senator Anderson was and is a, you know, a gracious gentleman and didn't have quite the physical sense of humor that Stanley did, so that meeting went a little better anyway.

And then we set up a meeting with the Governor and took President Wenzel to see him. Over time his relationship with me got to be, as we did these things, somewhat more trusting and you could get him to do things. We began to work together better, but we re...basically we

just went out and reopened a dialogue with the Legislature.

While we were doing that, Marty and I became convinced, or perhaps Marty would tell you I convinced him, I'm not sure. He was a full-scale partner in this and he's very good at explaining it to the members and doing all those things you have to do to actually change things.

We conceived the idea that we were gonna have a political action committee and that we were gonna have a grassroots tree, if you will. We called them PALs, political action liaisons. Our initial scheme, if you will, was to get somebody in the district of every one of the legislators, Assembly and Senate, whose assignments -- so there were whatever there were in those days, 210 of 'em, was to become close to his or her legislator.

We'd give 'em the money to attend local political events. We'd brief 'em on issues and so on, the thought being that we could then -- and remember, there was nothing in place, absolutely nothing in place at this time. We'd then begin to have some in-district contact

with 'em and we wanted to have a political action committee, 'cause it was perfectly clear that that was one of the things, given the hole we were in, that would make CS -- make it attractive to politicians, to at least begin to talk to CSEA again, which at that time were just seen as an agitator.

Unfortunately, CSEA was a corporation and, consequently, initially when you looked at it appeared to be limited to spending \$5000 a year for all purposes politically. We conceived the notion that -- and of course you could have passed the hat, but that was a difficult way to raise money. We conceived the notion, if you will, of a negative contribution to the political action committee that, as far as I know and we did a lot of research at the time, had never been tested in New York as to whether you could go about it that way.

There were some cases around the country, more often from internal union disputes, about how dues money was spent than from an outside thing, and we simply went ahead and did it, and I've forgotten what the initial

-- we were at a convention. Marty made the proposal. Might have been as little as a dollar and a dollar twenty a member.

INTERVIEWER: Basically this was to set up a separate political action fund where --

MR. FEATHERSTONAUGH: Right.

INTERVIEWER: -- a portion of the dues were allotted to that fund?

MR. FEATHERSTONAUGH: That's right. And then it was our legal position that those weren't corporate monies, and that even though the corporation collected 'em and put 'em over there, that was an administrative service. To the best of my knowledge, that has never been officially tested, but our feeling was that if it didn't get tested for the first couple of years, it was gonna be an acknowledgement that it was all right. I mean, it'd gone -- now we've been doin' it or CSEA has been doin' it for 30 years now and there's probably nobody in the state that hasn't received contributions from it.

But there was, as you can imagine, there were a lot of nervous people when we

decided to do it. I took the position, and Marty was good enough to back me up, that if you didn't do that it was gonna have a dramatically negative effect on your ability to negotiate a contract, let alone your ability to shape any legislation in a way that would be favorable to the Union as -- as it went forward.

But the -- probably the real driving force behind it was at that point the issue of the institutionalization and the Willowbrook consent decree and all had become just a brush fire in the institutional services unit and it was very clear that there would be no way to make meaningful progress there unless you were able to develop real political clout, and that's what we set out to do.

INTERVIEWER: M-m-m. We're probably a little tight on time and can't get to all of these things, but I wonder if you'd talk a little bit about the 1978 gubernatorial race between Hugh Carey and Perry Duryea and what role the CSEA played in that.

MR. FEATHERSTONAUGH: Well, I think CSEA played a pivotal role in it. It was a --

it was a very difficult thing internally. What was going on was you had a -- at that time you had -- now you had the political action committee which --

INTERVIEWER: Yeah.

MR. FEATHERSTONAUGH: I've honestly forgotten whether they had the formal authority to endorse or they simply had the authority to recommend an endorsement, but in either event Hugh Carey was so low in the polls that you couldn't find him. He was trailing Duryea by probably 40 points. CSEA had had a very rocky relationship with Hugh Carey, starting with his days of wine and roses speech and going on.

On the other hand, Carey's people had negotiated the first contract with the Union and, more importantly, they were at the epicenter of the deinstitutionalization issue. Now Hugh Carey and his head of OMRDD, Tom Coughlin at that time before he became head of Corrections, Tom had a special needs son of his own. He was very deeply, personally committed to the deinstitutionalization.

Within the institutional services unit

the Willowbrook Developmental local was enormously active because they were all gonna lose their jobs and it became apparent that that was gonna spill over throughout not only the retardation community but mental health. That there was gonna be this real push to -- to get people out of there.

In any event, Carey's troops had made up their minds that they were gonna -- they were gonna try and get the Union's endorsement, which initially seemed impossible because the rank and file of the Union at that point just hated the Governor and didn't want to have anything to do with him. The Union, though, was willing to deal on this question of -- saw how important this question of deinstitutionalization was and also I should point out that Bill McGowan came from the institutional services. Well, he actually came from opera...the operational services union -- unit, but he came out of a institution. That's where his job had been and he had an enormous empathy for the people that were down there.

