

# THE STATE EMPLOYEE

OFFICIAL MAGAZINE OF THE ASSOCIATION OF STATE CIVIL SERVICE EMPLOYEES OF THE STATE OF NEW YORK

## Governor Lehman Signs Feld-Hamilton Civil Service Career Bill



Standing, left to right: Joseph D. Lochner, Executive Secretary of the Association; Dr. Frank L. Tolman, Chairman of the Salary Committee; John T. DeGraff, Counsel; William F. McDonough, Chairman of the Legislative Committee; Hon. Charles Poletti, Counsel to Governor Lehman; Earl Kelly, Chairman of the Legislative Committee of the New York City Chapter of the Association, and Milton Schwartz, . President of the New York City Chapter. Charles A. Brind, Jr., President of the Association is seated to the right of Governor Lehman.



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. JUNE, 1937

NO 5.

## New Civil Service Career Law

By Abraham S. Weber Director of the Budget

Reprint from Albany Knickerbocker Press

New York practices what it preaches.

The State, for years leader in improving the lot of working people, last week took a big step forward on its own account by extending to its workers some of the benefits it believes private concerns should provide for their employees.

Governor Lehman, by endorsing and signing the Feld-Hamilton "career" bill, established a reasonable minimum wage act for the vast number of State employees. That is the striking feature of this advanced type of legislation which may serve as a model to other states

This law goes further than a

minimum wage act. For the vast majority of State employees it establishes what economists term a floor and a ceiling for salaries. The State cannot pay below a minimum fixed by the act and it cannot pay more than any grades established by its terms.

In addition to the minimum wage, annual increases for a certain period of years are provided. When this period has elapsed and the maximum increase reached, no further advance is possible except by promotional examination into a higher classification, except in the highest brackets where no maximum is set.

Both political parties joined in enacting the measure, its co-authors being Democratic Senator A. Spencer Feld of New York, and Republican Assemblyman Laurens M. Hamilton of Rockland County. Passage in both houses was by nonpartisan vote and virtually unani-

Another contributing fact to favorable action at this time on the bill, which in one form or another had been before the Legislature several years without substantial progress toward enactment, was the argument it would attract higher type public servants. This

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## New York State — Employer

By W. F. McDonough, Chairman, Legislative Committee

Careers in New York State Civil Service were made a reality with the signing on June 3, 1937, of the Feld-Hamilton Bill, a measure proposed by this Association.

Career service has been described as "a series of ladders" upon which individuals carefully recruited on the basis of character and fitness for the special tasks of government may as they attain knowledge and experience mount to the highest positions of responsibility within the service. The merit system at its best serves not only in recruitment ways but also in ministering to every phase and every problem of personnel administration.

The Constitution of the State plainly intended that the Department of Civil Service should func-

tion not only as the arm of government that would supply personnel but also as the arm of government that would develope and help to apply a personnel administration system that would stimulate each worker to constantly greater efficiency. There is no conflict here with the prerogatives of administrative officers. No agency, however inspired, could do this without law and wise direction. It is obvious that the people, anxious for the very maximum of service from the institutions which they created to serve them are entitled to the highest type of employee. And it is just as plain that a personnel selected because of training and fitness for special tasks of public service should be safeguarded and

rewarded so that the human needs and aspirations common to all citizens and to all salaried and wageearning people would be met to the fullest possible extent.

This Association following its reorganization in 1929, in its Bulletin No. 1, published on December 20th of that year, appealed to the Governor of the State as follows:

"That Your Excellency direct for future budget control an immediate comprehensive study of the compensation accorded to all classes of State workers and that just provision be made for adequate minimum salaries in the different classes, and for regular automatic increases for each class up to a fitting maximum."

## New York State — Employer

Continued from Page 3

Thus did the organized employees of State Civil Service begin a campaign which it has waged for seven vears. During that time a survey of State positions, the first step to the establishment of any fair employment policy was carried out at the direction of the Legislature at a cost of over \$100,000. The departmental service was classified. The aim of employees was the adoption by the State of a comprehensive classification-compensationpromotion plan, which would assure an efficient and enthusiastic employee body intent upon unselfish, loval service to the State. If social needs are not supplied by economic rewards for energy and effort expended by any wage earning body the upbuilding of that service is impossible. For twenty years prior to 1930, personnel administration in State service had been so neglected that as unhappy and as unremembered an army of workers as ever existed in like circumstances toiled patiently in the offices and divisions of State government. Their only hope was a flickering, always uncertain political one, or that at the end of the trail the old age pension established in 1920-a plan not then common to business or industrial employmentawaited them.

With the facts as to needs of personnel attention brought to the public and to the elected officials by the Association, the responsibility of the State as an employer gradually dawned upon all, and another evil, the twelve-hour day, was abolished as a State employment practice.

At no time during the past seven years did the Association of State Civil Service employees permit the elected representatives of the people to forget that classification of positions alone did not meet the needs of the civil service situation. A salary plan to provide adequate and equitable annual income, and mandatory salary promotions to attract efficient workers and to stimulate initiative among all classes was clearly as essential to the highest development of State service as sunlight was to the human health and growth.

The career bill, just signed goes far to round out the broad program of this Association on behalf of good State government and good employment policies.

Much remains to be done, however, to build a perfect employment plan. The most vital need is unselfish and willing cooperation between those charged with any responsibility whatsoever in employment matters and the employee body. In that first Bulletin of the Association published in 1929, the following statement appears.

