

Civil Service LEADER

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Attendance Rule Proposals

See Page 3

Bendet Calls Meeting Of Salary Committee, Officers On Pay Talks

ALBANY, Dec. 14—At Leader press time, the Salary Committee of the Civil Service Employees Assn. was conducting its third round of negotiations on CSEA salary, retirement and fringe benefit requests for 1965 with Dr. T. Norman Hurd, director of the Budget, and members of his staff.

In the meantime, Solomon Bendet, chairman of the Salary Committee, announced he was calling a meeting Dec. 21 in Albany, of his entire committee, CSEA state officers and the presidents of the six regional CSEA conferences for a strategy session on the negotiations.

Bendet told The Leader he was unable to reveal any details of the negotiations at this time but said "we are getting down to brass tacks; direct negotiations, in other words. I can say that our meetings have progressed to the point where CSEA staff members will conduct what one might call sub-committee meetings with members of Dr. Hurd's staff on specific items while the Salary Committee continues its work on developing and broadening negotiations with the Budget Director."

Vast Improvements In Health Insurance Plan Being Sought By CSEA

ALBANY, Dec. 14—A comprehensive 17-point improvement program has been called for in the State Health Insurance Plan by the Civil Service Employees Assn. on behalf of more than 115,000 CSEA members who participate in the Plan's coverage.

The recommendations were made last week to Mary Goode Krone, president of the State Civil Service Commission, by Joseph F. Feily, president of CSEA.

Highpoints of the CSEA pro-

gram are a request to cease contributions for employees with five or more years of participation, representation for CSEA on the Health Insurance Advisor Committee and the granting of an opportunity to transfer between options available under the Plan just prior to retirement.

Important To Subdivisions

Of primary importance to public employees in the political subdivisions is a CSEA recommendation that the state support legislation to amend the Civil Service Law to permit political subdivisions to pay the full cost or any percentage of the total cost of the State Health Insurance Plan. In his request to the Commission, Feily said failure to achieve this legislation deprives employees of certain political subdivisions of improved protection which they could receive under the State Health Plan.

Other items asked for by the Employees Association include:

- Improved benefits for mater-

nity care and include anesthesia for normal maternity.

- Reduce 72 hour waiting period for special nursing care to 48 hours—and if such care is required by a physician, waive the waiting period.

- Permit survivor dependents of retirees to continue participation

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CSEA Gives Its Proposals On Career Service Rules For Judicial Conference

ALBANY, Dec. 14—Detailed proposals on new career service rules affecting some 10,000 employees of the State's Unified Court System were submitted last week to the State Judicial Conference by the Civil Service Employees Assn.

The proposals are an outgrowth of recent meetings between the Employees Association, the Conference and em-

ployees of the State's courts. They amend rules and regulations contained in a 60-page document promulgated recently by the Conference, which has the responsibility of administrative supervision of the State-wide court system.

No Lesser Rights

In submitting the recommended changes in the rules, the Employees Assn. emphasized that

termination by the hospital administration.

The supervising nurse subsequently was reinstated pending the outcome of a separate grievance in which she participated and in which she was represented by a union, Council 50 of the American Federation of State, County and Municipal employees.

A recent decision by the Appeals Board recommending Mrs. Parsons' permanent reinstatement to Building A was attacked by the Employees Association as indication of the length to which the union would go to gain publicity, regardless.

A New Low

Joseph F. Feily, president, said of the Appeals Board decision "This is a new low in employee relations when a union, purporting to represent employees, claims a victory in a grievance through a demand that a fellow worker of a lower grade be brought up on charges to aid the position taken by a higher grade employee in a grievance."

Mt. Vernon Unit Hears Van Cott

State Assemblyman George Van Cott spoke recently at a meeting of the Mt. Vernon non-teaching unit of the Civil Service Employees Assn. The subject of his speech was the workings of the Assembly and the process by which a bill becomes a law.

Pass your Leader on to non-member.

This was in reference to a CSEA disclosure last week that the union had requested the director of Harlem Valley to institute charges against the union member's subordinate, Miss Horn. The director dismissed the union request as baseless.

Subsequently, CSEA sought reinstatement of Miss Horn until the outcome of her grievance.

\$500 Gift To Joseph Burns From NYC Unit

By a unanimous vote of the New York City chapter of the Civil Service Employees Assn. a \$500 gift of appreciation was awarded to Joseph Burns upon his anticipated retirement.

Burns, known to the membership as "Mr. New York City Chapter" has been a civil servant for most of his adult life. He is 78 years old.

Since his retirement from State employment, Burns has been active with the New York City chapter and had been its office manager until he fell ill and had to be hospitalized recently.

The motion to award this gift to Burns was made by audit committee chairman Mark Jackson who said that Burns had "given a great measure of his life to civil service and this would be a way of showing our appreciation for all of his past work."

Don't Repeat This!

An Unnecessary PR Problem For The President

IS President Johnson creating an unnecessary public relations problem among a large segment of the voting population—the civil service? It would seem so, judging from some major Washington decisions that have been announced without enough explanation.

The recent order to close down numerous naval and military installations throughout the country, for instance, conveyed only one theme—economy and elimination of inefficient operations. What was barely mentioned was the Government's activity in behalf of the thousands of Federal employees that would lose their

(Continued on Page 2)

Costa Hospitalized

A. Victor Costa, president of the Capital District Conference of the Civil Service Employees Assn., was hospitalized last week when he fell on ice and injured his back.

Well-wishers may send cards or notes to him to Room 125, Leonard Hospital, 114th St., Troy.

Feily's Letter

"This letter will summarize our comments on the new Career Service Rules contained in Article (Continued on Page 14)

800 Hours Overtime Lost

34 Years A Policeman, He Now Needs Welfare Dept. Aid To Pay Bills

By JOE DEASY, JR.

A man who spent over 30 years patrolling the City's subway system in an effort to make the City a safer place to live has been reduced to the status of a welfare recipient.

Transit Patrolman William D. Bryan, now 67 years of age, has little family. His only relative is a 28-year-old son who will be an invalid for the rest of his life. His only support is a pension check—one which he has been waiting for since September and will continue to wait for until February. His life savings are gone—spent for medical payments for his son who was injured in an automobile accident some time ago.

"Pappy" Bryan is an honest man. So trusted is he that the owners of his apartment house at 420 Central Park West on Manhattan's Upper West Side are willing to let his rent payments slide until he receives his first pension check in February. Red tape and computations are now in process by The Retirement System which is delaying payment until then.

T.A. Commissioner Daniel T. Scannell, noted that Bryan retired on a "very advantageous pension system which had just been approved by the State Legislature. This was a bill which we fought for many years to pass". Scannell added that one of the unfavorable clauses in the bill required that all over 63 years of age had to retire by September.

Said Efforts Made

The TA commissioner, a former City patrolman who joined the Transit system as an attorney after he passed the Bar examination, said that efforts have been made to have Bryan's pension application speeded up in order that financial difficulty could be averted and said that the first pension check is expected in January.

However, "Pappy" Bryan has some 800 hours in overtime in the

Transit Authority bank, worth \$2,688 at the current rate of pay for Transit Authority second grade detectives. But he can't take advantage of this time.

He also has a plaque from the T.A. citing him for his 34 years of exemplary service. He can't pay his rent with this either.

Jailed Some 3,000

Some 3,000 muggars, pick-pockets and other criminals have been jailed on Bryan's information and police work.

Bryan's former superiors point out that in his 24 years in City employment, he was never the subject of disciplinary proceedings "I was never out a day because of sickness either", Bryan adds.

Catching 3,000 criminals also required 3,000 visits to court. It was during these court appearances that "Pappy" Bryan accumulated 800 hours of overtime. But when he was forced to retire in September, this overtime credit was lost forever.

Transit Authority Chairman Joseph G. O'Grady, when contacted by The Leader, holds that Bryan should have taken this time off before he was superannuated and retired.

However, when Bryan did attempt to take the time off, the civil rights disturbance broke out

in the late Spring, all police leaves were cancelled.

Informed of this, O'Grady said: "That's the hazards of the game."

However, Bryan's friends in the Transit Authority were irate at the Police Department hero policeman's plight. "Only recently the TA urged probationary patrolmen to work harder in the fight against crime in the subways.

"One veteran patrolman said, and continued angrily, "Pappy" worked like hell to do a good job. Look at the thanks he gets for 3,000 appearances in court. Eight hundred hours of overtime is 20 week's pay. Not only did he do an exceptional job as a patrolman but now he has to "donate", this almost a half-year's pay to the Authority. Now the T.A. can keep the fare at fifteen cents an hour or two longer with 'Pappy's' contribution."

All is not lost, however. Friends are now going to see members of the State Legislature to have legislation introduced at the next session which would provide relief for Bryan and others who have lost overtime credit because of superannuation. "What we hope is that the Authority will be mandated to pay this money," one patrolman said.

Bryan will be standing on line at a Welfare Department Center this week looking for money to carry him through the bleak Christmas season and the two months following. During these bleak months the man who spent over 30 years patrolling the City's subways will wait for his first pension check.

Nassau Chapter Health Unit Dinner Dec. 16

The Nassau County Health Department unit of the local chapter of Civil Service Employees Assn. will take its first big step by sponsoring a dinner dance at Shelburne Beach Club, Lido Beach, on Jan. 16, 1965.

Among celebrities invited are Honorable Eugene Nickerson, County Executive; Joseph H. Kinnaman, M.D., M.P.H., Health Commissioner; John Powers, Regional Representative of CSEA, and Irving Flaumenbaum, President of Nassau chapter of CSEA.

All friends and co-workers of Unit Members are cordially invited to attend. The business meeting of the unit will precede the event.

Don't Repeat This!

(Continued from Page 1)

jobs at these installations.

Prior to this, a furor was caused in the career civil service when it appeared that the Johnson Administration had ordered a slow-down in promotions throughout the service as an economy measure. Direct talks between The Leader and Elmer Staats, deputy director of the Budget Bureau, disclosed, however, that the intent of the order was meant only to curb excess use of reallocations of titles or creating new positions that were not fully warranted.

Fear In The Service

In the meantime, a tremor of fear runs through the career Federal Service at a time when it needs talented and dedicated personnel in greater numbers than ever before. Not only gifted men and women having second thoughts about embarking on government careers but also highly skilled personnel already in service are, in many instances, reported casting about for other, more secure employment.

What is odd about all this is, that in the main, government service is a better and more rewarding career than ever before. President Johnson, himself, led the successful battle in the last Congress to raise U. S. salaries after a pay bill had previously been defeated. Secretary of Defense Robert McNamara went to great lengths to provide for transfers either to other, useful military installations or to private industry for the personnel effected by the shutdowns ordered throughout the nation last month. The President's wars on poverty and disease open up whole new fields in career government service.

Yet, the rank and file Federal employee in many areas feels threatened by unemployment as the result of future economies,

although there has been no indication at all that more extensive personnel reductions in any part of the service are being planned. Every week, this newspaper receives telephone calls and letters inquiring about the latest rumors from Washington. For most of these queries, there are no answers since the rumors can rarely be checked because of lack of information as to source.

Fence Mending Needed

Certainly, it is not the intention of the Johnson Administration to create insecure feelings among career employees. And the President is an expert on conveying his intentions on any subject whatsoever. Only last week he personally presented citations to 30 workers for outstanding service. Prior to that, the Vice President-elect, Hubert H. Humphrey showed his regard for public employees by presenting The Leader's first gold medal awards for "Distinguished Public Service" to four outstanding civil servants in New York State.

