

Union on the move

CSEA outgrows old headquarters, opens for business at new site

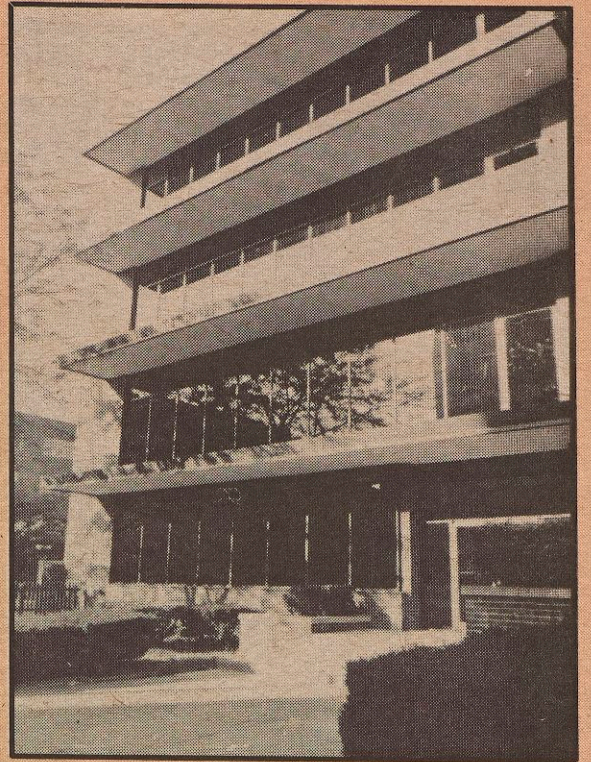
ALBANY—Friday, Sept. 13 was a "blue ribbon day" for a ribbon cutting ceremony as CSEA officers and staff were joined by luminaries from the Capital District to officially announce the opening of CSEA's new headquarters.

Under sunny noon-time skies, CSEA President William L. McGowan welcomed the crowd. "All of our members would like to thank you for taking time out to join us today. This is a great day for CSEA. We have a new building and anticipate filling it to capacity," said McGowan. "We're in a period of growth and will continue to grow to be not only the biggest

union in New York state, but in the country, because we have so many great people behind us," he concluded.

Albany County Executive Jim Coyne was on hand to cut the ribbon. "I'm happy to be here today," said Coyne. "CSEA is very much respected in the public sector. We're not always in full agreement, but as a former union member during my teaching days, I fully respect the philosophy of unions. I hope in the future you achieve your goal as the biggest union," he concluded.

(Continued on page 9)



143 Washington Ave., Albany.



Public SECTOR

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American Federation of State, County and Municipal Employees AFL-CIO.

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Vol. 8, No. 19
Friday, September 20, 1985

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Reminder: OCA ballots

Ratification ballots were mailed out Sept. 6 to judicial local members eligible to vote on a three-year agreement reached between CSEA and the state Office of Court Administration. Ballots must be returned no later than Sept. 30 to be considered valid. Ballots will be counted on Oct. 1.

Eligible members who did not receive a ballot by Sept. 17 should immediately obtain a replacement ballot by calling the Office of Collective Bargaining, CSEA headquarters, (518) 434-0191.

CSEA pushing for policy on AIDS

McGowan calls for education, protection for health workers

By Brian Baker
Associate Editor

As fear of AIDS rises geometrically in proportion to the incidence of the disease itself, CSEA is making a push for a policy that would protect public employees who care for AIDS patients in state institutions.

In a letter to Gov. Mario Cuomo, CSEA statewide President William L. McGowan expressed concern for individuals who work directly with AIDS or suspected AIDS patients, and called for a "comprehensive policy" of training and counseling for care givers.

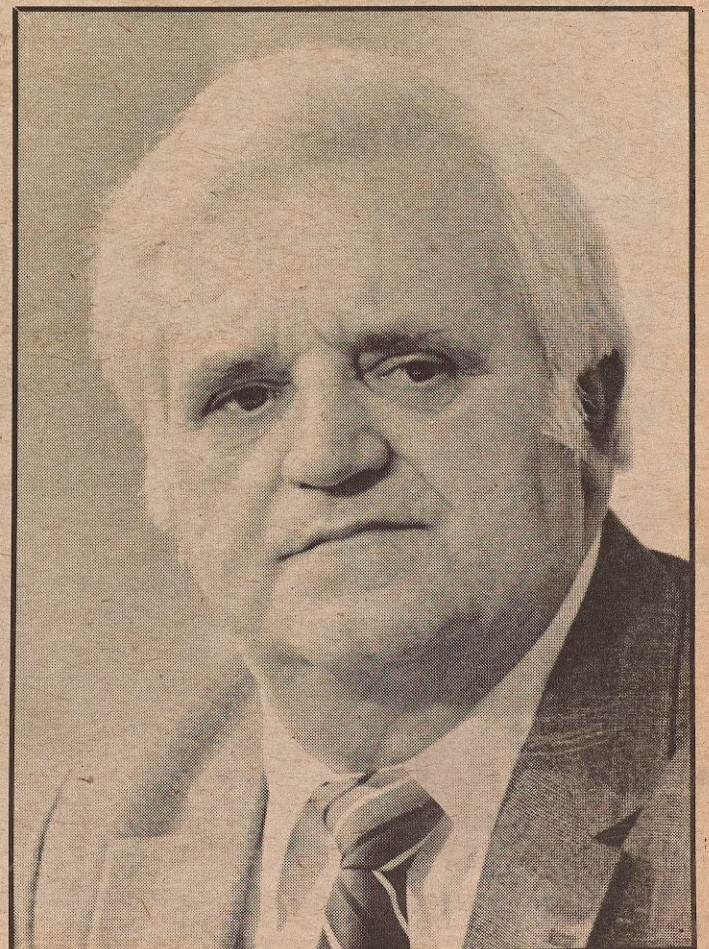
"There has been much concern for individuals who have AIDS and the risk groups susceptible of contracting AIDS. There should be as much concern for those individuals who have to care for or have contact with or clean up for AIDS or suspected AIDS patients," McGowan wrote.

Adding that "too little has been done to protect and educate individuals who care for AIDS patients," McGowan urged that the state adopt a policy that would include:

*identification of AIDS or suspected AIDS patients
(Continued on page 10)

"Too little has been done to protect and educate individuals who care for AIDS patients."

William L. McGowan



SOME OF THE GREATEST THINGS IN AMERICA NEVER CHANGE.



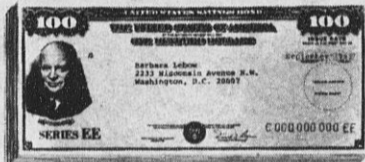
Reprinted from *The Saturday Evening Post* ©1943 The Curtis Publishing Co.

SOME DO.

In 1621 a small band of colonists gathered to give thanks for their first harvest. This humble observance grew into a New England tradition, then in 1863, a national holiday—by Proclamation of President Lincoln. Today, Thanksgiving is still a time to give thanks for America's bounty, as well as renew ties with family and friends.

Some things never change.

One great American tradition *has* changed—U.S. Savings Bonds. Today's Savings Bonds pay higher interest rates like money market accounts. Currently, Bonds are paying over 9%.



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Just hold Savings Bonds for five years and you get the new variable interest rates. Plus, you get a guaranteed return. This means you can earn a lot more, but never less than 7½%! But some of the best things about Bonds haven't changed. The interest you earn is still exempt from state and local income taxes. Bonds still cost as little as \$25. And they can be purchased at almost any financial institution, or easier yet, through the Payroll Savings Plan where you work.

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Variable rates apply to Bonds purchased on and after 11/1/82 and held at least five years. Bonds purchased before 11/1/82 earn variable rates when held beyond 10/31/87. Bonds held less than five years earn lower interest. A public service of this publication.

Rebate on dues for political action

ALBANY—CSEA members and agency fee shop payers who object to the appropriation of a portion of their dues or fees for political or ideological purposes unrelated to collective bargaining can obtain a rebate. The CSEA political rebate amounts to \$4.25 for the fiscal year ending Sept. 30, 1985.

The union's procedures call for rebate requests to be submitted by certified or registered mail addressed to the statewide treasurer. Requests will be accepted during the month of October.

Individual requests should be submitted; list of members and fee payers are not acceptable. Each request for reimbursement must include the individual's Social Security number.

AFSCME's Constitution also includes a rebate procedure. The International secretary-treasurer calculates the portion of per capita payment or service fee equivalent that has been used for partisan political or ideological purposes during the fiscal year and rebates that amount upon proper application.

Individuals asking CSEA for political action rebates are not required to file separate requests to the International. CSEA will forward requests it receives to the AFSCME secretary-treasurer.

Region V fall conference set for Sept. 27-29, Utica

UTICA—More than 200 officers, delegates and other CSEA members are expected to attend the Region V Fall Conference scheduled for Sept. 27-29 at the Sheraton Inn and Convention Center in Utica.

According to Region V President James Moore, the weekend gathering will open with a Friday evening session conducted by the Regional Women's Committee on discrimination in the workplace.

Two general sessions on Saturday will focus on convention motions at the forthcoming statewide delegates convention in New York City.

Retiree and other committee meetings will round out Saturday's business activities. A regional executive board meeting scheduled for Sunday morning will cap the weekend meeting.

"Both Saturday sessions are open to CSEA members in the Central New York and Mohawk Valley areas," Moore said.

WANTED: info on sloppy road work by private contractors

CSEA Board Member Joan Tobin warned in a recent article in *The Public Sector* that "private contractors just want to get rich."

Her comments were made after Franklin White, the state's new Department of Transportation commissioner, said he wants to boost the use of private contractors for routine maintenance work.

Tobin in her fight against contracting out, now wants more information about the quality of work being done by private contractors. CSEA members aware of any road maintenance or pavement work that was substandard should send specifics to: Kathy Albowicz, CSEA Research Department, 143 Washington Ave., Albany, N.Y. 12210.

Be sure to include such details as the contractor's name and the location and nature of work contracted out.

Also include your name and telephone number in case more details are needed. Your name will be kept confidential.

"When you're paying . . . \$3 million a year . . . you expect the garbage to be picked up"

PSC Broome Street facility at center of SIC probe into "sweetheart deals"

By Stephen Madarasz

CSEA Communications Associate

NEW YORK CITY—"When you're paying nearly \$3 million a year in rent, you expect the garbage to be picked up at least."

It isn't, says Public Service Commission CSEA Local 450 President Kin Eng, but the garbage problem isn't the only deficiency at the PSC's new offices at 300 Broome Street in Manhattan.

Eng says employees are inconvenienced, at the very least, because one of four elevators is always broken. And only now, nearly a year after the state moved into the building, the landlord is refacing the outside of the building.

The PSC move was part of the massive relocation of state workers out of the World Trade Center and into decentralized quarters throughout the city. The move into Broome Street is the centerpiece of a State Investigations Commission probe into "sweetheart deals" to secure the lease arrangements for politically connected landlords.

The state is paying \$28.5 million for a 10-year lease at Broome Street. "At that price, the place should have been ready for occupancy from the start," says CSEA Region II President George Boncoraglio. "Instead," he says, "our tax dollars are paying the landlord to fix up his building, while our members work in a construction site."

Local 450 President Eng says the garbage pile-up is the greatest annoyance. "We sometimes go more than a week between pickups and it really accumulates at people's desks and in the hallways."

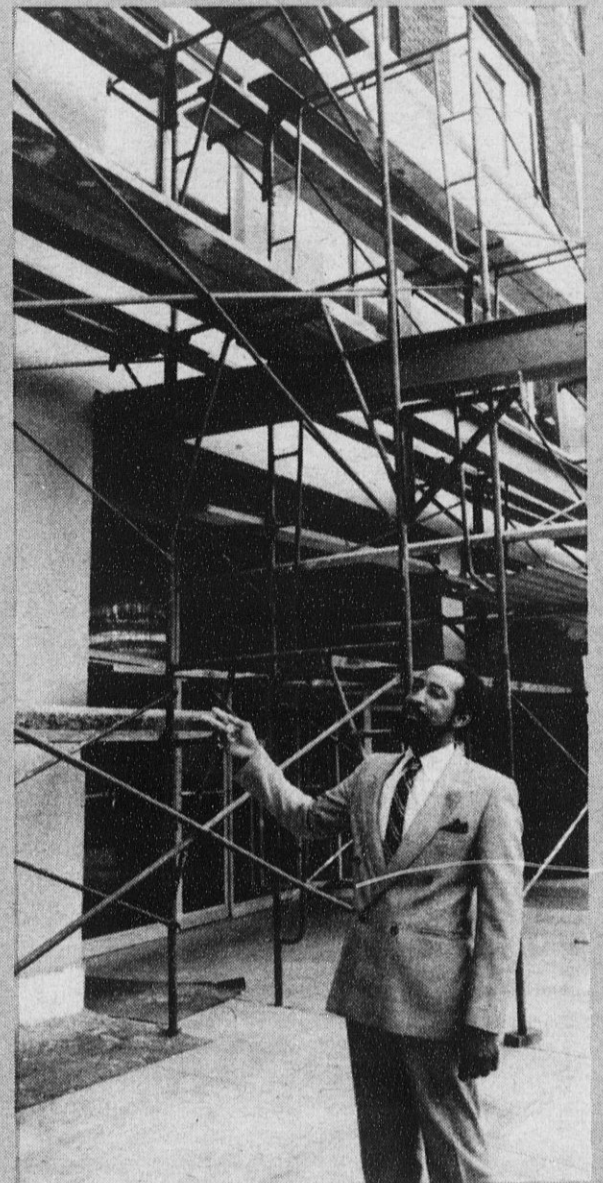
CSEA Regional Occupational Safety and Health Specialist Floyd Payne said, "It's not really a safety and health issue as it is now, but it creates the potential for problems if the



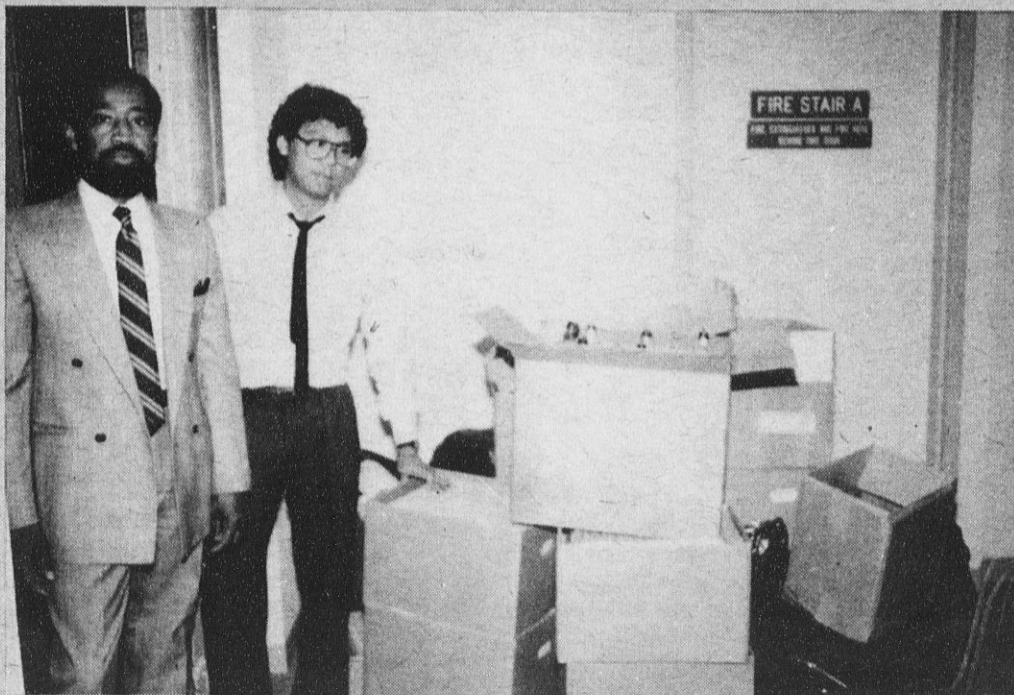
"At that price, the place should have been ready for occupancy from the start."—CSEA Region II President George Boncoraglio

garbage starts blocking access in and out of the building, or begins to attract roaches and rodents."

Eng indicates that the issue has repeatedly been brought to management's attention. "But the answer they keep giving us is the Office of General Services, which negotiated the lease, is trying to work it out with the landlord. You'd think at those prices they could get some satisfaction."



PAY NOW, WE'LL FIX IT LATER—Scaffolding surrounds Region II OSH Specialist Floyd Payne and the exterior of the PSC offices at 300 Broome Street. The state moved into the quarters a year ago, at nearly \$3 million annual rent, but the landlord is just now getting around to refacing the building. Elevators at the facility are constantly out of service also, according to complaints of members.



