

Public SECTOR

Falsely accused aide vindicated

ORANGEBURG — A Mental Hygiene Therapy Aide at Rockland Psychiatric Center has been totally vindicated in a case of alleged patient-abuse that was so incredible that CSEA brought the U.S. District Attorney for New York, as well as its own legal staff, into the matter.

Arbitrator Jack Tillem has found that Ronard Dumas was not guilty of the flimsy charges the institution lodged against him, and that he should be immediately given back the full month of pay he lost as the case dragged on.

The nightmare began for Mr. Dumas when he returned from vacation last June 21 only to be called into an empty room by RPC personnel officers and questioned by two detectives; charged with patient abuse; read his "Miranda" rights (as police are required to do to criminals); and told to resign immediately, or that they would press criminal charges against him.

The personnel office of RPC was fully aware that acting CSEA Local 421 President Eva Katz was in Albany that day. Acting Executive Vice President Bob Colman was called away momentarily on what the union believes was a "trumped-

up pretext," and by the time he got back, Mr. Dumas had already resigned under duress.

What had happened was that, on May 30, two days after Mr. Dumas had left for a three-week vacation, an RPC aide had found a deaf mute resident with severe burns on his chest. Since the patient was on Mr. Dumas' ward, and since a doctor estimated the burns to be "at least 2 or 3 days old," the hospital administration was compelled to investigate the cause of the injury. In the process, it illogically deduced that Mr. Dumas was guilty.

When CSEA Region III Attorney Martin Cornell was called into the case, he persuaded the hospital to withdraw Mr. Dumas' forced resignation. Meanwhile, the union also filed a complaint with the United States District Attorney for New York, charging that the RPC action violated Mr. Dumas' civil rights.

CSEA filed a grievance based on the fact that disciplinary charges were not filed against Mr. Dumas within the time limits set forth in the contract, and that the arbitration was not held within 14 days. All this time, RPC harassment of Mr. Dumas was continuing.

He was suspended without pay from July 5 to Aug. 2, at which time the hospital mysteriously withdrew its charges against him and reassigned him to the job of cleaning sewers. This action enraged Ms. Katz, who is now President of the local.

"This poor fellow was totally innocent of all their charges, and yet the personnel office, which should have afforded him the protections guaranteed under the contract, instead continued harassing him in an effort to get to resign. He would come to my office sicker and sicker every day because of the work they were making him do. It just made me more determined than ever to win this case for him," she says.

After the union complained about this treatment of Mr. Dumas while his arbitration was still pending, management agreed to allow him to take a 10-day "vacation," then reassigned him to the storehouse.

"This is our next fight," Ms. Katz said. "It's not fair that he should have had to take that time out of his vacation accruals."

When the arbitration came up, it was almost as bizarre as the preceding months. The hospital's case against Mr. Dumas was

carried on by the Employee Relations Office of OMR. It dragged out over three days despite the fact that the state's only "witness" was a mentally disturbed resident who had been hospitalized over 35 years, who corroborated the testimony of others that he tells lies; who admitted a grudge against Mr. Dumas because the aide tells him not to smoke; and who said at the Oct. 9 hearing that the May incident had happened "three weeks ago."

Mr. Tillem found Mr. Dumas not guilty. He awarded him his Grade 9 MHTA position back again, with full back pay.

"I'm delighted that we won," Ms. Katz said. "I believed from the start that he was innocent, and the incredible way RPC handled this case makes it very satisfying that justice was done."

CSEA Collective Bargaining Specialist Robert Guild commented, "This whole situation never should have happened in the first place. The union has an understanding with the Governor's Office of Employee Relations that a 'clearing house' in Albany will filter out flimsy cases like this, so they do not go to arbitration unnecessarily."

Union succeeds in reversing Westchester residency rule

WHITE PLAINS — The Westchester Unit of CSEA, in a decision believed to have far-ranging application, has established that residency requirements cannot be imposed on public employees by legislative fiat.

The Westchester County legislature imposed such requirements on some 6,000 CSEA-represented county employees in a law passed Aug. 7, 1978. County CSEA Unit President Raymond J. O'Connor immediately filed an Improper Practice charge, noting that the action violates the Taylor Law mandate that all terms and conditions of employment must be negotiated between union and management.

The county argued that Mr. O'Connor had "waived" his right to negotiate when he discussed the matter with a legislative committee earlier in the year. But the union leader pointed out that, in that discussion, he had grudgingly agreed to such requirements only if they would be applied exclusively to FUTURE county employees —

those hired after the date of the legislation.

"In principle, I am against residency requirements," he says. "They violate the code of merit and fitness in public employment. But when the committee told me they were going to pass this law, I urged that they at least pass one that would put as little burden as possible on the current employees."

The committee agreed, but that is not what happened. When the law passed, it affected current employees in three ways: it required those who lived in the county to stay there or be fired; it imposed the same penalty on those non-county residents who relocated to the county after the law took effect and later moved to a residence outside the county again; and it restricted to county residents any promotions made after its effective date.

Mr. O'Connor and the CSEA regional law firm of Grae and Rose, of White Plains, presented their case before Public Employment Relations Board

hearing officer Robert J. Miller, in two days of hearings in New York City.

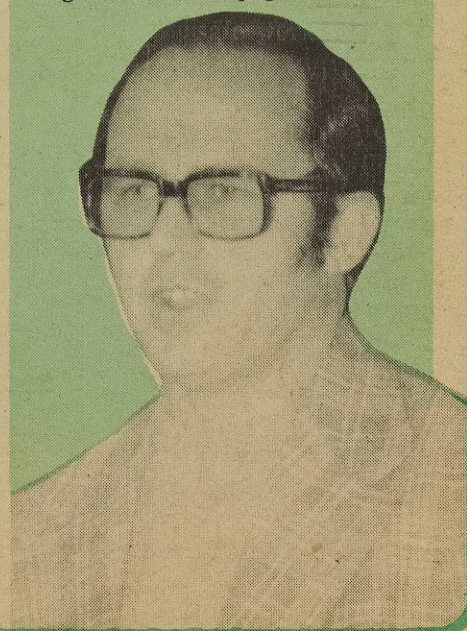
Mr. Miller agreed with the union and wrote, "The County's defenses are found to be without merit. The discussions with the legislative body do not evidence a waiver of the right to negotiate . . . The violation is the refusal to negotiate the requirement itself before its enactment . . . The acts of a legislative body may constitute an improper practice notwithstanding its law-making functions. Therefore, it is hereby ordered that the County cease and desist from applying these aspects of the residency law" to current employees.

He added, "The County is ordered to negotiate in good faith with CSEA the terms and conditions of employment of unit employees, including those contained in any residency requirement."

The county legislature has since amended the law to have it apply only to future hires.

This is Robert Densmore

He's president of the Town of Union CSEA Unit in Broome County, and he recently spoke out to reveal extremely dangerous working conditions affecting his fellow Town of Union highway workers. Now he says he's been demoted and reprimanded. And that has angered CSEA Statewide President William L. McGowan, who conducted a press conference to denounce management actions and to pledge the full support of the union behind Mr. Densmore. For latest details on this continuing situation, see page 12.



Therapy aide assaulted 5 times in 5 months

SYRACUSE — Terming personal safety conditions at the Syracuse Developmental Center "alarming," the Civil Service Employees Assn. says it is filing grievances on behalf of Sheri Ranger, a mental health therapy aide who has been assaulted five times in five months.

Further, CSEA Field Representative Terry Moxley said he and Local 424 President Santo DeVito have requested union attorneys to investigate "all legal avenues available" to remedy the situation.

Pointing to a high personnel turnover rate at the center, DeVito said that while the grievance and legal

avenues are being pursued, he feels "strongly that a better attitude toward the workers" would greatly alleviate the conditions at the center.

"If the workers would be treated with understanding, their work environment would be more tolerable," DeVito said.

"Here's a worker, who despite the five assaults, still says she loves her work and her clients. Yet, we have to file grievances because the administration callously forces her to return to work, while her nose is still in a cast after having been fractured in in the latest assault, he continued.

"That despite the fact that the ad-

ministration is in receipt of a letter from her doctor saying that she needed more time for healing and emotional recovery.

"That same letter pointed out that there may be permanent functional and cosmetic disability," to Ms. Ranger, the mental health therapy aide over whom the grievances are being filed.