It would appear, however, that an even more extensive job of re-assurance is needed from Washington at this time. President Johnson is not a man to disregard any political fence mending and it is to be hoped that the need for some repair work in this area is quickly brought to his attention. The Federal service needs it.

Dec. 21 Closing Day For Promotion Exams

A promotional examination for principal account clerk—principal audit clerk will be given for all qualified employees of the State. Closing date for applications is Dec. 21.

Apply at your department personnel office.

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FOR SERVICE — Virginia Pasley, book editor for Newsday, receives the Community Service Award of the Suffolk chapter, Civil Service Employees Assn., from Thomas B. Dobbs, Chapter president. She was cited for founding and directing Newsday's annual "Adopt a Family" program. Suffolk chapter plans to adopt at least one family this year.

Buffalo Writes Its First Ethics Code

BUFFALO, Dec. 14—A code of ethics—the first in Buffalo history—is now a law for this City's 6,500 employees and elected officials.

The great majority of City workers are civil service personnel and many are members of Erie chapter, Civil Service Employees Assn.

CSEA Executive Chapter Plans Party For Wayward Girls

All members and friends of the Executive chapter, Civil Service Employees Assn. have been invited to participate in a Christmas party and carol singing on Sunday afternoon, Dec. 20, at St. Annes Institute, 25 West Lawrence Street, Albany, which is a home for wayward girls aged 13 to 18 years. There are 174 such girls at the home.

This is a charitable project of the chapter for Christmas, and it is hoped that as many as possible will join to bring cheer to these girls at this season.

The Chapter has purchased and is donating a Philco record player which is badly needed at the home, and will furnish ice cream and cake to all after the singing of Christmas carols. The girls will also participate in the carol singing. The chapter is asking for donations of records — either new or used.

The executive chapter has undertaken this project in lieu of their usual Christmas party for the members. The committee in charge is composed of May M. DeSeve, president, and Lillian Clarke, Eileen Tanner, and Dorothy MacTavish.

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"Civil Service people have observed the provisions of the new code for as long as we can remember," said Alexander Burke, president of Erie chapter.

Aimed At Patronage
City Councilman Delmar L. Mitchell, who headed a committee that drafted the code, said it was directed largely at political patronage officeholders, not covered by civil service.

The code, based on one in effect in New York City, rules out conflicts of interest, representing private groups before City agencies acceptance of gifts and favors, disclosure of confidential information, investments in conflict with official duties and incompatible employment.

Violations are subject to a fine, suspension or removal from office or employment.

Enforcement will rest with a seven-member board that will include the mayor, comptroller and Common Council president and four persons representing the public.

Mt. Morris Chapter Celebrates Christmas

A Christmas dinner party was enjoyed by the officers and members of the Mount Morris Hospital chapter of the Civil Service Employees Assn. and their guests.

Thomas Pritchard, chapter delegate, acted as master of ceremonies and Joseph Mauro, chapter president, extended holiday wishes to all. Raymond Schutts, chapter president of the State University College at Geneseo, and Mrs. Schutts, were also guests of the chapter.

Suffolk Move To Legislate Post Into Unclassified Service Blocked By Court

ALBANY, Dec. 14—An attempt by Suffolk County to legislate into the "unclassified" service a position that was previously listed as "classified" was blocked recently in State Supreme Court. The court's action upheld a State Civil Service Commission recommendation that had the wholehearted endorsement of the Civil Service Employees Assn.

The case involved a county attempt last year to place in the unclassified service the position of fire safety director, which had previously been listed in the classified service under the title of fire co-ordinator. By local law, adopted October 28 and effective November 1, 1963, Suffolk county purported to establish a department of fire safety, and incorporated it within the county charter. It declared that the director of fire safety "shall be in the unclassified service as provided by section 35 of the Civil Service Law."

Commission's Actions

The State Civil Service Commission raised no objection to the appointees named to the safety director post but refused to recognize or certify him as the head of a department and hence in the unclassified civil service. As a result of the Commission's veto, the county brought the case to the court, with the aim of carrying through with its classification stripping plan.

In representing its stand, the Commission cited the case of Neff v. Falk in which the court stated: "Neither section 9 (now no. 35 of the Civil Service Law) nor the cases decided thereunder provide any precise definition as to what constitutes the head of a department of government. Although the respondent . . . performs certain important duties and has several people who work under him, it does not seem that he fits the description of the head of a department of government. If this were true, a department could be created by merely giving a person

certain duties to perform and several employees to work under him. The head of a department must be one who has more inde-

pendent authority than is possessed by the respondent . . . and one who has control over an ad-

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11 Attendance Rule Changes Proposed

ALBANY, Dec. 14—The Civil Service Employees Assn. has urged the State Civil Service Commission to consider eleven amendments to the State Attendance Rules, as called for by delegates representing the Association's 90,000 state division members.

The requests were outlined by Joseph F. Feely, President of CSEA to Mary Goode Krone, President of the State Civil Service Commission.

The Employee Association's recommendation are:

1. Provide lump sum payment for accumulated unused sick leave credits upon retirement or separation from service, or upon death to the beneficiary of the employee.
2. Pay annually to employees for sick leave earned in excess of the maximum accumulation provided under the present rules.
3. Provide uniformly for mandatory leave with full pay to all employees absent from duty because of occupational injury or disease, and amend the Attendance Rules so that the appointing authority, rather than the employee, may have the right to appeal to the Civil Service Commission if denial of such leave is sought by the appointing authority.
4. Provide equivalent time off for holidays which fall on Saturdays for all employees.
5. Increase personal leave to eight days per year.
6. Increase vacation allowance by one day each year for each two years of additional service after 15 years, up to a maximum addition of five days.
7. Provide a standard 35-hour work week for all employees.

8. Restore in the rules the rights and privileges which new employees enjoyed prior to amendments to the rules in 1957.

9. Provide early dismissal for employees in time of extraordinary weather conditions.

10. Secure time off for volunteer firemen who are fighting a fire and cannot be spared from this duty when their work shift starts.

11. Provide compensatory time off to employees traveling on official state business for time spent away from their official station beyond the regular work day.

Feely also asked for a meeting with the Commission in order that the Association might be heard in support of its requests.

A&M Employees Oversubscribe To Joint Appeal Fund

ALBANY, Dec. 14—Employees of the State Department of Agriculture and Markets oversubscribed to the recent Community Chest-Red Cross joint appeal by a big 8.1 percent.

The goal set for the department was \$2,479. Pledges and cash contributions, however, totaled \$2,681.80.

Heading the department effort were Joseph W. Kilgallen and Henry L. Page.

Four Thruway Maintenance Employees Cited

ALBANY, Dec. 14—Four maintenance employees of the State Thruway Authority have won a total of \$175 in merit awards.

Authority Chairman R. Burdell Bixby said the awards went to James V. Trembly, Troy; Donald M. Herbold of Pearl River; Joseph Wasirich of Central Valley and Robert W. Buschman of Auburn.

Trembly, a painter, won \$100 for devising a fireproof litter box to replace the present wooden boxes. These are stationed along the exits from service areas. An average of eight wooden boxes have been destroyed by fire each year.

Herbold, building equipment maintenance foreman, and Wasirich, a mason, will share a \$50 award. They suggested using aluminum caps in the capping of utility buildings at toll stations.

Buschman, a toll equipment maintenance foreman, was awarded \$25 for a suggestion on how the occasional jamming of printed receipts issued by ticket validating machines could be corrected.



TOYS FOR TOTS — Al Dexheimer, second from left, president of the Binghamton chapter, Civil Service Employees Assn., is shown at the Chapter's 12th annual "Toys for Tots" Christmas party, held jointly with the Marine Corps Reserve. Some 230 members and guests attended the affair. A delegation from the Marines included Sergeant John Gulino, Cpl. Dan Efner and PFC Conrad Steigerwald. About 237 toys and presents were brought. Bob Sullivan, chairman of the social committee, was given credit for the success of the affair.

Where to Apply For Public Jobs

The following directions tell where to apply for public jobs and how to reach destinations in New York City on the transit system.

NEW YORK CITY—The Applications Section of the New York City Department of Personnel is located at 49 Thomas St., New York 7, N.Y. (Manhattan). It is three blocks north of City Hall, one block west of Broadway.

Hours are 9 A.M. to 4 P.M. Monday through Friday, and Saturdays from 9 to 12 noon. Telephone 566-8720

Mailed requests for application blanks must include a stamped, self-addressed business-size envelope and must be received by the Personnel Department at least five days before the closing date for the filing of applications.

Completed application forms which are filed by mail must be sent to the Personnel Department and must be postmarked no later than twelve o'clock midnight on the day following the last day of receipt of applications.

The Applications Section of the Personnel Department is near the Chambers Street stop of the main subway lines that go through the area. These are the IRT 7th Avenue Line and the IND 8th Avenue Line. The IRT Lexington Avenue Line stop to use is the Worth Street stop and the BMT Brighton local's stop is City Hall. Both lines have exits to Duane Street, a short walk from the Personnel Department.

STATE—Room 1100 at 270 Broadway New York 7, N. Y., corner of Chambers St., telephone BArcly 7-1616; Governor Alfred E. Smith State Office Building and The State Campus, Albany; State Office Building, Buffalo; State Office Building, Syracuse; and 500 Midtown Tower, Rochester (Wednesdays only).

Any of these addresses may be used for jobs with the State. The State's New York City Office is three blocks south on Broadway from the City Personnel Department's Broadway entrance, so the same transportation instructions apply. Mailed applications need not include return envelopes.

Candidates may obtain applications for State jobs from local offices of the New York State Employment Service.

FEDERAL — Second U.S. Civil Service Region Office, News Building, 220 East 42nd Street (at 2nd Ave.), New York 17, N.Y., just west of the United Nations building. Take the IRT Lexington Ave. Line to Grand Central and walk two blocks east, or take the shuttle from Times Square to Grand Central or the IRT Queens-Flushing train from any point on the line to the Grand Central stop.

Hours are 8:30 a.m. to 5 p.m. Monday through Friday. Telephone number is YU 6-2626.

Applications are also obtainable at main post offices, except the New York, N.Y., Post Office. Boards of examiners at the particular installations offering the tests also may be applied to for further information and application forms. No return envelopes are required with mailed requests for application forms.

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U.S. Service News Items



CITED — A Presidential citation "in special recognition for outstanding contribution to greater economy and improvement of government operation" has been presented to all personnel of the thirteen local selective service boards in New York. The citation was made last Friday at Selective Service Headquarters by Col. Paul Akst, (in uniform), New York City Director of Selective Service, on behalf of the President. The citation notes that this is the tenth anniversary year of the Federal Incentive Award Program.

Subcommittee Attacks Invasion of Rights By U.S. Questionnaires

A Senate subcommittee has questioned the Government's right to inquire into the sex life, religion and personal habits of incumbent and prospective employees.

The Senate subcommittee on constitutional rights, headed by Senator Sam J. Ervin, Jr., Democrat of North Carolina, has issued a report saying that privacy has been unduly invaded in numerous instances and that constitutional rights might have been denied in others.

The report cited cases of psychiatric and psychological tests, including one of a woman who had been directed to answer 570 personal questions "quickly and without any thinking or deliberation."