"Above all personal feelings, above all personal desires, we place the efficiency of service as the right of the State. We are pledged to hearty cooperation with all executives and heads of State Departments. As good citizens of the State, our personal fortunes are, without reserve, subservient in all ways to the welfare of the State."

That is the spirit of State employees today and it will so remain. To meet this, a just and willing and progressive attitude toward employee problems must animate the executive, legislative and administrative heads of government.

As the effects of long neglect disappear in the presence of the strong career elements of the new law, the often times cold and unsympathetic attitude of any officers of State government so inclined toward the improvement of rank and file employee conditions must give way to healthy cooperation if the spirit and the purpose of the law is to prevail.

Much of the success of the law will rest with the Civil Service Commission and the Civil Service Department. That branch of State government is now truly clothed with a fuller and broader responsibility. It is the personnel administration agency of every office, division and institution. It must develope its recruitment plan to meet career opportunities. The State promises better annual incomes and higher incentive to continued service. More citizens will seek State service. Obviously the Civil Service Commission must bring more and more of the State workers into the competitive class. The Constitution and the law demands this. Justice as to promotions will depend entirely upon the Civil Service Department.

In assigning the various positions to their appropriate salary grades under the provisions of the career law, the paramount consideration of the standardization board must be to do justice to the State and to the present and future employees of the State. Here is a task that involves such far-reaching consequences to literally thousands of human beings that to even suggest the possibility of political or other influence likely to subvert the high purposes sought seems almost sacriligious. Yet we expect from practical experience that there will be such efforts. Upon the good-will and patriotism of executive and administrative heads, the courage of the representatives of employees upon the board, and the frank, open publicity of all activities of the standardization board we rely for the success of the important work of salary classification imposed upon this board. Here again the wisdom and value of a strongly organized employee body is readily apparent.

Forward and ever forward the civil service body presses toward social and economic independence and the greatest possible security and contentment of all of the people of the State. The just laws and fair rules governing employment practices are the highways via which we progress. As an Association we are without entangling alliances, but we are sensitive and alert to the fact that we are one with the great salaried and wage earning body making up the vast majority of American citizens. We visualize the day when the principles which underly the Feld-Hamilton Career Law will become the cornerstone of all employment policies. We congratulate the 1937 Legislature and Governor Lehman upon their substantial recognition of the duty of the State of New York to take the leadership as an employer in dealing intelligently, justly and humanely with the workers in its own vineyard.

## Legislative Report of 1937 Session

By John T. DeGraff, Counsel

The 160th annual session of the Legislature, which came to a close on May 7th, was significant to Civil Service employees principally because of the passage of the Feld-Hamilton "career service" bill, a measure of such vital interest to State employees that other bills, by comparison, were of minor importance. Last year's record of 4,501 bills introduced was surpassed by an all time high of 4,678 bills introduced in both houses; 927 bills



COUNSEL JOHN T. DE GRAFF

finally survived to become laws; slightly less than last year's record of 947 new laws. At this writing it is believed that Governor Lehman has established a new record for vetoes—having disapproved approximately 250 bills.

Few employees realize the tremendous number of Civil Service bills that are introduced at each session of the Legislature. In the past session there were nearly 400 bills affecting Civil Service employees. No one can read the index of bills before the Legislature without realizing that it is imperative for Civil Service employees to maintain a strong, united organization and to be constantly alert to support constructive legislation as well as to oppose vigorously unsound and prejudicial legislation if the merit system is to be preserved

and perfected. Each year the influence of your Association with reference to Civil Service legislation has become increasingly evident. The views of your representatives and officers have been received with interest and attention because it is known that the Association has consistently upheld the fundamental principles of the merit system and has constantly attempted to strengthen the Civil Service system by the adoption of fair and equitable employment standards.

To Civil Service employees, the outstanding event of the entire session was the adoption of the Feld-Hamilton bill which becomes Chapter 859 of the Laws of 1937. This bill, discussed at greater length elsewhere in this issue, is more than a salary-increase measure; it will strengthen the merit system at its weakest point and will tend to improve and simplify the administration of the Civil Service Law in a dozen different ways. Employees who receive appointment to Civil Service positions on their merits, only to find that, in all too many cases, they were dependent upon political or personal favor for advancement, now have a definite assurance that they may be advanced on the basis of ability and efficiency. It is a long stride toward a "career service" comparable to the Civil Service of Great Britain which has been so universally acclaimed by those who have had the opportunity to observe it.

The Feld-Hamilton bill, in keeping with true Civil Service principles, was adopted as a nonpartisan, nonpolitical measure by virtually a unanimous vote in both houses of the Legislature. Governor Lehman and the leaders of both parties exhibited statesmanship of the highest order, for there was no straining for political advantage at any step and the bill was considered and adopted wholly on its merits.

Lack of space prevents a complete report on all the bills before the Legislature. It is only possible to summarize briefly the action on a few of the more important measures.

#### BILLS AFFECTING INSTITU-TION EMPLOYEES

A very substantial portion of the program advocated by the Association of Employees of the Department of Mental Hygiene was enacted into law. Of paramount importance was the passage of an additional appropriation in the budget of over \$1,000,000 for the purpose of paying commutation to employees in the institutions. This additional sum, which will be available after July 1, 1937, will go a long way toward correcting the inequities and inequalities that have existed for several years with reference to the allowance of commu-

The first Civil Service bill to be signed by the Governor was the Nunan-Ostertag bill, S. 804, A. 1015 (all references are to introductory numbers) permitting employees, at their request and with the approval of the superintendent, to work seven days a week for not more than seven weeks and to accumulate the additional days so worked so that they can receive up to seven consecutive days off. It became Chapter 146 of the Laws of 1937.