"If the administration would have displayed some understanding of her distress things would be better at the center.

"In fact such a change in attitude would rebound to the benefit of the clients, administration and the workers," DeVito concluded.

Moxley said one of the grievances being filed seeks to restore accruals to Ms. Ranger for time lost because of her injuries which include another nose fracture, finger and hand fracture and a scalding when she was hit on the head with a coffee pot.

He also chided the administration, particularly the personnel office, for contravening Ms. Ranger's compensation claim, thus denying her compensation leave and forcing her to use accruals such as vacation and personal leave.

"An office which should be a personnel advocate becomes instead an adversary, thus creating intolerable working conditions," Moxley said.

During a press conference last week, called to bring the situation at the center to the attention of the Central New York public, Moxley explained the deficiencies which cause the unsafe conditions and which are the subjects of other grievances filed.

He said that there is inadequate staffing for the type of client at the facility, inadequate training for the staff and improper utilization of mental hygiene therapy aides.

He also echoed DeVito's sentiments concerning the administration's callous attitude towards workers at the facility.

"When there are as many as 70 grievances back-logged, you know there's something wrong," he exclaimed.

Moxley also said that he believed that the assaults on Ms. Ranger were the result of her diligence as a union steward. And he has filed a grievance claiming that her transfer to the location where she has been assaulted followed her assumption of her "duties as a steward in a serious manner."

Among legal moves contemplated is an improper practice charge against the Center and an assault charge against the client.

Moxley said he was recommending the latter action to a reluctant Ms. Ranger because it was necessary to shake up the administration, "which is charged with the care of the client."



A SEMINAR FOR LPNs in the Long Island CSEA Region was held recently, and these were among the participants and instructors. The program focused on the LPNs' efforts to overcome the state resistance to upgrading the positions to reflect the medical responsibilities involved.

Editor, The Public Sector:

I am enclosing two articles (from "The Journal of Nursing Care") written by people who are concerned about the LPNs. They compare therapy aides (or nurse assistants) and LPNs, and there is a big difference in the two. I am sure that you have heard we were told that we could not file another grievance because we have no grounds. Can you please explain to me and 1,400 other LPNs who the state gave licenses to, not counting who knows how many not in state service or still in school, just what this means? How can the Civil Service Commission find insufficient basis to support our appeal when

they already have to make sure that the LPN schools are fully qualified. After school we must sit for the state boards the same as the RNs do, so why are we put down?

What I am really trying to say is, please give US a chance. Please could you help to reach LPNs all over the state to pull together and fight for what we believe in and the right to be what we want to be.

I have taken my own money to purchase a post office box so that we can at least have a fighting chance to protect our licenses. I ask all LPNs to remember that in 1980 the ANA is going before the state legislature to try and get a bill passed where all RNs must begin with a Baccalaureate degree

and all Associates would become nurse assistants.

Where does this leave the LPN and the nurses aide? If this bill is pushed through, we all lose out. Anyone interested, please write to LPNs, c/o P.O. Box 571 M, Bay Shore, New York 11706.

I may not be very good at writing letters, but I am a hell of a nurse and I know how to give all the TLC a patient needs to get well. And that's what being a nurse is all about. A degree itself will not help, but continuing education in nursing, not business administration, will help the sick.

Mrs. Evelyn Randall, LPN
Bay Shore
New York 11706

LETTERS



HAPPY RETIREMENT

When Ulysses (Pete) Bissonette retired recently after 30 years of service with the Village of Malone Department of Public Works, his fellow members of the Malone Village Unit of Franklin County CSEA Local 817 turned out to honor him with a retirement party at the KofC Hall in Malone. Mr. Bissonette, seated front, is surrounded by many of his fellow employees in this photo.



MARTIN LANGER, administrator of the new performance evaluation and advancement system for state workers, discusses the new program with some 200 CSEA members at an informational meeting in Buffalo recently.



AMONG THOSE PARTICIPATING in informational meeting on new performance evaluation system were Jim Jayes, left, President of Health Research CSEA Local 315, and Tom Warzel of SUNY Buffalo CSEA Local 602.

CSEA members learn of evaluation system

BUFFALO — An evening session concerning the new performance evaluation system drew about 200 CSEA members to the Buffalo State College campus Nov. 14.

An explanation on how the new program operates was offered by CSEA staffer Marty Langer and Tom Hartnett, deputy director of the governor's Office of Employee Relations, with the assistance of

negotiating team members from Region 6, Elaine Todd, Marie Romanelli and Mary Ann Bentham.

A similar session was held the following evening at the Monroe Community Hospital in Rochester.

NATALIE T. GUNN, listening to explanation, is from Buffalo Psychiatric Center CSEA Local 403.



Firm action ends wrangle

BROOKLYN — Quick action by CSEA leaders at the Kingsboro Psychiatric Center recently ended a CSEA-management confrontation, solved an overtime problem, and resulted in the cancellation of 65 disciplinary notices.

In October, Local President Mary Bowman alerted Region II President Jimmy Gripper and his regional staff to a growing confrontation at Kingsboro when 25 employees were brought up on charges for refusing assigned overtime, and 40 more were about to be charged.

President Bowman asked for the assistance of CSEA's regional staff, and Region Director George Bispham responded by assigning field personnel Anne Chandler, Al Sundmark and Bart Brier to work with Regional President Gripper.

CSEA was able to obtain copies of the overtime roster and quickly determined that the facility had only an assigned roster and lacked a voluntary one. "Furthermore, it was evident they were not rotating the overtime fairly," says Field Rep Brier. "That was in direct violation of the CSEA contract."

Presidents Gripper and Bowman confronted Kingsboro management with the contract violations, and suggested that notices of discipline be withdrawn and that a joint union-management meeting be held to establish a proper overtime roster.

On November 13 the charges were withdrawn and a union-management committee set up to formulate policy on the proper use of overtime rosters and the assignment of overtime in accordance with contractual requirements.

After a further meeting on November 19th, CSEA solved the problem and is now meeting with employees to explain the new overtime policy.

According to Ms. Bowman, employees who have worked overtime will have their names put on the bottom of the assigned list to insure that no one works an unfair proportion of forced overtime. Moreover, a voluntary list will be kept.

Hit SUNY action

ALBANY — In defiance of the Public Employment Relations Board, some State University campus officials ordered their campuses closed on the day after Thanksgiving this year, and forced their employees to charge their absence to their accrued leave credits.

After a nearly four-year-long battle, PERB agreed with CSEA a few weeks ago that such an action is an Improper Practice under the Taylor Law. Yet several campuses defied the PERB order and continued in that Improper Practice.

The union is demanding that the colleges restore leave credits and pay to all affected employees, and that SUNY pay punitive damages to all employees so situated, in the amount of one day's pay for each day their absence was ordered. CSEA attorneys are filing another Improper Practice charge in the matter, and intend to pursue the issue until it is satisfactorily resolved.



ONE OF THE LARGEST LOCAL DELEGATIONS to CSEA's recent annual meeting was from Staten Island Developmental Center CSEA Local 429. CSEA President William L. McGowan posed with the group and is shown in the front row. Local 429 delegates included, from left, front row, Phyllis Jones, Minnie Dargon, Tyrone Daniels, Irene Hillis, Michael Hicks, CSEA President McGowan, Local 429 President Felton King, Rose Platt, Barbara

Farrell, and Mary Browning. Second row, from left, are Pearlene Goode, Neta Woodard, Beverly Jackson, Kathy Penn, Roy Hargrove, John Jackson, Waiter Taylor, Sal Gugino and Terry Rouse. Third row, from left, are, Kathy Miller, Future Glenn, Irrita Dennis, Gloria Wilson, Jeri Bell, Sandra Thomas, Martha Matos, Yolanda Sanders, and Evelyn Newsome.

questions and answers



Q. When I applied for SSI payments, the lady at the social security office mentioned something about a periodic redetermination. How does this work? Am I supposed to get in touch with social security at a certain time?

A. The SSI law requires that each beneficiary's case be periodically reviewed to make sure that the beneficiary is still eligible for SSI and that his or her payment amount is correct. In some instances, this redetermination can be conducted by telephone. But, in most cases,

the beneficiary has to visit the social security office for an interview. The local social security office will notify you when it is time for your redetermination.

