

# 39 NEW EXAMS, RECORD FOR NYC TRANSIT JOBS

## NYC Police Lieut. Eligibles In Order of Appointment

### OFFICIAL COMPLETE TALLY OF CANDIDATES' MARKS

By ANNA LEE KRAM

The eligible list for promotion to Lieutenant (P.D.) was published and promulgated simultaneously by the NYC Civil Service Commission and consists of only 183 names.

The LEADER had forecast that the list would contain about 210 names. The shrinkage arose from the fact that 28 of those who passed the examination already have been promoted to Lieutenant from the former list. This fact was not discovered until the commission was nearly ready to issue the 210 names. The 28 names were stricken from the list as surplusage.

"You can't promote a man from Lieutenant to Lieutenant," observed Commission President Joseph A. McNamara.

The eligible list is published herewith by The LEADER with the full scoring. The written test was divided into two parts: first, short answer questions; second, essay type. The scores are designated W-1 for the first and W-2 for the second. The other score, RS, is for record and seniority. Numbers in parenthesis show relative standing by order of percentages. (Eligible list, P. 13).

#### LEADER Rearranges List

The list has been adjusted by The LEADER to effectuate present veteran preference, on the assumption that all preference claims will be granted as made. This assumption will prove very close, but not absolutely correct. One veteran who claimed disability preference was about to go on his vacation and settled for non-disabled veteran which was approved at once. He had less than 10 per cent disability rating, anyway.

The list was promulgated subject to clearance of veteran preference claims. Such clearance is expected to be completed within 10 days, as there are now only two claimants of disability preference. Such claims take the longer time to clear. Twenty-five claim non-disabled veteran preference. Clearance on these is obtained on presentation to the Commission of the requisite veterans Administration papers, and discharge, so that it is up to the

non-disabled veterans to get their proof before the Commission quickly, to expedite the certifications which Police Commissioner Arthur W. Wallander would like to receive. He is waiting word from the Commission that it is near the point where the list can actually be put to use for making promotions. There are 46 existing budget vacancies in the Lieutenant title.

#### Police Department Delighted

The fact that the list was both published and promulgated at the same time was not generally known. The LEADER informed the Police Department about it and the news was received at Po-

lice Headquarters with high satisfaction.

No character and related investigation is at stake, since this is a promotion test, so an additional aid to the early promotions exists.

The written test was taken on June 28, 1947 by 846 candidates. That number was small. Some entitled to take the test didn't do so, as they were non-veterans and felt they had little likelihood of promotion, even if they got on the list. Sergeant (P.D.) candidates protested multiple answers in their promotion examination, where only one best answer had been called for on the examination instructions on the examination pa-

per, and won. The Commission had to revise the Sergeant key to conform to the one-and-one-only rule set down by the Court of Appeals. Then it did the same thing in the Lieutenant examination, resulting in diminishing the number of prospective eligibles. Now all eligibles are likely to receive eventual promotions, in other words, the list promises to be exhausted before it expires.

#### List of Eligibles

The eligible list is given in the order of prospective promotion. Only The LEADER gives the NYC listings in this significant order, instead in the order of mere percentages attained. (See P. 13).

By MORTON YARMON

The NYC Civil Service Commission approved examination notices on Friday for filling Board of Transportation jobs. The filing period probably will be November 17 to December 2.

The list is the longest for opening at one time for jobs in any single NYC department or agency. It is related to replacing provisionals and expansion of the Transit System.

There are two open-competitive and 39 promotion titles on the list, but two of the promotion examinations will be deferred indefinitely. Another promotion examination, originally broached for inclusion, was cancelled. It was No. 5705, Assistant Supervisor (Lighting).

**Hedin Submits Recommendations**  
The NYC Civil Service Commission received from Fred H. Hedin, chief of its Transit Examining Bureau, recommendations that the 39 examinations be opened for receipt of applications.

"Your examiner," wrote Mr. Hedin, "has made a thorough study of the examinations required in the NYC Transit System. The examinations listed below have been selected on the basis of (a), the number of provisional employees in the title; (b), the length of time served by the provisional employees in the title; (c), the distribution of titles among the various departments of the Transit System, and (d), diversity of examinations to provide equal and most effective distribution of the work load among the members of the Transit Bureau.

"The examinations listed below will provide a carefully co-ordinated schedule of the work of the Transit Bureau for approximately eight months."

#### List of Exams

The list of examinations was appended as follows:

- OPEN—COMPETITIVE**
- 5684. Turnstile Maintainer doz.
- 5685. Structure Maintainer 80.
- PROMOTION**
- 5686. Light Maintainer.
- 5687. Assistant Foreman (Structures, Group C). (Indefinitely deferred since report was issued.)
- 5688. Assistant Foreman (Structures, Group F).
- 5689. Power Maintainer (Group B).
- 5690. Telephone Maintainer.
- 5691. Foreman (Cars and Shops).
- 5692. Assistant Maintenance Engineer.
- 5693. Power Maintainer (Group A).
- 5694. Supervisor (Lighting)
- 5695. Bus Maintainer (Group A).
- 5696. Structure Maintainer (Group A).

(Continued on Page 16)

## Inquiry Into Civil Service In Monroe County Is Asked

ALBANY, Oct. 4.—State Civil Service Department officials are studying the decision of Supreme Court Justice Lewis A. Gilbert in which he held the Monroe County Civil Service Commission had failed to conduct a fair examination for promotion to Director of Probation of Children's Court. Representatives of the department told The LEADER that the matter has been taken under advisement.