The eight-hour day was extended to include employees in the kitchen and dining room service of the various institutions by another bill sponsored by Senator Nunan and Assemblyman Ostertag, S. 803, A. 861, who successfully championed the eight-hour day last year. This became Chapter 249 of the Laws of 1937.

The Fitzpatrick bill, A. 908, gives to employees who are now members of the Mental Hygiene Employees' Retirement System, the option to transfer to the State Employees' Retirement System. A word of warning should be given to those who contemplate taking advantage of this option. The provisions of the two systems are so different that any employee who considers making the change should first investigate very thoroughly the pension to which he would be entitled under the State Employees' Retirement System before electing to make the transfer. Generally speak-

## Legislative Report of 1937 Session

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#### TIME SERVICE

ing, the retirement allowance under the Hospital Retirement System is larger for the rank and file of institution workers than the allowance under the State System. Higher salaried employees may, because of the different bases upon which maintenance is computed, receive a pension approximately equal or somewhat higher under the State System than under the Hospital System. The principal advantage of the transfer lies in the variety of options that may be selected under the State Retirement System as contrasted with the single type of retirement allowance under the Hospital Retirement System.

Despite vigorous opposition on the part of organized employees throughout the State, the Twomey bill, S. 258, which repealed the provision in the Mental Hygiene Law granting employees the right of a hearing in cases of removal, passed the Legislature and was signed by the Governor. After passing the Senate in the early days of the session, the bill failed to receive the approval of the Assembly Health Committee, to which it was referred and was transmitted to the Rules Committee. Despite assurances of Assembly leaders that the bill would be killed, it was reported out and passed during the last hour of the final all-night session. bill now provides that removals in the Department of Mental Hygiene shall be made under the same conditions applicable to Civil Service employees generally.

The Fitzpatrick bill, A. 43, providing that heads of families who are allowed to live outside the institution, must be granted an extra ten dollars monthly allowance, passed the Legislature, but was vetoed by Governor Lehman.

The Wicks-Fromer bill, S. 455, A. 760, providing that employees at the New York State Vocational Institution at Coxsackie, should receive the same compensation as employees of prisons, passed the Assembly, but died in the Senate Finance Committee.

Three bills to increase the salary of laundry supervisors died in committee. No action was taken on the bills to restore time service that was withheld during the moratorium of 1932 to 1935. The Garrity bill, S. 150, the Lavery bill, S. 65, and the Ostertag bill, A. 491, restoring time service for all State employees, as well as the Fite bill, A. 2170, restoring time service for employees of the Mental Hygiene Department, died in committee.

#### SICK-LEAVE

The Ehrlich bill, A. 1050, granting employees in the competitive and noncompetitive classes in the Mental Hygiene Department fourteen days sick-leave with pay, passed the Assembly but died in the Senate Finance Committee.

The Twomey bill, S. 665, granting thirty days sick leave with pay for all State employees, passed the Senate but died in the Assembly.

The Twomey-Moffat bill appropriating \$10,000 for the purpose of paying sick leave and vacation allowances for employees transferred to the Transit Commission, was passed and becomes Chapter 228 of the Laws of 1937.

#### NURSES' BILLS

A great deal of interest was shown in the bills to regulate the practice of nursing. A public hearing, attended by a number of employees from the institutions was held. At this hearing it was revealed that the nurses throughout the State were hopelessly divided in their views and that no bill before the Legislature was satisfactory" to the nurses themselves. Consequently, none of the bills received favorable action in either house. State employees were interested in these bills principally because of the effect of the proposed legislation upon a group of trained nurses in State institutions. It seems evident that if any legislation regulating the practice of nursing is to be adopted this group of trained nurses should be merged with the registered nurse group. It is quite likely that a bill along the type of the Feld bill, S. 1744, providing that licensed trained nurses, having at least one year's experience, shall be certified as registered nurses without examination, may be adopted at the next session.

#### SIX-DAY WEEK

The Ehrlich bills, A. 855, 856, providing for a six-day week for employees working on the canals and bridges, passed the Assembly but died in the Senate Labor Committee.

The Wojtkowiak bill, S. 572, providing for a six-day week for these employees, with the additional provision that no salary reductions should be made because of the reduction from the present seven-day week, passed the Senate on the last day of the session, but failed to pass in the Assembly.

#### VETERANS' BILLS

No bills granting preferences to veterans were enacted at the past session. The Berg bills, S. 712, 713, granting veterans preference in retention when positions are abolished and providing that veterans should be placed at the head of all preferred lists, passed the Senate, but died in the Assembly. Another Berg bill, S. 587, providing that age limitations prescribed by the Civil Service Commission should not be applicable to veterans unless they were physically incapable of performing the duties of the position for which the examination was held, passed the Legislature but was vetoed by Governor Lehman.

The McLaughlin bill, A. 1376, providing that any veteran who has been suspended after ten years' service, shall be eligible for reinstatement to any vacant position equivalent to that from which he was suspended, also passed the Legislature, but was vetoed by Governor Lehman.