In any event, we had pretty much --

Duryea was very popular with our Long Island members in the local government side. He was certainly much more popular than Carey throughout the state side. He met with the committee. He was a charming guy. I had known him for all of my professional life and liked him. His counsel, Charlie Webb, had worked with us; indicated they would work with us on various things.

But at the end of the day, Hugh Carey had more to offer us right then and there with the problem we needed to deal with than Perry Duryea, and it was a very cold-bloodedly, nonemotional, objective "what's in the best interest of the members" decision that was made; that we were gonna endorse Carey.

Now Duryea had been all but assured the endorsement by all kinds of people and, in fact, they pulled off the Thruway -- they were going somewhere and Charlie Webb called me right after we made the decision to -- to endorse Carey, and he was just livid and -- I mean he was dissembling, he was so angry about it. He was hardly able to talk and just a litany of

threats came out as a result of it, for which I don't blame him, incidentally.

I like Charlie. I saw him about a year ago. It was a dramatic moment. It really was the first blow to the Duryea campaign which then, over the series of the next months or so, just collapsed and Hugh Carey was re-elected.

Now ultimately it was that decision that led to the issuance of the Morgado Memorandum which has, even to this day, shaped the way the deinstitutionalization went forward and provided protections to the employees in terms of job continuity. I mean it was clear you couldn't stop, and probably rightfully shouldn't stop, real deinstitutionalization. Now the dumping should have been stopped and the Union did the best it could, but that's all it did was the best it could. It wasn't able to stop it.

However, we did preserve thousands of jobs as a result of that. It led to one of the wildest confrontations at a delegate meeting that was called, where Marty was up there explaining -- as was I -- explaining the

endorsement, and people from the Nasasu local were actually rushing the stage to try and tear away the microphones, they were so mad about it.

So it was, you know, it was just a conscious decision to do what the leadership perceived to be in the best interest of the members, really whether the members liked it or not (laughter) is what it amounted to. It was driven by the deinstitutionalization issue.

INTERVIEWER: Do you know, was that the first time that CSEA had ever endorsed for Governor or do you know --

MR. FEATHERSTONAUGH: Yes.

INTERVIEWER: -- had you ever done that previously?

MR. FEATHERSTONAUGH: They had never done it before.

INTERVIEWER: And obviously that sets the stage for a whole bunch of other questions that, unfortunately, I don't think we're gonna have enough time for, but let me -- let me kind of close in this way. I wonder if you would just give me a very short description about several of the CSEA leaders who you worked

with --

MR. FEATHERSTONAUGH: Okay.

INTERVIEWER: -- over the years and you talked a little bit about Joe Feeley. Can you tell me what you remember about him?

MR. FEATHERSTONAUGH: Yeah. I didn't -- Feeley, as I said, was on his way out when I came in, but he was around. He was an educated cheerful man who has truly been in the Association mold. There was still an Association really when he left, so I -- he saw himself as a really -- just an elected leader of professional colleagues. I don't think in his wildest imagination he would have thought of himself as a Union leader, but I think he, you know, he took his responsibilities seriously.

He had figured out how to lead effectively in the -- in the structure, the legal structure that was there at that time, which was -- you know, he was willing to go beg for his members, which is really what you were doing because no one had to give you anything or do anything for ya, so he was willing to go up and make the case and I think in that structure

he was a good leader.

Whether he could have made the conversion, I have my doubts about that, but he was never confronted with it, so it didn't matter.

INTERVIEWER: Talking about colorful figures, tell me a little bit about Ted Wenzel.

MR. FEATHERSTONAUGH: Ted was very colorful. He was -- you know, in addition to -- as you got to know Ted, in addition to being -- I've forgotten what his doctorate was in, but he invented a game that he patented and sold and had copies of it. He was a master chess player, you know, of national ranking.

He -- he was the man who had -- was in the uncomfortable position of being there when the Taylor Law changed. He was from the PS&T unit and as you know he had a Ph.D. in, again I don't recall what it was, but -- and he was probably not as good at the -- at articulating his views to the rank and file members as you might have liked.

He was used to being with the PS&T group. By the same token, he was, you know, he

was a man who had grit. In the first -- the kind of infamous statewide -- it was really a weekend strike, that first strike that took place, we were all -- we pretty much locked ourselves into 33 Elk Street because the Attorney General's Office had all these guys in overcoats out there with subpoenas looking for everybody (laughter), looking for all the leaders, the officers, the lawyers, and everybody else.

And that was, you know, he was taking -- you know, it hadn't happened before. He was taking an enormous risk and he was willing to do it because he thought it had to be done. He was -- could be very amusing up in front of a crowd sometimes because he did speak and communicated in a very different place than most of our delegate meetings -- delegate meetings were.

INTERVIEWER: You had a real contrast then when you got to the next president, Bill McGowan.

MR. FEATHERSTONAUGH: That's true. That was a real contrast. Bill McGowan, to my mind, of the leaders of the Union that I knew

was the one had a special place in the building of the Union, and he certainly had a special place in my affection for him. I became -- so I should say, as a disclaimer, I became very close to Bill personally, but I had a great admiration for him.