HIGH RENT BUT TERRIBLE SERVICE—PSC CSEA Local 450 President Kin Eng and Region II OSH Specialist Floyd Payne inspect the garbage piled up at the PSC's Broome Street offices. Even though the state is paying sky-high rent for the facility, Eng says garbage sometimes isn't even picked up weekly, creating the potential for serious health and safety problems.



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Rockland resolves days off problem

NEW CITY — Rockland County violated the collective bargaining contract when a CSEA member was denied two consecutive days off, according to a recent grievance decision.

William Nehrbass, a radio operator with the Rockland County Sheriff's Department, was denied a work schedule of five days and two days of rest, according to CSEA Attorney Myron Mandel.

At this time, Nehrbass was the most junior employee and was therefore assigned as a relief operator. As a result, he was denied two consecutive days off during 18 scattered weeks during the year.

County officials maintained, however, that Nehrbass' schedule did not violate the contract because, they claimed, the definition of "day of rest" contained in the agreement "merely requires two days of rest in a week, consisting of 24 consecutive hours on which the employee is not scheduled to work."

Moreover, said the county, this type of scheduling had been used for years, and "the bureau's operations are unique and require 24-hour, seven-day-a-week scheduling."

Members of the grievance panel upheld the union's contention that the contract "contains no exception for radio operators in relation to the basic work week."

The contract "requires that an agency which operates on a 24-hour basis establish working days and hours in a manner not inconsistent with the contract," said the panel. "While the evidence indicates that the bureau has apparently operated on this type of schedule since 1967, there is no basis in the contract for treating radio operators differently from other employees insofar as the requirement for two consecutive days of rest is concerned. Even a long-standing practice cannot operate to deprive an employee of a specific right guaranteed in the contract."

The panel concluded by requiring that all radio operators be afforded two consecutive days of rest after working a maximum of five days. In addition, the panel ordered that an employee will receive a day of overtime pay in any week where he or she does not receive two consecutive days off.

CSEA member reaches out to victims

ALBANY—"Rape," says Wanda Lubinski, "is a crime of violence, not passion."

For the past year, Lubinski has been working as a volunteer with the Albany County Rape Crisis Center. During that time, she has received training in the psychological, medical and legal aspects of rape and sexual abuse.

"I've helped a three-year-old boy and a 21-year-old woman through the hellish hours following an attack," Lubinski said.

Lubinski served as president of CSEA Mental Hygiene Central Office Local 673 for two terms. She proudly notes that she signed up for CSEA membership on the first day of work 13 years ago, and has served in numerous union offices and positions.

No longer busy with union office responsibilities, Lubinski turned to involvement with the Albany County Rape Crisis Center. "I had time available and they needed help, so I volunteered," she said.

Her involvement has led her into the emergency rooms and police stations.

"We don't just answer phones and give advice," Lubinski explained. "We are victim advocates who are ready to assist victims through medical exams and police questioning. We're ready to be at the victim's side."

Her involvement in the rape crisis program has also led to her interest in the Troy Center for Battered Women. "Society has got to recognize these crimes, rape and battering, as just that—crimes—violent crimes against women and children."

Lubinski, who received a tremendous amount of training with CSEA, plans to use her union leadership skills in her volunteer roles. "I'm grateful to CSEA for all the training which I can apply to help other people in difficult situations," she concluded.



WANDA LUBINSKI works with victims, doctors, psychologists, and law enforcement personnel as a volunteer at the Albany County Rape Crisis Center. She applies skills acquired as a former CSEA local president to the many aspects of her volunteer work.

At Bronx Psychiatric Center:

Conditions go from bad to worse

By Steve Madarasz
CSEA Communications Associate

BRONX—As Local 401 President Ernest Punter sees it, working conditions at Bronx Psychiatric Center are going from bad to worse. Even as Punter was testifying about the deterioration before a Senate hearing earlier this summer, the union was receiving another slap in the face from management.

On July 31, the local was informed a contractual grievance that it had already won was being reversed by the Office of Mental Health's Bureau of Employee Relations. It involved management violation of a labor/management agreement that had been painstakingly negotiated four years earlier to protect employee rights in case of involuntary reassignment.

"We signed the agreement after six months of discussion in 1982," says Punter. "Everyone agreed to it. Management certainly cleared it with Albany and it was working."

But a new facility director decided in 1984 that it was not to his liking and began to work around it. He wanted to move 22 employees, but was required under the agreement to honor their existing pass days.

Eventually, he transferred them anyway and then called for a general rebid on pass days throughout the facility. Since the 22 forced transfer employees had little seniority, the end result was that they were reassigned without choice and without retaining the rights

guaranteed under the labor/management agreement.

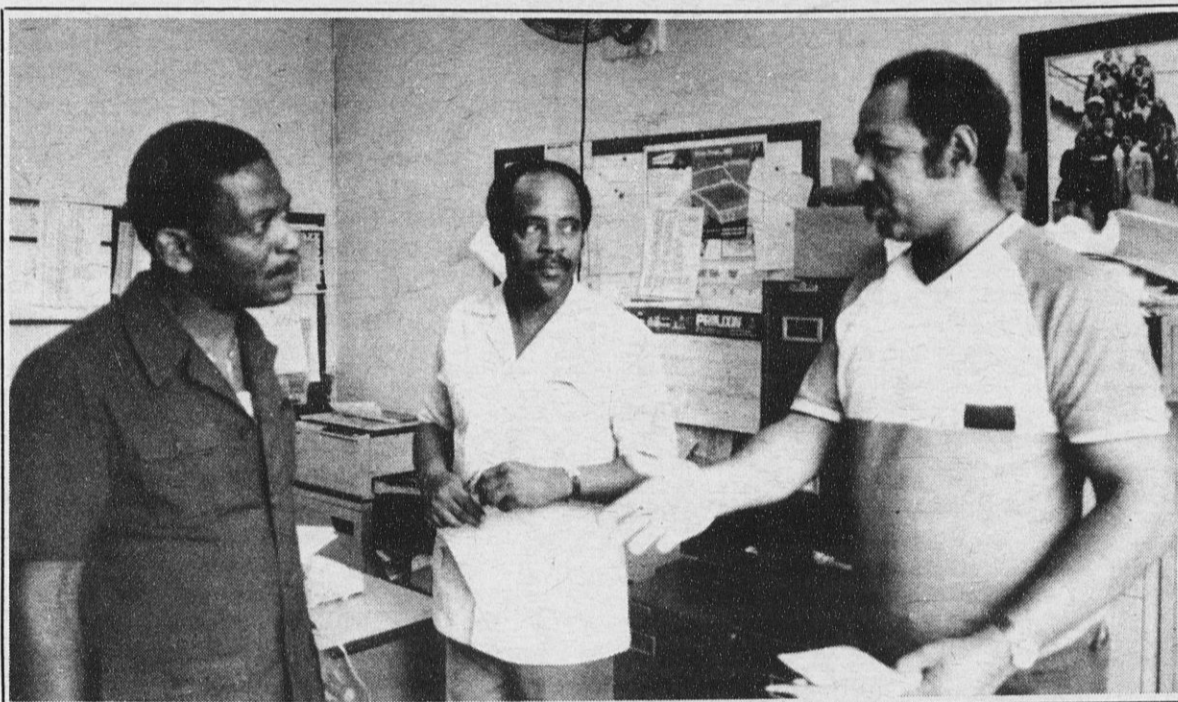
CSEA immediately grieved the action and last May 17 were told by OMH that they had won. The administration at Bronx PC said, however, that it would not go along with the decision and indicated it would have to discuss it with OMH officials in Albany. That set the stage for the July 31 decision reversal.

While the union plans to appeal the issue, Punter points out that a great deal of harm has already been done: "It's a matter of credibility. This isn't the first time management has broken a written agreement with the union and that's what bothers me most. What's the point in having a grievance process if you can't have any confidence in it?"

Adds Field Representative Marcia Shiowitz: "I've never seen anything like this before. Does it mean we can't expect enforcement of agency-level decisions if a particular administration doesn't like them?"

Punter says it's a cruel hoax when management "plays with people's lives and stacks the cards against them."

"We represent people who want to come to work and do their jobs caring for sick people. That's difficult enough under the circumstances here and our people shouldn't be treated like pawns in a political game."



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STRATEGY—Bronx Psychiatric Center Local 401 President Ernest Punter, left, discusses a plan of action with Grievance Chairman George Austin, center, and First Vice President Ed Grey. The local is fighting tooth and nail just to hold onto contractual rights that have been violated by Bronx administration. The facility is also under fire from a Senate committee for failing to upgrade patient care and programming. A new facility director begins work this week.

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Court clears BPC worker of patient abuse

BRONX—For Bernice Moody, it wasn't right when an arbitrator found her guilty of charges that hadn't been brought against her. But CSEA didn't let the issue end there and in an unusual step, a state Supreme Court judge overruled the decision and cleared the Bronx Psychiatric Center employee of any wrongdoing.

Moody was accused of patient abuse, but found not guilty of the charge by an arbitrator. However, he then went beyond his authority by claiming Moody had inadvertently pulled the client's hair and had not reported the incident.

Even though Moody had not been accused of those infractions, the arbitrator recommended disciplinary penalties for them.

CSEA successfully challenged those findings in court, arguing first that an arbitrator cannot rule on issues that have not been presented to him. The union, pointed out next that under terms of

its contract with the state and civil service law, an employee may not be disciplined for inadvertent acts.

The judge agreed and indicated "to punish an employee for an inadvertent act is draconian in nature."

It is rare to go beyond an arbitrator's decision into court. But, according to CSEA officials, this was a case that was crying out for justice. Says BPC Local 401 President Ernest Punter: "The arbitrator's decision clearly violated our contract. He found Moody not guilty of what she had been charged with, but to appease management he developed charges on his own."

Punter cites this case as just another incident in the continuing struggle to maintain employee rights at Bronx Psychiatric Center.

Punter hopes that the new facility director who recently joined Bronx PC will move quickly to heal festering wounds between CSEA and the administration.

"This Moody case is really a milestone because it shows we can win when we're right and it serves notice that we're not going to just roll over and play dead when patient and employee rights are being trampled."

↳ *To punish an employee for an
inadvertent act is draconian in nature.* ↵

Membership organizing pays off

Seneca County Local gets agency shop

WATERLOO—After months of work by its membership committee with full support from CSEA staff, Seneca County Local 850 has signed enough new members to qualify for agency shop.

Jannette Monterville, president of the local, recently announced the development and credited the organizing team for helping to make the union advance possible.



Monterville explains that language in the most recent contract was negotiated to specify that a 65 percent membership would qualify the local for agency shop.

"The officers and membership committee knew that agency shop was an obtainable goal if we really worked for it," Monterville said.

After being appointed to the Regional Membership Committee by Region V President Jim Moore, Monterville met with Lee Frank, CSEA director of Organizing, and suggested that the Seneca County contract had a "trigger mechanism" to permit agency shop if the quota of new members could be reached.

Frank approved a drive immediately and within several weeks a team comprised of CSEA staff organizers Penny Bush and Tom Mullen was coordinating efforts with the local organizing committee.

"For the next three months, the team went all out to sign up new members to reach the required percentage," Monterville said. "The big day arrived June 3. We notified management that county employees had signed enough membership cards to qualify for agency shop. Management reviewed our cards and figures and agreed to begin payroll deductions June 14. It was a terrific accomplishment for the organizing committee."

The membership committee included: Chairman Frank McDonald, Aldeene Smith, Ruth LaBelle, Patty Faiola, Martha Rogers, Tom LaBelle, Ed Callahan, Diane Pierie, Michelle Abbott and Sara Ryan.

Monterville noted that the locals next objective is to convert agency shoppers to full and active membership.

AGENCY SHOP TALK was the main topic of discussion when the Seneca County Local 850 Membership Committee met to exchange congratulations after reaching its goal to qualify for agency shop. Pictured, from left, are: (first row) Tom LaBelle, vice president; Jannette Monterville, president, Local 850; Ed Callahan; Ruth LaBelle; (second row) Aldeene Smith, Martha Rogers and Patty Faiola.

CSEA wins three new Seneca Co. titles in PERB decision

WATERLOO—A PERB judge recently upheld CSEA's position in a Seneca County case involving three new job titles the county sought to have made management confidential.

The issue began last September when Seneca County created the titles of associate employment specialist, director of social services, and staff development coordinator in the Department of Social Services.

Although the job titles were new, CSEA contended that based upon the work performed and the amount of authority involved, the three titles should be included in the CSEA bargaining unit. In October, the union filed a grievance and proceeded through the required steps.

A preliminary hearing was conducted by PERB in January, and a formal hearing was held March 1. At the hearing, the county asserted the new posi-

tions formulated departmental policy and should be excluded from the CSEA bargaining unit because of their supervisory duties. CSEA Counsel John Mineaux argued, however, that the three share common interests with others in the unit and have substantially similar terms and conditions of employment that are not managerial.

PERB issued a decision May 29 that the three titles should be added to the existing unit.

Satisfied with the ruling, Jannette Monterville, president of Seneca County Local 850, expressed gratitude for the union's support in the case.

"I want to express thanks to Mike White, our CSEA field representative, and CSEA Counsel John Mineaux for their assistance and legal expertise. It was an important union victory and clearly demonstrates the value of having a strong union capable of dealing with these types of issues," Monterville said.

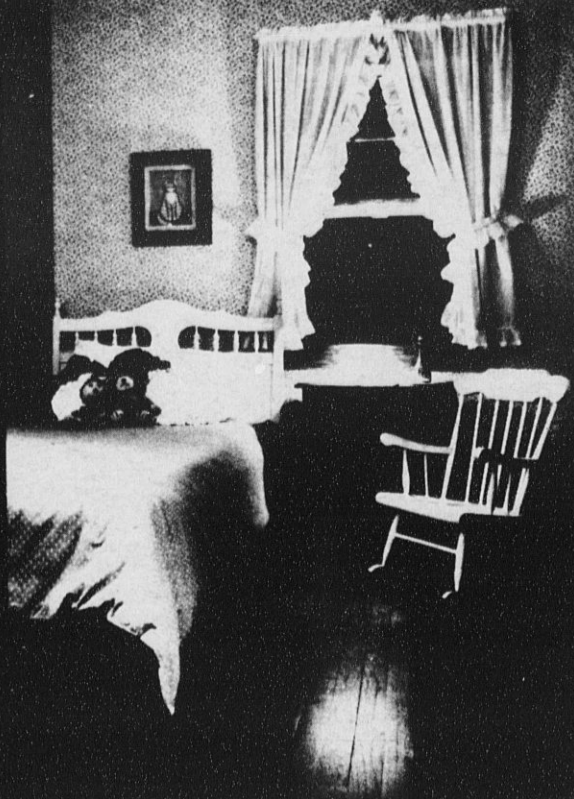
IT'S OFFICIAL—Flanked by Local 834 President Pat Callahan, left, and Sue Smith, chairwoman of the CSEA negotiating committee, Onondaga County Executive John Mulroy signs an agreement between the county and the union after months of negotiations. Others on hand for the occasion were, from left: Ken Issacs, County Highway Department; Tom Murphy, Van Duyn Home and Hospital; Tad Fundalinski, Department of Social Services; Fred Baur Jr., County Probation Department; Beverly Corteville, Corrections Department; Len Foster, president, County Administrative Unit; Sarah Soule, County Health Department; Peter Troiano, Onondaga County Director of Employee Relations. Also serving on the negotiations committee, but not present for the signing ceremony, were: Jim Adsitt, Drainage and Sanitation Department; Helen Windhausen, County Parks Department; and John Kuhn, County Library Unit. The two-year agreement provides 10 percent salary hikes, plus increments and other benefits for more than 3,500 county employees. Members ratified the agreement in July by an overwhelming margin of nearly 3 to 1.





CHILD FIND

1-800-I AM LOST



**IN THE TIME
IT TAKES YOU TO
GET YOUR CHILD
READY FOR SCHOOL
ANOTHER CHILD
WILL HAVE
DISAPPEARED.**

"The Public Sector" periodically publishes photographs and information about missing children registered with Child Find, Inc. of New Paltz. Child Find is a non-profit organization which works with a national network of teachers, social service groups and law enforcement agencies to help locate missing children.

Child Find maintains a toll-free number, 1-800-I AM LOST, which persons with any information about missing youngsters can call with complete confidence. According to Child Find, the organization becomes involved with mostly parental abduction cases, and that about 95 per cent of the children the organization is looking for were abducted by one of their parents.