Q. I just got married a few weeks ago. Does my marriage have any effect on my SSI payments?

A. A change in your marital status could affect the amount

of payments due you and your husband or wife. You should notify a social security office promptly. The people there will tell you how your marriage affects your payments.



Calendar of EVENTS

December

- 7 — Region I annual Christmas party, 8 p.m., Huntington Town House. Tickets requests at regional office, 516-691-1170.
- 7 — Department of Social Services Local 688 Christmas party, 7 p.m., Albany Thruway House, Albany.
- 13 — Saratoga County Local 846 Christmas party, 6:30 p.m., The Rafter's, Saratoga Lake.
- 14 — CSEA Night at New York Appollo's soccer game, Nassau Coliseum, Uniondale.
- 14 — Region III Christmas party, 8 p.m., Holiday Inn, Newburgh.
- 22 — Downstate Medical Center Local 646 annual Christmas party, 9 p.m. Deauville Country Club, Brooklyn.

JANUARY

- 11 — Region 6 meeting, 8 p.m., Rochester/Marriott Inn, Greece, N.Y.
- 12 — Region 6 meeting, 9:30 a.m., state and county workshop, general business meeting after lunch, Rochester/Marriott Inn, Greece, N.Y.
- 12 — Region I workshop, Safety and Health, 9 a.m.-5 p.m., Holiday Inn, Hauppauge.

KEEP CSEA INFORMED ON MAILING ADDRESS

In the event that you change your mailing address, please fill out the below form and send it to:

CSEA, Inc., P.O. Box 125, Capitol Station, Albany, New York 12224.
This form is also available from local presidents for CSEA members, but is reproduced here for convenience.

Change of Address for 'The Public Sector'

Please allow 3-4 weeks for change to take effect.

My present label reads exactly as shown here (or affix mailing label)

Name _____	Local Number _____
Street _____	
City _____	State _____ Zip _____

MY NEW ADDRESS IS:

Street _____

City _____ State _____ Zip _____

Agency where employed _____

My social security no. _____ Agency No. _____

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Thomas A. Clemente—Publisher
Roger A. Cole—Executive Editor
Dr. Gerald Alperstein—Associate Editor
Oscar D. Barker—Associate Editor
Deborah Cassidy—Staff Writer
Dawn LePore—Staff Writer
John L. Murphy—Staff Writer

Arden D. Lawand—Graphic Design
Dennis C. Mullahy—Production Coordinator



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Involve everyone in local activities



LAKE PLACID — Unit and local officers in the Capital Region of the Civil Service Employees Assn., many of whom have been elected to office for the first time, participated recently in a three-day training workshop held at the Lake Placid Hotel.

In one of four general sessions, Jack Corcoran, Capital Region Director, spoke to the delegates on the organization of the union. His talk focused on the division into units, locals and Regions, with an emphasis on the role each level plays in the whole union. He cautioned the representatives to be sure their constitutions and by-laws were up to date.

The various Capital Region committees and their functions were discussed by Region President Joseph McDermott, who stressed the continuing need for member involvement

Above left, CSEA REGION IV PRESIDENT Joseph McDermott, left, and Regional Director John Corcoran discuss program for the region's 3-day training workshop for unit and local officers.

Below right, DANIEL CROWLEY, a consultant, conducted a session for treasurers.

in this area. Committees, he said, bring together members who are from different levels of the union, but have common interests.

Joseph J. Dolan, CSEA Executive Director, explained the function and make up of the 33 Elk Street statewide headquarters, pointing out some of the relatively new services it provides for members.

Such programs, which have come about in the last few years, include assistance for members with personal problems, a continued employment committee and a committee to study the quality of worklife. **Emphasizing** that the CSEA is moving away from traditional ways, he said, "The union is taking on new dimensions. We're expanding our effectiveness to the members through expanded programs. Things are happening for the better, we are getting stronger."

Richard Burstein, an attorney for the CSEA-retained firm of Roemer and Featherstonhaugh, explained the role of the Board of Directors and delegates in shaping union policies. He encouraged members to make their concerns known to the leaders.

In sessions aimed at officers, Irene Carr, statewide CSEA Secretary, discussed the role of secretaries; Daniel Crowley, CSEA consultant, spoke to treasurers, and Ronald Coder, AFSCME staff member, addressed presidents, vice-presidents and stewards.

Ms. Carr reminded her group they are leaders and followers, as well as note takers. Their role, she said, is to keep members informed and to assist the president. She also gave them advice for effectively handling the job of notetaking and preparing minutes of the meetings.

Crowley explained budget procedures to the treasurers and opened the session for questions on individual matters.

How to take on leadership and designate authority was the subject of Coder's talk. When you ask people to come to a meeting, he said, you are competing for their time with the television, personal life and other commitments, so meetings should be short and informal. "Don't measure the strength of your organization by the number of people who come to meetings," he advised. "Learn to work with those who come and feel comfortable at the meeting."

The final session of the weekend focused on the structure of AFSCME and included a movie from one of the union's conventions.



Above Listening intently to a discussion on leadership are William McTygue from the Saratoga County Local, Lawrence B. O'Bryan, vice-president of the Saratoga County Local and Santa P. Orsino, immediate past president of the Tax and Finance Local.



Right, CSEA STATEWIDE SECRETARY IRENE CARR conducted workshop sessions for unit and local secretaries.



DISCUSSING A POINT during workshop is Lee Johnson of Tax and Finance Department CSEA Local 690.

Right, AFSCME INTERNATIONAL EDUCATION DIRECTOR Dave Williams conducted a portion of the workshop sessions for CSEA local and unit leaders from Region IV.



The union fight against bureaucratic bumbling; mismanagement; poor planning

CSEA halts latest scheme to move Utica/Marcy unit



UNION LEADERS directly involved in the fight against consolidation of the Utica and Marcy Psychiatric Centers include, from left, Ernie Coleman, President of the Marcy CSEA Local; John Giehl, President of the Utica CSEA Local; CSEA Region V President James Moore, who is also a member of CSEA's Board of Directors as a Mental Hygiene representative; and John Blair, Vice President of the Utica CSEA Local. They met in November with members of the two CSEA locals to discuss the current situation.

A Chronology of Events Re: Proposed Consolidation

January through March, 1976
Department of Mental Hygiene Task Force studies issue of possible consolidation of Utica and Marcy Psychiatric Centers. Issues report in April recommending consolidation with ultimate closing of Marcy Psychiatric Center. Report recognizes need to have closed facility deleted from those facilities listed in Mental Hygiene Law.

May, 1976
Director of Governor's Office of Employee Relations Wollott notifies CSEA of planned consolidation. Single director appointed of "consolidated facility." Steps begin to consolidate medical, surgical, laboratory and personnel services at the Utica site. Designation of single department heads.

June, 1976
Chapter 438 of the Laws of 1976 enacted into law. This statute required the Department of Mental Hygiene to submit a report to the Legislature prior to initiation of implementation plans for regional consolidation of facilities. Although the act was effective June 23rd, 1976, Chapter 438 was a watered down version of Chapter 437 which required legislative approval of any plan prior to beginning such consolidation.

August 2nd, 1976
Action for a declaratory judgment and permanent injunction commenced against the Department of Mental Hygiene and Utica and Marcy Psychiatric Centers. Action alleged that numerous enumerated actions were in violation of Chapter 437 of the Laws of 1976 as well as other sections of the Civil Service Law. CSEA requested temporary restraining order against the consolidation of administration and transfer of employees between the two facilities. Temporary restraining order denied by

Judge Edward S. Conway on the grounds that it appears to be premature as the actions complained of were not imminent.

September 15, 1976
Mass meeting with local officers and employees of the Marcy and Utica Psychiatric Centers held in Rome, New York. Discussed the litigation and future attempts to block consolidation.

September 16, 1976
Amended complaint to conform with amendment of Chapter 437 of the Laws of 1976 by Chapter 438 of the Laws of 1976. Listed number of actions such as appointment of dual director, notification of impending transfer of positions, designation of single department heads, etc. as part of consolidation plan and therefore in violation of Chapter 438 of the Laws of 1976.

September 24, 1976
CSEA moves for summary judgment alleging no issues of fact exist.