The Austin bill, A. 1114, providing that veterans should be given extra credit on Civil Service examinations for war service, wounds, medals, decorations, etc., was killed in committee.

#### BUSINESS AND PROFESSIONAL DIRECTORY

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#### Testimonial Dinner

A Testimonial Dinner to Honorable John J. Merrill, State Tax Commissioner, given by the "Old Timers" of the Corporation Tax Bureau, was held at the Venetian Room of the DeWitt Clinton Hotel, Albany, on Wednesday Even-

ing, April 28th, 1937.

Among the guests attending were: R. D. Austin, S. E. Bates, J. J. Browne, E. W. Burton, J. E. Carpenter, H. J. Connors, J. W. Donnan, D. B. Fitzgerald, J. Getz, J. E. Grogan, A. M. Gundlach, L. C. Hart, D. P. Hoffman, C. W.

Hutchins, J. J. Keegan, E. A. Keneston, H. E. Kennedy, E. J. Laughlin, R. F. McGraw, H. C. Moody, W. R. Myers, H. G. Savage, J. J. Shelly, H. A. Sheridan, E. M. Shultes, L. Shultes, W. A. Sivers, W. F. Sullivan, M. J. VanDeloo, E. I. Weaver, and E. F. Welch.

## Executive and Legislative Champions

At approximately 1:15 P.M. June 3, 1937, in the Executive Chamber of the State Capitol, Governor Herbert H. Lehman affixed his signature to the Feld-Hamilton Civil Service Career Bill sponsored by this Association, and it thereupon became Chapter 859 of the Laws of 1937. Governor Lehman in signing this bill again displayed his usual keen interest in the welfare of State emplovees, just as he did in the establishment of the shorter day for institutional employees and in like matters. State employees should appreciate his good act.

Thus after many years of effort on the part of organized State em-



GOV. HERBERT H. LEHMAN

ployees, mandatory schedules providing a permanent compensation plan based upon equitable rates of pay with reasonable assurance of advancement are realities. They will attract citizens of the highest ability to State service and will tend to strengthen the merit system at its weakest point.

It gives us pleasure to review herein the principal events leading up to the final successful enactment of the bill and give due credit to its sponsors in the Legislature and to the leaders in the Executive and Legislative branches of State government responsible for its success.

The Feld-Hamilton Career Bill was introduced in the Senate by



HON. LAURENS M. HAMILTON

Senator A. Spencer Feld of the 20th Senatorial District on February 1, 1937, becoming Senate Intro. No. 398, Print 412, and was referred to the Senate Finance Committee.

Assemblyman Laurens M. Hamilton of Rockland County, introduced the bill in the Assembly on the same date and it became Assembly Intro. No. 599, Print 608. It was referred to the Assembly Civil Service Committee of which Mr. Hamilton was chairman.



HON. A. SPENCER FELD

The measure received no action in either house until March 17th, when it was reported out of the Civil Service Committee of the Assembly. On March 23rd it was placed on order of Third Reading. On April 5th, the Assembly bill was amended, taking the new Print No. 2730, and on the same day the Senate bill was also amended, taking the new Print No. 2061.

The Assembly passed the Career Bill on April 12th by a vote of 143 to 6, and it was brought over to the Senate and referred to the Finance Committee. This Association expresses its most sincere ap-



HON. JOHN J. DUNNIGAN

preciation to Assemblyman Laurens M. Hamilton for sponsoring the bill in the Assembly, and finally securing its passage, and also to all its other many supporters, Democratic and Republican, in the Assembly. We present here the pictures of Assemblyman Oswald D. Heck, Speaker of the Assembly, and Irving M. Ives, Majority Leader, who lent their unqualified support toward the passage of the bill.

Following its reference to the Finance Committee, Senator John J. McNaboe made a motion to change the reference to the Senate Civil Service Committee, of which he is chairman. This motion was lost.

On April 26th, Senator Feld's

## of the State Civil Service Career Law

bill was amended and recommitted, taking Senate Print No. 2581. Assemblyman Hamilton's bill was amended on April 27th, becoming Senate Print No. 2591.

Senator Feld's bill was reported out of Committee and placed on Third Reading April 28th. On May 5th, the Hamilton Bill was substituted and placed on Third Reading and passed the Senate unanimously.

On the same day it passed the Senate, Senator John J. McNaboe made a motion that the vote be reconsidered. The vote was reconsidered and a motion by Senator McNaboe to amend the bill to prohibit educational requirements was



HON. PERLEY A. PITCHER

defeated. The bill was then repassed by a vote of 49 to 1. The Assembly immediately concurred in the amendments made in the Senate and the bill was sent to Governor Lehman on May 7th.

This Association, on behalf of its thousands of members throughout the State, wishes further to publicly thank Senator A. Spencer Feld, the sponsor of the Career Bill in the Senate, not only for sponsoring the bill, but for his continuous aid in securing its successful passage. We also express our appreciation to a!l its supporters in the Senate, and in particular Senator John J. Dunnigan, Majority



HON. JEREMIAH F. TWOMEY

Leader, Senator Jeremiah F. Twomey, Chairman of the Senate Finance Committee, and Senator Perley A. Pitcher, Minority Leader of the Senate, for their cooperation in securing the Senate's approval of the bill.

We also believe the support accorded the bill by organizations such as the New York State League of Women Voters, the Civil Service Reform League, The Citizens' Union, the City Club of New York,



HON. IRVING M. IVES

the New York State Teachers' Association and other groups which endorsed the bill was an invaluable adjunct to its early passage.