If you believe you have information relative to the child below or any other missing child, immediately contact Child Find on the toll free number, 1-800- I AM LOST.



Che' Khalil Elkeilani
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Abducted: 10/8/83
CF 2988

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If you're a CSEA member who is planning to buy furniture, jewelry, a major appliance or an automobile in the near future, your purchasing power has been substantially increased thanks to United Buying Service.

Through UBS, the oldest and largest discount buying service in the state, CSEA members can obtain large discounts on a wide variety of products and services.

This special discount buying service is being made available to CSEA members at no cost and no obligation of any kind to those members using the program.

CSEA President William L. McGowan said that while UBS has an excellent record for delivering

high-quality products and service at substantial savings, "members should continue to be smart shoppers by looking for the items they want at local stores and shopping for sales first to be sure that UBS is providing the best prices for those major purchases."

To use the service, call the numbers provided and give the make and model number of the item you wish to purchase. You will be quoted UBS's lowest price and, if you wish, your order can be placed by phone and delivered to your home.

Brochures explaining the service are available to members through your local or unit president.

The 1986 automobiles will be available in late September. Discounts are now available on purchasing and leasing of these 1986 models. For complete information, brochures will be available through your CSEA Local president during the last week of September.

To avail yourself of United Buying Service discounts, call this number and identify yourself as a CSEA member:

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WESTCHESTER and
UPSTATE NEW YORK
(800) 522-3131

Giving the gift of life

ALBANY-State employees in the Capital District donate 17 percent of the northeastern New York blood supply and a remarkable 37 percent of all blood used in Albany County, according to New York State Employee Blood Program Administrator Joe O'Sullivan. That, he said, tops a list of reasons why the American Red Cross was honoring the efforts of four public sector blood drive coordinators, their respective public employee departments and union locals for "outstanding efforts" during the past year.

"New York state employees donated 47,500 pints of blood statewide last year. They are truly an invaluable resource to all citizenry,"

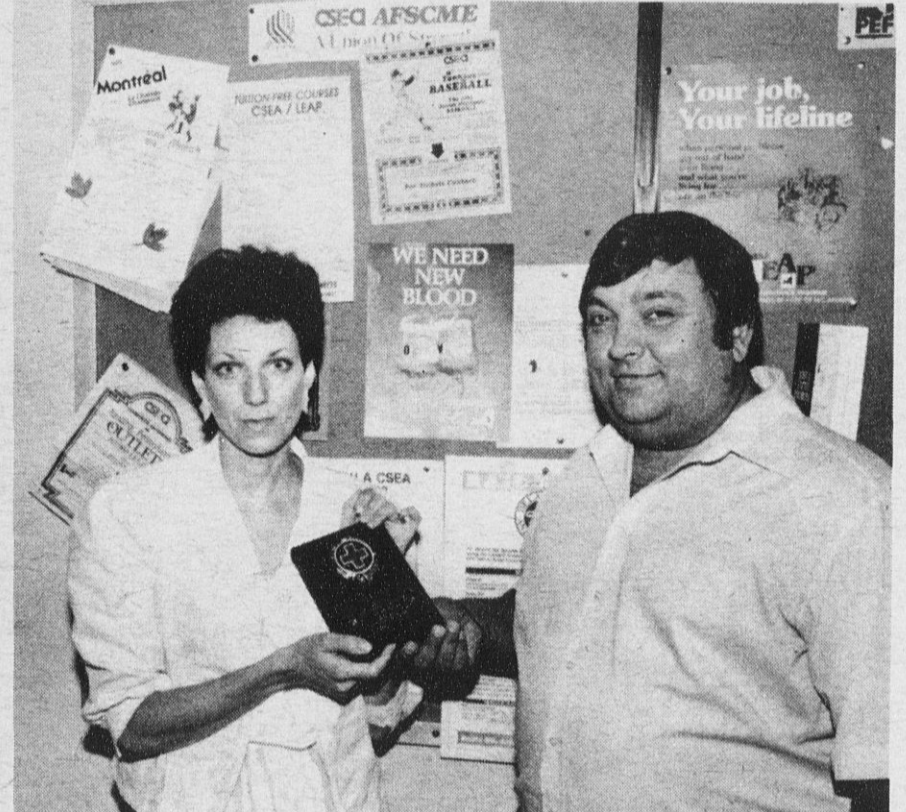
O'Sullivan noted.

Ann Kasson, CSEA Tax and Finance Local 690; Everett Ford, PEF; Karen Stenard, Ag and Markets; and Deborah VanDeCar, Environmental Conservation, were all honored for their efforts at coordinating blood drives and recruiting blood donors during the past year.

CSEA Tax Local President Carmen Bagnoli praised Ann Kasson's outstanding effort remarking that this was her first effort as blood drive coordinator for the CSEA Local. "In this instance, however, the initials CSEA or PEF or MC are secondary to A-positive and B-negative," Bagnoli said. "They're the initials that really count."



JUDY SALISBURY (left), PRESIDENT OF ENVIRONMENTAL CONSERVATION LOCAL, views the letter of recognition and award of Deborah VanDeCar of EnCon. Employee support demonstrates the humanitarian nature of the public sector.



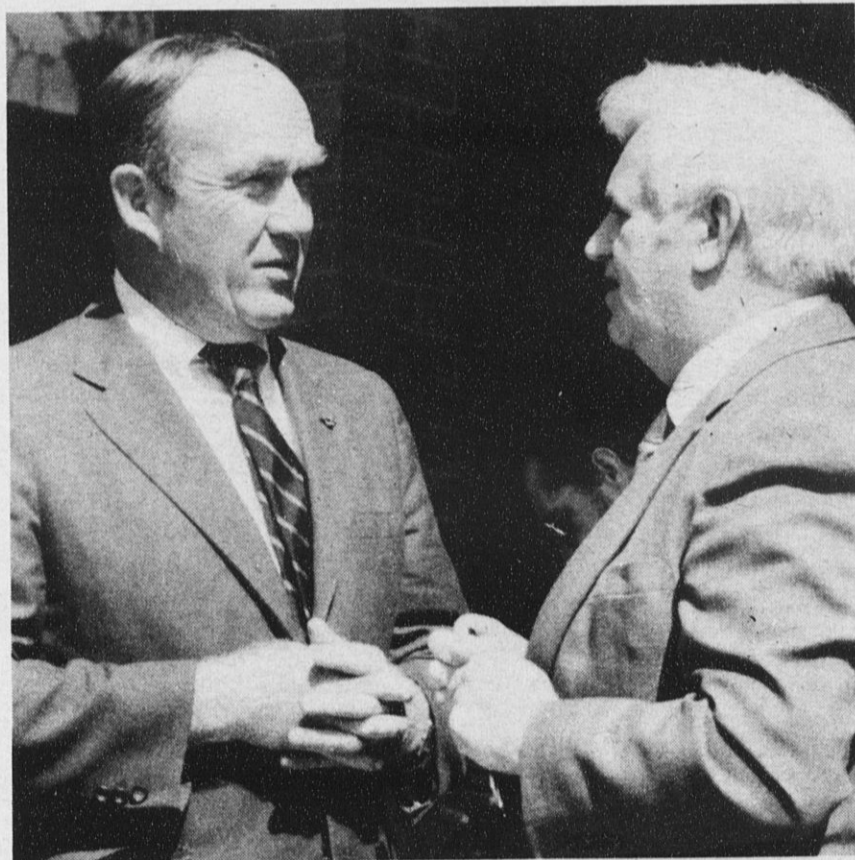
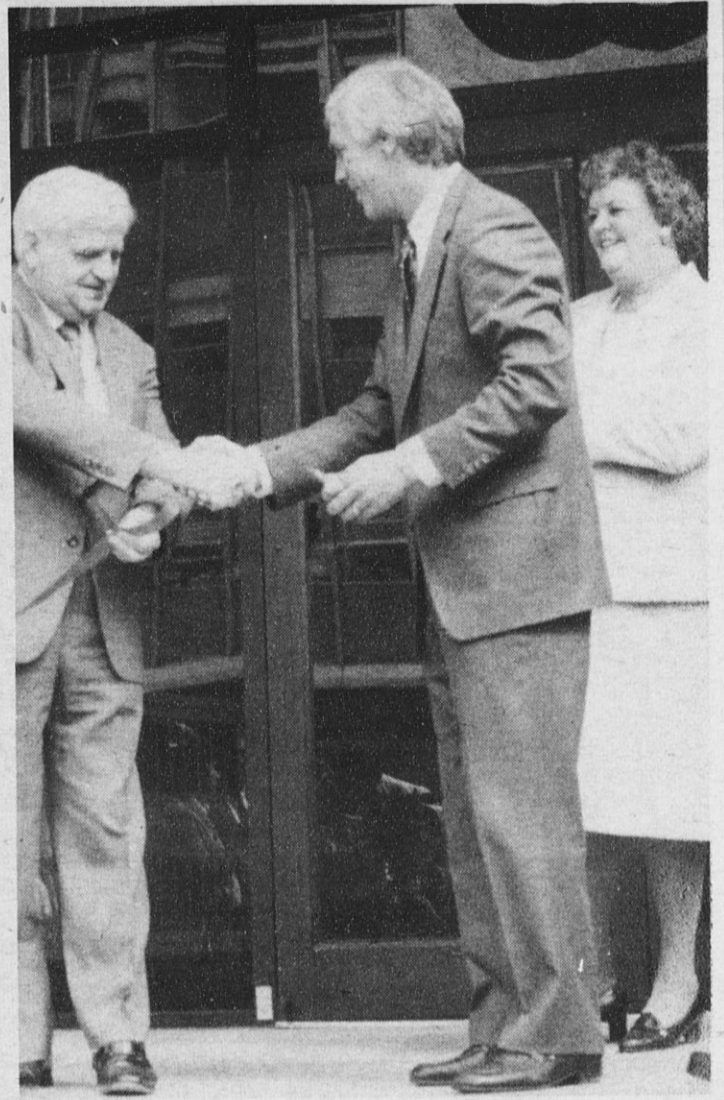
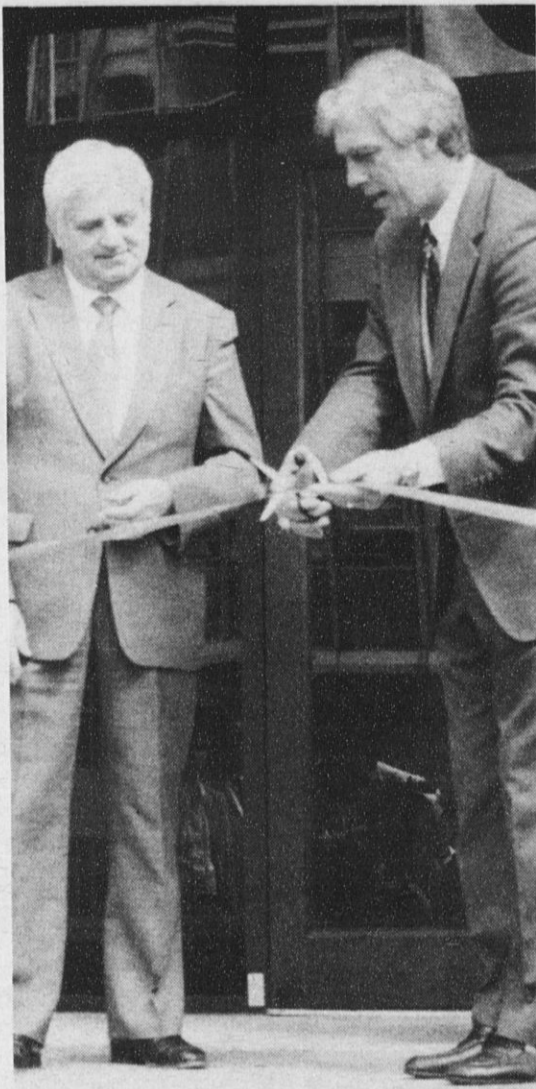
AGRICULTURE AND MARKETS LOCAL PRESIDENT RAY LaROSE DISPLAYS AWARD with Ag and Markets Blood Coordinator Karen Stenard, noting the supportive efforts of CSEA membership during the blood drive.



TAX AND FINANCE LOCAL 690 PRESIDENT CARM BAGNOLI reviews awards earned by tax and finance department employees in their efforts on behalf of the Red Cross. Proudly displaying the awards are Blood Drive Coordinators Ann Kasson, center, and Everett Ford.

'New York state employees donated 47,500 pints of blood statewide last year, ... they are an invaluable resource.'

Joe O'Sullivan



A CUT ABOVE THE REST — CSEA President Bill McGowan holds the ribbon for Albany County Executive Jim Coyne during ribbon cutting ceremonies at CSEA's new headquarters as Statewide Treasurer Barbara Fauser looks on. Albany Mayor Thomas Whalen congratulates McGowan and CSEA officers and staff who gathered in front of the 143 Washington Avenue location on Sept. 13.

NEW HOME

(Continued from Page 1)

Albany Mayor Thomas Whalen joined McGowan for a tour of the building, greeting staff members along the way. He was very complimentary regarding the decor and layout of the offices, and wished CSEA continued success in its new Albany-based headquarters.

The new headquarters at 143 Washington Avenue, is located in a four-story structure which was purchased last fall from the New York State Teacher's Retirement System. The building has been fully renovated to house all officers and staff employees assigned to CSEA Headquarters.

Since 1968, CSEA's statewide headquarters had been located at 33 Elk Street, Albany. The relocation was necessitated by the fact that CSEA outgrew the Elk Street facility, which forced several of the union's departments to operate from leased office space.

Statewide Treasurer Barbara Fauser observed, "It's a little nostalgic for me to move out of the 33 Elk Street building, because I was among those in 1967 who helped build it. Now we are in a huge building and we should be proud of the progress our union has made."

The new headquarters will be able to better serve its six regional offices and nearly a quarter of a million public employees in New York state.

Washington decision won't affect goals for pay equity

A study on comparable worth will be delivered to CSEA and GOER on Sept. 30, according to Audrey Seidman of the Center for Women in Government.

The now-famous State of Washington Comparable Worth Case has become an issue of great concern to CSEA members. The recent decision is based, in essence, on the fact that the court holds that a system which was developed by reliance on the free market system in terms of the rate of pay given to a particular job will not in and of itself constitute a violation of Title 7.

"We must keep in mind," said Statewide Treasurer Irene Carr, "that

the state of Washington has comparable worth legislation on the books. The Washington decision in no way diminishes our goals to obtain pay equity." According to Mrs. Carr, AFSCME won a \$41.6 million out-of-contract settlement in the state of Washington and is now negotiating how the money will be distributed.

"CSEA had the foresight to negotiate for pay equity and some people will be receiving 'hard dollars' over the last two years of the contract," Carr added. "Equal pay for equal work is very much alive and well in New York state," she concluded.

The Public Sector will bring a comprehensive update on the issue of pay equity in future issues.

Coping with AIDS in mental institutions

By Steve Madarasz
CSEA Communications Associate

NEW YORK—"Do as we say, not as we do" is apparently how New York state is providing leadership in the treatment of AIDS patients. While the State Health Department recently criticized the way private hospitals are caring for infected individuals, CSEA officials say that the state workforce is not receiving adequate training on dealing with the deadly disease.

The situation is particularly distressing in the state mental institutions.

In New York City, where there are more AIDS cases than anywhere else, Mental Health Local Presidents are also alarmed that patient screening procedures are not in place - potentially putting entire facility populations and employees at risk.

"If New York state asks employees to work with patients, the employees should at least know what they're dealing with and should have the most up to date information on how to handle the situation" says CSEA Occupational Safety and Health Director James Corcoran.

But despite the union's request for extensive education for all employees who might have to deal with AIDS patients, the state has only responded with a piecemeal approach.

"Mostly what they've done up here," says Bronx Psychiatric Center Local 401 President Ernest Punter, "is put up CSEA's posters on the subject and some limited training as cases develop. But they've only worked with employees handling specific patients and any time a new case is discovered it's a crisis because no one knows what to do."

Kingsboro Psychiatric Center Local 402 President Robert Nurse echoes that point saying, "There's a big difference between laying down some booklets and bringing the issue to people's attention. OMH says

employees should not have fear about the disease, but they haven't done anything to make our people feel more secure."

In fact, at Kingsboro there is particular cause for concern since MHTAs recently had to insist on medical treatment for two patients who were being ignored by the medical staff. One was diagnosed as having AIDS and the other hepatitis B. Until that time, the patients had unrestricted contact with the staff and other patients on their wards.