It also noted sharp inconsistencies in agency policies and variations within the armed services on the question of permitting the presence of counsel, relatives or friends at employment examinations.

In the psychiatric-psychological tests, the report stated, the questioning ran largely to matters relating to the subject's family, sex life, religion and personal habits.

Questions, it was stated inquired into whether sex entered dreams, the number of times a week the subject prayed, belief or disbelief in a life hereafter and whether some thoughts entering the mind were "too bad to talk about."

Senator Ervin asked the State Department for a report on the type of information gained from such tests to "justify such an invasion of privacy."

Leave-Use Deadlines January 2 and 8 For U.S. Employees

Federal employees who have excess leave credit are running out of time to use it. The current leave-year ends with the beginning of the first pay period in January.

For most classified employees that puts the deadline at Jan. 2. Some classified Air Force employees have until Jan. 8. For wage board employees, the deadline varies.

Employees who have "excess" leave when the new leave year starts will lose it and they won't be paid for the lost time.

By the deadline, employees who began the leave year with more

than 30 days of accumulated leave must use all the leave they earned this year. Any unused leave earned this year will be lost.

Employees who started the year with less than 30 days of leave must use all leave which, if unused, would carry them into the new leave year with more than 30 days. Most employees cannot carry more than 30 days of accumulated leave from one year to the next.

Some employees who built up leave during World War II may carry over more than 30 days from one year to the next.

200 Tax Aides Move Into New District Offices

ALBANY, Dec. 14—Some 200 State Tax Department employees have moved into new district offices.

Those attached to the White Plains District Office now are housed at 99 Church St. in White Plains and employees of the Mineola District Office are now set up for business at 114 Old Country Road in Mineola.

State Tax Commissioner Joseph H. Murphy, in announcing the moves, said: "All of our facilities in each of these new locations are available on a single floor in modern buildings."

The new space, the department said, will provide more convenient and modern facilities both for the public and the employees.

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Promotion Exam For Bookkeeping Machine Operator In Suffolk

The Suffolk County Civil Service Commission will accept applications for the promotional examination to senior bookkeeping machine operators until Jan. 8.

Candidates must have been employed as a bookkeeping machine operator in the jurisdiction in which they seek promotion for at least two years.

Applications and information can be obtained from the County Civil Service Commission, Riverhead.

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The Job Market

By V. RAIDER WEXLER

A LISTING OF NON-CIVIL SERVICE JOBS AVAILABLE THROUGH THE NEW YORK STATE EMPLOYMENT SERVICE

PHYSICAL THERAPISTS with New York State license will get \$5,200 to \$7,000 a year to work in physicians' offices, hospitals, health centers and out-patient clinics.

Registered **OCCUPATIONAL THERAPISTS** will earn \$5,000 to \$7,000 a year to work with adult and child psychiatric and orthopedic patients in all boroughs and suburbs.

BACTERIOLOGISTS with Ph.D will earn \$5,400 to \$8,500 a year to work with pathologists on research in Brooklyn and the Bronx, and supervise technologists in hospitals.

Apply at the Professional Placement Center, 444 Madison Avenue, Manhattan.

Typists and Stenos

Recent high school graduates, female, are wanted as **TYPISTS** and **STENOGRAPHERS** at various Manhattan locations. Typists with proficient skills will earn \$51 to \$65 a week. Stenographers tested at 80 words per minute will get \$65 to \$85 a week.

Experienced female **TYPIST-CLERKS** with good typing skills and able to perform diversified duties can get permanent jobs at \$65 to \$75 a week.

Apply at the Office Personnel Placement Center, 575 Lexington Avenue, New York City.

In Manhattan

SEWING MACHINE OPERATORS, female, with five years' experience, will earn \$80 to \$90 a week to operate a Smythe No. 12 sewing machine in book binding.

CARBON COLLATORS, female, with two years' experience in book binding industry, will get \$60 to

\$75 a week to gather or collate carbon and original forms, numbered and otherwise, for commercial use.

Apply at the Manhattan Industrial Office, 225 West 54th Street.

In Brooklyn

Wanted in Brooklyn is a TV and **RADIO REPAIRMAN** with two years' experience. He will earn \$90 to \$110 plus car allowance for a 5½-day or 6-day, 44 or 48-hour week. Must have driver's license, prefer own car.

Niagara Unit 'Bosses' Night

LOCKPORT, Dec. 14—Members of the Niagara County chapter, Civil Service Employees Assn. got acquainted

with new Niagara County members of the State Legislature at the chapter's annual "bosses" night.

The affair is held annually at Fieldstone Manor and department heads are guests of the chapter. Decorations had a Thanksgiving Day motif.

Gregory Pope of Lockport and Donald O'Hare of Niagara Falls, two Democrats who will be Niagara County's Assemblymen in the 1965 Legislature, were special guests.

F. Henry Galpin, assistant CSEA executive director, described Association aims in a speech. He was introduced by Ruth Heacock, Chapter president. Other guests included Lloyd Paterson, the county's Treasurer-elect, and Kenneth Comerford, who takes office Jan. 1 as Niagara County Clerk.

Also present Stanley Brzezinski, chairman of the Niagara County Board of Supervisors, and Supervisor Daniel White, Democratic majority leader on the Board.

A **GOLD LEAF STAMPING MACHINE OPERATOR** will get \$80 to \$100 a week. Must change dies and have experience on library editions.

Apply at the Brooklyn Industrial Office, 590 Fulton Street.

Cut and Grind Glass

Wanted in Queens is an experienced **GLASS CUTTER** and **GRINDER** to work on glass for store front windows. The pay is \$2 an hour. Apply at the Queens Industrial Office, Chase Manhattan Bank Building, Queens Plaza, Long Island City.



PRESENTATION — Bronx Deputy Borough President Vincent A. Starace presents Borough President J. F. Periconi's Proclamation declaring December as "John A. Ambrose Day" to Mr. Ambrose as his wife, Marion and sons John (next to mother) and Martin look on. The presentation was made at a special luncheon in the Concourse Plaza Hotel where more than 50 friends and fellow workers feted Jack.

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TUESDAY, DECEMBER 15, 1964

Trouble For 'The Stuff Dreams Are Made Of'

SHADES of Big Brother! We've just learned that some Federal agencies, in screening new job applicants, want to know what is in one's dreams.

'S'truth! A U.S. Senate investigating unit is asking for justification of psychological-psychiatric tests which probe a potential employee's family, sex life, religion and his personal habits, such as whether sex entered the subject's dreams, how many times a week, and how often did he pray.

If this keeps up we think the final comment on most job applications will be "I'd rather starve."

The Senate unit is a subcommittee on Constitutional Rights. We think they have the right team on the right job.

You Can't Eat Citations

AFTER 34 years of service, a retired Transit Authority patrolman, many times cited for his service, is now faced with standing in Welfare Department lines for assistance.

One reason is that red tape is delaying the payment of the first pension check until January—this only after the T.A. requested that his application, submitted in September, be expedited.

However, a more serious wrong has been committed against William Bryan, 67 years of age and sole support of an invalid son.

When a more beneficial pension system was approved for members of the Transit Authority Police Department by Legislative action last year, it stipulated that all over 63 must retire by September. This system benefits young men now on the force and for those who intend to join. But a man who has reached 34 years of service—as has Bryan—would have received a large pension regardless of the new law.

By being forced to retire in September, after being refused leave to draw against accumulated overtime, he has lost over 800 hours of overtime credit. Civil rights strife—certainly no fault of his—in the City caused the cancellation of all police leaves by City officials.

The cancellation came at a time when Bryan was planning—and had filed—to take several months off against the overtime credits.

Legislation is being considered to mandate the Authority to pay Bryan and others in the same situation in cash. This would be fair and equitable.

It is a sorry state indeed that the City must save money by denying payment for the labor of dedicated servants.

Questions Answered On Social Security

I am a teacher and have been asked to teach again this fall. I taught through May of this year and earned \$2500. I didn't receive any benefits until June. I won't be earning over \$1000 the rest of the year. Must I report to you if I decide to teach this fall?

Yes, you should report immediately if you go back to work. Your social security checks should be stopped with the month that you return to work since your total earnings for the year are

considered in your allowance earnings and not just those that are earned after you begin to receive benefits.

How can I find out if my earnings have been reported by my employer?

You may check your record of earnings by writing to the Social Security Administration, Baltimore, Maryland, asking for a statement of your earnings. Your name, social security number,

LEADER BOX 101

Letters To The Editor

Pozen Congratulates Leader On Awards

Editor, the Leader:

I have had an opportunity to look at the December 1 number of the Civil Service Leader. Congratulations on the Leader's Gold Medal Award for distinguished public service.

I have been consistently impressed with the quality of work and dedication to service displayed by the civil servants of the Department of the Interior during my tenure with Secretary Udall. Your newspaper's leadership in stimulating public awareness of these qualities is to be commended.

WALTER POZEN

Assistant to
The Secretary
of the Interior
Washington, D.C.

Unwed Father Must Be Immoral, N.J. CSC Holds

An unwed father, if he happens to be a prospective civil servant, is ipso facto immoral in New Jersey, according to a recent ruling by a Civil Service Commissioner there.

The Commissioner, Jack Ballan, ruled that parenthood of an illegitimate child is evidence of lack of the good moral character required for civil service jobs.

The father in question was a candidate for a motor vehicle inspector job. His unconventional fatherhood was not the only grounds for finding him immoral, Ballan said. The man had also given a false address, and been convicted of a violation of the motor vehicle Act.

Presidential Papers Published By GSA

Publication of the 1948 volume of the "Public Papers of the Presidents of the United States" has been announced by the General Services Administration.

This volume covers the fifth year of the administration of Harry S. Truman and contains verbatim transcripts of the President's news conferences and speeches and the full text of messages to Congress and of other White House releases.

Commerce Booklet

The State Commerce Department has announced publication of the 1964 edition of "Local Planning and Zoning," a reference manual designed to help New York State communities plan for long-range growth.

birth date and address must be shown on your request; and it must be signed by you. You can get such an addressed post card form at your social security office.

I have been working for many years. I recently married. Should I change my name on social security records?

Yes, you should have your name changed so that in the future your earnings record will be correct. All of your past work will be counted under your new name along with any future work.

Civil Service Law & You

By WILLIAM GOFFEN



(Mr. Goffen, a member of the New York Bar, teaches law at the College of the City of New York, is the author of many books and articles and co-authored "New York Criminal Law.")

Thwarting Review of Exams

EXAMINATIONS ARE sometimes protected against copying by formal copyright under the United States Copyright Law. Under our dual system of protection, examinations also enjoy common law (as distinguished from statutory) copyright protection so long as they are not offered to the general public. The preservation of common law copyright is expressly assured by section 2 of the United States Copyright Law, as follows:

"NOTHING IN this title shall be construed to annul or limit the right of the author or proprietor of an unpublished work, at common law or in equity, to prevent the copying, publication, or use of such unpublished work without his consent, and to obtain damages therefor."

THE DEPARTMENT of Civil Service of the State of New York has claimed common law copyright to defeat proceedings for judicial review of its grading of civil service examinations. Such a contention received judicial support in an action by a court clerk on a Deputy Chief Clerk's list to compel the Civil Service Commission to allow him to copy examination questions and official answers as a prelude to court review of his paper. His request was denied with the Judge's advice that he rely upon examination before trial and discovery and inspection.