Support of the bill rendered and secured by the various chapters of the Association in New York City, Utica, Buffalo, Rochester, etc., and by the Association's affiliated groups such as the Association of State Highway Engineers, Association of Employees of the Department of Mental Hygiene was invaluable.

Last but not least congratulations are in order for Counsel John T. DeGraff and committees of the Association who donated countless



HON. OSWALD D. HECK

hours of time into the small hours of many mornings in planning and drafting this comprehensive legislation. Dr. Frank L. Tolman with the help of Joe Lochner and the office staff corralled immense documentary evidence as to present ranges of salary of thousands of employees in the service. Bill Mc-Donough, Chairman of the Legislative Committee, wrote and spoke reams about the great possibilities of this legislation. Through the magnificent cooperation of all, the bill was drafted, introduced, passed and signed and is a reality. A new day is dawning in public service in the State of New York.

#### Legislative Report

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#### EDUCATIONAL REQUIRE-MENTS

The McLaughlin bill, A. 2075, providing that no more than an elementary school education should be required for positions not requiring professional or technical knowledge, passed the Assembly, but died in the Senate Civil Service Committee.

The McNaboe bill, S. 68, providing that the Civil Service Commission could not impose any educational qualifications as a prerequisite for taking a Civil Service examination, except for technical positions or positions where requirements are expressly imposed by law, passed the Legislature but was vetoed by Governor Lehman. Senator McNaboe attempted to incorporate the provisions of this bill as an amendment to the Feld-Hamilton career service bill, but the amendment was defeated in the Senate

#### PREFERRED LISTS

The McNaboe bill, S. 571, extending to the non-competitive and labor classes the provisions of section 31 of the Civil Service Law, which require demotions and suspensions to be made in the inverse order of original appointment, passed the Senate, but died in the Assembly Rules Committee.

The Egbert bill, S. 730, providing that seniority should be computed on the basis of service rendered in any combination of the competitive, non-competitive or labor classes also passed the Senate but was killed in the Assembly.

The Morris bill, A. 686, which provides that employees on preferred lists who have accepted positions lower in title or grade than the positions from which they were suspended, shall nevertheless retain their place on the preferred list and shall be eligible for reinstatement to a position equivalent to that from which they were suspended, passed the Legislature and was signed by Governor Lehman. This constructive measure definitely protects the status of those employees who were suspended during the depression years.

The Kreinheder bill, A. 1665, which sets up the "drop-back" seniority rule similar to that in effect

## New York City Chapter



MILTON SCHWARTZ

Mr. Milton Schwartz, an employee of the New York City office of the State Insurance Department is the President of the New York City Chapter of the Association. Mr. Earl Kelly, is an employee of the Bureau of Motor Vehicles of the New York State Tax Department and the Chairman of the Leg-



EARL KELLY

islative Committee of our New York City Chapter.

The New York City Chapter has developed steadily since its organization three years ago. At the present time its membership totals well in excess of one thousand and it is the largest chapter of the Association.

on the railroads and elsewhere by providing that when a position is to be abolished the incumbent shall, instead of being suspended, be demoted to a position from which he had been previously promoted, passed the Assembly but failed to pass the Senate.

#### REMOVALS

A number of bills to regulate the practice with reference to removals upon charges were introduced, but none of them passed. The McNaboe bill, S. 568, granting the right to a hearing to all employees in the competitive, non-competitive and labor classes, passed the Senate but died in the Assembly Rules Committee.

The Nunan-Cariello bill, S. 1281, A. 2126, setting up a personnel board to hear and determine all charges, also passed the Senate but failed of passage in the Assembly.

The Garrity-Todd bill, S. 1290, A. 1482, providing that employees who have served for five years in the

non-competitive or labor classes should be dismissed only on the basis of written charges after an opportunity to explain, which provisions are now applicable to employees in the competitive class, passed the Assembly and, in amended form, passed the Senate, but neither House concurred in the amendments made by the other House. For some unaccountable reason, this bill was opposed by city employees in New York City and Buffalo, at whose instance amendments were incorporated, making the bill inapplicable to employees in cities of over 500,000. It is believed that a bill along these lines will be passed at the next session in order to give some protection to employees of this class who now have no protection whatever and who can be dismissed at any time with or without cause.

#### MISCELLANEOUS BILLS

The Cariello bill, A. 577, providing that employees who have

#### Legislative Report

continued from Page 10

served, under temporary appointment, for over three months, shall in the absence of an eligible list be placed upon a preferred list for permanent appointment, passed the Legislature but was vetoed by Governor Lehman.

The Hamilton bill, A. 1796, extending preferences in appointment to positions at salaries not exceeding \$900 to residents of counties contiguous to Albany County, passed the Assembly, but was killed in the Senate.

The Feld bill, S. 17, creating a Division of Crime Prevention in the Executive Department, passed the Senate, but died in the Assembly Rules Committee.

The McNaboe bill, S. 67, creating a narcotic control board in the Health Department, was passed and signed by Governor Lehman.

The Crawford-Canney bill, S. 466, A. 697, permitting promotion from the labor to the competitive class after two years of service instead of three as at present, was vetoed by Governor Lehman.