All of the Region II Mental Health Local Presidents are in agreement that there has to be a better screening procedure as patients are admitted to the facilities. "Not only should it be built into admissions, but the test results should be immediate and the patients should be quarantined until we know what they've got," adds Nurse.

While there has been some controversy over whether such screening violates patient confidentiality, CSEA Safety Director Corcoran points out that the state has been dragging its feet over that question. "New York has to set up some way of knowing who poses a threat and decide what to do about it."

Although much attention has been focused on the problems of dealing with AIDS in correctional facilities, and more recently in schools, there are much greater dangers of infection in the mental facilities.

"It's a whole different ballgame in here," comments Punter, "because the environment isn't as restrictive as in the prisons. We are also severely understaffed and can't keep up with the activity of every patient all day and all night, even though we try."

That means that somewhere along the line, there is the chance that a patient with the disease could transmit it to others through sexual contact or by infecting a hypodermic needle that is then passed along to other patients engaged in illicit drug use. The only way to avoid these possibilities is to identify patients with the disease before they come in contact with other patients.

There are other concerns according to Kingsboro's Robert Nurse. "We're not working with normal people... many of our patients are sick and assaultive and their behavior is unpredictable. Even if the patients are isolated, we have to know how to handle them because it's not unusual for patients to attack and bite staff and infect them that way."

"This is a problem that our members are extremely worried about," adds Creedmoor Psychiatric Center Local 406 President Miguel Cruz. "It's something that has to be addressed now. We've really only had one case at Creedmoor that we know of, but if the disease is spreading as fast as they say, it's only a matter of time

Volunteer agencies offer help

By Anita Manley
CSEA Communications Associate

WHITE PLAINS—A statewide network of volunteer organizations is ready to help human service delivery employees understand AIDS.

In recent months, speakers from the AIDS Institute have addressed correctional and mental hygiene facility employees throughout the state of New York in order to help dispel the myths and fears about the disease.

"Our strategy is to help keep service providers up to date on what is going on with AIDS and to make people aware of proper precautions," said John Egan, Mid Hudson Valley AIDS Task Force director.

Egan explained that the Westchester-based AIDS Task Force is one of seven volunteer organizations in the state contracted by the Department of Health to educate the public and advocate for AIDS victims.

Each contractor has an advisory board representing public health, social services,

substance abuse, high risk groups and medical/dental organizations.

The contracting agencies are charged with establishing local policy, conducting a needs assessment and providing a comprehensive program of education, referral and support activities for the counties within each region.

Egan says one problem he sees in institutions is the lack of a uniform policy of precautionary measures. "In one hospital, employees must wear gowns, gloves and masks when caring for an AIDS patient," he said. "In another facility, no such precautions are taken."

Egan says that, according to the Centers for Disease Control in Atlanta, it is recommended that the same precautions that are used for hepatitis B patients be used for AIDS patients. (The American Hospital Association, however, notes that "patients who are merely in one of the high risk groups, but who do not have clinical evidence of AIDS do not need these precautions.")

A primary concern of care givers is, of

course, the fear of contracting the disease from victims. But Egan points out that long before the first case was diagnosed, there were no preventive measures taken. Yet, health care professional have shown no signs of the disease, proving that AIDS cannot be spread through casual contact.

Strides have been made in the last few years. "We didn't know what caused AIDS in 1980," said Egan. "Now we know the virus. It's delicate, easily killed in the air and can't live on the skin."

"We know the high risk groups are stable. We can say it's safe for some AIDS victims to attend school. We can make informed decisions. The problem is convincing the public."

Speakers and educational materials are available through the seven contracting agencies and can be obtained by calling the following:

Western New York AIDS Coalition
Buffalo AIDS Task Force, Inc.
P.O. Box 38 Bidwell Station
Buffalo, N.Y. 14222
(716) 886-1275

Rochester Area Task Force on AIDS
AIDS Rochester, Inc.
153 Liberty Poleway
Rochester, N.Y. 14604
(716) 232-7181

Central New York AIDS Task Force
c/o Central New York Health Crisis
P.O. Box 1682
Syracuse, N.Y. 13201
(315) 475-2430

Southern Tier AIDS Task Force
c/o Opportunities for Broome, Inc.
P.O. Box 1492
Binghamton, N.Y. 13902
(607) 723-6493

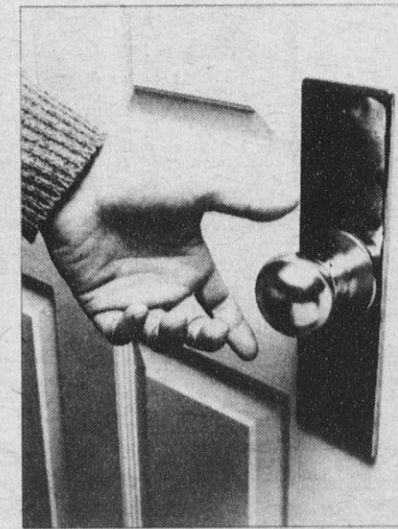
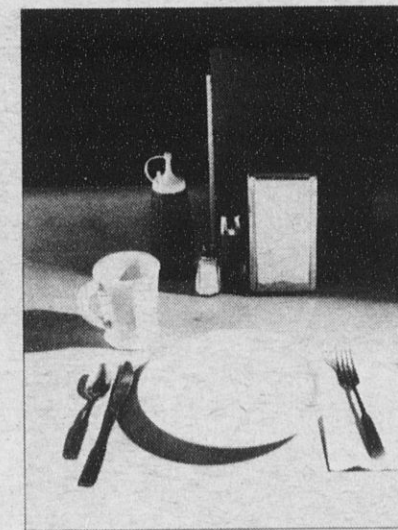
AIDS Council of Northeastern New York
c/o Gay Community Council, Inc.
332 Hudson Ave.
Albany, N.Y. 12210
(518) 434-4685

Mid Hudson Valley AIDS Task Force
c/o Gays Men's Alliance of Hudson Valley
255 Grove St.
White Plains, N.Y. 10601
(914) 997-5149

Long Island AIDS Task Force
Long Island AIDS Project, School of Allied Health
Professionals
Room 608
Level II, Health Sciences Center
State University of New York
Stony Brook, N.Y. 11794
(516) 444-2403

Precautions for health care workers

None of these will give you AIDS.



There is no evidence that a person can get AIDS from handshakes, dishes, toilet seats, door knobs or from daily contact with a person who has AIDS.

Because over 13,000 people have contracted AIDS (Acquired Immune Deficiency Syndrome) over the past four years, AFSCME members who must care for these victims naturally are concerned about catching the deadly disease themselves. Recent evidence, though, shows that health care workers can rest a bit easier.

Current information from the Centers for Disease Control (CDC) shows that health care workers do not seem to be at high risk of contracting AIDS. Almost 400 health care workers have been directly exposed to AIDS-contaminated blood, but so far none of these workers has contracted AIDS—nor do any of those tested show signs of AIDS contamination in their blood.

Most have been exposed through needle sticks, although some have spilled blood samples on themselves or even had blood splash in their eyes. In a few instances, laboratory technicians have sipped AIDS-contaminated blood while mouth pipetting. Most of the exposures occurred in direct patient care areas.

As of Feb. 11, 1985, 278 hospital workers had contracted AIDS, but no evidence exists that any of these victims contracted AIDS from on-the-job exposures. All but 24 of these victims fall into the major risk groups: homosexuals, drug addicts, or blood transfusion recipients. CDC has studied several of the 24 cases, and in at least six, non-job-related exposures were determined to be the "most likely source of infection." One English hospital worker may have developed the AIDS antibody by accidentally injecting herself with a needle full of AIDS blood.

Despite this evidence, it is still extremely important that strict infectious disease control procedures be followed when working around patients that have AIDS. According to CDC officials, if precautions for hospital workers caring for AIDS patients recommended by CDC have been followed, 50 percent of these accidental exposures could have been prevented.

The CDC-recommended precautions include:
*Avoiding needle stick injuries by placing needles in puncture-resistant containers. Needles should never be recapped.
*Wearing Gloves and gowns when there is a risk of being contaminated by blood or body fluids. Masks can also be worn where a patient has an active cough.
*Labeling all specimens and wastes generated by AIDS patients.

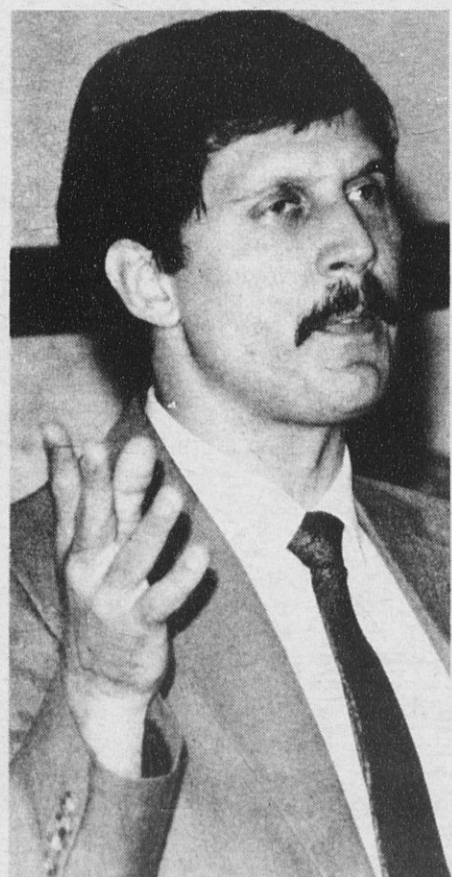
*Cleaning up blood spills with a bleach solution.
*Clearly identifying all AIDS patients so that proper precautions can be taken.

*Workers who are exposed to AIDS-contaminated blood should immediately report the incident to their supervisor, and CDC should be contacted.

An AFSCME AIDS Fact Sheet, which describes infectious disease control procedures, has recently been updated. Copies may be requested from the AFSCME Research Department.

Questions on AIDS?

Do you have questions on how to protect yourself when caring for AIDS or suspected AIDS patients? Mail your inquiries to The Public Sector, 143 Washington Avenue, Albany, N.Y. 12210. We will print answers to the most often asked questions in upcoming issues of the paper.



CSEA Occupational Safety and Health Director Jim Corcoran.

(Continued from page 1)

to the individuals who have direct or indirect contact with them;
*complete, practical training in precautionary techniques for individuals having contact with patients, inmates and clients with AIDS or suspected AIDS;

*counseling for individuals who have direct or indirect contact with AIDS or suspected AIDS patients.

According to CSEA Occupational Safety and Health Director James Corcoran, the state is beginning to make some strides in the area of training, especially in the Department of Corrections because of the large number of inmates who have contracted AIDS.

"They've already had or have scheduled 19 training programs in Corrections. We have to give them credit for that," said Corcoran. "But AIDS is starting to hit and hit hard in the psych centers and the developmental centers where much more needs to be done to protect those who have direct care of patients."

While Corcoran says that training, where it exists, "suffices," much more needs to be done in terms of identification of AIDS patients and counseling or educating those who care for them.

"People generally need to be much better educated about the disease. All they know is that they see AIDS constantly in the newspapers and magazines, and that if you get it, it's fatal and you'll die in a relatively short time," said Corcoran.

"The problem primarily is hysteria from the state all the way down to the workers. Those in the health profession and the state health commissioner—people who understand this disease—are saying that it is not spread through casual contact. If you have someone with AIDS and you put him in contact with the general population, he's more at risk than the people he comes in casual contact with because his immune system isn't working properly."

Despite what the evidence seems to show about the unlikelihood of health workers contracting AIDS when they use proper precau-

tions, many public employees still have worries, caused in large part by lack of information and the general hysteria caused by the media. But these worries are caused also by some legitimate concerns, mainly the fact that not all AIDS or suspected AIDS patients are being identified.

"Workers can take the necessary precautions if they know who has the disease. Some of these workers live in constant fear that they'll get AIDS from someone they don't even know has it and then pass it on to their spouse and family. That fear's compounded by the isolation and stigma attached to the disease," said Corcoran. "We're at the point now where we have people in office buildings who are afraid to use the bathrooms. You don't get AIDS from a toilet. There has to be an exchange of blood or body fluids."

Some health care workers have become so fearful of contracting the disease that they've resorted even to quitting their jobs.

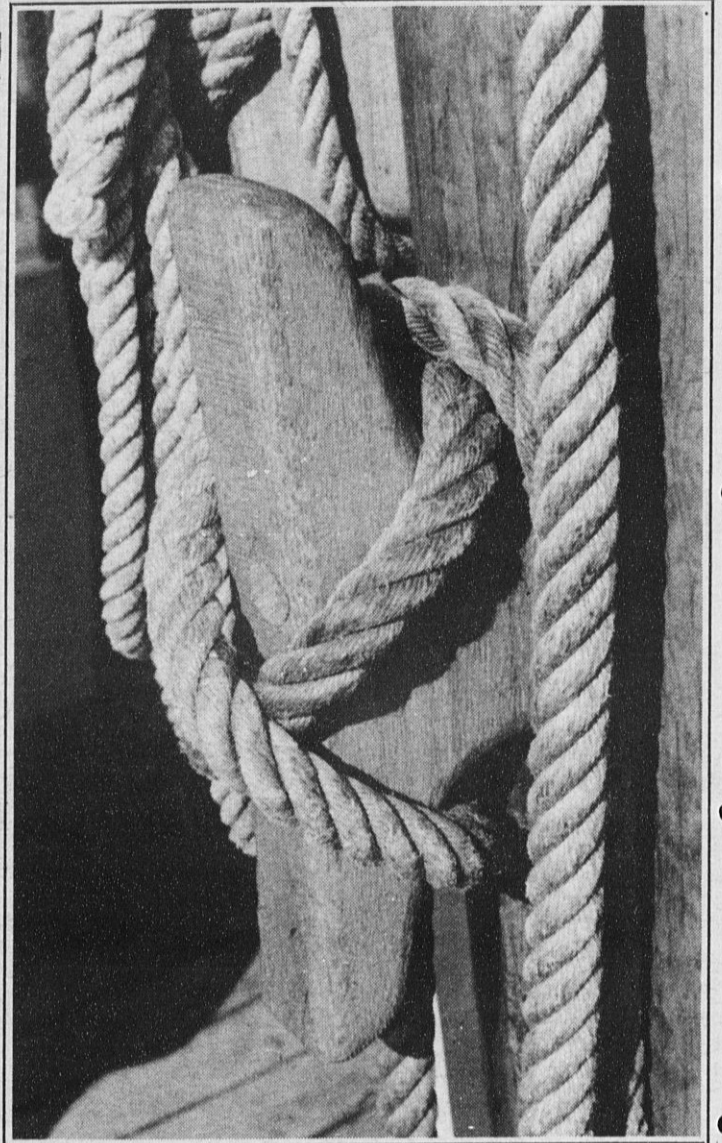
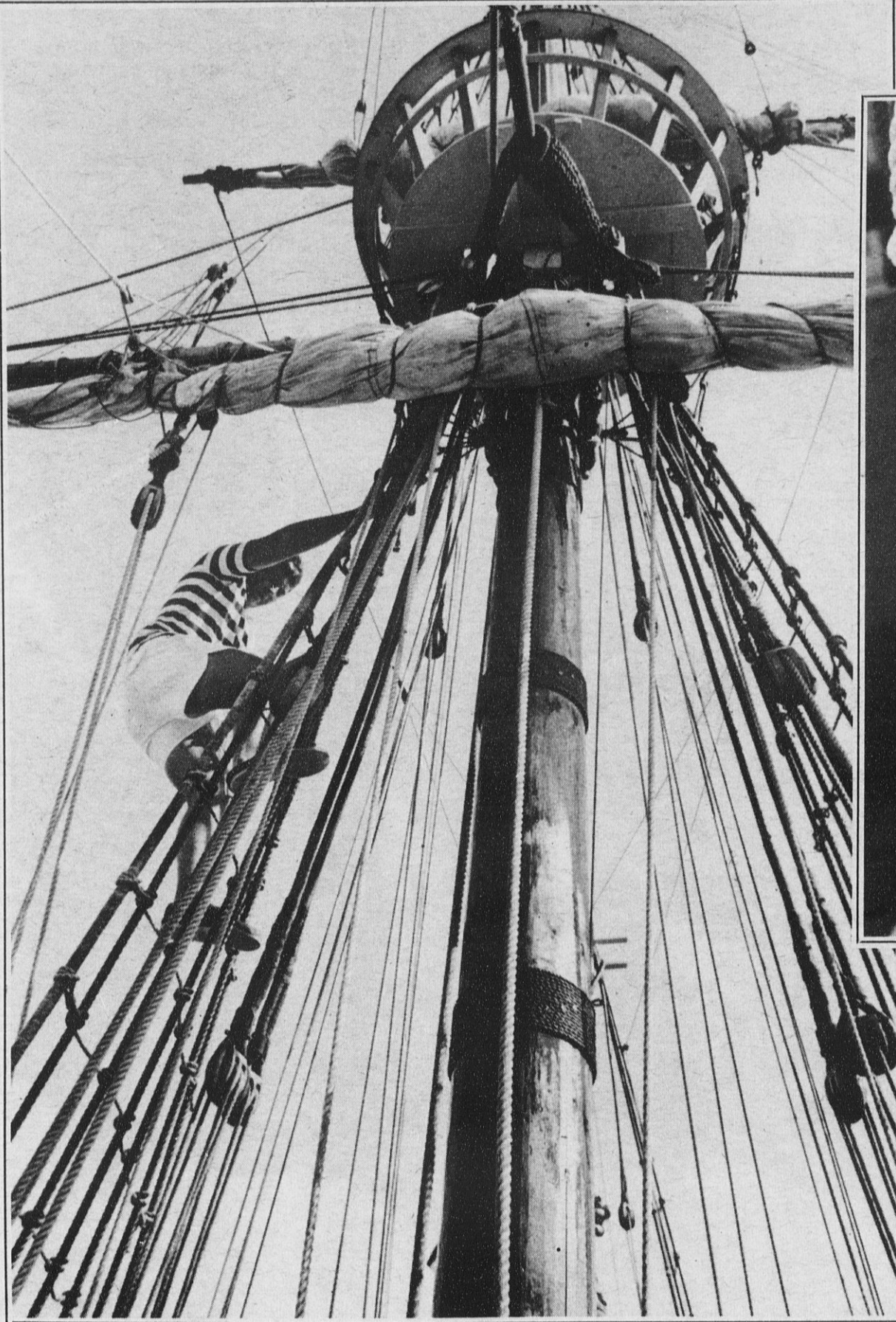
"We had a 15-year health care worker in one of the psych centers who resigned because of it. We have people calling in sick, even mass sick-outs," he noted.