October 25, 1976
Supreme Court Justice Hughes denies summary judgment. The decision found that certain actions taken by the State, including the appointment of a dual director, were changes already made or about to be made as a result of the State's Task Force study and were implemented before the effective date of Chapter 438 of the Laws of 1976. Court, however, refuses to grant summary judgment to State holding that certain allegations of the amended complaint, for example impending transfers, might be in violation of that statute.

December, 1976
The State begins to abolish Civil Service positions at both psychiatric centers and employees notified of layoffs and/or demotions. Administration of the two facilities consolidated at Utica Psychiatric

Center through the movement of the entire personnel office to the Utica campus. CSEA, by order to show cause, seeks reconsideration of its motion for summary judgment in light of the newly discovered evidence. In opposition, State for the first time questions the standing of Chapter Presidents Moore and Noll and CSEA to contest these actions. Judge Hughes again denies summary judgment on the same grounds as October, 1976 decision.

April 1977
CSEA moves for and receives a trial preference granting immediate trial on the factual issues of whether action taken by the State were steps taken to implement the plans for regional consolidation prior to meeting the requirements of Chapter 438 of the Laws of 1976.

May 5, 1977
Attorney General obtains stay of trial pending motion to dismiss on the ground that case had become moot. State alleged that any statutory restraint found in Chapter 438 of the Laws of 1976 automatically ceased in March of 1977 when the Department of Mental Hygiene submitted a reorganization plan to the Legislature.

August, 1977
Supreme Court Justice Cobb denies motion by State. Attorney General appeals decision to the Appellate Division, Third Department.

January, 1979
Appellate Division, Third Department again denies state's motion to dismiss on grounds of mootness but agrees with State's position concerning the termination of the restraint found in Chapter 438 of the Laws of 1976 as of March, 1977 as well as a mootness of any future damages. Effect of decision is that even if actions were illegal as complained of by CSEA

The rumors and the ensuing confusion, amplified by a series of law suits, about the possible consolidation of the Utica Psychiatric Center and the Marcy Psychiatric Center a few miles up the road have echoed through the Oneida County countryside for nearly four years now.

From the start, when a State Department of Mental Hygiene Task Force in early 1976 recommended consolidating the two facilities, the controversy has smoldered, occasionally breaking out into flames.

The State claims the consolidation would save money, but CSEA, leading the opposition, counters that patient care services would be reduced, and in several law suits has contended the State violated several sections of law in proposing the consolidation and transfer of employees and patients. And Oneida County officials quickly jumped in to call the planned consolidation a false economy move that

in this litigation, their illegality ceased as of March, 1977.

March, 1979
Attempt by CSEA to appeal to Court of Appeals withdrawn due to non-finality of Appellate Division order.

April, 1979
CSEA commences on behalf of Marcy employee Article 78 proceeding challenging the requiring of a Marcy employee to work at the Utica facility as violative of Section 5.1 of the Civil Service Rules and Regulations and as an access of the authority granted to the facility director pursuant to Section 7.2 of the Mental Hygiene Law. Additionally, this action seeks class action status to contest 100 similar personnel transactions. State moves to dismiss alleging an outstanding non-contract grievance related to the basic issues of the law-suit constitute an administrative remedy that was not yet exhausted. Decision still awaited on State's motion.

May, 1979
CSEA appears at trial conference on original Moore v. Kolb lawsuit. State renews motion to dismiss. Supreme Court Justice Cerrito dismisses action on ground that no justifiable controversy exists in CSEA's action for permanent injunction.

October 1, 1979
Meeting of CSEA staff and counsel with presidents of Utica, Marcy and Rome locals to discuss recent development and future actions.

The above describes the legal action taken by CSEA. It is also important to stress that CSEA has been extremely involved on the political front in order to block proposed legislation, dated April 18, 1978 (A-12737; S-9092), which would specifically authorize the consolidation of the two facilities as well as the transfer of employees between the two campuses.

would adversely affect the local economy. Then, this past October, the smoldering situation once again burst into flames when it was announced that an acute admission ward at Utica Psychiatric Center would be moved to Marcy. CSEA again stepped in on behalf of aggrieved employees and was able to bring pressure to bear that resulted in the halting of the announced unit transfer.

Because the latest incident rekindled rumors and confusion anew, CSEA locals at both Utica and Marcy Psychiatric Centers held informational meetings last month to inform members of the current situation. The latest snafu by management also, the union says, reinforces union arguments that the tangled Utica and Marcy problems are the direct result of poor planning, bureaucratic bungling and general mismanagement.

On pages 6, 7 and 8, The Public Sector takes a look at the Utica-Marcy mess, how it got that way, and some of the people affected.



SUE BUCRZINSKI, left, a Mental Hygiene representative on CSEA's Board of Directors and a member of Marcy Psychiatric Center CSEA Local 414, discusses the latest information with two union officials of the nearby Rome Developmental Center CSEA Local 422. Donna Tuthill, center, Local 422 administrative rep, and Local 422 Secretary Elaine Tigert, right, attended a November union meeting on the proposed Marcy-Utica merger as observers.



James Moore

"This latest attempt by the Department (of Mental Hygiene) to achieve their goal of closing one of the institutions is another clear example of the lack of credibility that is displayed by Mental Hygiene officials working for the State of New York.

"Poor planning, bureaucratic bungling and financial incompetence has been the blueprint of this project since the early 1970's. The Department has shown no regard for the patients at Utica or at Marcy, and even less of a concern for the employees and the taxpayers of Oneida County. In the past several years, by the Department's own record, over 1,800 people have been 'dumped' into the Utica area.

"I am convinced we will win this battle with the Department as our position on the matter is moral and just."

JAMES MOORE
President, CSEA Region V
Member, CSEA Board of Directors

"In October (1979) the acting director of the Center announced that the Tri-County Unit, an acute admission ward at Utica Psychiatric Center, was to be transferred to Marcy Psychiatric Center. This would have allowed Utica to close another building," and stripped Utica of another patient oriented service.

"We contacted CSEA Collective Bargaining Specialist Robert Guild, Regional President James Moore, and CSEA Statewide President William L. McGowan.

"CSEA acted quickly and informed Commissioner Prevost (Mental Health Commissioner James Prevost) of the union's concerns, and the consolidation plan was then not approved by the commissioner's office."

JOHN GIEHL
President, CSEA Local 425
Utica Psychiatric Center

"After listening to Commissioner Prevost (Department of Mental Health Commissioner James Prevost) at the CSEA convention and then listening to local area management, I know the State has a communication problem.