Several bills containing special salary provisions for inspectors, supervisors and other employees in the Labor Department and in the State Insurance Fund, passed the Legislature but were vetoed by Governor Lehman on the ground that such salaries should be adjusted in the regular course of budgetary procedure.

The Buckley bill, S. 999, creating a Division of Motor Vehicles in the Tax Department, passed the Senate, but failed to pass the Assembly.

The Feld bill, S. 1224, amending the law generally with reference to the practice of architecture, was signed by the Governor, but a second bill introduced by Senator Feld, S. 1113, permitting applicants for a professional engineer's license to furnish evidence of practical experience after passing the examination, instead of before, was vetoed.

The Desmond bill, S. 1497, creating a Civil Service Commission for Orange County was vetoed by Governor Lehman.

The Moran bill, A. 765, authorizing the Civil Service Commission to require applicants for examination to be citizens and residents of

## Engineers' Association



JOHN F. JAHN

Mr. Francis D. McKeon is President, and Mr. John F. Jahn, Vice President, of the New York State Association of Highway Engineers. Mr. McKeon is a civil engineer connected with the Syracuse District Highway Office of the State Department of Public Works, and Mr. Jahn is connected with the Albany District Highway Office of the same department in the same capacity. In addition to his duties as Vice President of the Association, Mr. Jahn is also Chairman and Representative of the Legislative Committee of that organization.

Our Association of State Civil Service Employees enjoys the full support and cooperation of the Highway Engineers' organization, with its members located in the ten



FRANCIS D. McKEON

various district offices throughout the State. The success of our Association in securing many improvements of working conditions throughout the past few years was due in large measure to the cooperation accorded by the Engineers' Association. Hundreds of members of the Engineers' Association are likewise members of our State-wide organization.

Many hours of their time away from work are spent by the officers and directors of the Highway Engineers' Association, without compensation of any kind, in an unselfish endeavor to improve the lot of the State civil engineers. Our hats are off to this group of splendid, loyal unselfish State employees.

the State for two years was also vetoed.

The McCall-Stevens bill, S. 536, A. 890, changing the requirements of Credit Union loans over \$50 became Chapter 354 of the Laws of 1937.

The Milmoe bill, A. 1348, giving State Police sixty days off each year, passed the Assembly but died in the Senate Finance Committee.

## EXTENSION OF ELIGIBLE LISTS

For the first time in many years no bills extending eligible lists were passed by the Legislature. Twelve bills extending various eligible lists were introduced, but all were killed in committee.

#### PENSION BILLS

A great many pension bills were before the Legislature at this session. Among those which were signed by the Governor were the following:

Feinberg, S. 281, permitting an employee to add to his deposit by a single payment a sum sufficient to provide for a pension of one-Continued on Page 14

## Development of State Employees Credit Union

This Association, through its Credit Union Committee, of which Lewis S. Armento is Chairman, was responsible for the establishment of twenty-seven Federal Credit Unions among State employee groups in this State, and is pleased to be able to print herein the following table supplied by C. R. Orchard, Director of the Credit Union Section of the Farm Credit Administration, Washington, D. C., giving information as to the status of these Creidt Unions as of December 31, 1936.

Name	Charter No.	Began Business	Member- ship	Paid in Shares	Loans made since Organization		Dividend Paid 1937	
51.2000.F	210.	Dusiness	Sinp	Bharcs	No.	Amount	Rate	Amt.
N. Y. S. Albany Emp	51	1-2-35	714	\$29,846	881	\$89,397		\$1,139
N. Y. S. Centre St. (NYC)	165	3-20-35	570	25,594	837	42,741	5%	784
Buffalo State Hosp. Emp	677	11-4-35	293	7,379	400	20,944	5%	191
N. Y. S. Rochester Emp	680	11-14-35	196	4,772	156	9,358	4%	91
Buffalo State Emp	723	12-3-35	236	6,152	222	11,350	5%	152
N.Y.S. D.P.W. District 8 Emp	731	11-20-35	153	4,731	181	12,011	51/2%	122
Syracuse State School Emp	802	12-14-35	91	1,404	43	2,465	21/2%	17
Gowanda State Hosp. Emp	818	1-1-36	129	1,016	72	1,692		
Wallkill Prison Emp	877	1-10-36	62	615	73	1,783		
Attica State Prison Emp	884	2-1-36	117	2,277	67	4,535	5%	68
N. Y. S. Vocational Inst. Emp	888	1-14-36	46	629	31	1,365		
Matteawan State Hosp. Emp	903	1-20-36	322	5,549	316	13,453	6%	132
Hudson River St. Hosp. Emp	939	2-1-36	162	7,431	134	10,195	6%	135
Craig Colony Emp	944	1-8-36	44	219	22	705		
Newark, N. Y. State School Emp	950	2-17-36	108	892	41	2,695	31/2%	
Marcy State Hosp. Emp	953	1-30-36	56	1,233	48	2,170		
Utica State Hosp. Emp	954	1-31-36	122	3,591	134	8,703	4%	91
Elmira Reformatory Emp	970	1-22-36	77	950	33	1,421	6%	21
Rome State School Emp	972	2-3-36	45	425	28	750		
Auburn Prison Emp	988	3-14-36	115	1,916	61	3,694	4%	26
Creedmoor State Hosp. Emp	1002	2-15-36	209	4,641	176	10,215	5%	92
Central Islip St. Hosp. Emp	1012	3-7-36	152	1,249	54	2,220		
N.Y.S. Psychiatric Ins. & Hos. Emp.	1023	3-2-36	101	1,106	48	1,916	4%	16
Dist. #6 N.Y.S. Highway Emp	1080	3-6-36	89	658	34	1,350		
Middletown N.Y.S. Hosp. Emp	1216	5-1-36	57	301	16	528		
Harlem Valley State Hosp	1507	7-7-36	77	579	27	835		
In addition to the twenty six or	adit uniona	1: 1 :1.	. formaring	table the De	oolden C	oto Tou Eme	James I	Zadaunt

In addition to the twenty-six credit unions listed in the foregoing table, the Brooklyn State Tax Employees Federal Credit Union, with Charter No. 2086, began business on April 8, 1937.