But Corcoran says some headway is being made.

"The state is beginning to realize that it has to do some things so that people understand that AIDS is not the plague. While 13,000 people have been infected, that's a very minute portion of the general population. If our members can be shown that their risk is small, then they would not have a problem working with inmates or clients."

"There is no evidence of AIDS being an occupational disease," Corcoran continued. "What people want and are not getting are absolute guarantees that if they work with AIDS patients they won't get the disease, too. That's why they need training that will explain the disease, how it is contracted and how low the risk factor is."

Corcoran noted that CSEA will continue meeting with representative from the Governor's Office of Employee Relations in an effort to put together a standard policy on treatment of AIDS patients and training for care givers.



ON THE RIGGING — First mate Jackson Smith climbs down from the crow's nest of the Sea Lion.

*Former CSEA member
recreates ship
from stem to stern*

Ship lover set to sail on his dream

**Photos and copy
by Ron Wofford
CSEA Communications Associate**

MAYVILLE—When the Sea Lion sets sail next summer with its first full complement of paid passengers, the authentic 16th century English merchant vessel will be sailing on the wings of a dream.

The accomplishment of re-creating a wooden ship from stem to stern might have been enough for many, but Ernie Cowan had a dream, since his boyhood visit to the Mayflower II, of sailing such a ship and carrying passengers.

After 14 years of research, building, and gaining the support of sea lovers and his entire community, Ernie Cowan's Sea Lion has been officially commissioned, and is plying the waters of Lake Chautauqua.

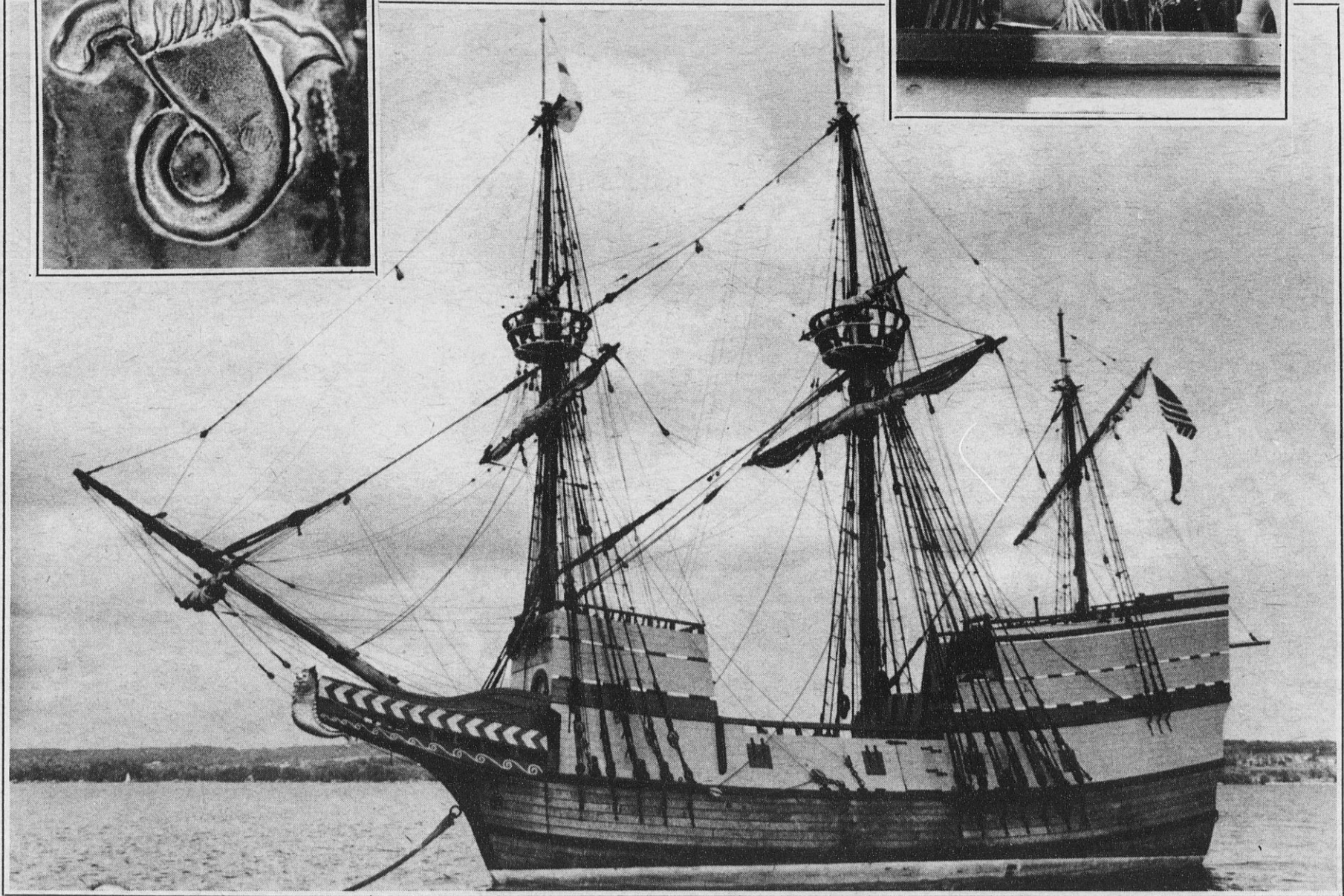
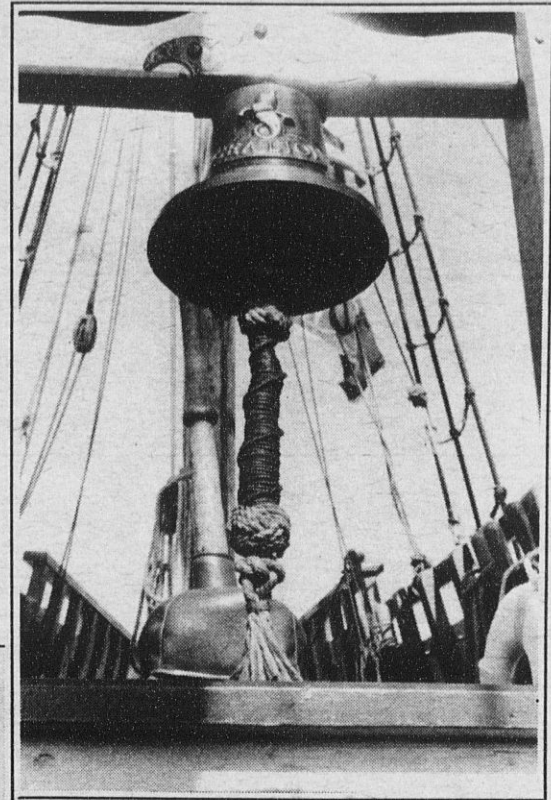
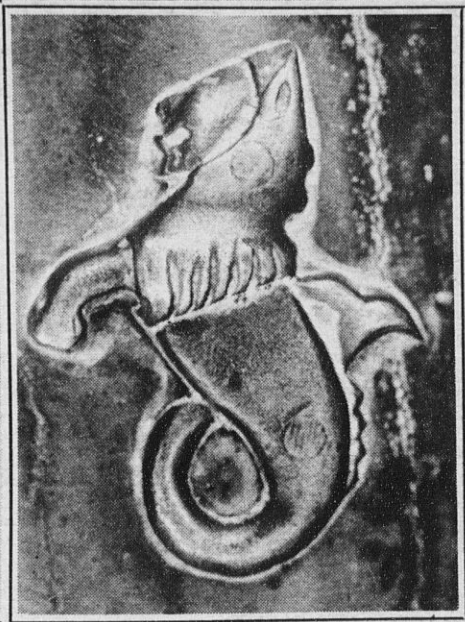
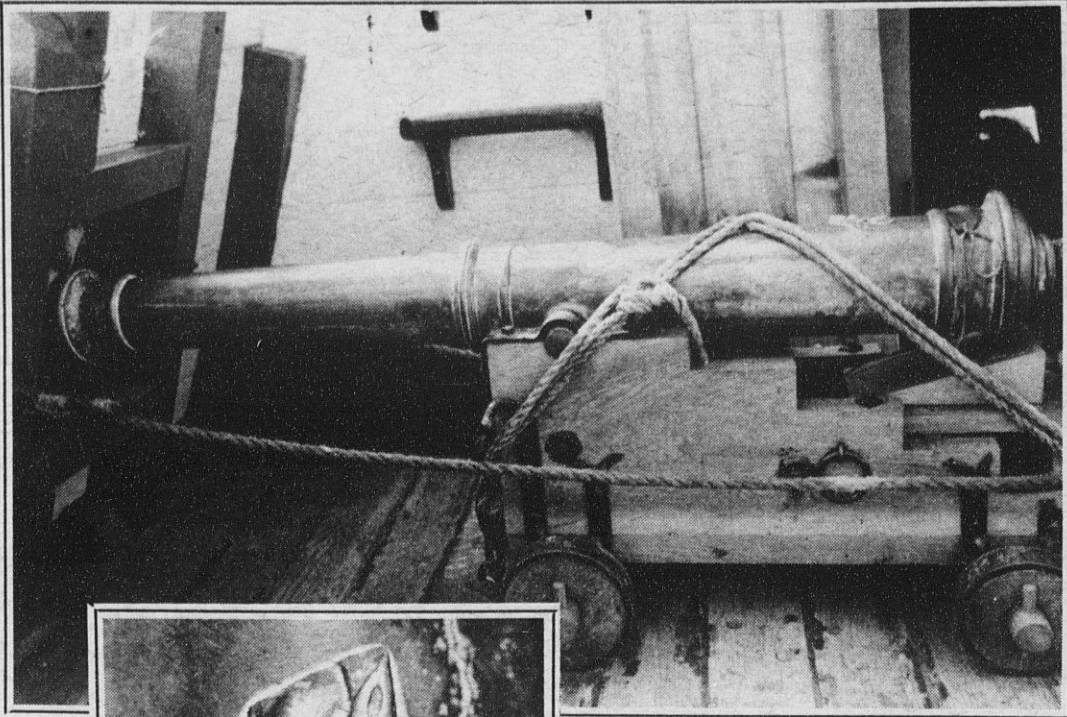
The story of how Cowan, a former Chautauqua County Sheriff's deputy and member of Local 807, decided to devote full time to his project

by enlisting all the necessary people and ingredients to make the effort a success which has won a worldwide salute.

Liz Lasser, a member of Local 807, is one of hundreds who donated time, money, and energy to see the project reach fruition. Lasser, a public health nurse, spent her spare time helping out aboard the 90-ton vessel and cut, shaped, carved, fitted, positioned, fastened, and sealed pieces of the ship by hand.

"It's a great experience," declared Lasser. "Right now I am spending three nights a week on board learning to assist with riggings, and helping with the crew schedule."

Lasser, a five-year county employee, said she was inspired to join the Sea Lion project when she spotted a newspaper ad that promised



PAST RE-CREATED — Pictured clockwise from left: Sea Lion cannon and insignia on cannon; ship's bell; and ship at anchor in Lake Chautauqua.

"hard work-no pay." Said Lasser, "The ad lived up to its promise."

The honor roll of the many others who also gave of their time would not be complete without the name of Carl Lyon, a local lumber mill owner and family friend, who personally selected the 400 year old virgin oak trees and donated the use of his mill to cut the timber for the ship. The vessel—Sea Lion—is named from his first initial and last name, C. Lyon.

The white oaks, said to contain a natural fiber that seals wood pores to prevent leaking, were donated by the Cheney family of Bemus Point.

At the recent commissioning of the Sea Lion, messages of congratulations were sent by New York Senators Daniel P. Moynihan and Alfonse D'Amato.

Chautauqua County Executive John Glenzer termed the formal commissioning "A proud day for everyone in the county." He also

proclaimed Cowan "The county's official dreamer."

The Sea Lion joins two other craft that make up a floating museum on Lake Chautauqua. Chautauqua Belle, an authentic paddle wheel steamship, and the 174 year old Bemus Point Stow Ferry.

All three are operated by Sea Lion Project Ltd., a non-profit corporation formed to promote the enjoyment of the lake's scenic beauty.

Those interested in helping support the operation can write to Sea Lion Project Ltd., R.D. One Sea Lion Drive, Mayville, N.Y. 14757. Or call: (716) 753-2403.

The address and phone number can also be used to find out about available space on the Sea Lion. The three masted vessel sails into the 16th century of dreams in the spring of 1986.

CSEA'S CONSTITUTION AND BY-LAWS

EDITOR'S NOTE: The Constitution and By-Laws of The Civil Service Employees Association are at the very heart of the union. They govern the operation of CSEA and therefore have a direct impact upon the membership. CSEA delegates will be considering many important changes to the Constitution and By-

Laws during the union's 75th Annual Delegates Meeting schedule for Oct. 20-25 at the Marriott Marquis, New York City. The proposed changes to be considered are presented on pages 10-15 of this edition of The Public Sector.

The Constitution and By-Laws Committee met three times since the Annual Delegates Meeting in October, 1984. The meeting dates were Jan. 31, 1985; April 18, 1985; and June 27, 1985. The Constitution and By-Laws Committee has as its function the recommendations to the delegates of amendments to the CSEA Constitution and By-Laws. The Committee reviews suggestions made from individuals

and Locals and accepts referrals from the delegates and Board of Directors. Additionally, the Committee can initiate proposals which it deems to be in the best interests of the Association. All recommendations made by this Committee are made to the delegates together with the reasons for the recommendations.

KEY: BOLD FACE = New Material
BRACKETS = Removal of Old Material

THE FOLLOWING ITEMS ARE PRESENTED TO THE DELEGATES FOR A SECOND READING. IF PASSED, THE AMENDMENTS WILL BECOME PART OF THE CSEA CONSTITUTION.

(1) The following amendment to Article IV, Section 5 is submitted to the Delegates by the Constitution and By-Laws Committee.

"ARTICLE IV

ORGANIZATION OF THE ASSOCIATION Section 5. OFFICERS.

(c) **INDEPENDENT NOMINATIONS.** Nominations for President, Executive Vice President, Secretary and Treasurer may also be made by official petition provided by the Executive Director of the Association upon written request of any member. Such petitions shall be signed by not less than [two percent (2%) of the] **1,000** members of the Association. The names of such candidates shall be printed on the official ballot if such nominations are filed with the Secretary and the Executive Director of the Association on or before April 15th of the election year."