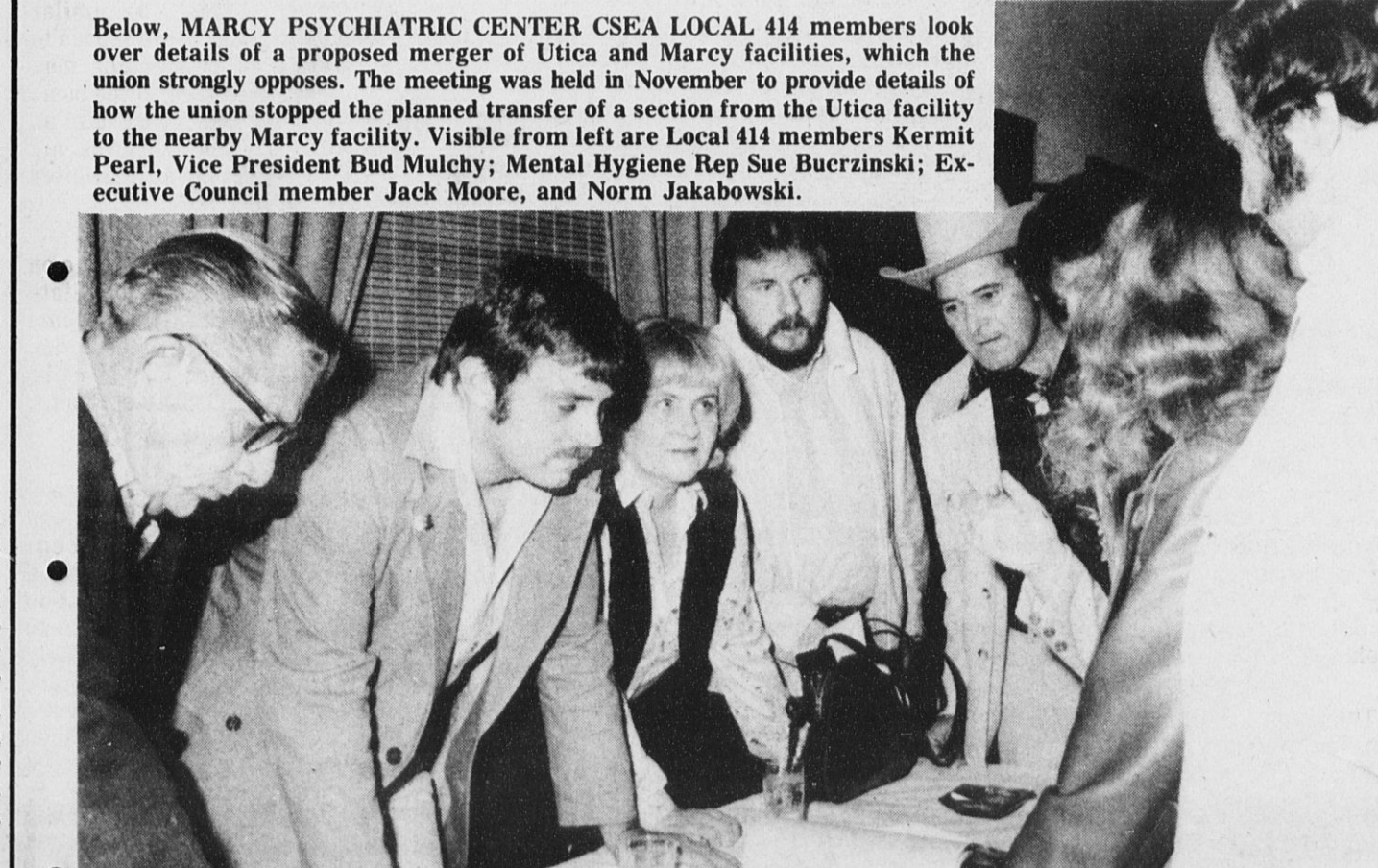
"In this situation, local area state officials were doing something in anticipation of the State. We believe that is totally wrong. The two psychiatric centers are separate entities and any consolidation of services in any form is illegal."

ERNEST COLEMAN
President, CSEA Local 414
Marcy Psychiatric Center

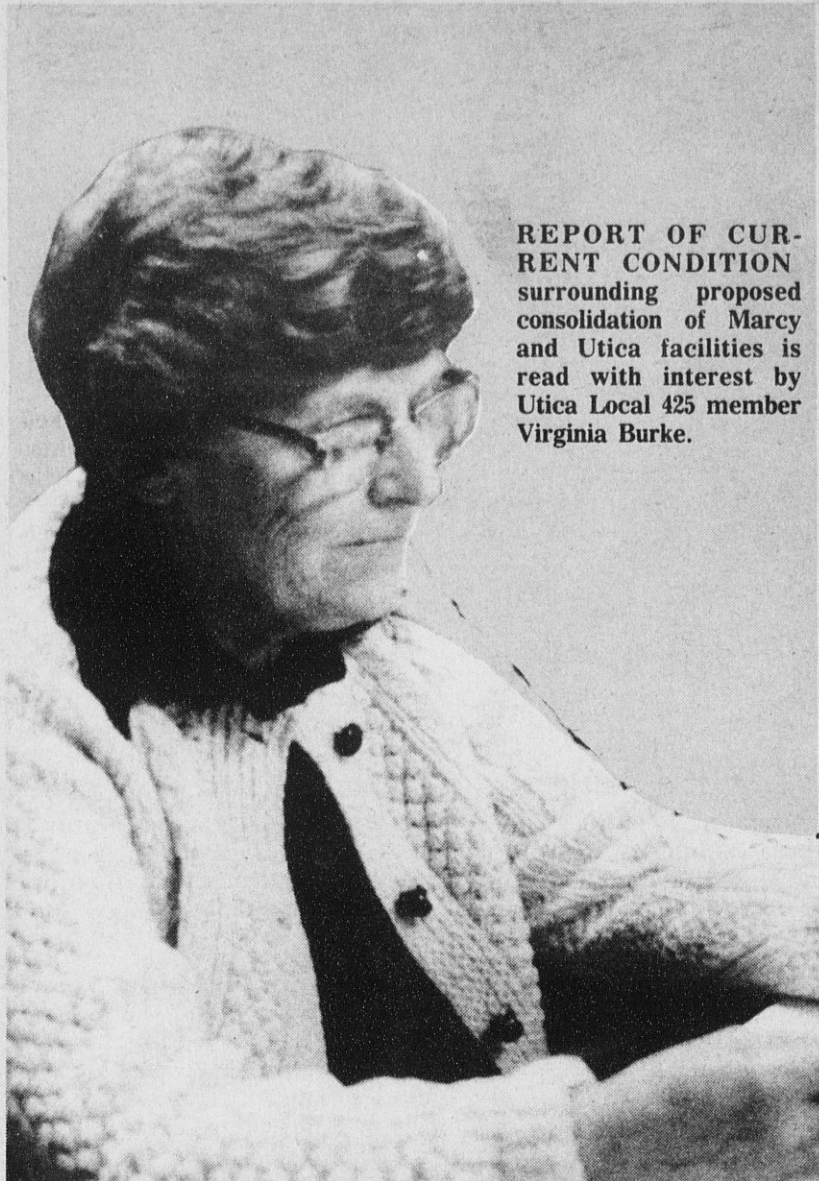
"Over the past several years employees at both facilities have been used as ping pong balls by the State, at the expense of the employees' morale, their personal family relationships and their ability to provide quality patient care.

"We fear that the philosophy of the State is becoming 'stabilize and return to the community' without regard to the true needs of the patient."

SUE BUCRZINSKI
Member, CSEA Board of Directors,
Mental Hygiene Region 5



Below, MARCY PSYCHIATRIC CENTER CSEA LOCAL 414 members look over details of a proposed merger of Utica and Marcy facilities, which the union strongly opposes. The meeting was held in November to provide details of how the union stopped the planned transfer of a section from the Utica facility to the nearby Marcy facility. Visible from left are Local 414 members Kermit Pearl, Vice President Bud Mulchy; Mental Hygiene Rep Sue Bucrzinski; Executive Council member Jack Moore, and Norm Jakabowski.



REPORT OF CURRENT CONDITION surrounding proposed consolidation of Marcy and Utica facilities is read with interest by Utica Local 425 member Virginia Burke.



LISTENING ATTENTIVELY to information at an informational meeting for Utica Psychiatric Center CSEA Local 425 members are Local Corresponding Secretary Barbara Reeves and CSEA Field Representative Ercole R. Ventura.

Threaten closings

The on-going confusion over the possible merger of the Utica and Marcy Psychiatric Centers was rekindled in late November when Mental Health Commissioner James A. Prevost said he was prepared to ask the State Legislature to close some "under utilized" state institutions, but did not reveal which hospitals or facilities might be involved.

Prevost, who made the announcement during the opening of public hearings on the state's comprehensive 5-year mental health plan, said, "Studies to determine which hospitals should be closed have begun."

Thus, there is no indication at present that any closings would involve either Utica or Marcy, or even trigger the long-threatened consolidation of the two facilities.

The shockwaves of such an ominous, general statement, in fact, sweep across the state and into every institution. That statement by the commissioner was, of course, at the top of the list of items discussed when presidents of CSEA Mental Hygiene locals from throughout the state met with union staff members at an all-day workshop scheduled for December 1 in the Catskills.

Below, HEADLINES SUCH AS THESE over a period of the last few years in the Utica area have fueled the rumors and confusion surrounding the State's plans to consolidate the Utica and Marcy Psychiatric Centers.



SERIOUSNESS OF SITUATION is reflected in faces of Utica Psychiatric Center CSEA Local 425 President John Giehl, left, Treasurer Anna Mae Darby, and CSEA Region V President James Moore during an informational meeting for Local 425 members recently.

Carey wants 113 jobs cut at RDC; union vows fight

By TOM MERZ

State Will Return 350 Marcy Patients

By ROBERT W. ANDREWS

Officials ready transfer

Show Merger Is False Economy, Bryant Tells Hospital Employees

By BARBARA CHARZUK

Closing of some state hospitals may be asked

NEW YORK (AP) — Mental Health Commissioner James A. Prevost said yesterday that his agency was prepared to ask the Legislature to close some under-utilized state hospitals so their operating funds could be shifted to community-based programs in New York City.