#### New Career Law

Continued from Page 3

recognition of State service as a career, with fair pay, should be a strong inducement to offer to young men and women already well-trained but without employment. Infusion of this new blood into the State service would, its sponsors contended, be beneficial to the service.

This purpose is frankly stated in the first section of the law, "In order to attract unusual merit and ability to the service of the State of New York," it reads, and "to stimulate higher efficiency among the personnel, to provide skilled leadership in administrative departments, to reward merit and to ensure to the people and the taxpayers of the State of New York, the highest return in services for the

necessary costs of government, it is hereby declared to be the policy of the State, in accordance with the mandate of the Constitution, to provide equal pay for equal work, and regular increases in pay in proper proportion to increase of ability, increase of output and increase of quality of work demonstrated in service."

This law was designed to make State service a career attractive to men and women who prefer government service to private industry. Employees and State officials of New York and other states will watch its workings with interest. If results measure up to expectations of its sponsors, the plan undoubtedly will become the model for a general public employee policy. If results are disappointing there is, of course, always opportunity for amendment.

While State officials and employees will be interested observers of the plan's operation, others who will watch with equally keen interest are the taxpayers.

If the plan works out and brings to realization the high purpose it proclaims "to ensure to the people and the taxpayers of the State of New York the highest return for services" it is likely that its added cost will be considered justified by the majority of taxpayers.

So, in the last analysis, it is up to our State employees themselves to decide the success or failure of this law. The State has recognized their right to a minimum wage, to increase in compensation with increase in service, to protection in employment. It is up to them to "ensure the highest return in services" in exchange for these benefits.

#### Meet Pres. McDonald



JOHN H. McDONALD

Mr. McDonald is President of the Association of Employees of the State Department of Mental Hygiene, with thousands of members located in practically every institution under the jurisdiction of the State Mental Hygiene Department.

The officers and committees of the Mental Hygiene Association, as well as their predecessors in office, have always worked in complete harmony with this Association, and it is a well-known fact that the somewhat improved working conditions which the institutional employees now enjoy would have never been a fact had it not been for the strenuous and continuous activities of our two organizations, supplemented by the efforts of the local institutional organizations throughout the State.

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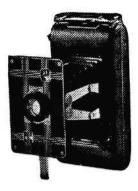
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## Legislative Report

Continued from Page 11

half salary at present age if greater than age 60.

Desmond-Rossi bill, S. 323, A. 894, making permanent the option to retire at age 55. The law required that such an option must be filed before January 1, 1938.

Fischel, S. 1465, granting an increased pension to employees over 50 who retire through no fault of their own after 25 years of service.

Steingut, A. 2006, granting an increased pension upon retirement after 20 years of consecutive service in any combination of exempt, competitive and unclassified service on the same terms accorded to employees who retire through no fault of their own after 20 years of service in the competitive class.

Babcock, A. 446, authorizing payment of a death benefit if death occurs within thirty days after filing optional retirement.

The following pension bills were vetoed by Governor Lehman:

Crawford bill, S. 465, authorizing payment of a full year's salary as a death benefit if the employee has over ten years of service.

Crawford, S. 467, granting employees option to retire at age 55 on one-half salary after 30 years of service, half of the increased cost to be paid by the State.

McElroy, S. 1031, granting veterans the privilege of retiring at one-half highest salary after 20 years of service.

Fitz Gerald, A. 1925, granting veterans privilege of optional retirement after 25 years of service.

Rapp bill, A. 1300, authorizing retirement of State Police at one-half salary after 20 years of service.

The following is a list of some of the pension bills which failed to receive favorable action in the Legislature:

Lavery, A. 1161, making employees eligible for retirement after 30 years of service, regardless of age.

Farenga, A. 1206, granting option to retire at age 50.

Lavery, A. 1359, giving the widow of an employee who has served 25 years, one-half of his retirement until her death or remarriage.

Howard, S. 1424, permitting retirement of a person aged forty-five who has a record of nineteen years of service for the state or city.

Babcock, A. 447, providing that no decision of the Industrial Board is binding on the Comptroller.

Babcock, A. 455, providing that if a member leave the service through some act on his part, he shall not be entitled to discontinued service allowance.

Farenga, A. 785, giving a person employed by the Federal government the right to contribute to and be a member of the State Retirement System:

The following is a partial list of bills on which no action was taken by either House:

Jerema, A. 710, amending the Constitution so that appointment or promotion shall be given to the highest on the list instead of one of the first three highest.

Delaney, A. 840, providing that a person on a perdiem, hourly or monthly basis shall be paid for legal holidays.

Lavery, A. 1160, reducing compulsory retirement age from 70 to 65.

McLaughlin, A. 1456, exempting salaries of State employees from levy or execution in any legal proceeding.