Explanation: The first reading of this proposed amendment provided for petitions containing not less than 1,500 signatures. Since the last Delegates Meeting, the U.S. Court of Appeals for the Second Circuit has upheld a requirement of 1,000 signatures for nomination by petition in statewide elections. The Committee recommends, therefore, that the original number of 1,500 be modified to 1,000 in order to be absolutely certain that the nominating procedure has the sanction of the Courts and, therefore, the U.S. Department of Labor. The Committee has been advised by Counsel that a modification of the amendment from 1,500 to 1,000 signatures does not substantially change the intent of the amendment. The Committee recommends adoption of the revised amendment.

(2) The following amendment to Article XII of the Constitution is submitted to the Delegates by the Constitution and By-Laws Committee and is the result of recommendations made by State-wide Secretary Irene Carr by letter dated December 12, 1983.

"ARTICLE XII

AMENDMENTS

Delete entire Article; insert the following new language:

This Constitution may be amended as follows:

(a) **A proposed amendment must be submitted in writing to the Secretary of the Association at least ninety (90) days prior to the opening of the delegate meeting at which it is to be presented, and**

(b) **A majority of the delegates present and voting at the meeting must approve the proposed amendment or a substantially similar amendment and order that it be published in the official newspaper of CSEA at least ten (10) days prior to the next meeting of the Association, and**

(c) **The proposed amendment as published is approved by a two-thirds vote of the delegates at the next meeting of the Association."**

Explanation: The Committee concurs with Secretary Carr that amendments must be submitted at least 90 days prior to the opening of the Delegates Meeting in order to provide enough time for the Committee to meet and make a recommendation within 30 days and submit its report within the required 60 days. The remaining language contained in this amendment is merely a more orderly and logical rewording of the current language. The Committee recommends adoption of this amendment.

(3) The Chairperson of the Local Government Executive Committee, Mary Sullivan, by letter dated August 27, 1984, has asked the Committee to make the necessary recommendation to the Delegates to correct the Constitution and By-Laws by inserting the phrase "Local Government" wherever the word "County" appears in the Constitution and By-Laws. The reasons advanced for this proposed change are that the "County Division" within CSEA encompasses significantly more than the political entity known as a County and over time the County Division has been referred to more and more as the Local Government Division. It is time that CSEA make this essentially cosmetic change in order to more accurately reflect the correct makeup of the "County" Division. The Committee unanimously recommends the adoption of this change and proposes that it be done in one motion by the Delegates approving the change.

(4) On September 13, 1984, the Board of Directors of CSEA adopted a Constitution for the Retirees of CSEA. This Constitution contains all of the benefits of Article XI of the Statewide Constitution plus many additional items which the Retiree Section through the Retiree Executive Committee has requested. Given the fact that the governing document for the Retirees Section is the new Retirees Constitution, it is no longer necessary and is perhaps confusing to continue Article XI of the CSEA Constitution entitled "Retirees Section." The Committee recommends the adoption of a motion deleting Article XI in its entirety.

THE FOLLOWING ITEMS ARE PRESENTED TO THE DELEGATES BY THE COMMITTEE AS PROPOSED AMENDMENTS TO THE CONSTITUTION. THE PRESENTATION TO THE DELEGATES AT THIS MEETING CONSTITUTES A FIRST READING OF THESE AMENDMENTS.

(1) The following amendments to Article IV, Section 2(a) and Article VII, Section 1 were submitted by Mary Sullivan on behalf of the Local Government Executive Committee by letter dated August 27, 1984. Although two different Articles are affected, they shall be read and voted on together.

"ARTICLE IV

ORGANIZATION OF THE ASSOCIATION

Section 2. BOARD OF DIRECTORS.

(a) **Voting Members** — The voting members of the Board of Directors shall be the Officers of the

Association, members of the Executive Committee of the State Division, and members of the Executive Committee of the [County] **Local Government** Division. [who represent locals having 100 or more members as of the preceding January 1st, one additional member of the County Executive Committee, to be elected by the members of the County Executive Committee, representing County Division locals which have membership of less than 100 on the preceding January 1st.]"

"ARTICLE VII

[COUNTY] **LOCAL GOVERNMENT** DIVISION Section 1. [COUNTY] **LOCAL GOVERNMENT** EXECUTIVE COMMITTEE.

The power and authority to transact business relating to employees of the political subdivisions of the state shall, except as otherwise provided herein, be vested in a [County] **Local Government** Executive Committee which shall consist of the Officers of the Association and one representative from each [County] **Local Government** [Division] **County Local** having **100 or more members as of the preceding January 1st**, and one [County] **Local Government** Educational Local representative from each CSEA Region elected by the [County] **Local Government** Educational Local members within each Region. **One additional member of the Local Government Executive Committee shall be elected by the members of the Local Government Executive Committee to represent Local Government County Locals which have membership of less than 100 on the preceding January 1st.** In addition to the foregoing, each [County Division] **Local Government County Local** with more than 10,000 members as of January 1 in the year of an election shall, for the term of office beginning the following July, be entitled to one additional representative." REST OF SECTION REMAINS THE SAME.

Explanation: This proposal seeks to clarify what is now ambiguous or confusing language in the Constitution. This amendment simply states that for purposes of determining members of the Board of Directors, members of the Local Government Executive Committee shall be members of the Board of Directors. The definition of the Local Government Executive Committee is modified to incorporate that provision which provides for a voting member on behalf of those Local Government Locals which have less than 100 members. Since this is basically a "housekeeping" amendment and has no significant impact on the composition of either the Board of Directors or the Local Government Executive Committee, the Constitution and By-Laws Committee recommends adoption of this proposed amendment.

(2) These proposed amendments are submitted to the Delegates by the Committee as a result of the Committee's indepth analysis and discussion of the subjects with Mary Sullivan, Chairperson of the Local Government Executive Committee, Jerome P. Donahue, President of Nassau Local, and Joseph E. McDermott, Executive Vice President.

CSEA'S CONSTITUTION AND BY-LAWS

"ARTICLE IV ORGANIZATION OF THE ASSOCIATION

Section 2. BOARD OF DIRECTORS. The power and authority to transact all business of the Association, subject to the power and authority of the Delegates at meetings of the Association, be vested in a Board of Directors which shall consist of the following:

(a) Voting Members — The voting members of the Board of Directors shall be the Officers of the Association, members of the Executive Committee of the State Division, members of the Executive Committee of the County Division who represent Locals having 100 or more members as of the preceding January 1st, and one additional member of the County Executive Committee, to be elected by the members of the County Executive Committee, representing County Division Locals which have membership of less than 100 on the preceding January 1st. **Each Officer of the Association shall have one vote and each member of the State and County Executive Committees shall have the same number of votes to which they are entitled to at meetings of the State and County Executive Committees.**"

"ARTICLE VI STATE DIVISION

Section 1. STATE EXECUTIVE COMMITTEE. The power and authority to transact business relating to state employees shall, except as provided herein, be vested in a State Executive Committee. The State Executive Committee shall consist of the officers of the Association, and one representative from each State Department. The Judiciary, the State University, the Waterfront Commission and state public authorities as one unit, shall be deemed State Departments. The Faculty Student Associations and Teachers' Retirement System shall as a unit be deemed a State Department. Each State Department with more than 3,000 members as of January 1 of the election year shall, for the term of office beginning the following July, be entitled to one representative on the State Executive Committee for each 3,000 members or major fraction thereof. The members of the Department of Mental Hygiene shall be elected by Region. In all other departments entitled to more than one representative on the Board of Directors, members shall be elected from the departments on an at-large basis. **Each member of the State Executive Committee shall be entitled to one vote for each 100 members or major fraction thereof that he or she represents. Where more than one member of the State Executive Committee is elected from a single department, those members shall be entitled to a pro rata share of the votes from their respective constituencies. The Officers of the Association shall each be entitled to one vote.**" REST OF SECTION REMAINS THE SAME.

Section 2. LOCALS. REMAINS THE SAME.

"ARTICLE VII COUNTY DIVISION

Section 1. COUNTY EXECUTIVE COMMITTEE. The power and authority to transact business relating to employees of the political subdivisions of the state shall, except as otherwise provided herein, be vested in a County Executive Committee which shall consist of the officers of the Association and one representative from each County Division Local, and one County Educational Local representative from each CSEA Region elected by the County Educational Local members within each Region. In addition to the foregoing, each County Division Local with more than 10,000 members as of January 1 in the year of an election shall, for the term of office beginning the following July, be entitled to

one additional representative. **Each member of the County Executive Committee shall be entitled to one vote for each 100 members or major fraction thereof in the Local which he or she represents. Where there is more than one representative from a particular Local, the voting strength of that Local shall be divided on a pro rata basis between the elected representatives from that Local. The Officers of the Association shall each be entitled to one vote.**" REST OF SECTION REMAINS THE SAME.

"Section 2. LOCALS.

(a) LOCALS. **A Local may be formed by the members in the Local Government Division in any jurisdiction where CSEA is the recognized or certified bargaining agent, upon the approval by the Board of Directors of the Constitution and By-Laws of such Local. There shall exist only one Local in each County which shall be made up of members from more than one political subdivision wherein CSEA is the recognized or duly certified collective bargaining agent. One Local for non-teaching employees of school districts may be formed in each county provided fifty percent (50%) of the eligible school district units, but in no event less than 200 school district members, shall request formulation thereof. Individual Locals may be formed for non-teaching school district employees where CSEA is the recognized or duly certified bargaining agent.**" REST OF SECTION 2(a) REMAINS THE SAME.

Section 2(b) LOCALS. REMAINS THE SAME

Section 2(c) LOCALS. REMAINS THE SAME

Explanation: Because the Delegates have rejected comprehensive reorganization plans, in the past, the Committee feels that some interim measures must be taken in order to provide for a more equitable voting distribution on the Board of Directors and the ability to create additional Locals in the Local Government Division. The first amendment provides for a formula very similar to the one used to determine voting strength by Locals at this Delegate Meeting. Each member of the Board of Directors (by virtue of their membership on the State Executive Committee or Local Government Executive Committee) would be entitled to one vote for each 100 members or major fraction thereof which he or she represents. Under this proposal, no Local, even the smallest ones in the Local Government Division, lose their representation on the Board of Directors. This was one of the factors which led to the defeat of previous Board reorganization proposals. Another significant feature of this proposal is that the State Division Board members would be given their proportionate share of voting strength since under the current Board organization, while the State Division Board reps represent more than one-half of the membership in the Association, they have approximately 35% of the voting strength on the Board of Directors.

The second feature of this proposed amendment would allow the Board of Directors to create additional Locals in the Local Government Division similar to the current ability to create new Locals in the State Division. The Committee believes, as supported by the input from Ms. Sullivan, Mr. Donahue and Mr. McDermott, that it is absolutely essential for the Board to have the ability to create additional Locals if CSEA is to continue to deliver high quality services to Local Government employees. Under our current procedures, Locals comprising as few as 200 members can be created in the State Division but the Board's hands are tied if a Unit of 2,000 members in the Local Government Division can justify the creation of a Local.

The Committee believes that the adoption of these proposed amendments are critical if CSEA is to continue as a progressive, democratic union.

(3) The following amendments are submitted to the Delegates by the Constitution and By-Laws Committee. The amendments delete all references to "registered" mail contained in both the Constitution and in the By-Laws, leaving or substituting the term "certified" mail. The Committee proposes that these amendments be voted upon in one motion. If adopted, the change in the Constitution will require a second reading and the Committee recommends that the By-Laws changes not be physically made until such time as the second reading to amend the Constitution has passed.

"ARTICLE IV ORGANIZATION OF THE ASSOCIATION Section 5. OFFICERS.

(b) 8. the Statewide Nominating Committee shall make a good faith effort to select at least two (2) nominees for each position on the State Executive Committee.

No person shall be eligible for nomination unless that person shall have been a member in good standing of CSEA since June 1 of the year preceding the election. The Statewide Nominating Committee shall file its report with the Secretary and Executive Director of the Association no later than March 1 of the election year and shall simultaneously notify all candidates of their nomination by certified mail, return receipt requested. Nominees who desire to decline shall do so by notifying the Secretary and the Executive Director of the Association by [registered or] certified mail, return receipt requested, no later than the date published in the election schedule. The Statewide Nominating Committee, in the event of a vacancy created by a declination or otherwise, shall reconvene and make a good faith effort to select another qualified candidate if necessary, and shall file the names of those nominees to the Secretary and the Executive Director no later than April 15 of the election year. The new nominees shall be notified by [registered] certified mail, return receipt requested, on or before April 15 of the election year."

Changes to the By-Laws:

"ARTICLE III STATEWIDE ELECTIONS

Section 3. ELECTION PROTEST. Any member believing himself or herself aggrieved by any aspect of the nomination or election process may file a written protest with the Statewide Election Procedures Committee by [registered or] certified mail, return receipt requested. Such written protest must be post-marked within ten (10) calendar days after the member first knew or should have known of the act or omission complained of. Notice of such protest must also be sent by [registered or] certified mail, return receipt requested, to all other candidates. The protest must include the member's signed statement, supported by necessary documentary proof, containing a short and plain statement of the facts upon which the member relies to show that he or she has been aggrieved. Each election protest must contain the name, address and telephone number of the member protesting the election and a statement that all other candidates have been notified of the protest."

"ARTICLE IV FINANCE

Section 2. DUES AND AGENCY SHOP FEE.

(a)(5) Any person paying an agency shop fee who asserts that the Association is expending more than the amount referred to in paragraph (a)(4) for political or ideological purposes may

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file a claim for such additional sum with the State Treasurer by [registered or] certified mail. The Treasurer will present the claim and substantiation therefor to the Board of Directors at its next regularly scheduled meeting. Based upon the substantiation submitted by the claimant, the Board of Directors shall notify the claimant of the determination of the Board of Directors within ten (10) days of said determination by [registered or] certified mail."

"ARTICLE V JUDICIAL BOARD Section 3. PROCEDURE.

(a) Charges against individual members.

(2) Each charge must be filed with the Judicial Board, 143 Washington Avenue, Albany, New York 12210, by [registered or] certified mail, return receipt requested, and a copy of the charge must be served on any person against whom the charge is made by certified mail, return receipt requested.

(6) Upon receiving a charge, the Judicial Board may dismiss the charge or any part thereof if it appears to be frivolous in nature, totally lacking in substantiation or alleging conduct for which penalty is not appropriate. If the Judicial Board determines that there is probable cause to believe that the charge, if proven, would sustain a finding of misconduct, the Judicial Board shall then issue formal Judicial Board charges against the member or officer setting forth the specific acts of misconduct and the penalties which may be imposed. These formal Judicial Board charges shall be accompanied by a written statement that the individual charged has a right to object by filing an answer by [registered or] certified mail to the Judicial Board, with a copy to all other parties, within ten (10) days of receipt of the formal Judicial Board charges. REST OF SECTION REMAINS THE SAME.

(b) Trusteeships.

(1) Any Local or Unit may be placed in trusteeship for any reason deemed good and sufficient by the President or by the Board of Directors of the statewide Association. Charges against any Local or Unit may also be deemed charges against the individual officers of the Local or Unit. In such case, all charges will be heard together before the Judicial Board. The President or the Board of Directors of the statewide Association must serve the Local, Unit and/or officers thereof with charges by [registered] certified mail, return receipt requested, with a copy to the Judicial Board. Such charges must contain a clear and concise statement of facts constituting the basis for placing the Local or Unit in trusteeship and must be accompanied by a written statement that the Local, Unit or individual officers charged have a right to object by filing an answer by [registered or] certified mail to the Judicial Board within ten (10) days after receipt of the charges. If no answer is received, the charges shall be deemed admitted.

Section 5. APPEALS.

(a) Any person or entity believing himself/herself aggrieved by a formal decision of the Judicial Board may appeal the formal decision by filing an objection with the Appeals Committee of the Board of Directors of the statewide Association within fifteen (15) days of the receipt of the formal decision of the Judicial Board. The objections must be sent [registered or] certified mail, return receipt requested, to the Board of Directors, Appeals Committee, 143 Washington Avenue, Albany, New York 12210." REST OF SECTION REMAINS THE SAME.

Explanation: Information received from the U.S. Post Office indicates the following. Registered mail is a service for value. Whatever

is sent registered mail literally goes under lock and key. It is also a slowed down process due to the special handling and delivery required. The cost for registered mail is approximately three times the cost of certified mail. Certified mail is designed to show proof of delivery to whom, where and when. The post office also indicated that ten or fifteen years ago there was no certified mail and everything was sent registered mail. Now, most mail is sent certified and does not require an individual to go to the post office for mailing as does registered mail. The Committee recommends adoption of these amendments.

(4) The following amendment is submitted to the Delegates by the Constitution and By-Laws Committee.