IN WEBER v. KRONE, (New York Law Journal, 9/30/64, page 15, Brush, J.) this kind of frustration of the petitioners' rights did not entirely succeed. The petitioners sought an order directing the Department of Civil Service to make available to them the examination questions at issue, and the final key answers, as well as the petitioners' answers. The Court resolved the matter by requiring the Department to furnish to the Court itself copies of the questions and official answers together with the Department's reason for the answers.

IN REACHING this solution, the Court adopted the procedure followed by the Department in Kurtz v. Krone of supplying the questions and official answers with comments to the Court, but not to the petitioners who had signed a declaration not to "divulge any questions or answers to the examination." The Kurtz proceeding was brought on their own behalf by members of the Bar serving as civil service court attendants. The Department's contention of common law copyright protection against copying of the civil service examination was sustained by the Court which overruled the petitioner's objection that the Department would give only its side of the controversy. On reviewing the examination this Court held that the petitioners had not met the standards specified by the Court of Appeals in Acosta v. Lang.

THE ACOSTA case is extremely valuable because it reasserts the principle that the power of judicial review of arbitrary administrative action exists and should be exercised in an appropriate case. Certain of the lower Courts had all but surrendered this authority in actions for judicial review of the grading of civil service examinations. This resulted from an insistence upon proof of fraud by the Commission as a condition to judicial relief. In the absence of fraud, the candidate could expect no relief from denial of credit for his right answer which was equally good as or even better than the Commission's answer, so long as the Commission was able to find any authority supporting the official answer. This capricious Court attitude was said to have support in the substantial evidence rule.

TYPICAL OF the five questions in the police sergeants' promotional examination under review in the Acosta proceeding was the following:

"77. The x one of following statements concerning the crime of rape which is most correct is that it

(A) is always a misdemeanor of rape when committed by a male under 21 years of age

(B) is always a misdemeanor when the male is under 21 years of age and the female is under 18 years of age

(C) is not a misdemeanor of rape when the female is under 21 years of age and the female is over sented to an act of sexual intercourse

(D) may be a misdemeanor of rape if the male is under 21 years of age and the female is over 18 years of age."

THE OFFICIAL answer, "C", was incorrect because if the

(Continued on Page 15)

Your Public Relations IQ

By LEO J. MARGOLIN



Mr. Margolin is Head of the Division of Business Administration and Professor of Business Administration at the Borough of Manhattan Community College and Adjunct Professor of Public Relations in New York University's Graduate School of Public Administration.

The PR Of Business Vs Gov't

CIVIL SERVANTS whose patience is taxed almost daily by businessmen complaining of Government's growing encroachment on business, should be ready with calm, reasoned, factual, and intelligent answers.

WE MAKE this suggestion because the good public relations of civil servants and the government agencies they serve is very much involved. And the problem of complaining businessmen is expanding, thus making the "right answers" all the more necessary.

BASICALLY, it is not the theory of democratic government to prevent business from doing business. The philosophy of democratic government is orderly regulation for the benefit and protection of all the people, businessmen included.

WHAT MAKES the civil servant's task more difficult is that government is becoming more and more pervasive in business, and for good reason.

SIMPLE RESEARCH will reveal that where Government's orderly regulation has been imposed, it was done to correct some abuse by business—not all business, of course, but some small segment lacking responsibility and a devotion to the general public well-being.

WHEN A businessman "shoots from the hip", firing from all directions at a civil servant with wild charges of government encroachment, civil servants must keep their temper and their equilibrium.

RECENTLY, civil servants acquired a powerful ally in the business camp. This new ally may not know it, but he has done civil servants a great favor. He is Lynn A. Townsend, president of the Chrysler Corporation, who told his fellow managers recently that he thought businessmen should be more specific in their complaints about Government restraints on business.

WE OFFER Mr. Townsend's own words as ammunition for civil servants. Said Mr. Townsend:

"TOO OFTEN in the past, businessmen have expressed themselves as being squarely against many things that the great majority of people are solidly for. As a result, the business community has got itself a reputation for dragging its feet on social issues and being opposed to anything that looks like a new approach.

"THIS IS pretty ironic, because in reality the businessman at his desk is for innovation, for expansion, for improved quality, for better service to the public, for building a better civilization, if you will."

THE BUSINESS leader urged his audience—members of the National Association of Manufacturers—to be more forward-looking, instead of being against so many things most people are for.

BUT FOR civil servants in the front lines of barrages from busi-

Mt. Vernon Seeks Head Custodian

Closing date for the examination for head custodian for the Board of Education, Mt. Vernon is Jan. 6, 1965. Applications can be obtained at the Municipal Civil Service Commission, City Hall, Mt. Vernon.

Senior Chemist Lists

Two New York City eligible lists for senior chemist and senior

plaining and more talking and more thinking about the ways in which Government can help business work more effectively.

IT IS NOT suggested that civil servants become involved in debates with businessmen. Just keep this column handy, so that when you have a complainer from the world of business ask him politely to take a few minutes to read what Mr. Townsend had to say. The whole atmosphere should change drastically—for the better, of course.

nessmen who want Government to keep its nose out of everybody's business the key to Mr. Townsend's remarks are these:

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chemist (toxicology) have been with 18 names each. Establishment recommended for establishment is subject to qualifications.



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Attorney Opening In Law Dept.

The New York State Department of Law will hold an examination for senior attorney, securities. Applications for the examination will be accepted until Dec. 21.

To qualify for the test, candidates must have been admitted to the Bar of the State of New York and, in addition, must have had four years of progressively responsible experience in the practice of law of which two years must have involved either the financing of syndications, publicly held partnerships, trusts, corporations, etc.

This position carries with it a salary of from \$10,090 to \$12,110.

For further information, contact the State Department of Civil Service Commission offices, Alfred State Office Building, Albany; the State Campus, Albany; 270 Broadway, New York City; the State Office Buildings in Buffalo and Syracuse.

Psychologist Needed In Sullivan County

The Community Mental Health Board of Sullivan County has an opening for a clinical psychologist. Salary in this position is \$8,500 a year.

Applications and information can be obtained at the State Civil Service Commission offices Alfred E. Smith State Office Building, Albany; 270 Broadway, New York City; and the State Office Buildings in Buffalo and Syracuse.

Closing date for applications is Dec. 21.

Salary \$8,810 For Alcoholism Asst.

Salary for the position of assistant director of the Westchester County Alcoholism Clinic is expected to be \$8,810 per year.

Closing date for applications for the examination is Dec. 21.

For information and applications, contact the County Personnel Office, Room 700, Westchester County Office Building, White Plains.

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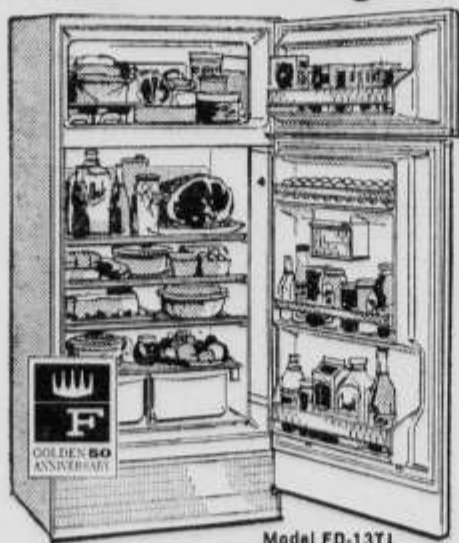
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70 Jobs As Air Brake Maintainer To Be Filled By TA

Seventy vacancies will be filled as a result of a promotional examination for air brake maintainer in the Transit Authority.

Applications for the exam will be accepted by the Applications Division of the Department of Personnel, 49 Thomas Street, until Dec. 22.

The exam is open to those men who are employed in the title of assistant foreman (car cleaning) or maintainer's helper in the Transit Authority.

The candidate must also have been employed in his title in the car maintainer department for six months and not be otherwise ineligible.

Air brake maintainer pays from \$3,0650 to \$3,3675 per hour.

White Plains Seeks Firemen

Applications for the City of White Plains firemen examination will be accepted until Dec. 23.

Applications can be obtained at the office of the Civil Service Commission, 255 Main Street, White Plains, N.Y.

Tests For Prison Duty Being Given

The United States Civil Service Commission has announced that tests are being given for positions as correctional officers for duty in Federal penal and correctional institutions throughout the country.

Women are employed only at Alderson, W. Va., and Los Angeles, Cal.

Applications should be filed with the Board of U.S. Civil Service Examiners, United States Penitentiary, Leavenworth, Kan.

Applicants can obtain forms from main post offices or the U.S. Civil Service Commission's Information and Examining office, 1900 E Street NW, Washington D.C., 20415.

Safety Inspector Exam Closes Soon

Applications for the construction safety inspectors examination will be accepted until Dec. 21. The positions are with the New York State Department of Labor.

For information and applications, write to Recruitment Unit 64, New York State Department of Civil Service, the State Campus, Albany.

Information Assistant

A New York City eligible list for information assistant has been recommended for establishment subject to qualifications with 28 names.

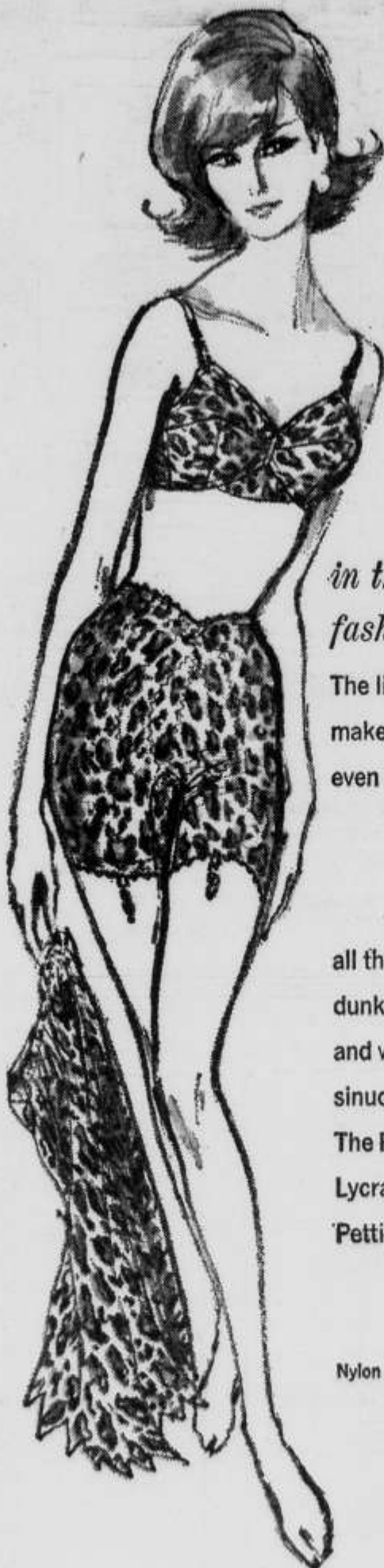
Farm Manager Pays \$6,180

The State of New York has an opening for a farm manager at its Syracuse State School which is operated by the Department of

Mental Hygiene.

Salary in this position is \$6,180 with annual increases to \$7,535. For further information contact

the State Department of Civil Service, Gov. Alfred E. Smith Office Building, Albany; the State Campus, Albany; 270 Broadway, New York City; the State Office Buildings, Buffalo and Syracuse.