The Civil Service Employees Association revealed it had asked the State Civil Service Commission to investigate civil service procedures in Monroe County on the basis of testimony given in this case several months ago.

#### Need for Inquiry Indicated

In a second letter to the department, the Association last week called attention to Justice Gilbert's decision and said it "seems to indicate an investigation is highly proper."

According to court testimony, no written or oral examination of any kind was held, no personal appearance was made by any of the applicants before the local commission, no independent in-

quiry or research into their qualifications was made by the com-

### Salary Board Sets Hearing Dates

ALBANY, Oct. 4 — The State Salary Standardization Board has scheduled the following hearings in October:

On Oct. 15, Senior Tax Administrative supervisor, State Department of Taxation and Finance.

Oct. 22, four positions in the State Education Department.

Present salary allocation for Senior Tax Administrative Supervisor, with emergency cost of living increase, is \$6,490 to \$7,934. The employees making the appeal are asking a salary range of \$6,963 to \$8,406.

Higher allocations are being requested by the State Education Department for Director of Examinations and Testing; Assistant Director of Examinations and Testing; Supervisor of Test Development; Assistant in Test Development.

mission other than tabulation of the marks given by Judge Shedd.

As a result of the examination, Edward F. Geen was appointed Probation Director to fill the vacancy left by the resignation last January of Harry O. Argento.

ROCHESTER, Oct. 4 — Supreme Court Justice Lewis A. Gilbert has held that the Monroe County Civil Service Commission acted as "automatons" and failed to conduct a fair promotional examination for the position of Director of Probation of Children's Court.

The ruling was a victory for Mrs. Jennie E. Jacques, Assistant Director of Probation, who prompted the legal tussle over the appointment of Edward F. Geen as Probation Director to fill the vacancy left by the resignation of Harry O. Argento.

The decision is being studied by officials of the State Civil Service Commission.

Justice Gilbert pointed out that under the examination conducted by the Commission, training and experience in Children's Court accounted for 15 per cent, seniority in the department.

## Association Annual Meeting Opens with Important Program

ALBANY, Oct. 4.—State Industrial Commissioner Edward Corsi will address delegates at the 13th annual meeting of The Civil Service Employees Association on October 6 at a luncheon meeting in the DeWitt Clinton Hotel here. He will speak before representatives of more than 46,000 public employees in New York State on

"How to Assure Good Labor Relations in Public Service."

Other guest speakers on the convention program include: Erastus Corning 2nd, Mayor of Albany.

Herbert C. Gerlach, County Executive, Westchester County.

Dr. Arthur S. Flemming, president of Ohio Wesleyan University

and former U. S. Civil Service Commissioner.

Mary Goode Krone, chairman of the State Personnel Council.

Henry A. Cohen, chairman of the State Merit Award Board.

**Gaiety Included**  
A special feature of the dinner meeting on October 6 will be a

(Continued on Page 2)

## Job Protection Given to Drafted Employees of U.S.

By CHARLES SULLIVAN

WASHINGTON, Oct. 4 — The U. S. Civil Service Commission has issued regulations covering

the restoration of Federal employees in accordance with the Selective Service Act of 1948.

Provisions are made in the new

(Continued on Page 11)



# STATE AND COUNTY NEWS

## Getting a High School Diploma Without Going to High School

The importance of a high school diploma in State service cannot be over-estimated. It is especially necessary to those seeking promotion, and many an employee—particularly in State institutions—has found himself unable to compete for higher jobs because of his lack of education. Frederick J. Walters, of Middletown State Hospital, Board vice-president of The Civil Service Employees Association, tells how an employee can obtain a high school diploma

through the "equivalency" procedure.

By FREDERICK J. WALTERS  
Middletown State Hospital

The attention of all State employees is brought to the New York State High School Equivalency Testing Program, which is a joint project of the American Council on Education and the New York State Education Department.

This program offers to non-high school graduates an opportunity to qualify for a High School Equiva-

lency Diploma. In order that there may be no misunderstanding concerning the validity of the Equivalency Diploma, the State Education Department presented to the last session of the Legislature a bill to establish through Law the Equivalency Diploma as the legal equivalent of the Regents Diploma, and this bill was enacted into law on March 24, 1948. This means that the Education Department will recognize and accept the State High School Equivalency Diploma as the equivalent to high school graduation or the completion of an approved high school course, just as it recognizes and accepts a Regents or a local high school diploma.

## Association Holds Annual Meeting

(Continued from Page 1)

"Sing and Be Gay" event under the direction of Laurence J. Hollister, field representative of the Association, starring will be Kenneth E. Sullivan, tenor; Robert J. Shillinglaw, tenor; Roger H. Stonehouse, bass, Education; William J. La Fleur, bass, Public Works; Theodore C. Wenzl, Education, accompanist.

Registration of delegates and representatives will open at 10 A.M. tomorrow in the Venetian Room, DeWitt Clinton Hotel. Association officials requested delegates to register promptly on arrival, bring official ballots to the South Room in the hotel; bring resolutions for consideration at the convention to the Studio Room; get tickets for the luncheon and dinner meetings at the temporary association headquarters in the Venetian room.

The attention of thousands of city, county and State employees will be focused on the deliberations taking place in Albany. Delegates and Association officials will map the 1949 program of the No. 1 organization of public employees in New York State.