Flynn, A. 2214, providing that no person over eighteen years of age shall be barred from a Civil Service examination by age requirements.

McLaughlin, A. 2231, authorizing leave of absence for all employees on each Saturday from June to September, inclusive.

Breitbart, A. 2378, providing a five-day week for employees not employed in penal, charitable or reform institutions.

Doyle, S. 187, prohibiting band or orchestra composed principally of Civil Service employees to play at any function not directly connected with such public department or bureau.

McNaboe, S. 570, prohibiting all oral Civil Service examinations.

Esquirol, S. 594, establishing a consumers' bureau in the Health Department.

#### **Buffalo Chapter**

The results of the Annual Election of the Buffalo Chapter of the Association were as follows: President, F. L. Clark, Public Service Department; Vice President, Catherine McGavis, State Institute for Study of Malignant Disease; Secretary, Clair Brown, Education Department, and William McKernan, of the A. B. C. Board, was elected Treasurer.

The Directors of the Chapter elected were as follows: A. B. C. Board, William McKernan; Agriculture, Leo D. Spink; Banking, Ruth Kates; Conservation, Willard E. Tillman; Education, Rufus Jarnigan; Employment, Leo A. Sweeney: Health, F. Manley: Labor, Margaret Slavin; Law, Edward J. Ryan; Parole, John D. Ryan; Public Buildings, George Stanton; Public Service, E. G. H. Youngmann; Dept. of State, F. E. Wareing; State Teachers' Collage, Kathryn S. Graham; State Institute, Dorothy Drumm; State Insurance Fund, Vera Ridge; Taxation and Finance, M. Seereiter.

The First Annual Dinner Dance sponsored by the Buffalo State Hospital Employees Association, was held May 15th, at the Hotel Lafayette, Buffalo. It was considered that this very successful affair was a step forward in unity of cooperation for the Association.

Guests attending were Harold B. Ehrlich, Guest Speaker; Frederick Hammer, F. Leo. Clarke, President of the Buffalo Chapter of the Civil Service Association; Harry C. Dupree, Past President of the Chapter, and Joseph Sarrow, Toastmaster, and President of the Buffalo State Hospital Employees' Association.

Wotjkowiak, S. 807, prescribing eight-hour day for State Troopers.

Desmond, S. 953, prohibiting any member of the State Civil Service Commission from holding office in a political club, or acting as delegate to a political convention.

Esquirol, S. 1174, creating a board of beauty culture in the State Health Department.

Hill, A. 1839, authorizing two weeks' vacation with pay for employees paid on a per diem or hourly basis.

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## We've done it again this year!

### A NEW MEMBERSHIP RECORD!

The Devil of Disunity Has Been Cast From Our Midst Forever!

IT'S JUNE. This is our final membership drive for the year 1937. Officers and members call to YOU for PERSONAL ACTION to CROWN THE BRILLIANT ACHIEVEMENTS WORTHWHILE ACCOMPLISHMENTS FOR STATE WORKERS IN THIS AND PRE-

VIOUS YEARS WITH A TRE-MENDOUS TRIUMPH AS TO MEMBER. SHIP. We ask you to canvas vour immediate group for complete membership in this single, State wide organization. BEHIND ONE PRO-GRAM, AND INTENT UPON SUCCESS FOR ALL!

LOOK THE WORLD OVER. What is it that intelligent men and women are seeking? IT IS UNITY. Why do they seek it? BECAUSE WITHOUT

ORGANIZATION THEY FACE, HELPLESSLY, THE PROBLEMS OF ECONOMIC. SOCIAL AND POLITICAL LIFE. The Wagner collective bargaining law is now a fact. 45,000,000 workers throughout the country are free-legally, honestly, justly-to speak out and to organize.

THE FIRST NEED OF THE TIMES IS OR-GANIZATION—COMPLETE ORGANIZATION OF ALL WORKERS. And hand in hand with organization must come INTELLIGENT LEAD-ERSHIP and WISE AIMS. From Maine to California, organization goes on with feverish pace. It is a splendid, progressive challenge to Amercan patriotism to lend a hand with organization—TOWARD COMPLETE UNITY.

This Association foresaw the vital need of organized effort by State employees five years ago. NOW WE ARE A LONG WAY ON THE ROAD TO COMPLETE UNITY. During the

STATE SERVICE

process of organization. WE WERE A C H I EVING MANY GREAT REFORMS FOR STATE WORKERS. TODAY WITH OVER 14,500 MEMBERS -2,500 MORE THAN EVER BEFORE-STATE EM-PLOYEES ARE MARCHING SHOULDER SHOULD-ER IN THE FINEST OR-G A NIZATION EFFORT ANY PUBLIC BODY HAS YET DIS-> PLAYED.

ARE YOU IN THE LINE-UP? ARE YOU FILLING

YOUR PLACE IN THE GREAT PARADE? ARE YOU WORKING FOR COMPLETE UN-ITY? IF NOT, say it with your own application for membership, or, if a member, with one or a dozen applications of your fellow workers. WE HAVE A MEMBERSHIP CARD RESERVED for EVERY STATE EMPLOYEE. There must be no slackers in State service! LABOR IS MARCHING ON! UNITY COOPER-ATION-LOYALTY CALL TO YOU TO HELP!

Hand applications for membership to the representative of the Assoc. located in group, or send to Assoc. Headquarters TOL