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40 To Be Chosen For Coast Guard Pilot Project

The U.S. Coast Guard's pilot project involving the women's Spar Reserve Division will choose 40 women before Jan. 1 for participation in the project.

Applicants must be high school graduates and should be single and without dependents. They will take three written tests as well as a physical exam.

Women residing in the Third Coast Guard District may contact local Coast Guard recruiting offices for complete information on the program. The district includes the states of Connecticut, Delaware, New Jersey and parts of New York, Pennsylvania and Vermont.

The Coast Guard recruiting offices in New York State are: for the New York City area, Chief William J. Ledoux, 45 Broadway, Room 611, New York, phone 422-5700, ext. 732. In Albany, Chief Dwight E. Corey, 201 Old Post Office Bldg., phone 472-2218, ext. 272.

Promotion Exam Set For Bank Examiners

Applications will be accepted until Dec. 21 for the competitive promotion examination for senior and principal bank examiner.

For information contact your agency personnel office or the State Civil Service Commission, Albany, New York City, Buffalo or Syracuse.

The exam is open to any qualified employee of the State Banking Department.

LEGAL NOTICE

NOTICE OF PUBLICATION
TO: Frank E. Hurd, Lester J. Hurd and Bertha H. Masala.

PLEASE TAKE NOTICE that the notice of petition in this proceeding is served upon you by publication pursuant to an order of the Honorable Arthur G. Klein, Justice of the Supreme Court of the State of New York, dated the 10th day of December, 1964, and filed in the office of the Clerk of the County of New York. The object of this action is to determine the rights of the dissenting shareholders of petitioner TUDOR CITY SECOND UNIT INC. and to fix the fair value of their shares.

Dated: December 15, 1964
PAUL, WEISS, RIFKIND, WHARTON & GARRISON
Attorneys for Petitioner
575 Madison Avenue
New York, N. Y. 10022
Murray Hill 8-5000

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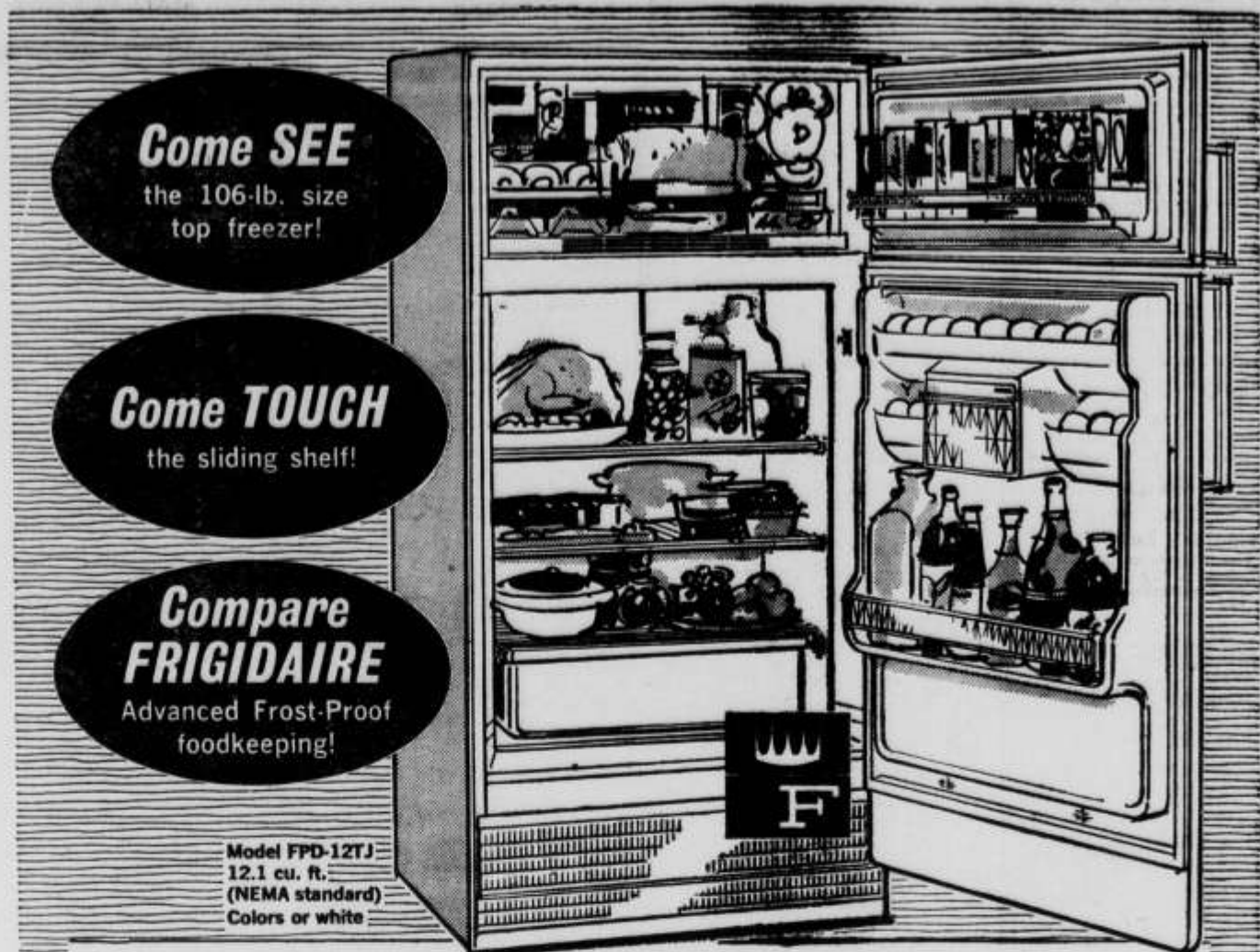
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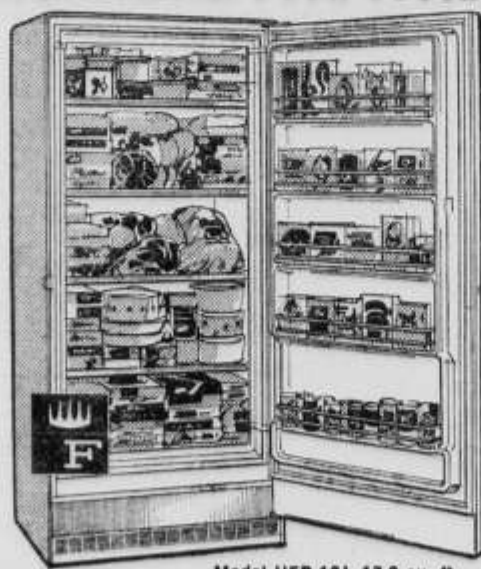
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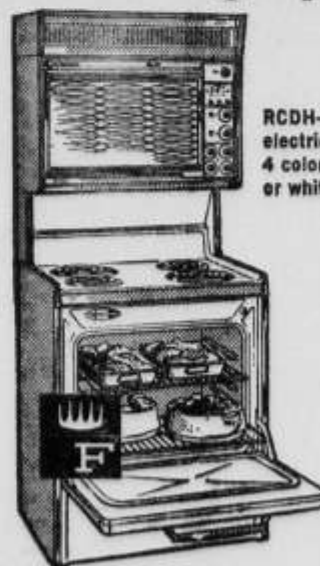
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RCDH-637V, 30" electric
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Westchester Trains Clerical Employees

Thirty-five women employees in various departments of the Westchester County service recently passed the half-way mark in a special in-service training program being held for senior and supervising stenographers, senior stenographers and account clerks, and senior clerks.

Designed to improve their effectiveness as employees of departments having regular contact

with the public, the course began Nov. 13 and will run through Dec. 16.

Closing Date Dec. 23 For X-Ray Technician

Applications will be accepted until Dec. 23 for the examination for x-ray technician aide in the Summit Park Sanitorium, Rockland County. Apply at the Rockland County Personnel Office, New City, N.Y.

Shoppers Service Guide

Get The Authorized CSEA License Plate The only car license plate tag authorized by the Civil Service Employees Assn. is that which is sold through CSEA Headquarters, 8 Elk St., Albany. The plate which sells for \$1, can also be ordered through local chapter officers.

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60 SECLUDED ACRES, 5 room furnished house, adjoins State land, \$8,500. Terms: John Mauri Realty, 396 Mount St., Catskill, NY, 518-943-3037 or 518-678-3315.

For Sale Nassau County East Long Beach
OWNER'S sacrifice: 4-family nine year old brick, 3 1/2 rms furnished. One block from boardwalk and beach. \$35,000. \$10,000 cash will take over. Gross \$9,250, net \$2,200. (519) TN 8-9390.

LEGAL NOTICE
STAVROU, JEROTHEOS.—CITATION.—THE PEOPLE OF THE STATE OF NEW YORK. By the Grace of God Free and Independent, TO CONSTANTINE STAVROU, OLGA POLITSOU, MARIKA HITA, JOHN STAVROU, PARASKEVI ATHANASOPOULOU, ANNETA REKATA, CALIOPE STAVROU, an infant, HELEN STAVROU, an infant, GEORGE (GHEORGHE) FUNDI, ELENA FUNDI, an infant, VICTORIA FUNDI, an infant, ION SIDERI, GEORGE (GHEORGHE) SIDERI, APHTHENTIA KOUTSAMANIS, AMERICAN RED CROSS, GREEK RED CROSS, BOARD OF TRUSTEES OF THE SAINT DEMETRIOS CHURCH and ALL SAINTS, CHAPEL OF SAINT ATHANASIOS, CHAPEL OF TAXIARCHAI, HOUSE OF BLIND, being the persons interested as creditors, legatees, devisees, beneficiaries, distributees, or otherwise in the estate of JEROTHEOS STAVROU, deceased, who at the time of his death was a resident of 106 West 47th Street, New York City, Send Greeting:
Upon the petition of ATLANTIC BANK OF NEW YORK, with offices at 960 Avenue of the Americas, New York, N. Y. You and each of you are hereby cited to show cause before the Surrogate's Court of New York County, held at the Hall of Records in the County of New York, on the 20th day of January, 1965, at ten o'clock in the forenoon of that day, why the account of proceedings of ATLANTIC BANK OF NEW YORK as Executor should not be judicially settled; that the Codicil revoking the bequest under Paragraph THIRD (c) and THIRD (d) of the Will be construed as passing of the said legacies thereunder under and by Paragraph THIRD (a) of the said Will; and that the fee of its attorney be fixed and allowed in the sum of \$3000, of which \$500 have been paid on account.
In testimony whereof, we have caused the seal of the Surrogate's Court of the said County of New York to be hereunto affixed. Witness, (L.S.) Honorable S. Samuel Di Falco, a Surrogate of our said county, at the County of New York, the 25th day of November, in the year of our Lord one thousand nine hundred and sixty-four.
PHILIP A. DONAHUE,
Clerk of the Surrogate's Court.