Studies to determine which hospitals should be closed have begun," Prevost said at the opening of public hearings on the state's comprehensive five-year mental health plan.

He said, "The freed-up resources, staff and dollars will flow to the community."

Minor cuts for psychiatric units

Small money cuts for the combined Utica and Marcy Psychiatric Centers and the Central New York Psychiatric Center are included in Gov. Carey's proposed budget for 1979-1980. The Utica - Marcy psychiatric centers would lose the percentage of the state's total psychiatric beds.

Richard M. Heath, director of the Utica and Marcy centers, said that the state's plan would result in \$482 million in new Medicaid costs over the next five years, with the city's share totaling \$12 million.

Appreciation program held in Buffalo

BUFFALO — A large group of CSEA members from the Erie County area gathered recently at a restaurant / lounge here and held what was termed an "appreciation night." The people were among the army of CSEA members who worked diligently for weeks leading up to the November 6 general elections. And they held their "night" to show appreciation to each other for a major political action effort, and to the voting public itself.

The results of the general elections in the western section of the state were similar to results all across the state with CSEA supported candidates and issues winning a very high percentage of the contests. So outstanding were the statewide results that Bernard Ryan, CSEA legislative and political action director, commented immediately after the elections, "We proved we can turn out the union vote . . . we are a tremendous force. When we are unified politically, there is no organization in the state with our capabilities."

One major difference in Erie County was an all-out CSEA campaign against an Erie County Proposition 13-style budget restricting proposal. In what many viewed as a stunning political upset, CSEA's campaign against the measure was largely responsible for the proposal being soundly defeated at the polls election day. So when they gathered the other night to congratulate themselves on a job well done, the union members also were showing appreciation to the voters who cast ballots on the merits of the issues and candidates, and not simply on emotions.

The New York State Department of Labor has adopted a regulation requiring a Certificate of Competence for the operation of certain high pressure boilers.

This Certificate is NOT required of Stationary Engineers working for New York State or Local Governments.

We would like to remind you that employees presently working with high pressure boilers or with previous experience may qualify for this Certificate with no examination if you apply for the Certificate before December 31, 1979. As we have stated, this Certificate is not required of public employees. However, having the Certificate may be advantageous when and if you seek employment in private industry, especially when the Certificate may be obtained without taking the exam, by applying before the December 31 deadline.

Applications can be obtained by calling the Labor Department, Boiler Safety Bureau, at Area Code 518-457-3769, or by writing to: Department of Labor, Boiler Safety Bureau, State Office Building Campus, Albany, New York 12240.



Above, SOME OF THE VOLUNTEERS who worked on the Erie County area CSEA political action campaign were, from left, Ellaree Butcher of Erie County Local 815; Melvin Muck, Barbara Bimechi and Dorothy Hartnett, all of West Seneca Development Center Local 427; and June Fermer and Betty Molloy, both of Erie Educational Local 868.



Left, A SPECIAL AWARD OF APPRECIATION is presented Ramona Gallagher, co-chairman of CSEA Region VI political action committee, by Bernard Ryan, CSEA Legislative and Political Action Director.

ERIE COUNTY CSEA LOCAL 815 members enjoy the appreciation night atmosphere. From left are Local 815 President John Eiss, Vinnie Muscarella, Peter Coppola and Carl Schwartz.



Below, ED DRAVES, right, of the CSEA / AFSCME Legislative Office, talks with a group of the CSEA volunteers. Draves helped set up and supervise telephone banks which helped get out a large number of voters in western New York.



Below, THIS HAPPY GROUP participating in the appreciation night is comprised of members of Buffalo City CSEA Local 003.



Contracting out proposal blasted in Nassau County

HEMPSTEAD — "Government should not be for sale. One of the prime temptations for corruption in government is in contracts where favoritism can be employed and where contractors become beholden to office holders. It's a very dangerous setup."

With those words, Nassau County

CSEA Local 830 President Nicholas Abbatiello rejected recommendations from a civil action group that governments in Nassau County should contract out for some of the work now performed by public employees of those governments.

In a recent article in the Long Island newspaper Newsday, the

Nassau Citizens Budget Committee Inc. claimed governments can save thousands of dollars by contracting out cleaning and maintenance work, among other jobs. Abbatiello quickly disputed that contention while pointing out the dangers of favoritism involved in contracting out. His comments appears in the same Newsday article.

COMPETITIVE PROMOTIONAL EXAMS

(State Employees Only)

COMPETITIVE PROMOTIONAL EXAMS

Title	Salary	Exam No.
FILING ENDS DECEMBER 3		
Senior Drafting Technician (Architectural)	\$11,060	36-869
Principal Drafting Technician (Architectural)	\$13,885	36-970
Management Positions in EDP (A)	\$23,755-26,390	36-872
Artist-Designer II	\$11,060	36-876
Artist-Designer III	\$13,125	36-877
Artist-Designer IV	\$16,420	36-878
Senior Accountant (Employment Security)	\$16,420	36-879
Associate Accountant (Employment Security)	\$21,345	36-880
Clerical Positions (Account, Audit and Statistics Clerks)	\$ 7,900	36-882
Senior Accountant	\$16,420	36-885
Senior Auditor	\$16,420	36-886
Associate Accountant	\$21,345	36-887
Associate Auditor	\$21,345	36-888
Supervising Bank Examiner	\$32,475	39-394
Supervising Overseas Branch Bank Examiner	\$36,095	39-394
Senior Correction Counselor	\$20,255	36-891
Correction Counselor Trainee I	\$10,624	00-031
Correction Counselor Trainee I (Spanish Speaking)	\$10,624	00-031
Supervising Environmental Conservation Officer	\$15,520	36-825
Chief Environmental Conservation Officer	\$19,210	36-826
Assistant Sanitary Engineer	\$17,320	30-382
Senior Accountant (Public Service)	\$16,420	36-904
Associate Accountant (Public Service)	\$21,345	36-905
Principal Accountant (Public Service)	\$25,000	36-906
Parole Officer Trainee	\$10,624	00-032
Senior Medical Facilities Auditor	\$16,420	36-874
Associate Medical Facilities Auditor	\$21,345	36-875
Senior Public Health Social Work Consultant	\$20,255	39-403
Job Training Specialist	\$17,320	39-405
Resources and Reimbursement Agent II	\$16,420	36-914
Resources and Reimbursement Agent II	\$16,420	36-915
Associate Utility Rates Analyst	\$21,345	36-871
Associate Accountant (Public Service)	\$21,345	36-900
Principal Accountant (Public Service)	\$26,390	36-901
Associate Social Services Manpower Development Special	\$21,345	36-856
FILING ENDS DECEMBER 17, 1979		
Compensation Claims Clerk	\$ 7,900	36-916
FILING ENDS JANUARY 14, 1980		
Supervising Bank Examiner	\$32,475	39-394
Supervising Overseas Branch Bank Examiner	\$36,095	39-394

STATE OPEN COMPETITIVE JOB CALENDAR

STATE OPEN COMPETITIVE JOB CALENDAR

Title	Salary	Exam No.
FILING ENDS DECEMBER 10, 1979		
Beginning Office Worker	\$ 7,195	20-940
Upstate and Long Island Areas Only		thru 20-947
Accountant, Senior	\$14,075	25-123
Auditor, Senior	\$14,075	25-123
Accountant (Public Service), Principal NYC Metro Area Only	\$22,823	20-938
Artist-Designer II	\$11,060	25-104
Artist-Designer III	\$13,125	25-105
Artist-Designer IV	\$16,420	25-106
Automotive Facilities Inspector	\$11,250	25-107
Automotive Facilities Inspector (Spanish Speaking)	\$11,250	25-107
Clerical Positions (Account, Audit and Statistics Clerks)	\$ 7,900	25-108
Correction Counselor	\$14,850	25-109
Correction Counselor (Spanish Speaking)	\$14,850	25-109
Correction Counselor (Minority Group)	\$14,850	25-110
Correction Counselor Trainee II (Minority Group)	\$12,397	25-111
Drafting Technician (Architectural Principal)	\$11,904	25-121
Drafting Technician (Architectural) Senior	\$ 9,481	25-120
Medical Facilities Auditor, Assoc.	\$18,301	25-103
Medical Facilities Auditor, Senior	\$14,075	25-102
Motor Vehicle Referee (downstate)	\$20,366	25-114
Motor Vehicle Referee (upstate)	\$20,366	25-115
Parole Officer Trainee II	\$12,397	25-118
Parole Officer Trainee II (Spanish Speaking)	\$12,397	25-118
Parole Officer	\$14,850	25-116
Parole Officer (Spanish Speaking)	\$14,850	25-116
Social Services Manpower Development Specialist, Assoc.	\$18,301	25-094