### What's on Program

- This program will include:
- (1) Adequate salaries in public service.
  - (2) Liberalization of the State Retirement System.
  - (3) Extension of the competitive class to thousands not yet covered.

(4) Recognition of a maximum 40-hour week in all services where longer hours now prevail and pay for overtime at time and a half.

In addition the special problems of employees in State departments, agencies and subdivisions of the State will be taken up.

Possible highlight of the meeting will be the action taken by the delegates on the question of veteran preference.

Termed one of the most important problems facing public employees by Dr. Frank L. Tolman, Association president, the question of veteran preference will be first taken up at the convention tomorrow at a panel discussion under the heading, "Major Objectives for 1949."

A determination of policy on this matter is expected to be made on October 6 at a general session of delegates.

The votes in the election of officers and members of the State Executive Committee will be counted and the results made public at the close of the convention on Wednesday night.

### IN NEW HOME

ALBANY, Oct. 4 — The State Education Department has a new home for its research division, which formerly occupied space in the Times Union Building, 40 Steuben St. Now it's in 46 Chapel Street, where the department leased a two-story building.

## Chapter Activities

### Coxsackie

The Coxsackie chapter unanimously adopted a resolution to make the present cost-of-living bonus of all State employees a permanent part of State salaries, and to endeavor to obtain an appropriate cost-of-living bonus for the coming year, because of the continued high cost of living.

Guard Stanley Dibble is the father of a daughter born August 20; Guard Charles Flood and Instructor Ludwig Binder, fathers of daughters born last month. Millard Noel is the father of a son born last month.

Joseph Barron, photographer, retired from State Service after 35 years. Joe says he is going into real estate.

Teachers Paul Dupre and Tom Ladonsky have resigned.

Saul Bookbinder is the new Guidance Supervisor.

Adelaide Zachary suffered a broken ankle in the village of Coxsackie. She slipped on a peach peel. She is now recuperating in the Green County Memorial Hospital.

Guard William Cooney, while taking a bed apart, slipped and struck his jaw, breaking it. Bill is now recuperating at his home in Albany.

Guard Tom Henderson now carries a list of "good" used cars, boats and other useful devices.

Harold Chapman, Don Straus, George Gunderman and Colonel

Roe have returned to their farm duties after a vacation. Lee Cascales, tallest Guard in the State—6' 6 1/2", is now working on the foundation of his new home while on vacation.

Bill Massie, Farm Supervisor, has had a tough season. It was either too wet or too dry during the season. Bill has decided to take in a few fairs to see how the other fellows made out.

Chief Engineer Carl Clark and George Van Vleet attended the State Firemen's Convention at Rome while on vacation.

Director of Education Francis Coty attended the American Prison Congress at Boston.

The DeAngelis sisters, Loretta and Lee, were touring in Canada recently. They are stenographers.

New teachers include Joseph David and Mr. Bolden, social science.

Eli Frankfeldt, Psychologist, is taking a busman's holiday, working with some of the psychologists in the Pentagon Building, Washington, D. C.

### Erie County Home

At a meeting of the representatives of the newly-formed Erie chapter, Nicholas J. Giannelli, temporary President, was elected a delegate to attend the County Executive Committee and Board of Directors in Albany. A general meeting of the seven units which make up Erie Chapter will take place this month.

### Comprehensive Tests

The USAFI Tests of general Educational Development are comprehensive in nature, designed to measure the general outcomes and concepts of a four-year, non-technical high school education. The tests given are unlike those given in regular high school courses because the applicant is not required to memorize facts, dates, formulas, etc. The ability of the individual to interpret and make use of the information taught in high schools is tested.

### Five Tests

There are five tests in the battery covering the five areas of learning ordinarily taught in high schools throughout the country, namely, English expression, social studies, natural sciences, literature, and mathematics.

The writer took this test and found that it was not too difficult. It was noted that definite information was given, and one's ability to interpret properly such information was evaluated. The questions were simply put in an easily understood manner.

Inquiries made of the State Education Department showed that more than 88 per cent of these who took the examination passed on their first attempts and that the same percentage passed the second attempt.

It is noted that the applicant can do little in preparation for these tests. It is recommended that the applicant first take the tests to determine his present educational maturity. Then, should they fail, they will know the particular field of learning to which they should devote their attention before retaking the tests. Applicants who fail the tests the first time are allowed to retake the tests once after a period of twelve months have elapsed.

It is noted that today, when the necessary qualifications to take civil service tests are announced, high school diplomas or its equivalent is specified.

The recipient of the high school equivalency diploma, not only has prepared for himself or herself the right to seek promotion or entrance to higher schools of learning, but does have a fine feeling of self satisfaction in receiving recognition for self education that has come from experience and endeavor.

### Tests Frequent

Tests are given very frequently at all high schools throughout the State and you should visit your local high school principal who will do his utmost to encourage you to take these tests. The cost of these tests is four dollars, and I know of no better investment for the non-high school graduate, who through experience and endeavor does properly understand information that is given and can properly interpret same.

Several hundred State employees have already taken and passed these tests, and are in receipt of the high school diploma that is signed by the Regents, and there is no reason why many thousands more cannot take this golden opportunity.

## College Senior Exams To Be Tried on New Scale

Special to The LEADER

ALBANY, Oct. 4.—The State is getting ready for an all-out effort to recruit college seniors.

The Federal government has had such a project under way for more than a year. The State feels that it can compete successfully for the services of the college graduates, especially by holding examinations a considerable period before the college degrees are actually awarded, and thus expediting the entry of the eligibles into State service when graduated or soon thereafter.