NOTICE OF PETITION — Index No. 18979/1964. — SUPREME COURT OF THE STATE OF NEW YORK, NEW YORK COUNTY.
In the Matter of the Proceeding under Section 933 of the Business Corporation Law of the State of New York for a determination of the value of the stock of TUDOR CITY SECOND UNIT INC., Petitioner, against FRANK E. HURD, LESTER J. HURD, BERTHA H. MASSIE, GERTRUDE BREVDA, MAURICE COYNE, FRANCIS I. DUPONT & CO., GUSTAVE H. GARFIELD, EVELYN GERSTEIN, WILLARD S. GOURSE, HAYDEN STONE & CO., INC., MARIE LACHOWSKI, FRANK R. RIESENBERGER, ANNA ROSENTHAL, ROBERT D. STERLING, 277 PARK AVENUE CORP., JOHN J. VOGRIN, MADELINE VOGRIN, ALLENHURST REALTIES INC., RHINELANDER IMPROVEMENT CO. INC., CHARLES & MILTON A. KIMMELMAN a partnership, CATHEDRAL ESTATES INC., 62 WEST 47th STREET CORP., REEVES HOLDING CORPORATION, 57 WEST 57th STREET CORP., AUDREY ZAUDERER, AUDREY CHERAY ZAUDERER, S. GEORGE ZAUDERER, SOLOMON ZAUDERER, PAMELA GEORGEA ZAUDERER, FRANCES ZAUDERER, SALLY ZAUDERER, IRVING ZAUDERER, MORRIS KOVINOW, FLORENCE GREENMAN, NORTE & CO., JAY WINSTON, CAROL A. PECHET, FRANK N. MORGENSTERN, RUTH L. STERLING, Respondents.
TO EACH OF THE ABOVE-NAMED RESPONDENTS:
PLEASE TAKE NOTICE that the within petition will be brought on for hearing before this Court at a Special Term, Part I thereof, to be held at the County Courthouse, 60 Centre Street, New York, New York, on the 25th day of January, 1965, at 9:30 A.M., or as soon thereafter as counsel can be heard.
PLEASE TAKE FURTHER NOTICE that your answer, is required to be served (ten (10) days before the return date of this petition.
Dated: New York, New York, December 8, 1964
Yours, etc.,
PAUL, WEISS, HIRSH, WHARTON & GARRISON
Attorneys for Petitioner
675 Madison Avenue
New York, N. Y. 10022
Murray Hill 8-5000

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BRICK & SHINGLE, 7 large rooms, wall oven kitchen with dishwasher, 2 full baths, 3 master bedrooms, finished basement, 2 car garage, cyclone fenced 40x100 garden plot. Only \$700 cash down.
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Beautiful 8 Room Ranch
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OVERLOOKING THRUWAY AND MOHAWK RIVER. Very appealing 1795 Colonial home, 5 rooms and bath, oil furnace, spring water. Original features. Landscaped acre. \$11,000. WIMPLE, REALTOR, Sleansville, N.Y.

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Joseph David Appointed Deputy Commissioner Of State Correction Dept.

ALBANY, Dec. 14—Commissioner of Correction Paul D. McGinnis has announced the appointment of Joseph F. David of North Greenbush (Rensselaer County) as deputy commissioner of correction, effective December 10 at an annual salary of \$17,009.

The appointment results from the recent retirement of William E. Leonard of Saratoga Springs, who had been a deputy commissioner since 1935, and the promotion of John R. Cain of Delmar and Benjamin Weinberg of Elsmere, who have been deputy commissioners since 1959.

Mr. David, 47, is a career employee with 17 years of service in the Department of Correction, which he joined in 1947 as a public administration intern after completing his graduate studies at Niagara University.

Upon completion of his Internship he secured a permanent appointment in the Department by successfully competing in an open-competitive civil service examination. He has advanced in the Department over the years through other civil service examinations, and has been senior administrative assistant to the Com-

missioner of Correction since 1961, after ranking first in the Department-wide examination.

Mr. David also serves as public information officer for the Department, and will continue to do so along with his other duties as deputy commissioner.

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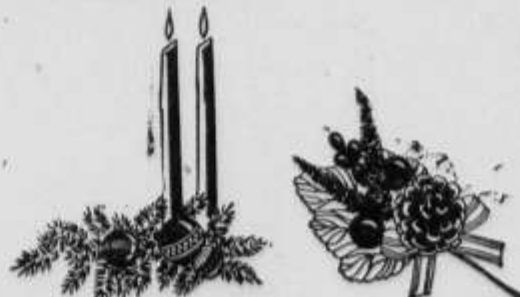
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Some of the titles offered are: safety, fire prevention, maintenance, materials, civil, construction, structural hydraulic, sanitary, mechanical, electrical, electronic, aerospace, marine, naval, ceramic, chemical, welding, industrial and valuation.

For details and additional information, please contact the New York Regional Office of the U.S. CSC, News Building, 220 East 42nd Street, New York City 10017.

Police Exam In Rockland County

Applications for the police patrolman's examination will be accepted by the Rockland County Civil Service Commission until Jan. 6.

Starting salary ranges from \$5,400 to \$6,000.

Applications and further information can be obtained at the County Civil Service Commission, County Office Building, New City.

Accept Applications Starting Jan. 18 For NY City Patrolmen

Applications will be accepted starting Jan. 18 for patrolmen examinations in the City of New York.

For information and applications, contact the Applications Division of the Department of Personnel, 49 Thomas Street.

Onondaga Forester Job Closes Dec. 23

Closing date for applying for the assistant County forester positions in Onondaga County is Dec. 23.

Apply to Onondaga County Personnel Department 114 Court Street, Syracuse.

Speech Unit Appoints

ALBANY, Dec. 14 — The New York State Speech Assn. has chosen Dr. Michael Prosser, assistant professor of drama at the State University at Buffalo, as its executive secretary.

For Christmas and New Year's parties. Special attention to State employees.

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146 State Albany, N.Y. We Deliver HE 6-8992 BARRY SCARLATA

Fireman Exam Closes Dec. 23

The City of Elmira will accept applications for its firefighter's examination until Dec. 23.

Candidates must have been legal residents of the City for at least four months prior to the examination.

For further information contact the Civil Service Commission, City Hall, Elmira.

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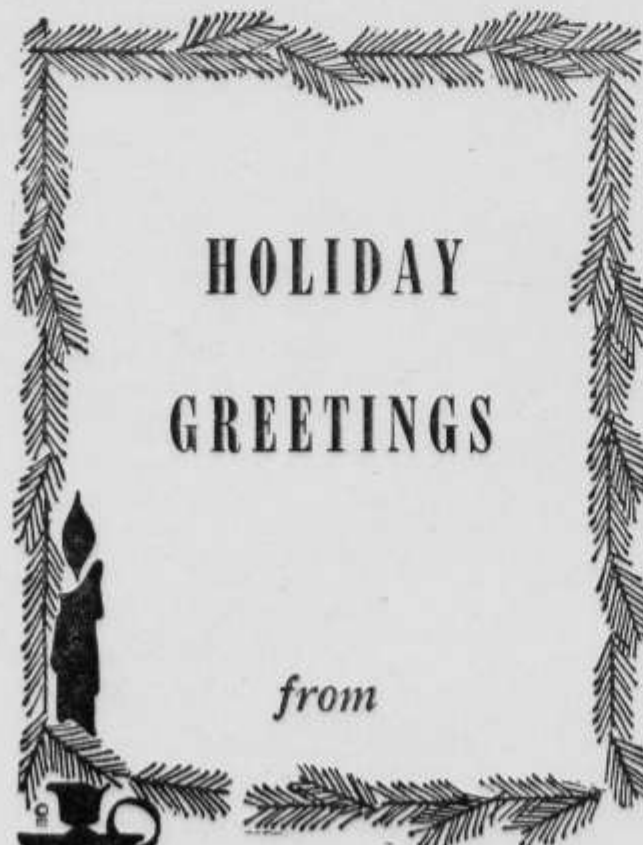
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CSEA Proposals On Career Service Rules

(Continued from Page 1)

VII of the Rules of the Administrative Board, and elaborate on the suggestions we made at our meeting with you and your staff on October 28, 1964.

We feel, at the outset, that we should reiterate our general position that the rights of the employees of the Judicial System under the Civil Service Law cannot be diminished by virtue of the provisions of Section 212 (1) of the Judiciary Law. Our more specific comments will follow in the order of the Rules.

It would seem, in connection with the delineation of functions found in Rule "3" of the Article, that the following should be added:

"Jurisdictional Classification of non-judicial positions of the Unified Court System shall continue to be the responsibility of the State Civil Service Commission."

Rule "4" refers to uniform classification and pay plans. In this connection, it is our opinion that the employees are entitled to be heard by the Board prior to the Board's submission of pay recommendations to local fiscal jurisdictions and provision for such a hearing ought to be made on your Rules. The right to a hearing before the Board, or its representative is essential at this stage since the Board's recommendation may well be ultimately

determinative of employee salary structure.

In addition, we would suggest that Rule "4" be amended by the addition of a provision to protect employees' salary "ranges." We suggest, in this connection, that language be used to give protection for "salary to the maximum of the grade to which the position is allocated including longevity increments."

Rule 5

Our suggestions with respect to salary determinations on the State level are incorporated in our comments on Rule "5" of the Rules.

Rule "5" deals with the review of classification, but omits the protections afforded by Sections 115-133 of the Civil Service Law guaranteeing against loss of salary, classification appeal, reallocation appeals procedure, handling of salary upon reallocation or reclassification, and rules relating to salary determination upon promotion, reinstatement, etc. Protections of this type are definitely needed in the Rules.

We suggest, further, that the words "or salary determination" be inserted immediately following the word "classification" on the second line of Rule "5." Thereafter, the provisions of Rule "5" would be applicable to review and appeal of salary determinations as well as classification matters.

On line 8 of Rule "5," we sug-

gest the insertion of the words "to the affected employee or employees" immediately following the word "thereof" and before the ("comma").

On lines 5, 12 and 18 of Rule "5" the words "or salary determination" should be inserted to broaden the applicability of the procedure to salary questions as we have suggested above.

Additions For Rule 8

We suggest the addition of the following language to Rule "8" (a):

"and all positions listed in Appendix A of Rule 5 of the Rules for Classified Service."

(Some reference might be made somewhere in the Rules to the fact that the "Rules for the Classified Service" are the State Rules for the Classified Service promulgated by the State Civil Service Commission, as opposed to your Rules for the Career Service.)

We suggest that the words "by the State Civil Service Commission" be inserted immediately following the word "found" and before the word "to" in Rule "8" (b), line 3.

We suggest the insertion of the word "as" after the word "be" and before the word "list" in line 2 of Rule "10" and the insertion of the words "Appendix 'C' of" immediately following the word "in" in the same line.

The words "listed in Appendix B under Rule 6 of the Rules for the Classified Service" should follow the word "positions" and precede the word "that" on the first line Rule "9."

Rule "11" should be amended by the insertion of the word "found" after the word "is" and before the word "practicable" on line 2 and after the word "practicable" should be inserted the words "by the State Civil Service Commission."

Waive Fees

On the basis of our interpretation of the provision that your Rules shall be consistent with the State Civil Service Law, we do not object to the portion of Rule "11" which has to do with "application fees." Based on our recent letter to you, however, we urge that the Administrative Board take action to waive such fees. As we stated, the State Civil Service Commission has waived all fees possible under Section 50 of the Civil Service Law both for open competitive and promotion examinations several years ago.

Line 15, Rule "14" should be amended by insertion of the words "and direct notice shall be given to all persons in the potential promotional field" after the word "Board" and before the word "and."