"ARTICLE IV ORGANIZATION OF THE ASSOCIATION

Section 6. OATH. All officers of the Association and the Board of Directors shall be required to take an oath of office as prescribed by the Board of Directors prior to assuming the duties of their respective offices. **The text of the Official Oath of Office is as follows:**

Installing Officer (standing before the elected officers of the Association, Region, Local or Unit) says:

"My friends, you have been chosen by the members of your (department/local) of The Civil Service Employees Association, each to fill a particular office. Your fellow members have thus placed their trust in you to fulfill in every way the obligations that trust imposes. You will familiarize yourselves at once with the duties of your particular office, and proceed to carry out those duties with energy and devotion. The welfare and success of the Association depends largely upon you and you have a serious responsibility to seek in all possible ways to advance the interests of The Civil Service Employees Association. Your Association is dedicated to upholding and extending the principle of merit and fitness in public employment, to maintaining and promoting efficiency in public service, and to advancing the interest of all civil service employees. With faith in Almighty God, and ever true to the ideals and the laws of our Nation and our State, let us work vigorously for the attainment of our Association's objectives."

The installing officer then requests the officers to raise their right hand, and then reads the following pledge, at the conclusion of which, each officer should respond: "I do."

"I, (blank), do solemnly swear to uphold the Constitution of The Civil Service Employees Association, Inc., and to perform faithfully and impartially the duties of the office that I hereby assume. I further swear that I shall not engage in any act or actions detrimental to this union or fail to act to defend this union to the best of my ability."

After the officers are sworn in, they are asked to face the audience. The installing officer then says:

"I present to you the officers of your choice. I congratulate you on the selection you have made. Now that you have chosen these officers to guide the destinies of your (blank), it is your duty to aid them in every possible way to make their administration successful and inspiring."

The installing officer then asks the officers to take their respective official places. He may then make any additional remarks suitable to the program."

Explanation: The Committee believes that including the above text in the Constitution will not only provide an easy reference place for ad-

ministering the oath to new officers but will also serve as a reminder to officers of the responsibilities they have assumed. The Committee recommends adoption of the amendment.

(5) The following amendments to Article VI, Section 2 and Article VII, Section 2 were submitted by Irene Carr, Statewide Secretary, by letter dated August 28, 1984.

"ARTICLE VI STATE DIVISION

Section 2. LOCALS. A Local may be formed by the members in the State Division in any department or locality upon the approval by the Board of Directors. [of the Constitution and By-Laws of such Local.] REST OF SECTION REMAINS THE SAME.

"ARTICLE VII COUNTY DIVISION Section 2. LOCALS.

(a) LOCALS. A Local may be formed by members in the County Division in any county, or in any region containing one or more counties, upon the approval by the Board of Directors. [of the Constitution and By-Laws of such Local.] REST OF SECTION REMAINS THE SAME.

Explanation: Since the Board of Directors actually approves the application of a Local to become chartered without consideration of the Constitution and By-Laws of such Local which is mandated, the language being deleted from the above two Sections is unnecessary and should be omitted. The Committee recommends adoption of the amendments.

(6) The following amendments to Article VI, Section 2 and Article VII, Section 2 of the Constitution were submitted at the last Delegates meeting in October, 1984, by the Constitution and By-Laws Committee. The reason for submitting the amendments at that time was that there is a new procedure which is the only procedure being followed and is contained in By-Laws Article V, Judicial Board. It was the Committee's intent to remove language which is no longer utilized by the Association. There was some discussion at the last Delegates meeting to amend the language which the Committee wished to remove and that led to confusion on the convention floor and the Delegates referred the matter back to Committee. The Committee is now resubmitting these amendments. Although two different Articles are affected, they shall be read and voted on together.

"ARTICLE VI STATE DIVISION

Section 2. LOCALS. A Local may be formed by the members in the State Division in any department or locality upon the approval by the Board of Directors of the Constitution and By-Laws of such Local. In the event that a Unit of state government is transferred to the government of a political subdivision and provided that the employees of such government Unit transferred would not be eligible for membership in another Local, such Unit may be affiliated with the Local to which the employees of such government Unit belonged prior to becoming employees of the political subdivision. Each such Local shall make available to the duly authorized representative of the Association at the request of the President or the Board of Directors at reasonable intervals, all Local records for inspection by the Association. It shall be discretionary for each Local to establish Units within its Locals where more effective representation of its members would be thereby accomplished. [A Local may be placed in trusteeship by the President of the Association with the approval of the Board of Directors or the Board of Directors' Committee for failure to comply with a request for an inspection of the books and records of the Local within ten days of such

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request. A Local may be placed in trusteeship for any reason deemed good and sufficient by the President of the Association provided a hearing is afforded before the Board of Directors and written charges are served within ten days of placing the Local in trusteeship. The Board of Directors by a two-thirds vote may dissolve the Local or suspend it for a period not to exceed ninety days after such charges have been served upon the Local and it has been given an opportunity to be heard.]”

“ARTICLE VII COUNTY DIVISION Section 2. LOCALS.

(a) LOCALS. A Local may be formed by members in the County Division in any county, or in any region containing one or more counties, upon the approval by the Board of Directors of the Constitution and By-Laws of such Local. One Local for non-teaching employees of school districts may be formed in each county provided fifty percent of the eligible school district Units, but in no event less than 200 school district members, shall request formulation thereof. Each such Local shall make available to the duly authorized representative of the Association at the request of the President or the Board of Directors at reasonable intervals, all Local records for inspection by the Association. [A Local may be placed in trusteeship by the President of the Association with the consent of the Board of Directors or the Board of Directors' Committee for failure to comply with a request for an inspection of the books and records of the Local within ten days of such request. A Local may be placed in trusteeship for any reason deemed good and sufficient by the President of the Association provided a hearing is afforded before the Board of Directors and written charges served within ten days of placing the Local in trusteeship. The Board of Directors by a two-thirds vote may dissolve a Local or suspend it for a period not to exceed ninety days after such charges have been served upon the Local and it has been given the opportunity to be heard.]”

Explanation: The Committee believes that the language contained in these two Articles concerning the placing of a Local into trusteeship is no longer necessary or desired in view of the language contained in Article V of the By-Laws dealing with the Judicial Board. The Committee recommends adoption of these amendments.

THE FOLLOWING ITEMS ARE PRESENTED TO THE DELEGATES BY THE COMMITTEE AS PROPOSED AMENDMENTS TO THE BY-LAWS. IF PASSED AT THIS MEETING, THE AMENDMENTS WILL BECOME EFFECTIVE IMMEDIATELY.

(1) The following amendments to Article I, Section 4 and Section 5 were submitted by Irene Carr, Statewide Secretary, by letter dated December 3, 1984.

“ARTICLE I OFFICERS

Section 4. TREASURER. The Treasurer shall serve on a full-time basis. If the Treasurer is unable to obtain a paid leave of absence from the employer, the Association shall, pursuant to law, obtain a paid leave of absence for the Treasurer and the Association shall reimburse the employer for the cost of such leave. The Treasurer shall be responsible for the custody of all funds of the Association. The Treasurer shall be responsible for the implementation of the duly adopted budget and the periodic reporting thereon. The Treasurer shall keep a true and accurate record of all receipts and disbursements, all moneys, securities and other property owned by the Association, and shall submit an itemized report at each annual meeting of the Association

and such other reports as the President may require. The Treasurer's accounts shall be open at all times to the inspection of members of the Board of Directors. The Treasurer shall be responsible for the implementation of the 'Financial Standards Code' and for the training of the treasurers of the Regions, Locals and Units. **The Treasurer shall perform those other duties as assigned by the President or the Board of Directors of the Association.** The Treasurer shall be bonded at the expense of the Association in an amount fixed by the Board of Directors. Each Local shall be required to submit an annual report to the Treasurer. The Treasurer shall be responsible for obtaining and maintaining the annual fiscal report of each Local.”

“Section 5. SECRETARY. The Secretary shall serve on a full-time basis. If the Secretary is unable to obtain a paid leave of absence from the employer, the Association shall, pursuant to law, obtain a paid leave of absence for the Secretary and the Association shall reimburse the employer for the cost of such leave. The Secretary shall be the custodian of all official papers of the Association and shall be responsible for keeping and disseminating records of Association meetings, Board meetings, Officers' meetings, and special meetings of the Board including any motions made at such meetings. The Secretary shall be involved in the training of Region, Local and Unit secretaries. **The Secretary shall perform those other duties as assigned by the President or the Board of Directors of the Association.** The Secretary shall be bonded at the expense of the Association in an amount fixed by the Board of Directors.”

Explanation: The Committee concurs with Ms. Carr that a statewide elected officer, no matter what the title, is responsible to the total membership and that there are times when the President and/or Executive Vice President are not accessible and responsibilities fall to all four Statewide Officers. The Committee recommends adoption of these amendments.

(2) The following amendment to Article I, Section 6 was submitted by Mary Sullivan on behalf of the Local Government Executive Committee, by letter dated February 21, 1985.

“ARTICLE I OFFICERS

Section 6. The Officers of the Association, President, Executive Vice President, six Vice Presidents who are Region Presidents, Secretary and Treasurer [, who are not elected delegates from their Locals,] shall by virtue of their office be designated as voting delegates at all meetings of the Association.”

Explanation: Since our Constitution prohibits the Officers of the Association from serving as an Officer of a Local or Unit, and since delegates must now be elected officers or elected delegates of Locals, the phrase “who are not elected delegates from their Locals” is inappropriate. Officers of the Association should be voting delegates by virtue of their office as are officers of Locals. The Committee recommends adoption of the amendment.

(3) The following amendment to Article IV, Section 3 of the By-Laws is submitted by the Committee as a result of a proposal forwarded to it by Joseph E. McDermott on behalf of the Statewide Officers by letter dated May 12, 1984.

“ARTICLE IV FINANCE

Section 3. REFUND AND REIMBURSEMENT.

(a) REFUNDS TO LOCALS. REMAINS THE SAME.

(b) **Where, as a result of reorganizing an existing Local or Locals, a new Local is created, the new Local shall be entitled to a payment**

from the reorganized Local or Locals. Such payment shall be in an amount equal to six (6) months refund as provided in subdivision (a) above for each member and agency fee payer reassigned from the reorganized Local to the new Local.

- (b) relettered to (c)
- (c) relettered to (d)
- (d) relettered to (e)”

Explanation: The general consensus of the Officers is that a fair share of the dues provided to the already existing Local should be automatically transferred to a new Local created by a “spin off.” Unless financial assistance of this nature is given, the new Local is without sufficient funds when it needs them the most, at its inception. It is highly unlikely that the parent Local would have exhausted the funds which it had received on behalf of the “spin off” Local and therefore, this provision does not create a hardship for the parent Local. The Committee recommends adoption of the amendment.

(4) The following amendment to Article V, Section 1(a) is submitted by the Constitution and By-Laws Committee as a result of motions submitted by Joel Schwartz, Local 446, dated May 30, 1985, and Margaret Robinson, Local 446, dated June 13, 1985.

“ARTICLE V JUDICIAL BOARD Section 1. MEMBERS.

(a) The Judicial Board shall be comprised of [eight] **fourteen** members. Each Region President shall appoint [one] **two** members and the President of the statewide Association shall appoint two members. From these [eight] **fourteen** members, the President of the statewide Association shall appoint the Chairperson and the Vice Chairperson of the Judicial Board.”

Explanation: Under Article V, Section 3(a)(9), it is required that all determinations of the Judicial Board shall be made by a majority vote of at least five voting members present. In the past, the Board has experienced difficulties meeting this provision due to illness, inclement weather conditions, etc. The amendment would increase the Board from eight to fourteen members which would virtually guarantee that the required number of voting members would be present. The Committee recommends adoption of the amendment.

(5) The following amendments to Article V, Sections 2 and 3 of the By-Laws are submitted by the Constitution and By-Laws Committee as a result of a recommendation made by the Judicial Board by letter dated June 11, 1985.

“ARTICLE V JUDICIAL BOARD Section 2. JURISDICTION.

(a) The Judicial Board herein created shall have the power to hear, investigate, determine, and all powers incidental thereto, as well as the power to promulgate procedures concerning:

- (1) all **complaints and** charges against members;
- (2) trusteeships;
- (3) election questions concerning contract ratification.”

“Section 3. PROCEDURE.

(a) Charges against individual members.

(1) Any member may file a [charge] **complaint** against any member or officer of CSEA. Any Executive Board of a Unit, Local or Region may file a [charge] **complaint** against any member or officer of CSEA.

(2) Each [charge] **complaint** must be filed with the Judicial Board, 143 Washington Avenue, Albany, New York 12210, by registered or certified mail, return receipt requested, and a copy of the [charge] **complaint** must be served on any person against whom the [charge] **com-**

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plaint is made by certified mail, return receipt requested.

(3) The [charge] **complaint** must contain the name, address, social security number, and Local of the member making the [charge] **complaint** and the name, address, and Local of any party against whom the [charge] **complaint** is made. The [charge] **complaint** must set forth a clear, concise statement of the alleged wrongful conduct together with the dates and places where the conduct took place, and the names, addresses and telephone numbers of any witnesses to the alleged wrongful conduct. If a violation of a CSEA constitution is alleged, the specific article and section of that constitution must be included; if the [charge] **complaint** alleges a violation of a mandate of the Board of Directors of the statewide Association, the specific mandate must be stated. The [charge] **complaint** shall be accompanied by documentation and/or a statement signed by the member which supports the [charge] **complaint** and must also contain a statement by the member making the [charge] **complaint** that the person against whom the [charge] **complaint** is made has been given a copy of the [charge] **complaint**.

(4) The following shall constitute the basis for [charges] **complaints** against any member or officer of CSEA: REST OF SUBSECTION REMAINS THE SAME.

(5) A [charge] **complaint** may be amended at any time with proper notice to all parties but, once filed, may not be withdrawn without the consent of the Judicial Board.

(6) Upon receiving a [charge] **complaint**, the Judicial Board may dismiss the [charge] **complaint** or any part thereof if it appears to be frivolous in nature, totally lacking in substantiation or alleging conduct for which penalty is not appropriate. If the Judicial Board determines that there is probable cause to believe that the [charge] **complaint**, if proven, would sustain a finding of misconduct, the Judicial Board shall then issue formal Judicial Board charges against the member or officer setting forth the specific acts of misconduct and the penalties which may be imposed. REST OF SUBSECTION REMAINS THE SAME.

(7) No change

(8) No change

(9) No change

(10) Nothing herein shall preclude settlement of the **complaint** or charges at any stage of this procedure.

(11) Any member or officer may be suspended from elected office, pending a hearing and determination by the Judicial Board, by the President of the statewide Association or by the Executive Board of any Region, Local or Unit of CSEA provided that a written [charge] **complaint** is filed with the Judicial Board within seven (7) days of the suspension. If such [charge] **complaint** is not filed with the Judicial Board in conformity with the procedures set forth under this section, the Judicial Board may revoke the suspension.

(12) No change

(b) Trusteeships.

(1) No change

(2) No change

(3) No change"

Explanation: The Judicial Board believes that many people are confused as to the difference between the terms "charges" and "formal charges" as currently used in this Article. In order to eliminate this confusion, the Committee has proposed that the term "complaint" be used for all those allegations submitted by charging parties against a member and the term "charges" be used for those drafted by the Judicial Board as a result of the filing of the com-

plaint. This change will eliminate the allegations that currently are made that the mere filing of a complaint by a member against another member constitutes Judicial Board "charges." The amendment would simply characterize this portion of the procedure as the filing of a "complaint" which is less stigmatizing and reflects more accurately the overall Judicial Board procedure. The Committee recommends adoption of these amendments.

(6) The following amendment to Article V, Section 6 of the By-Laws was submitted by the Judicial Board by letter dated January 25, 1985.

ARTICLE V JUDICIAL BOARD

Section 6. CONTRACT RATIFICATIONS.

(a) Any member of a bargaining unit may file a request for a review of the procedures utilized in conducting a ratification vote of a duly negotiated collective bargaining agreement covering that member's bargaining unit. **All preregistration or ratification procedures must be sent with the protest to the Judicial Board including, but not limited to, a copy of the notice to the membership, written voting procedures of the bargaining unit's by-laws or elections committee, a copy of the ballot and a statement of the facts and circumstances concerning the conduct of the ratification vote.** Such request for review must be filed within five (5) days after the result of the ratification vote has been made public."

Explanation: The current procedure is deficient in that the complaint filed with the Judicial Board relative to a contract ratification procedure does not require any of the information required by the proposed amendment. Consequently, the Judicial Board on its own initiative must seek to obtain this basic information before it can even begin to examine the complaint. Contract ratification complaints **must** be resolved quickly given the ramifications of such a complaint. Requiring the complainant to file additional information with the complaint will not only aid the Judicial Board in the disposition of the complaint but will also provide the complainant with a timely determination.