As Thomas L. Bransford, the Director of Examinations for the State Civil Service Department said: "The idea is to conduct general recruiting in time to catch the college group."

### One-Year Lists

It is expected that the resulting eligible lists will be limited to a life of one year only. The Commission has the authority to decide in advance the life of an eligible list, not to exceed four years.

Most of the examinations are expected to be for engineering and other technical jobs.

The Commission will capitalize on the experience that it had last year in the junior professional

examinations, when some of the resulting lists contained more names than needed, while others contained too few. Incorporated in the new plan would be an effort to produce lists of eligibles more ratably apportioned to the job opportunities, the needs of the State and the interests of the eligibles.

### Location Big Factor

One of the problems is the holding of a statewide examination and obtaining eligibles from scattered parts of the State and then having a preponderance of job opportunities in particular areas, such as Albany and NYC. The paucity of eligibles, therefore, sometimes arises from declinations based on geographical location rather than on numerical insufficiency of the lists. Of 80 eligibles on Professional Technical Assistant, fewer than 20 accepted offers of appointment to positions in Albany. Also, in the Social Service, one complication arises from NYC eligibles refusing upstate jobs, another from the fact that in county positions, local requirements include local residence, and the non-residents are referred to colloquially by the local groups as "foreigners."

### Commissioners Alert to Problem

President J. Edward Conway and his fellow Commissioners, Louise Gerry and Alexander A. Falk, have taken a keen interest in the plans for college recruitment, and are studying various problems, some of which are complicated. It is expected, however, that the Commission will come forth with an agreed plan which will be put into operation far in advance of graduation next June, to enable the State to attract college seniors in anticipation of their graduation.

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## STATE AND COUNTY NEWS

### Assn. Marshals Facts For Oct. 22 Hearing On Pay of Nurses

ALBANY, Oct. 4—The State Salary Standardization Board will conduct a hearing on October 22 in the State Office Building, Albany, on the appeal of nurses in State institutions to obtain higher salary allocations.

The appeal, which covers some 1,345 nurses under the jurisdiction of the State Department of Mental Hygiene, was made by a special committee of nurses, all members of the Civil Service Employees Association.

Francis R. Lahey, chairman of the committee, met with officials of the State Salary Board last week to discuss plans for the hearing and conferred with representatives of the Association while in Albany.

The appeal, when representatives of nurses in State hospitals appear before the Salary Board, is expected to stress upward pay adjustments for the entire nursing group.

#### Want No Overlaps

Of particular importance, the committee reports, is the establishment of a salary scale with no overlapping in grades and with gaps between the grades approximately equal.

Titles covered by the appeal will be Staff Nurse, Head Nurse, Supervisor, Chief Supervisor, Instructor, Assistant Principal and Principal.

Mr. Lahey told *The LEADER* that the appeal is founded on the fact that pay scales for nurses and opportunities for future pro-

motion must be improved to maintain the desired quality of the State's nursing services.

#### Some of The Reasons

It is expected that the following facts will be pointed out at the hearing:

Many nurse items remain vacant and recruitment for State hospital training schools is difficult under present conditions.

Upward allocations in salary are necessary to compensate for the conditions of work which nurses face in State hospitals, such as a degree of confinement, tension and unpleasant atmosphere, where "anything can happen."

Salary increases are necessary not only in common justice but also "of necessity, if the State hopes to hold nurses in State service."

#### Sees Reasons Compelling

William F. McDonough, executive representative of the Association, said that establishment of new salary grades for various nursing positions is being sought by the Association for compelling reasons.

"We believe we can show on grounds of value of work, conditions of employment, evaluation of services in other fields, need of additional nursing services, and ability of the State to pay for the service, the outstanding need for the salary increases," he said.

Representatives of a majority of the 27 State institutions in the Mental Hygiene department are expected to attend the hearing.

### With State Employees In Albany

ALBANY, Oct. 4 — Heard on the Capitol news beat: At the Civil Service Department clam bake last week at Brookside, West Sand Lake, the softball game between mixed teams of fellows and girls ended up in a mixup... the players are reported to have forgotten which team they were on.

Recently appointed Deputy Commissioner Henry V. Doell of the State Liquor Authority thought he was attending the usual State agency picnic recently, but it turned out the affair was planned in Henry's honor by SLA employees in the Albany office.

When the appointment of Dena Sukernek, Principal Clerk, as head of the new Buffalo office of the Civil Service Department was announced in the daily press, it was overlooked that although Miss Sukernek has been employed in Albany for nine years, she is a native of Buffalo... and the appointment meant a permanent trip home.

Six well-known State employees are going to receive state-wide publicity soon as examples of "outstanding career employees" who climbed the ladder of success... These employees are being named as representing the finest traditions of state service in the State Civil Service Department booklet on Careers for College Graduates in New York State Government.

### The Public Employee

By Dr. Frank L. Tolman

President, The Civil Service Employees Association, Inc., and Member of Employees' Merit Award Board.



#### PRE-ELECTION OPPORTUNITIES

WHEN you read this column, the votes will be in and your new Association officers elected, even if the results are not known. With our election out of the way, another of vaster importance to each of us draws near. What is the duty of every Association member in respect to the State and national elections?

It goes without saying that each member must register and vote. He should vote as his conscience and his reason dictate. In these days of international crises, and national danger, no public servant can be blind to or unheeding of the fact that his vote will have effects that will encircle the world and profoundly influence the course of history and the destiny of mankind.