We urge that broad transfer opportunities be afforded to the employees of the Judicial System. However, circumstances can arise when transfers adversely and inequitably affect promotional opportunities and we suggest that the Administrative Board issue a statement of policy or expand the present provision found in Rule "15" (c) to insure that transfers shall not adversely affect promotional opportunities of incumbent employees in a given promotional field.

Out-of-Title Work

Rule "22" adopts the statutory prohibition against out-of-work found in Section 61 of the Civil

Service Law. We urge the observance of this Rule and suggest that the Administrative Board take affirmative steps to eliminate out-of-title work presently being performed in the Judicial branch. If your development of a uniform classification is to be meaningful, it must be followed by insistence upon its observance by the Administrative Board.

While discussing promotions and transfers, we suggest an amendment regarding interdepartmental promotions and transfers as found in Rule "24" (d). We suggest that the Judicial District, rather than Judicial Department be considered as a "separate and distinct department" for the provision of the Rules regarding interdepartmental promotions and transfers. The broad area covered by the Judicial Department outside New York City unnecessarily affords, we feel, an opportunity for abuse of the transfer Rules.

We request that Rule "28" relative to provisional appointments, be amended by adding the following sentence to the first paragraph. "Preference in nominating persons for provisional appointment shall be given first to qualified employees of the State Unified Court System before persons not in the employ of the State Unified Court System are nominated for such appointment."

Rule "32" could be amended by deletion of the words "judge, department, court or county clerk" and substitution of the words "judicial official or department" in line 3 of Sub-paragraph (b).

Judicial Review

We urge that the employee not be deprived of his right to judicial review of disciplinary proceedings pursuant to Article 78 of the Civil Practice Law and Rules. We feel that the Administrative Board is acting in an administrative rather than judicial capacity in the present proposed appeal procedure, and therefore, recourse to the courts ought to be available to determine whether the action of the Hearing Officer is arbitrary, capricious or unreasonable. We think that, in light of this, the words "final and conclusive" could be construed similar to the finalness and conclusiveness of the decisions of the Commissioner of Education under the Education Law. Even there, the courts have allowed review of administrative decisions where they are outside the purview of the statutory authority granted to the Commissioner and are arbitrary, capricious and unreasonable.

It may be that appeals should not be made directly to the Administrative Board, if the protection of Article 78 is guaranteed by your Rules. We do not mean to take a position with respect to this at this time because of the complexities involved. In any event, we must plead for a retention of the protection afforded by the judicial process.

Certifications

We have noted the reference in Rule "39" (a) to the certification of payrolls by the Administrative

Board "in accordance with law and rules made pursuant to law."

We have not found the authority for the certification of payrolls in the provisions of Section 212 or 213 of the Judiciary Law. In our future discussion, we shall appreciate your advice with respect to this.

Temporary certifications as set forth in Rule "39" (f) must have some reasonable time limit to give the Board control against continuance of successive temporary certification of employees not certified as qualified for the positions they held. We suggest an absolute time limit of 60 days as equitable.

We note that the letter of the President of the Civil Service Commission dated September 18, 1964, states that the Board will handle "a performance rating program" but we do not find any reference to it in these Rules. If it is expected that those regulations will be promulgated in the future, we shall await their adoption with interest.

Amendment Procedure

The Rules, as we noted in our conference with you, do not as yet have any procedure for amendment. We agree that the authority to promulgate clearly implies the authority to amend, but we have suggested on several occasions that the amendment procedure itself is quite important from the employees viewpoint.

The employee ought to be given notices through representative groups and public distribution of anticipated amendments, with an opportunity for hearings.

We believe our recommendations would provide improvements in the Career Service Rules and we hope they will receive favorable consideration. We would like to be advised of your action on these proposals. If you have any question or are unfavorably disposed toward any of them, we would appreciate the opportunity to discuss them with you.

Albany Employee's 'Litany' Published

Lowell Cartwright, an employee in the Unemployment Insurance Appeals Board Collection Section at central headquarters in Albany, recently wrote and submitted to the Albany Times-Union a prayer which he titled "A Litany for Non-White Americans."

The Albany newspaper featured it in one of their Sunday editions and gave it space which in width stretched over half of the page.

His prayer, which Cartwright said he "felt compelled to write . . . to let the Negro know that there are white people who understand," closed with this passage:

"Omnipotent God, who art just, compassionate, color blind, we believe this to be of terrible and immediate importance. As we now rise from our knees, straighten our backs, and lift our heads proudly — please let it be known among the guilty and the fear-ridden — that the fire that now blazes in our eyes was kindled by Your righteous Wrath—not by our hatred. In denying us, they have denied You! "God forgive them and have mercy on us all."

TEST AND LIST PROGRESS — N.Y.C.

Title	Last No. Certified
Accompanist, 6 certified Dec. 3	16
Administrative asst., gen. prom. list, 34 certified Nov. 19	373
Administrative asst., gen. prom. list, 198 certified Nov. 19	302
Alphabetic key punch operator (IBM), 2 certified Dec. 8	293
Asst. accountant, 12 certified Dec. 7	19
Asst. bacteriologist, gen. prom. list, 5 certified Dec. 4	42
Asst. civil engineer, prom. (Water Supply) 3 certified Nov. 23	4
Asst. stockman, 16 certified Nov. 25	121
Asst. stockman, 19 certified Dec. 7	160
Asst. supervisor (power distribution) prom., 8 certified Nov. 30	8
Asst. supervisor (structures), prom., 8 certified Nov. 23	13
Attorney, 30 certified Nov. 24	50
Bridge and tunnel lieutenant, prom., 3 certified Dec. 3	11
Bridges and tunnel lieutenant, prom., 3 certified Nov. 23	10
Bridges and tunnel sergeant, prom., 4 certified Nov. 23	17
Carpenter, 12 certified Nov. 20	229
Civil engineer, 6 certified Nov. 2	103
College admin. asst. (CC), 4 certified Nov. 19	23
College admin. asst., prom. (Higher Ed.), 1 certified Dec. 2	74
College office asst., B, 35 certified Nov. 25	181
College office asst., "B", 35 certified Dec. 2	136
Computer programming trainee, 45 certified Dec. 2	1,358
Court attendant, 50 certified Dec. 2	14
Editorial asst., 6 certified Dec. 8	86
Elevator mechanic, prom. (Public Works), 4 certified Dec. 1	61
Engineering aide, 12 certified Dec. 7	24
Engineering aide, 3 certified Nov. 18	25
Foreman of asphalt workers, special prom., 20 certified Dec. 7	81
Foreman of housing care takers, prom., 9 certified Dec. 2	8
Foreman (structures-Group B), prom., 6 certified Nov. 25	15
Furniture maintainer's helper, 1 certified Dec. 1	115
Gardener, prom., 39 certified Dec. 7	55
Glasier, 13 certified Nov. 19	17
Head shelving, prom. (Hospitals), 17 certified Nov. 19	49
Junior draftsman, 14 certified Dec. 7	195
Laborer (D), 34 certified Nov. 27	54
License inspector, 4 certified Nov. 30	2
Occupational therapist, 2 certified Dec. 8	57
Personnel examiner trainee, 19 certified Nov. 23	300
Police trainee, 28 certified Dec. 3	17
Public relations asst., 4 certified Nov. 27	45
Rehabilitation counselor, 3 certified Dec. 8	24
Resident building superintendent, prom., 9 certified Dec. 7	15
Senior architect, 13 certified Nov. 23	14
Senior budget examiner, prom. (Budget), 14 certified Nov. 25	4
Senior building custodian, prom., 3 certified Dec. 7 (Dept. of Welfare)	4
Senior chemist (biochemist), prom. (Health Dept.), 4 certified Dec. 7	13
Senior chemist (toxicology), 10 certified Dec. 8	9
Senior civil engineer, prom. (TA), 2 certified Dec. 7	1,190
Senior clerk, gen. prom. list, 23 certified Nov. 20	181
Senior clerk, prom. (Bd. of Ed.), 18 certified Dec. 7	21
Senior clerk, prom. (Dept. of Personnel), 8 certified Dec. 1	82
Senior clerk, prom. (Hosp. Dept.), 10 certified Dec. 3	9
Senior stenographer, (TA), 5 certified Dec. 8	1
Senior shorthand reporter, gen. prom. list, 1 certified Dec. 4	401
Senior stenographer, gen. prom. list, 3 certified Dec. 2	102
Senior stenographer, 4 certified Nov. 23	377
Senior stenographer, 23 certified Dec. 2	20
Senior tabulator operator (IBM), gen. prom. list, 20 certified Dec. 7	6
Senior tabulator operator (IBM), prom. (Bd. of Ed.), 6 certified Dec. 7	6
Senior title examiner, gen. prom. list, 6 certified Dec. 3	1
Senior tab operator (IBM), prom. (PW), 1 certified Dec. 2	1
Senior tab operator (IBM), prom. (Criminal Court), 1 certified Dec. 2	9
Storekeeper, prom. (Housing Auth.), 2 certified Nov. 30	58
Structure maintainer, group E, prom., 10 certified Nov. 25	3
Supervising accountant, prom. (Welfare), 3 certified Dec. 4	11
Supervising clerk, prom. (Civil Court), 3 certified Dec. 8	8
Supervising clerk, prom. (Law Dept.), 5 certified Nov. 23	2
Supervising personnel examiner (recruitment), 2 certified Nov. 25	120
Supervising stenographer, gen. prom. list, 24 certified Nov. 24	1
Supervising stenographer, (Dept. of Personnel), 4 certified Dec. 1	28
Supervising tab operator (IBM), 22 certified Dec. 4	49
Supervisor (child welfare), prom., 5 certified Nov. 24	13
Supervising tab operator (IBM), 12 certified Nov. 27	4
Supervisor (medical social work), prom., 6 certified Nov. 25	152
Supervisor (welfare), prom., 41 certified Dec. 8	69
Surface line dispatcher, prom., 10 certified Nov. 25	636
Surface line operator and appropriate for conductor, 285 certified Nov. 27	117
Train dispatcher, prom., 5 certified Nov. 24	441
Watchman, 22 certified Dec. 7	

Civil Service Law & You

(Continued from Page 6)

male was under 21 years of age, the crime is a misdemeanor. None of the other answers to the question was correct either, and the question should have been stricken or credit allowed for any answer.

IT IS SMALL wonder the Court of Appeals intimated that if a trial had not been requested, it may have completely disposed of the case in petitioners' favor, because "it is arguable that the questions themselves are on their face inexact and inappropriate and that the commission was pure ly arbitrary in its choice of 'best' answers."

WHILE THE matter of judicial review of civil service examinations is still being resolved, there is justification for confidence that arbitrary precedents are about to be sup- planted by just judicial determinations.

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Filing for the examination will start on Dec. 28 and will close on Jan. 27. The exam is scheduled for Feb. 27.

The jobs open will be at the Grade 3 level for clerks and file clerks. Salary in this level is \$3,365 to start with five annual increases to \$4,200.

Account and statistical clerk positions will be in the Grade-4 level and starting salary is \$3,530 with increases to \$4,405.

Before Dec. 28, requests for applications will be accepted by mail. You may send a self-addressed stamped legal-size envelope to the Civil Service Commission, 270 Broadway, New York City. After the opening date, persons may apply at the Commission offices.

Career Positions

Hundreds of career positions will be filled as the result of this examination. Openings are also being made available in Nassau and Suffolk Counties and the lower Hudson Valley.