(7) The following amendment to Article VI, Section 1(d) was submitted by Mary Sullivan on behalf of the Local Government Executive Committee, by letter dated February 21, 1985.

"ARTICLE VI COMMITTEES

Section 1. STANDING COMMITTEES.

(d) The membership of the standing committee shall not be less than seven nor more than eleven and the makeup of such committee shall include representation from each Region [and at least one member of the County Division] **with representation from the Local Government and State Divisions."**

Explanation: Since the current Standing Committees address issues which concern all union members and their purposes are not exclusive to either Division, it is not appropriate to single out Local Government for "at least one member" than it would be for the State. The Committee recommends adoption of the amendment.

(8) The following are proposals which would implement the recommendations of the Methods and Procedures Committee. The justification for these proposals is contained in the Methods and Procedures Committee Report, and the Constitution and By-Laws Committee merely sets forth the proposed language to implement the changes without taking a position relative to the changes.

Constitution Changes

"ARTICLE IV

ORGANIZATION OF THE ASSOCIATION

Section 2. BOARD OF DIRECTORS. RE-

MAINS THE SAME.

(a) Voting Members — The voting members of the Board of Directors shall be the Officers of the Association, members of the Executive Committee of the State Division, members of the Executive Committee of the County Division. [who represent Locals having 100 or more members as of the preceding January 1st, and one additional member of the County Executive Committee, to be elected by the members of the County Executive Committee, representing County Division Locals which have membership of less than 100 on the preceding January 1st.]"

Note: This amendment is also contained in Item #1 on page 4 of this report.

"[(b) Non-Voting Members — The non-voting members of the Board of Directors shall be the Chairpersons of all Standing Committees as established in Article VI, Section 1 of the By-Laws and the Chairperson or Vice Chairperson of the Retirees Section Executive Committee.

Non-Voting Members of the Board of Directors shall not introduce, second, or debate any action before the Board except matters affecting the non-voting member's own Committee.]"

"ARTICLE VI STATE DIVISION

Section 1. STATE EXECUTIVE COMMITTEE.

The power and authority to transact business relating to state employees shall, except as provided herein, be vested in a State Executive Committee. REMOVE EXISTING LANGUAGE RELATIVE TO COMPOSITION OF THE STATE EXECUTIVE COMMITTEE AND SUBSTITUTE WITH THE FOLLOWING LANGUAGE. **The State Executive Committee shall consist of the Officers of the Association plus twenty-five additional members organized as follows. From within each of the six CSEA regions: one representative from the Administrative Services Bargaining Unit to be elected by members from that bargaining unit within the Region; one representative from the Institutional Services Bargaining Unit to be elected by members of that bargaining unit within the Region; one representative from the Operational Services Bargaining unit to be elected by members of that bargaining unit within the Region; and one representative for all other State employees within the region (authorities, commissions, Division of Military and Naval Affairs, etc.) to be elected by such employees represented by CSEA within the Region. Additionally, there shall be elected on a Statewide basis one representative of the Judiciary.** The State Executive Committee shall elect from its membership one member to be known as the Chairperson of the State Executive Committee." REST REMAINS SAME.

"ARTICLE VII COUNTY DIVISION

Section 1. COUNTY EXECUTIVE COMMITTEE. The power and authority to transact business relating to employees of the political subdivisions of the state shall, except as otherwise provided herein, be vested in a County Executive Committee. REMOVE EXISTING LANGUAGE RELATIVE TO COMPOSITION OF THE COUNTY EXECUTIVE COMMITTEE AND SUBSTITUTE WITH THE FOLLOWING LANGUAGE. **The County Executive Committee shall consist of the Officers of the Association plus 25 additional members organized as follows. From within each of the five CSEA regions (excluding Region 2 which has no local government employee representation): one member who is employed by a county, to represent county employees and to be elected by all county employees represented by CSEA within the Region; one member, who is employed by a city, to represent city employees and to be elected by all ci-**

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ty employees represented by CSEA within the Region; one member, who is employed by a school district, to represent school district employees and to be elected by all school district employees represented by CSEA within the Region; one member, who is employed by a town, to represent town employees and to be elected by all town employees represented by CSEA within the Region; and one member, who is an employee of any other type of local government jurisdiction, to represent employees of all other local government jurisdictions and to be elected by such employees represented by CSEA within the Region (villages, authorities, libraries, etc.). The County Executive Committee may create one or more subcommittees to perform such duties as the County Executive Committee shall delegate." REST OF SECTION REMAINS THE SAME.

"ARTICLE IV

ORGANIZATION OF THE ASSOCIATION

Section 5. OFFICERS. The officers of the Association shall be a President, [an Executive Vice President,] a **Secretary-Treasurer**, six Vice Presidents to be the six Region Presidents. [, the Secretary and Treasurer.]

(a) ELECTION. The [four] **two** statewide officers of the Association shall be elected by secret ballot tri-annually (every three years). The six Vice Presidents of the Association shall be elected for a term of three years, such elections to be conducted concurrent with Region elections. All officers of the Association shall hold office for a term of three years, commencing on July 1 of the year in which they were elected, or until their successors shall have qualified. Vacancy in the office of President shall be filled by the [Executive Vice President] **Secretary-Treasurer on a temporary basis or for the remainder of an unexpired term**. Vacancy in the office of [Executive Vice President] **Secretary-Treasurer** shall be filled by the Board of Directors by electing any one of the six Vice Presidents. [, the Secretary or the Treasurer.] A vacancy in the term of any of the Vice Presidents shall be filled according to the Constitution and By-Laws of the respective Regions. [Vacancies in the office of Secretary and Treasurer may be filled for the remainder of the term by the Board of Directors.] No statewide officer shall be an officer of a Local or Unit.

(b) NOMINATIONS.

1. For those election years in which the [four]

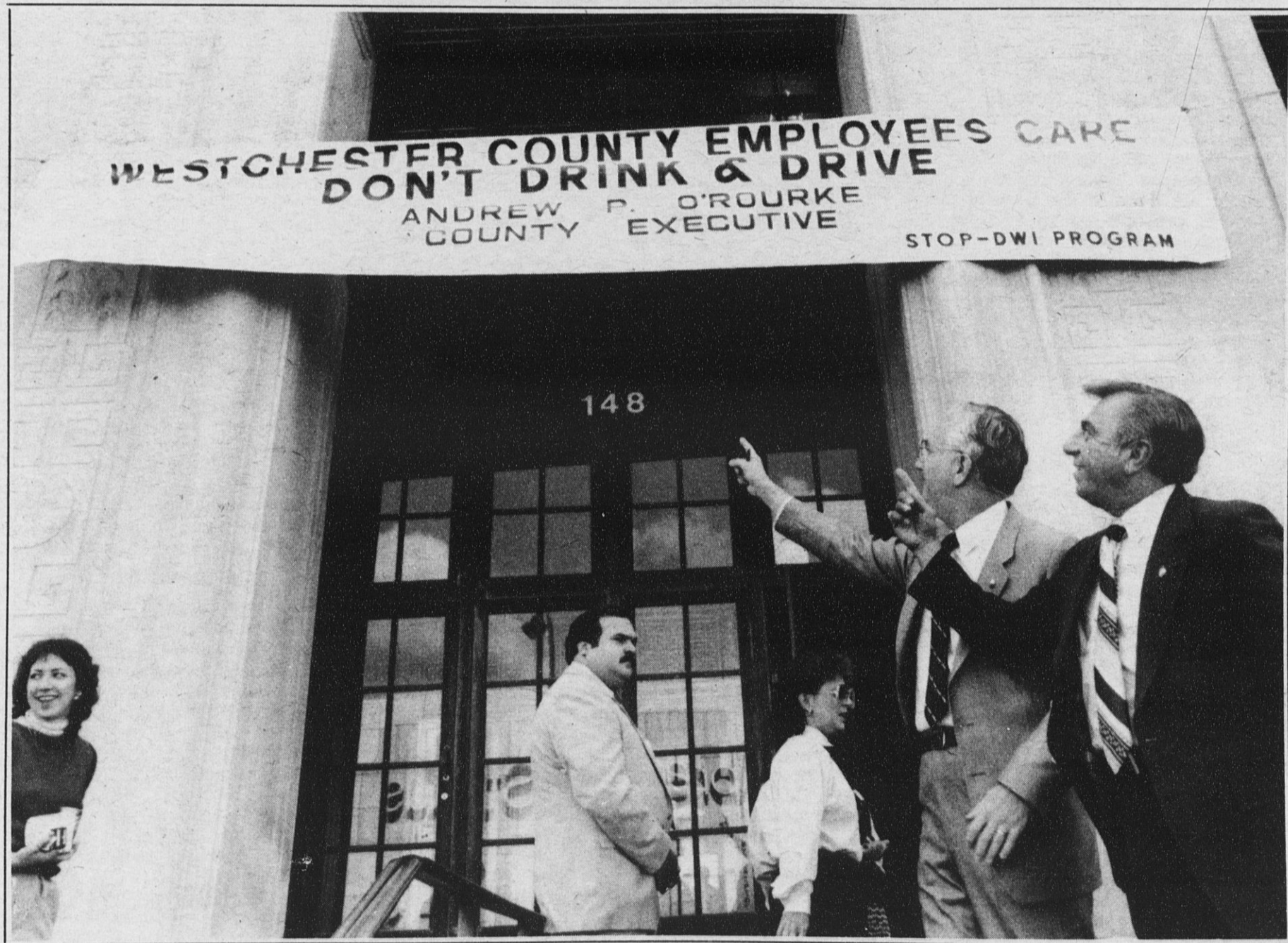
two statewide officers are elected, each Region shall nominate for the Statewide Nominating Committee at least seven (7) members who have been members in good standing of CSEA for at least two (2) years prior to January 1 of the election year." REST OF SECTION REMAINS THE SAME.

All correspondence with resolutions and/or proposed amendments received by the Committee as of the date of its last meeting (June 27, 1985) have been reviewed. Appropriate responses have been directed to the individuals involved.

Submitted by,

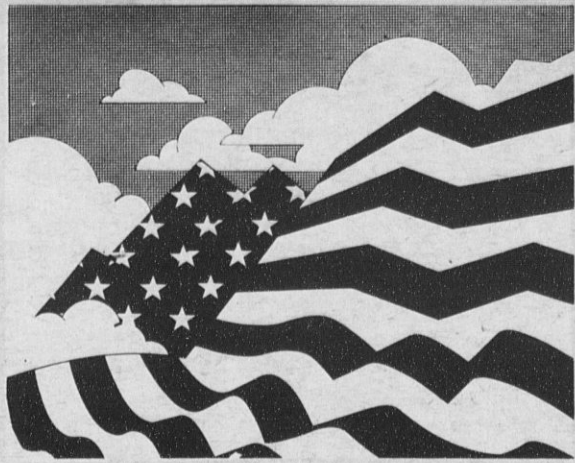
REVISION OF THE CONSTITUTION
AND BY-LAWS COMMITTEE

CARMEN BAGNOLI, Chair
Rita Wallace
Fred Daniels
Jerry Barbour
Bruce Larsen
Charlotte Murray
Terrence Melvin



DON'T DRINK AND DRIVE—Westchester County employees are concerned about drunk drivers and recently helped kick off a new STOP DWI campaign in White Plains. CSEA Region III President Pat Mascioli

and Westchester County Executive Andrew O'Rourke are pictured here pointing out a warning to residents.



Primary '85 election wrap

Region II

NEW YORK—When the polls were closed, the votes counted and the rhetoric died down, CSEA members in Region II were big winners in the Sept. 10 New York City primary election.

"This was our first time out in city politics," says Regional President George Boncoraglio, "and now have a strong base to grow from the next time around. CSEA is no longer an unknown quantity down here."

In addition to weeks of phone banking, distributing campaign literature and providing other campaign assistance, hundreds of CSEA activists turned out on election day to help endorsed candidates "get out the vote" in all five boroughs.

The results were impressive: 11 of 16 endorsed were winners; four out of five non-winning campaigns pitted CSEA challengers against popular incumbents; two of the non-winning campaigns came extremely close to victory, with one outcome still contested at publication time.

CSEA scored its greatest success in the race for Manhattan Borough President, where City Clerk David Dinkins won an impressive victory. CSEA volunteer made up one of the largest labor contingents in the Dinkins effort.

Among other bright spots, CSEA helped secure the margin of victory for City Council incumbents Miriam Friedlander, Ruth Messinger, Carolyn Maloney and Michael DeMarco; provided substantial support for maverick Council candidate Steve DiBrenza, who will fill the seat of retiring Council Majority Leader Tom Cuite; created the backbone of Civil Rights Attorney C. Vernon Mason's challenge to Manhattan District Attorney Robert Morgenthau (Mason received one-third of the votes while running with almost no campaign funds against a political institution); backed David Rothenberg, who came close to defeating a 16-year City Council incumbent.

"This was a learning experience all around," claims Regional Political Action Coordinator Lauri Cohen. "Our members were involved from start to finish and saw that there's a lot more to a campaign than just deciding to run and expecting voters to turn out."

"The bottom line is that we were able to provide volunteers for the campaigns when they were needed," adds Regional President Boncoraglio. "That's going to make our endorsements even more important to candidates from here on."

Region IV

MOREAU—With their first political action success under their belts the town of Moreau unit members, all 10 of them, are gearing up for a second campaign effort for November's town board general election.

John Donohue retained hold on one of two Republican nominations. Official results show Michael Karpinski in a tie with Michael J. Sullivan. "We endorsed Michael Sullivan and Daniel Silvey in the Republican primary," Unit President Joe Reynolds reports. "Sullivan tied an established local politician with 589 votes. Silvey made a good showing against another established area figure."

Reynolds was filled with praise for the professionalism of the campaign which did generate comments from local area politicians and residents.

"Region IV Political Action Chairman John Francisco worked closely with Capital Region Political Action Liaison Edward LaPlante and Communications Associate Dan Campbell to formulate a short, but highly effective radio ad campaign on a local station," Reynolds said. "The voters got the message and now the local politicians are looking at CSEA in a different light."

Basking in the glow of victory, Reynolds acknowledged that the upcoming general election would be the acid test. "There is the possibility that all the unsuccessful candidates could run for election as independents in November," Reynolds said. "That means we have to work on a grass roots level to make sure that our local residents know who we have endorsed for election and why we believe local government would be better served by these people."



DON'T TAKE ANYTHING FOR GRANTED was the message CSEA campaign volunteers received as they took to the streets to "get out the vote" for endorsed candidates in the Sept. 10 New York City primary. Jesse Jones and Martha Matos, Alberta Campbell of Manhattan Developmental Center Local 443, await passersby to hand out literature in support of CSEA endorsed candidates.

Region VI

BUFFALO—The victory of George K. Arthur in the Buffalo Democratic primary race for mayor has CSEA PAC members and activists encouraged and inspired to work for another win in the November general election.

"It's gratifying to know that the general public agreed with our early endorsement of Mr. Arthur as the best candidate for all of Buffalo," declared Region VI President Robert L. Lattimer. "Now our job is to get even more of our concerned members to pitch in and see that Arthur is the next mayor of Buffalo."

In the June endorsement of the Buffalo Common Council President, Lattimer lauded Arthur as a candidate who "understands the problems that public employees face from first-hand experience."

As a former employee of the state Division for Youth, Arthur was an active member of AFSCME. The DFY is now represented by CSEA Local 562, whose president, William Jordan, and PAC Chairwoman Kathy Nailor were very active in the campaign.

Nailor said more than 65 Local 562 members made phone calls, passed out literature, and generally did all they could to bring out the vote. "Four of our members are committeemen, so we have a good tradition of being active and supportive of our CSEA-endorsed candidates," said Nailor. "Now we must keep up the moment and see it through the general election to victory."

Local 303 members, employees of Roswell Park Memorial Institute, were also active in getting out the vote for the CSEA-endorsed mayoral candidate according to Verona White, local PAC chairwoman.

"We held weekly breakfast meetings," said White, and gave out lists of phone numbers of registered Democrats, passed out posters and tried to get everyone involved."

White said she and fellow PAC members Madeline Easley and Pauline Evans are very happy about the primary results, but realize this is only the half-way mark. "We plan to work just as hard, or harder in the general election so we can feel this good in November," she concluded.

Joseph Martin, political action coordinator for the region, worked directly with the Erie County Democratic party in coordinating the CSEA support and called the CSEA activism "just the kind of effort we need more of to insure Arthur's success."