Like many others, I have been misquoted in the public press, and privately, as saying some things, in my official capacity as your President, which I did not say, and which in my opinion, do not strictly reflect the non-partisan and non-political policy of the Association. I wish to state as clearly and as forcefully as I can that while I, as a private citizen, have strong political beliefs, and will act on those beliefs, as President of your Association I am for good government and good civil service irrespective of any party label.

#### Local Officers' Election Important

Our closest practical concern is, of course, with the election of local and State officers and legislators. The Association has long urged the members to get to know their legislative representatives and chief administrators in both the state and the local government so that the way may be kept open to good understanding and fair dealing in salary and personnel relationships.

I suggest that it is not enough to wait until after election. It is not enough to confine your efforts to a single candidate. It is your constant job to make friends for civil service and to influence people to understand and to appreciate good government and responsible public service, but just before election is the time to sound out the candidates and to sow a few seeds which may ripen later in good works.

The public employee is almost entirely dependent on the various legislative bodies for his welfare. The year 1949 will be no exception. We will, as always, have to fight for everything we need and expect to win. The 1949 campaign of the Association for the benefit of every public employee and the equal benefit of every citizen of the State is on. The Association needs your active help.

### Commission Adopts Policy On Probationary Terms

ALBANY, Oct. 5—The State Civil Service Commission at its recent meeting made the following decisions:

In interdepartmental promotions there shall be a probationary term of three months during which time the promotee's previous position may not be filled on a permanent basis, and the promotee shall have the right to return to his previous position at his own election.

Where an employee has been granted a leave of absence without pay for illness and other reasons before his probationary term is completed, he shall be required to serve the balance of his pro-

bationary term upon return to active duty.

Under certain safeguards to be established, an employee who is absent without official leave during his probationary term shall be deemed to have resigned as of the date of the commencement of such absence.

#### Hearing to Be Held October 25

The Commission did not make any decision on a proposal to require a probationary term in non-competitive appointments or in appointments to labor positions in the exempt class.

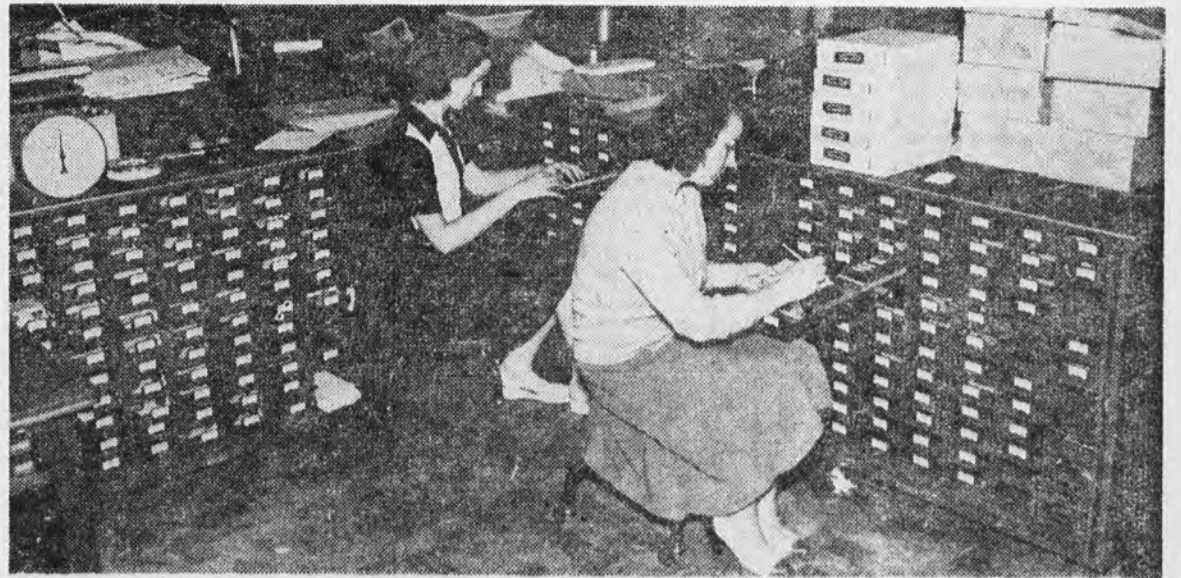
On the question of the length of the probationary period in open-

competitive appointments the Commission found many differences of opinion and directed that a hearing be held on Monday, October 25, at 2 P.M. in the Alfred E. Smith State Office Building, Albany, on this point. The Commission directed that appointing officers or their designated representatives from State departments and agencies, representatives of employees and employees generally be invited to the hearing. Although permanent State employees may not be interested to any extent in the probationary term of new employees, the Commission is interested in obtaining all points of view.



Association Secretary Janet Macfarlane, and Treasurer Harry G. Fox, both standing, examine the new addressing equipment installed in Association headquarters office, while the operator, Jessica Napierski, shows how it's done.

### Addressing Equipment in Operation



Files are used for keeping the mailing plates. Sylvia Stevens (left) and Jessica Napierski are shown at work.

ALBANY, Sept. 27.—New addressing equipment has been installed in the headquarters of The Civil Service Employees Association at Albany. The installation follows the organization's policy of continuously improving its service to members. This machine produces each week a list of names

and addresses of the Association's membership for use in addressing *The Civil Service LEADER* to members of the Association throughout the State. It also produces mailing strip lists for Merit magazine. The new addressing equipment also mechanically addresses hundreds of thousands of

pieces of mail sent to members throughout the State during the year. The new equipment saves many hours of manual labor and enables more and better service to Association members. The equipment also includes the mailing plates contained in the filing cabinets.