OPEN CONTINUOUS STATE JOB CALENDAR

Title	Salary	Exam No.
Senior Medical Records Technician	\$10,624	20-102
Pharmacist (salary varies with location)	\$14,388-\$15,562	20-129
Assistant Sanitary Engineer	\$16,040	20-122
Senior Sanitary Engineer	\$18,301	20-123
Clinical Physician I	\$27,942	20-118
Clinical Physician II	\$31,055	20-119
Assistant Clinical Physician	\$25,161	20-117
Attorney	\$14,850	20-113
Assistant Attorney	\$12,397	20-113
Attorney Trainee	\$11,723	20-113
Junior Engineer	\$12,890	20-109
(Bachelor's Degree)		
Junior Engineer	\$13,876	20-109
(Master's Degree)		
Dental Hygienist	\$8,950	20-107
Licensed Practical Nurse	\$8,051	20-106
Nutrition Services Consultant	\$13,404	20-139
Stationary Engineer	\$10,042	20-100
Senior Stationary Engineer	\$11,250	20-101
Occupational Therapy Assistant I	\$9,029	20-174
Occupational Therapy Assistant I	\$9,029	20-174
(Spanish Speaking)		
Vocational Rehabilitation Counselor	\$14,142	20-140
Vocational Rehabilitation Counselor Trainee	\$11,983	20-140
Medical Record Technician	\$9,481	20-143
Histology Technician	\$8,051	20-170
Professional Positions in Auditing and Accounting	\$11,250	20-200
Computer Programmer	\$11,250	20-220
Computer Programmer (Scientific)	\$11,250	20-222
Senior Programmer	\$14,075	20-221
Senior Computer Programmer (Scientific)	\$14,075	20-223
Mobility Instructor	\$11,904	20-224
Instructor of the Blind	\$11,250	20-225
Health Services Nurse	\$11,250-\$12,025	20-226
(salary varies with location)		
Senior Heating and Ventilating Engineer	\$18,301	20-227
Senior Sanitary Engineer (Design)	\$18,301	20-228
Senior Building Electrical Engineer	\$18,301	20-229
Senior Building Structural Engineer	\$18,301	20-230
Senior Mechanical Construction Engineer	\$18,301	20-231
Senior Plumbing Engineer	\$18,301	20-232
Assistant Stationary Engineer	\$7,616	20-303
Electroencephalograph Technician	\$7,616	20-308
Radiologic Technologist	\$8,454-\$10,369	20-334
(salary varies with location)		
Medical Record Administrator	\$11,904	20-348
Food Service Worker I	\$6,456	20-352
Mental Hygiene Therapy Aide Trainee	\$7,204	20-394
Mental Hygiene Therapy Aide Trainee	\$7,204	20-394
(Spanish Speaking)		
Associate Actuary (Casualty)	\$18,369	20-416
Principal Actuary (Casualty)	\$22,364	20-417
Supervising Actuary (Casualty)	\$26,516	20-418
Assistant Actuary	\$10,714	20-556
Nurse I	\$10,624	20-584
Nurse II	\$11,904	20-585
Nurse II (Psychiatric)	\$11,904	20-586
Nurse II (Rehabilitation)	\$11,904	20-587
Medical Specialist II	\$33,705	20-840
Medical Specialist I	\$27,942	20-841
Psychiatrist I	\$27,942	20-842
Psychiatrist II	\$33,705	20-843
Social Services Management Trainee	\$10,824	20-875
Social Services Management Specialist	\$11,450	20-875
Social Services Management Trainee	\$10,824	20-876
(Spanish Speaking)		
Social Services Management Specialist	\$11,450	20-876
(Spanish Speaking)		
Industrial Training Supervisor	\$10,624-\$12,583	20-877
(salary varies depending on specialty)		
Physical Therapist	\$11,337	20-880
Physical Therapist (Spanish Speaking)	\$11,337	20-880
Senior Physical Therapist	\$12,670	20-881
Senior Physical Therapist (Spanish Speaking)	\$12,670	20-881
Speech Pathologist	\$12,670	20-883
Audiologist	\$12,670	20-882
Assistant Speech Pathologist	\$11,337	20-884
Assistant Audiologist	\$11,337	20-885
Dietician Trainee	\$10,624	20-888
Dietician	\$11,250	20-887
Supervising Dietician	\$13,304	20-886
Stenographer (NYC only)	\$6,650	20-890
Typist (NYC only)	\$6,071	20-891
Senior Occupational Therapist	\$12,670	20-894
Senior Occupational Therapist	\$12,670	20-894
(Spanish Speaking)		
Occupational Therapist	\$11,337	20-895
Occupational Therapist (Spanish Speaking)	\$11,337	20-895

You may contact the following offices of the New York State Department of Civil Service for announcements, applications, and other details concerning examinations for the positions listed above.
 State Office Building Campus, First Floor, Building I, Albany, New York 12239 (518) 457-6216.
 2 World Trade Center, 55th Floor, New York City 10047 (212) 488-4248.
 Suite 750, Genesee Building, West Genesee Street, Buffalo, New York 14202 (716) 842-4260.

Work is dangerous, men pulled off job

By Bill Butler

HAUPPAUGE — Literally shoveling it against the tide, a group of Suffolk County maintenance workers have been rescued from hazardous duty in a sewage pit as the result of action by Suffolk County CSEA Local 852.

And, as a result of the incident, action by the county Legislature may be forthcoming to create a local OSHA law to protect public workers, a law that would apparently be the first in New York State.

The men were called out of the pit last week after Suffolk County CSEA Local 852 President Ben Boczkowski had notified county officials that the union would order the men not to do the work.

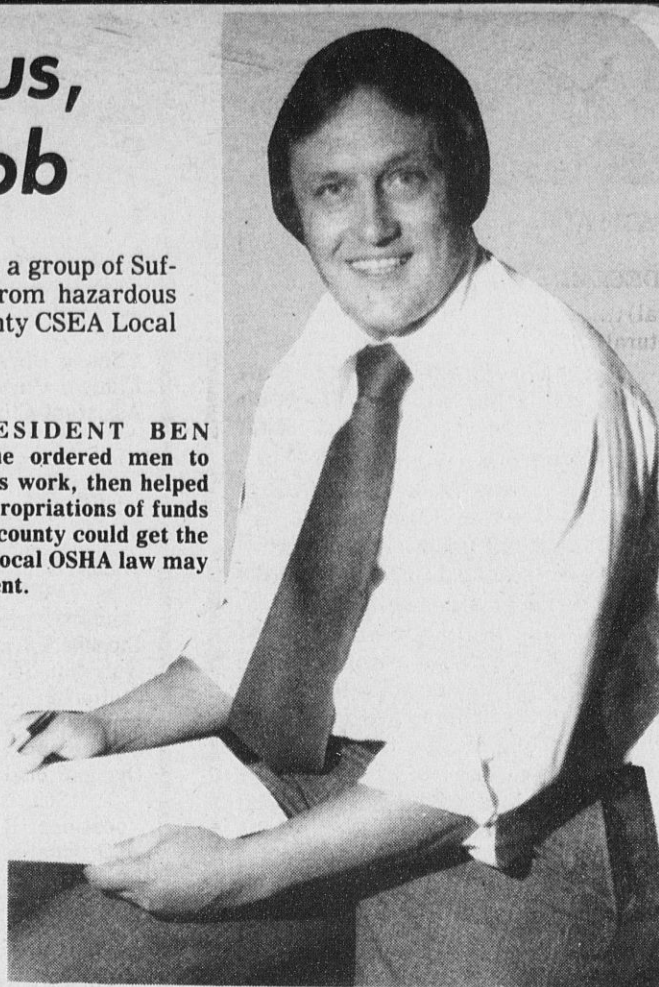
After a conference with County Legislator William Richards, chairman of the Safety and Health Committee of the legislature, a vacuum truck from the Department of Environmental Control was assigned to handle the work.