Candidates must be citizens of

the United States by day of appointment and must have been residents of the State of New York for one year prior to the examination date.

Eligibles may be given preference in their home areas.

Part-time employment is also being made available and those seeking this type of job will be allowed to apply at the same time as those seeking full-time employment.

Other Jobs

Other positions in the office worker field will also be filled from the lists resulting from this examination.

The written tests will be given at various locations in New York City, Nassau, Suffolk, Westchester, Rockland, Putnam, Orange, Dutchess, and Ulster Counties.

Seventy-five percent will be considered a passing mark on the two-hour examination.

Lists are expected to be established in the early summer.

Helen Warren Is Teacher of Year

ALBANY, Dec. 14—Helen Warren of the Albany Public School System has been named New York State Teacher of the Year. The award was made by Dr. James E. Allen, State Education Commissioner.

Miss Warren will be the State's nominee for the National Teacher of the Year Award.

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Public Administration Unit Hears Warning That State May Lose Out in Science

Two leading scientists told 300 State administrators last week that New York must provide a first-rate educational system or lose out to other States in the competition for scientific excellence.

Dr. Detlev Bronk, president of the Rockefeller Institute, and Dr. Robert Anderson, assistant director of the Brookhaven National Laboratory, spoke as panelists at the twentieth anniversary gathering of the Capital District Chapter, American Society for Public Administration.

Dr. Bronk noted that about one-third of the scientists honored by election to the National Academy of Science are from California and Massachusetts. When asked how New York State can be made more attractive to researchers, Dr. Bronk noted that the question scientists always ask before moving to a new locale is "How good are the schools?"

The former president of John Hopkins University said he

pledged himself to raising the level of scientific achievement in his home State. Dr. Bronk is a native of Troy and got his early education at Troy High School before going on to a distinguished scientific career including receipt of 44 honorary degrees.

Dr. Anderson said that New York State has an educational trade deficit since New Yorkers leave the State to get a first-rate technical education and because many of the best scientists

working here were educated elsewhere. He warned that a State offering less than top flight educational opportunities cannot attract the research enterprises that are the mark of successful modern states.

Both men are members of the New York State Science Advisory Council.



Dr. Bronk



Dr. Anderson

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BROOME BASKET — James A. Burrows and Mrs. Ethelda Shafer pack a basket with food donated for local needy families by Broome County employees. The food drive is a project of the Broome chapter of the Civil Service Employees Assn. Burrows, Chapter president, said \$250 in cash has been raised to buy perishable items to put in the Christmas baskets. More donations of non-perishable food are needed. The county employees hope to fill baskets for at least 27 families.

CSEA Proposes Vast Health Plan Changes

(Continued from Page 1)

- with cost shared by employer.
- Increase time allowance under emergency out-patient care from present 24 hours to 72 hours.
 - Cover students to age 25 under family contract without charging additional premium.
 - Include diagnostic x-ray and laboratory work under Blue Cross and Blue Shield on an out-patient basis when ordered by a physician.
 - Increase limits under Major Medical Plan.
 - Provide coverage for nursing home care in the basic contract.
 - Provide electro-shock therapy on an out-patient basis.
 - Provide coverage for spouse and dependents on death of subscriber who has completed 20

years of service, with the full opportunity to remain under the entire State Health Plan.

- Support legislation expected to be sponsored by Senator Metcalf which would provide dental insurance coverage for public employees.
- Amend the law to allow Air National Guard technicians who are on the Federal government payroll but who work under the supervision of the State Adjutant General, to participate in the State Health Insurance Plan.
- Three types of contracts be made available under the Plan to include single individuals, married couples without maternity and married couples with maternity benefits.

Wants Advanced Information

Felly also asked that CSEA be informed on matters that come before the Health Plan Advisory Committee and that the Association be allowed to have a representative meet with the Committee to discuss matters which affect Association members. Felly asked for this opportunity "in view of the fact that we represent such a large portion of the members covered by the Plan."

Earlier this year, regulations governing the State Health Insurance Plan were amended to provide certain extensions of coverage for dependent, survivors of deceased enrollees. Under the amendment, coverage for eligible dependents is now extended for five additional bi-weekly payroll periods (two additional months for local subdivision enrollees) beyond the period for which the deceased enrollee had made contributions for their coverage. If dependent student coverage is in effect, three additional months beyond the month in which the enrollee died will be provided.

CSEA had requested the state on a number of occasions to provide more liberal treatment to surviving dependents of members of the State Plan who become deceased during active employment, and especially to survivors of those employees who die as a result of work-incurred injury or disease.

Onondaga Unit Christmas Party & Meeting Dec. 15

SYRACUSE, Dec. 14 — Onondaga chapter, Civil Service Employees Assn. will combine its quarterly meeting with its annual Christmas Party Dec. 15 in the Kirk Park Community House here.

A feature will be a Bingo session with 10 turkeys as prizes, said Arthur W. Kasson, president of the Chapter. Also, he said, the party will include a cheese and meat buffet instead of the usual "nibbler's lunch."

Assisting Kasson with the meeting and party plans are Leona Appel, James Carr, Robert Clift, Genevieve Paul, David Rogers, Rae Scharfeld, Edith Schroeder, Lee Smith and Mrs. Hilda Young.

Gertrude Rockman

The Brooklyn District of the Department of Taxation and Finance learned recently of the death of Gertrude Rockman, income tax cashier.

Miss Rockman joined the Department in 1928 as a clerk and advanced to the position of cashier in the Jamaica office of the Motor Vehicle Bureau when it was still a part of the Department.

Rensselaer Board Fails To Resolve Controversy On Aides' Representation

ALBANY, Dec. 14—A bitter controversy over a Rensselaer County official's signing of a purported contract with a restaurant employees' union failed to be resolved last week when the county board of supervisors failed to act on the issue at its regular monthly meeting.

The lack of action by the board was sharply criticized by The Civil Service Employees Association which was represented at the meeting but was not allowed to speak, despite earlier indications that it would be heard.

The controversy surrounds an agreement entered into by lame-duck Welfare Commissioner Allan Dixon with a local of the Hotel Motel and Restaurant and Bartenders Union, which reportedly represents no other public employees in the Capital District or elsewhere in the State. The agreement allegedly allows the union to represent, exclusively, all employees of Van Rensselaer Manor, a unit of the county welfare department.

Majority Ignored

The contract was made despite CSEA's majority membership at the manor as well as in the rest

of the County Welfare Department.

At the board meeting last week, its chairman, James Fitzgerald, and other Republican majority members, refused to allow CSEA representatives to speak when the subject arose, despite requests by other members of the board.

The Democratic minority on the board, declaring all the facts involved in the matter should be ascertained, offered to remain past adjournment and hear the CSEA representatives.

Union Didn't Qualify

CSEA's request to appear before the county group came after the board, at its November meeting, had ordered its own Welfare Committee to investigate the purported contract signed by Dixon and to report back at last week's meeting, which it did.

Prior to the meeting, County Attorney Elmer Rasmussen advised the Employees Association that he had furnished County Treasurer James Brahan an opinion that the Restaurant Employees and Bartenders Union did not qualify, under Section 93B of the Municipal Law, for deduction of its membership dues on county payrolls. This fact was not given to the Supervisors at last week's meeting, either by Rasmussen or Welfare Committee Chairman George Nuttal, in his report.

Following Nuttal's report and despite protests by minority members, Chairman Fitzgerald stated that the contract with the union was no concern of the Board's.

In the Welfare Committee report, it was indicated that Dixon, whose term ends Dec. 31, determined that the union represented the majority of employees of an undefined unit of Van Rensselaer Manor, on the basis of forms signed by the employees which authorized deduction of union dues on county payrolls. The Welfare Committee admitted it had not seen the union forms and did not describe in any detail the unit supposedly involved.

Despite Rasmussen's ruling that the union's dues deduction authorizations could not be put into effect, Fitzgerald and the Republican majority on the board would not affirm or disaffirm the union contract, maintaining "it's none of our business."

Lame Duck Deal

William P. Wade, who defeated Dixon early last month for election to the top welfare post, read a prepared statement to the board, in which he said he would not be bound in selection of qualified employees by any agreement made by a "lame-duck" commissioner. Wade also denied responsibility for rumors of mass firings when he assured responsibility of the department on January 1.

In a related action, Dixon told a meeting of the Rensselaer County Chapter of CSEA, the evening before the board meeting, that regardless of the contract with the bartenders union, CSEA could still represent its members employed by the county in dealings with his department and other county officials.

The Employees Association maintains that the purported contract is wholly illegal and void and certain provisions of it infringe on the authority of the Board of Supervisors and other county officials, as well as on sections of the civil service law.

A&M Chapter Christmas Party

ALBANY, Dec. 14—The annual Christmas frolic of the State Department of Agriculture and Markets was held Dec. 10 at the Schine Ten Eyck Hotel here and proved a great success. The party was sponsored by the department chapter of the Civil Service Employees Assn.

Buffalo Armory Unit Christmas Party Set

The Buffalo Connecticut Street State Armory unit of the Western New York Armories chapter, Civil Service Employees Assn., will resume its annual Christmas party this year.

Court Upsets Suffolk Move

(Continued from Page 3)

ministrative division of government which is composed of an organization of some greater size and significance than is present here . . ."

The County contended to the contrary, saying that the Municipal Home Rule Law enacted by the 1963 Legislature as chapter 843, effective January 1, 1964, overturned the ruling in *Neff vs. Falk* and gave so much autonomy to local government as to permit Suffolk's local law.

The County's contention was turned down by the court which said:

"Has the legislature by the enactment of Municipal Home Rule Law overruled the decision of *Neff v. Falk*? We think not. If the intention or part of the intention in enacting the constitutional amendment and MHRL was to dilute the powers of the commission, both the people and the Legislature could have said so in no uncertain terms."

The Court concluded:

"It is, therefore, the decision of this court that Local Law No. 5—1963, as incorporated in Article XI-A of the Suffolk County Charter is illegal and void to the extent that of a department of the county government and hence in the unclassified service of the civil service. It follows that (the appointee) is a provisional employee only and will continue to hold his office subject to the hazards of an open competitive examination."

The event was cancelled last year out of respect for the recently assassinated President, John F. Kennedy.

The party has been set for Wednesday, Dec. 16, at the Connecticut Street Officers Club at noon.

Invited guests include Col. Andrew L. Farkas, officer in charge and control of the Armory; Frank E. Miga, State inspector, Division of Military and Naval Affairs; and William Mullane, Henry Petersen and Howard Marshall, retired employees.

Harry L. Rutkowski, Unit president, and John I. Karnath, Armory superintendent, are co-chairmen of the party. Committees involved in the planning are:

Reception, Joseph Shaurt, Fred Grey and Paul Smith; Arrangements, Angelo Rossi, Harry Racine, Theodore Lubas; Refreshments, John Dombrowski, Louis Marasco and Charles Hinckley.

Tickets, Salvatore Orlando, Roy Andritz, Henry Frankhauser and John Guppenbrger; Treasurer, Jerome Yoerg; Publicity, Joseph F. Kenney.

McMorran Praises Highway Officials Unit For Moderation

ALBANY, Dec. 14 — J. Burch McMorran, superintendent of the State Public Works Department, addressed a convention of the American Association of State Highway Officials, meeting in Atlanta, Georgia, and praised the organization for using moderation "in advancing our programs."

McMorran is serving as president of the association this year.