# STATE AND COUNTY NEWS

## Vet Preference Views Expressed

### History Repeats?

Editor, The LEADER:

After reading many of the letters sent to you concerning veterans preference it seems obvious that most of the arguments are distorted by emotional feelings on the matter rather than viewing the problem objectively. I am a non-veteran and one of those affected by the present veterans preference law, having attained a high position on an existing civil service list.

For a few years after the beginning of World War II nothing was done about civil service benefits for veterans. When the politicians realized that the war might suddenly terminate and they would have the veterans back on their hands as voters they decided as a matter of self protection to provide some preference for veterans. They then got together and drew up the present preference law which is acknowledged by veterans and non-veterans alike to be an unfair and undemocratic piece of class legislation. Many of the legislators who voted for the bill did not take the trouble even to read it. Some to whom I have spoken personally have said that had they known the ramifications of the bill they would have voted against it. Many of the veterans who were to be directly affected by the bill did not have the opportunity to vote for or against it. Veterans groups which originated from World War I supported the measure because they had managed to have included in it many advantages which would accrue to themselves. The fact that there was almost no opposition from organized non-preference groups to this bill proves that there was no opposition to veterans preference as such. However, when the provisions of this bill became applicable and the injustices in it apparent a hue and cry was sounded by both veterans and non-veterans.

### Rush To Marriage

Many veterans advanced the argument that those who did not see service with the armed forces

were slackers and have only themselves to blame for not enlisting and obtaining preference now. One could refer to the many cases of veterans who obtained as many as six deferments in order to avoid military service. In 1940 when the draft was imminent pictures were displayed in the newspapers of thousands of young men intent on marriage for the sole purpose of avoiding service. History is now repeating itself for in the Sunday papers of August 22, 1948, there was a picture showing the New York City marriage License Bureau thronged with young men seeking permission to marry in order to avoid being drafted. The Mayor of the City of New York during World War II pleaded with the personnel of many key City Departments to stay at their posts. Many who tried to enlist were turned back by their draft boards as being valuable to the armed forces in their present capacity. This type of bickering could go on ad infinitum without benefiting anybody. The time has come for all groups to get together and work out a reasonable veterans preference statute. That the veteran is entitled to preference is acknowledged by all fair minded persons. The non-veteran is in the position of wanting to give something to the veteran but does not want to be treated as a second class citizen. In my own case I was threatened with disciplinary action for failing to seek deferment from my draft board which subsequently was obtained. My children, of whom there are three, certainly had nothing to do with starting the war and should not be penalized by not getting the educational and other advantages so necessary for success in life in this day and age and which they will lose if I am not permitted the opportunity of advancing myself.

### One of Gravest Issues

The problem of veterans preference is one of the gravest issues affecting our community life today. It has set worker against worker, friend against friend, group against group and has even disrupted family life. The morale of many of our City Departments has been affected tremendously by this problem. How can there be peace and harmonious relations between groups when there is so much discontent on one side? The politicians who initiated this legislation were only interested in obtaining the immediate rewards for their gift to one group of our citizens. To sum up, let us, the non-veterans, obtain for the veteran a reasonable civil service preference as a token of esteem and reward for his war time service and to compensate him for time lost by virtue of that service. Let the veteran understand that only by demanding a reasonable veterans preference law will he be preserving the basic structure of community life for which this country went to war.

CHARLES MEYER

## Schenectady Attorney Slated for Law Job

ALBANY, Oct. 4.—Appointment of an assistant counsel in the Albany office of the State Liquor Authority was believed near this week. The position, vacated in August by the promotion of Henry V. Doell to Deputy Commissioner, carries an annual salary of \$4,620 to \$5,700.

The position, which is in the exempt class, is expected to be filled by an attorney from Schenectady County.

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## Niagara

The Niagara Chapter of The Civil Service Employees Association held its first fall meeting at Jake's Restaurant in North Tawanda. President Howard L. Kayner presided. The nominating committee, consisting of Jack McCabe, William Doyle, Henry Nevins and Rose Kuhn, announced a slate as follows for office for the coming year: For president, oward L. Kayner for re-election; 1st vice-president, William McNair of the Welfare Department; 2d vice-president, Charles F. Daboll, Sanatorium; 3d vice-president, Joseph F. Shomers, City of Niagara Falls and Anne Ziehm, County Clerk's office, for secretary. Voting will take place at the next meeting at the County Court House in Lockport on October 14.

President Kayner reported that the insurance representative would be present at the next meeting and would answer any questions concerning the group insurance plan. It is hoped that with the group insurance now available to county members of the Association, more prospective members will be induced to join.

President Kayner appointed William M. Doyle of the Sanatorium as Chairman of the Membership Committee for the coming year. Members of the committee also include Anne Ziehm, William McNair, Carl N. Russell, Mark Judd, Millicent Wilson, Howard B. Selover, Donald R. Buchanan, Joseph F. Shomers, Charles F. Daboll and Madalyn Rodenbaugh. The committee will meet prior to the next meeting to distribute ballots and posters and to discuss plans for a bigger and better membership drive. A plan in the membership drive is to make The LEADER available to those county and civic workers who do not now receive its benefits. Members are urged to pass their weekly copy to prospective members so that they may see for themselves the workings of the Civil Service Employees Association and the complete coverage of civil service affairs by The LEADER.