County officials had earlier responded by authorizing a special appropriation of \$10,000 for repairs that would not be completed for several months.

The critical situation also triggered action in the legislature for a local OSHA law that would apparently be the first in New York State.

The maintenance men, employed by the Department of Buildings and Grounds, had been assigned to clean out the filter of a sewage pumping station at the Riverhead county center complex of public buildings when the equipment broke down last March. They were required to shovel solid material

LOCAL 852 PRESIDENT BEN BOCZKOWSKI ... he ordered men to refuse to do dangerous work, then helped obtain emergency appropriations of funds and equipment so the county could get the work done. He says a local OSHA law may result from the incident.



into bags and carry it out of a 12 by 12-foot underground pit.

Boczkowski said the failure to make repairs to the equipment did not come to the attention of the local until two weeks ago.

"The employees clearly showed their patience and belief that, by working within the system, they would get relief," Boczkowski declared. "But, obviously, it took a big shove."

The men had filed informal complaints with their superiors and continued to do the work as repairs were promised.

Finally, seeing no action, the employees reported to the CSEA

headquarters, and action quickly followed. Frank Kosterman, First Vice President, and Boczkowski helped secure an emergency appropriation for repairs to the equipment and then helped secure the assignment of the vacuum pumper truck to handle the material.

Boczkowski said he expected early action on the proposed local Occupational Safety and Health Law. The new legislation would create a county safety officer empowered to enforce preventative as well as corrective measures to insure the welfare of county employees.

Impasse declared in Watervliet

WATERVLIET — The Civil Service Employees Assn. has declared an impasse in its contract negotiations with the City of Watervliet, saying counter proposals being made by city administrators are "demeaning and insulting to the negotiating team and the employees."

The city has asked that employees pay entirely for their health insurance plan, has denied a request for agency shop, claiming that it would cost the city, wants to discontinue the practice of longevity payments, will not grant a life insurance policy to retirees and threatens to cut off uniform allowances for public works employees, says Capital Region field representative Joseph Bakerian.

Unit president Al Gorman, Bakerian and other negotiators walked out of a five-minute meeting with city administrators and filed an impasse with the Public Employees Relations Board, after the city refused to alter its stance on its demands.

The CSEA unit is charging that the city is not attuned to the negotiating process.

"Management's attitude indicates that it does not think inflation, cost of living increases and the possibility of a recession has any effect on its employees," said Bakerian. "There's a total lack of concern for their well being."

McGowan meets leaders

MELVILLE — CSEA Statewide President William L. McGowan continued his series of statewide conferences designed to improve communications with local leadership, last week meeting with CSEA Long Island Region I leaders in a wide-ranging, face-to-face discussion of issues.

Questions from leaders of Region I's 16 locals seemed to focus on the new evaluation program for state workers, and services under CSEA's new Employee Benefit Fund.

President McGowan met separately with leaders from the two big Nassau and Suffolk County CSEA locals, and later with leaders of state employee locals.

During a discussion about communications, McGowan reported that a public opinion survey has found public recognition of CSEA up to a 64% level as a result of the CSEA/AFSCME advertising campaign.

Long Island Region I President Irving Flaumenbaum accepted, on behalf of the region, a plaque from President McGowan in recognition of the region's response to the CSEA safety hotline telephone effort.

President McGowan also promised to Martin Langer, CSEA's representative on the state's performance evaluation committee to the region to work with local leaders on any problems that might arise from the evaluations now underway.

The McGowan conferences continue on December 4 when he meets with Region IV local leaders.



PUTNAM COUNTY LOCAL 840 President Millicent DeRosa is shown as she was interviewed recently by chairman James Brady, right, and members of his CSEA Statewide Probation Committee. Ms. DeRosa's position as Putnam County administrative assistant is being eliminated by the county, the only job proposed to be cut. CSEA is strongly fighting the action, labeling it "union busting" in view of Ms. DeRosa's position as Local president and union activist. The Probation Committee later released a report stating the job elimination is apparently "for reasons other than economic."

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- Continue present CSEA's life insurance policies at the low group rate
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Street _____ Apt. _____

City, State _____ Zip _____

Date of Retirement _____

He dared to speak out, so

Politicians trying to take away his freedom of speech

ENDWELL — In a full-page spread in the October 31, 1979 issue of The Public Sector, Bob Densmore, President of the Town of Union Unit of Broome County CSEA Local 804, charged that Town of Union Highway Department workers face constant danger because of unsafe equipment. He further charged that the safety of the public is placed in jeopardy by the conditions of some of that equipment. The shocking conditions Densmore revealed were subsequently reported by the general news media in the Binghamton area. Because he exercised his rights in complaining about unsafe working conditions, Densmore says he has since been demoted and reprimanded. CSEA statewide President William L. McGowan, angered by that action, stormed into Binghamton with a complement of staff on November 21 and held a press conference to denounce the management reprisal. "Because he (Densmore) dared to speak out on safety, the politicians have tried to take away his freedom of speech. We will never allow this," McGowan declared. The following is an update of this continuing story.

By Tony Rossi Jr.

Because the president of the CSEA Town of Union unit is determined to stand up for his rights concerning safe working conditions, he has been treated unfairly by the Town. CSEA President William L. McGowan told a press conference November 21 that he will not tolerate such unfair

treatment toward Robert B. Densmore, president of the Town of Union CSEA unit, who has been demoted and reprimanded since he made public the unsafe working conditions for Town of Union highway workers.

"Because he dared to speak out on safety, the politicians have tried to take away his freedom of



CSEA PRESIDENT WILLIAM L. McGOWAN, right, tells a press conference that because Unit President Bob Densmore "... has dared to speak out on safety, the politicians have tried to take away his freedom of speech." At left is CSEA staff safety expert Nels Carlson.

speech," McGowan said of Densmore's treatment from the higher-ups. "We will never allow this," the union president added.

McGowan, accompanied by CSEA Safety Coordinator Nels Carlson and a number of regional staff members and local officers from the Broome County area, spoke with reporters and said the continuing failure of the state's Legislature to extend occupational safety and health protections to public employees was costing taxpayers millions in needless compensation claims.

McGowan said the dispute in the Town of Union concerning safety conditions is characteristic of a chronic, statewide problem, showing a lack of concern by politicians for the safety of their employees.

Densmore and other Town of Union workers have complained that they are forced to use unsafe equipment. The workers claim they are penalized for speaking out on the issues of the safety hazards.

Such problems as obsolete

equipment and even a piece of equipment that has been without adequate brakes for a number of years have been cited by highway workers, according to a recent article published in The Public Sector.

McGowan, claiming several union members have been killed in the state this year because of a lack of concern about safety, said laws should be amended to make governments subject to the same safety regulations that private industries are required to follow.

"The plain fact of the matter is that the most dangerous employer to work for in the State of New York is the State of New York," the union president said earlier.

Federal, state, and local governments are exempt from federal regulations for occupational safety. McGowan said that the major goal of CSEA next year is to get the state Legislature to agree that the regulations should apply to state and local government.

"Unfortunately, until some type of law is enacted in New York State, working conditions like those in the Town of Union will prevail until a serious accident, or fatality, brings them to public attention," McGowan said.

McGowan, upset at what he said is unfair treatment toward Densmore since the controversy arose, said he attended the Wednesday press conference in Binghamton to publicly add full support to the CSEA membership in the Town of Union, and to back Densmore and fellow officers who are determined to take a stand for their rights to safe working conditions.

"We will never allow any member to be harassed," the union president said of Densmore's ordeal since making unsafe conditions public. "In the private sector they give rewards for calling attention to safety problems, in the public sector they try to fire you."

McGowan has given instructions to the CSEA legal staff in Albany and to the CSEA regional attorney in Broome County to extend any legal assistance necessary to restore the job classification of any member who was subjected to retaliation or harassment because of reporting unsafe working conditions.



REGIONAL DIRECTOR FRANK MARTELLO confers with WSKG-TV correspondent Barbara Jaekel about the unsafe working conditions in the Town of Union and the recent reprisals against the union president there.

"THE GRIM SCRAPER"

is the way Public Sector editorial cartoonist Ralph Distin saw the Town of Union situation in a recent edition.