He really was, as people would say, a dese, dems and dose kind of speaker, but he had a fundamental understanding of trade unionism and leadership that none of his predecessors -- had had. He took the Union places it never could have gone without him. He was comfortable going there because, of course, he had been a Union member in the private sector before he came to work for the State. He was willing -- when you talk about a man of courage, he was willing to do all kinds of things.

When you get back to that institutional-- deinstitutional, Bill was just adamant and he held his ground there. At one point we met with Tom Coughlin at a restaurant when the Union -- our convention was going on so it was somewhere near the Concord or Grossingers, but one of those places in

Monticello, and a discussion took place between Bill and Tom in which Tom misunderstood, thought Bill had said something derogatory about his child and Bill would never do that and didn't, in fact, even know that Tom had children, but a scuffle broke out between the two of 'em. That then grew into a full-fledged fistfight between Coughlin and I.

Now Coughlin, who'd been an ex-state trooper, his reaction was just to start firing his fists in all directions. I had pushed him off of Bill. He came back, so now I've gone over and rescued Bill sort of. I'm now engaged in this desperate struggle with Coughlin. The people from the Governor's Office came and broke up the fight.

I look over and Bill is sitting like I am now, puffing his cigar and talking with one of my partners, Pauline Kinsella, who later went on to head PERB, as if nothing is happening in the room and chairs are flyin' and fists are flyin' (laughter) and Bill's just waitin' to get back to the negotiation.

But he was great. Hugh Carey loved

him. Bill and I would go down as he should have, after the endorsement, but we made an awful lot of progress for people in the second Carey term.

INTERVIEWER: M-m-m. Tell me --

MR. FEATHERSTONAUGH: So I loved Bill.

INTERVIEWER: Tell me a little bit about Joe McDermott.

INTERVIEWER: Joe was again from the PS&T unit. Very smart, very orderly, very administratively savvy. Understood, you know, how to make things run correctly and efficiently. Didn't -- in my view, didn't have Bill's passion. I mean, Bill was pass...truly passionate about these issues of his members.

I thought Joe was an extremely effective leader but I think he really lacked some of that inner passion that Bill had. Now on the other side, Joe was a much better leader in the administrative sense. I mean, he -- his communication was better. It was more organized, it was more directed. I was never certain that he -- Bill really loved the job. I think Joe felt the job was a responsibility and

liked it. I was never -- I never had the feeling that he really loved it, loved the hurly burly, the elbow-throwing, the way Bill did, you know, could get into it.

But I think particularly after the merger with AFSCME, I think Joe was exactly, exactly the right guy to -- to be the transitional president there and make the merger fully work.

INTERVIEWER: Tell me a little bit about Irene Carr who we know just passed about a month ago.

MR. FEATHERSTONAUGH: Well, Irene was the secretary to the Union for all of the time I was there. Could not have been a lovelier, more gracious lady. Could not have been more of a team player throughout the time that I knew her. She always was there for the Union, was willing to stick her neck out for 'em.

Played a -- very supportive of Bill when he was president and of Joe. Although there were some times when you had the Bill/Joe sort of split when that transition was going on, when she -- by the nature of it had to be one

side or the -- had to be on one side or the other of it, but I don't think she was ever comfortable with that.

She saw the Union as -- holistically, as a whole place where it really was one for all and all for one and, you know, I think she saw it as a family and her duty to her family. She was a great lady.

INTERVIEWER: And she, I would assume, played a pretty pivotal role at a time when women were taking a more prominent place in the Union?

MR. FEATHERSTONAUGH: She did play -- she certainly -- she certainly -- the women who now have leadership roles in the Union should, if they look back and remember, realize that they're standing on Irene's shoulders.

She did it at a time really before -- well, she started at a time before the feminist movement had gotten much traction. She stayed with it as the feminist movement both inside and outside the Union began to get real traction and she accommodated to that change wonderfully. Led that change and led it in a way that was

effective at her time and place.

I think, you know, in 1971, say, '72 and that area -- era, they would have been hard to have a Bella Abzug type feminist inside this particular union. Irene was able to stand for all the same things, support all the same things and just do it in a -- in a way that was compatible with the culture that existed at that time.

INTERVIEWER: Jim, I think we're gonna have to leave it there --

MR. FEATHERSTONAUGH: That's fine.

INTERVIEWER: -- but I certainly hope you'll come back again, 'cause we've got a lot of things I'd still like to ask you about.

MR. FEATHERSTONAUGH: Yeah, I'd be glad to.

INTERVIEWER: Wonderful. Terrific.

(Whereupon, the interview of Jim Featherstonhaugh was concluded.)

C E R T I F I C A T E

I, JEANNE M. CARPENTIER, do hereby
certify that the preceding is a true and accurate
transcription of the taped proceedings held in
the above-entitled matter to the best of my
knowledge and belief.

Sworn to before me this

_____day of_____

My commission expires