Niagara Chapter is growing rapidly. The latest addition to membership consists of the entire crew of the City of Lockport Pumping Station. More Lockport city workers are expected at the forthcoming meeting, including Levell Moon, Commissioner of Public Works.

Due to the severity of the northern winters, future meetings will be held in the Court House in Lockport.

## Westchester

A special meeting of the Assembly of Westchester Chapter, The Civil Service Employees Association, Inc., was held at the Roger Smith Hotel, White Plains. Present were:

Officers — Ivan S. Flood, Law Library, president; Eileen Kelleher, Public Welfare, treasurer; Viola C. Berg, County Attorney, acting Secretary; Michael A. Russo, Non-Instructional School Employees, sergeant-at-arms; J. Allyn Stearns, Park Commission, Chairman Board of Directors.

Westchester County Competitive Civil Service Association—Michael J. Cleary, Public Welfare, president; and John J. Breen, Park Commission; Margaret M. Hughes, Child Welfare; J. Harold Keeler, Public Works; Delos J. McKinstry, Penitentiary; Leonard Mecca, Finance; Ruth Delehanty, Probation; Solomon Leider, Grasslands.

White Plains Civil Service Employees Association — Howard Hoffman, president; George E. Mullen and Archie Bunting.

Non-Instructional School Employees—George Heisser, president. Larchmont Employees—Arthur C. Richards.

Tuckahoe Employees — Joseph Petrillo and Dominick Nicola.

Reports were given by each of

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## Activities of Employees

the units on local activities and plans were made for assistance needs as indicated.

Unemployment insurance extension was discussed, and it was decided that action should be begun in each area to have advantage taken of Chapter 844 of the Laws of 1948.

Membership drive and expansion plans were laid for the coming year.

Voting for statewide Association officers was explained and preparations made to distribute ballots and other material to members at once.

Delegates, to the annual meeting of the Association at Albany were set at six as provided in the constitution.

## Brooklyn State Hospital

The Brooklyn State Hospital Chapter elected the following officers: president, William J. Farrell; vice-president, Lida C. MacDonald; treasurer, George Farrell; secretary, Katherine I. Collins. Members of the Executive Council are: Catherine M. Sullivan, Lily F. Nash, Anna Robinson, Henry A. Girouard, John O'Kane, Lillie Dowling, Margaret Jeronsky, Josephine Kelly, John McLean, James M. Dart, John W. Drogue, Robert Laughlin, Eleanor Douglas, Dr. Duncan Whitehead, Catherine Breitenstein and Carrie McCourt. James M. Dart and Catherine M. Sullivan were chosen as delegates to attend Association meetings.

## Agriculture and Markets, Albany

The Department of Agriculture and Markets, Albany Chapter, of The Civil Service Employees Association, held its tri-monthly meeting, at which the membership drive that is to open on October 1 was discussed. Other topics were proposed legislation of interest to State employees and the coming meeting of the State Association. Official ballots for the annual election of officers of the State Association were distributed.

Final plans were completed for a clam bake to be held by the chapter on Wednesday, September 22, at Excelsior House, Syniders Lake. It is expected that more than a hundred, including employees and guests will attend.

The department is to be excused early for the bake and on arrival at the grounds clam chowder, raw clams, hot dogs, beer and soft drinks will be served. The main bake will be put on later in the day. For entertainment there will be dancing, softball, horse pitching, darts, and a swim in the lake for those so inclined.

Literature for the coming membership drive has been distributed to the membership committee of the Department of Agriculture and Markets Albany Chapter of The Civil Service Employees Association by its president, Foster Potter. The following comprise this committee: Fred Frone, Elizabeth Gleason and Katherine Quilty representing Bureau of Animal Industry, Dr. C. E. Safford, Food Laboratory; Charles W. Noxon, Food Control; Perley Eastman, Plant Industry; Lucia Damarell, Weights and Measures; Florence Van Noy, Agricultural Fairs; Eleanor Holmes, Publications; William Kuehn, Markets; Dorothy Smith, Administration; Isabelle Fitzpatrick, Dog Licensing; Dorothy Van DerZee, Milk Control; Alice Reilly, Legal; Spencer Duncan, Markets; Margaret Nial, State Institutions; Kathryn J. Devine, Statistics; Mildred Baxter, Finance; Rhoda Green, Miscellaneous Services, and G. W. Callan.

Milk Control. Members of the committee have been urged to bend every effort to bring in a 100 per cent membership of those they are to canvass.

## Wantagh

The Long Island Inter-County State Park Chapter of The Civil Service Employees Association met September 20 at the Wantagh firehouse. Chairman George H. Siems presided. There were 73 members present.

Dues for 1949 were collected. The dues are coming in rapidly, thanks to the efforts of Mrs. Marie Owen and her membership committee, said Mr. Siems.

Meetings will take place on the third Monday of each month instead of the third Wednesday.

Vice-president John F. Powers and Field Representative Laurence J. Hollister, of the Association addressed the meeting.

Delegates to the annual meeting were announced as follows: Mr. Siems, Fred Patersen, Mrs. Owen, Fred Kaiser, Harry Campbell and Fred G. Mott. Alternates are Betty Enos and James Kavanagh.

Refreshments were served under the supervision of Social Committee Chairman William Rowe.

## Buffalo

The first meeting of the Buffalo chapter was held at the State Office Building, Buffalo. Chapter president, Grace Hillery, was in the chair. The meeting was attended by local delegates from all State Departments. Committees were designated and an active program discussed for 1948-49.

The date for future meetings was set as the third Wednesday of each month commencing with October 20. It was decided that alternate dinner meetings should be held to which speakers from the local State departments would be invited.

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STATE AND COUNTY NEWS

# Stearns Compares Government And Industry on Employer Policies

By J. ALLYN STEARNS

4th vice-president, The Civil Service Employees Association; Chairman Board of Directors, Westchester County Competitive Civil Service Association

The following text is taken from the address made by Mr. Stearns before the St. Lawrence (county) chapter of The Civil Service Employees Association.

In 1894 New York adopted the constitutional provision that "Appointments and promotions in the civil service of the State, and of all the civil divisions thereof, including cities and villages, shall be made according to merit and fitness to be ascertained, so far as practicable, by examinations, which so far as practicable, shall be competitive." This provision established our present civil service—a term which is very much misunderstood. The civil service actually includes just about every person on the public payroll, including elected officials and school teachers, the only difference being that many are in the Unclassified service while most are in the Classified service. Incidentally, the term "civil service positions" as used by most people to mean positions for which competitive examinations are required, should properly be called "competitive class positions."

### 3 Basic Elements

The head of a large firm of personnel and management consultants recently defined a good personnel system as needing three basic elements: (1) every job must be clearly defined; (2) every job must be filled by a qualified employee; (3) every job must be filled by a satisfied employee. I think it will be interesting to discuss these three points.

The clear definition of every job is part of any good classification plan; in which an accurate duties description is written out for each job and each job is properly related to the other jobs. First by class, which is horizontally in the service; so that a typist position in the corporation counsel's office and a typist in the assessor's office with like duties and responsibilities, may be given the same pay scale and the same treatment generally. Second, each job must be related by promotional line, which is done vertically in the department; so that the typist position in the corporation counsel's office is in proper relation to that of law stenographer in the same office, and the position of typist in the assessor's office is properly related to that of tax stenographer in the same department.

Every job being filled by a qualified employee infers, basically, examination for a position "made according to merit and fitness to be ascertained, so far as practicable." A qualified employee means one who actually fits the qualifications set for the position as classified—not one with lesser qualifications, because then it is almost sure that the duties will not be properly performed—which is to the detriment of the department, of the service and of the public interest. Neither should the employee have too high qualifications for the job, for this may easily lead to discontent with a consequent poor effect upon the

proper discharge of the duties of the position. And certainly, a qualified employee does not mean one whose only qualification for a position is friendliness or relationship with someone in high authority, or who is appointed solely on the basis of the outmoded "soils system" in politics.

### Performance Standards

Also, as a companion to a clear definition of every job, a modern personnel system usually includes what are known as "job performance standards," so that each employee not only knows what the duties of his office are, but also how much work should be turned out in a day, how well it is expected to be done and so forth. Of course, the performance standards should be agreed upon generally and must be fair. When arrived at in this manner, they can eliminate the possibility that the employee has one idea as to what his job requires, while his superior has another, higher idea in mind. Such a situation can lead to the boss being constantly "down on the employee" although the employee does not know just how well he is expected to perform. This illustrates clearly the necessity for real understanding between the superior and the employee and, also, the great necessity for making sure that the employee has full information as to his job, conditions of work and, actually, all matters having to do with his employment.

### The Satisfied Employee

The third element, that every job must be filled by a satisfied employee, could involve a tremendous amount of explaining. I am not going to try and detail the many things required to make every employee happy in every job, nor do I know of any magic formula to attain this desirable end. However, there are a certain number of basic items, which have come to be regarded as almost essential if the average employee is to feel satisfied in his job in this day and age; whether it be in New York County, Westchester County, St. Lawrence County or pretty nearly anywhere across the country.

This matter of satisfied employees is something on which the largest corporations have spent and are spending thousands of dollars, merely to determine what elements go into making for employee satisfaction. In his job at all the millions of dollars which are then spent in providing these elements for the benefit of the employee. And these corporations, which are the most economically minded and production-conscious organizations in the country, have found that satisfied employees are good business and that the increased morale in their forces means better returns to them whatever their particular business may be.

### A Public Misconception

For a long time it has been taken for granted by the public at large and by many employing authorities, that the civil service employee not only should be satisfied with what he has, no matter how little that may be, but really should be very pleased at being fortunate enough to have got in the public service. This has come about, I think, through a number of misconceptions as to just

## More Pay to Meet Rising Costs Is On Agenda

ALBANY, Oct. 4—Davis L. Shultes, chairman of the Salary Committee of The Civil Service Employees Association, presided over a meeting of the committee last week to review salary conditions generally in State service in preparation for the Association's annual meeting this week.

Heading the agenda was a discussion of recommendations on salary matters to the convention for approval, in the light of rising cost of living index figures.

Members of the committee, in addition to Mr. Shultes, are: Philip A. Cowen, Charles H. Foster, Mildred M. Lauder, Sylvia Parker, Chester B. Pond, J. Allyn Stearns, Bernard Campbell and Fred J. Decker.

what advantages public employment now offer over private employment.

### Private and Public Business

It may have been true a number of years ago that there were two outstanding advantages in public employment: these were retirement systems and a fair degree of security in employment, as opposed to a more or less general insecurity in private business. However, over the intervening years the practice of business and industry generally has been to provide retirement systems for their employees also, and as a rule the systems provided by the larger corporations are far more advantageous to the employee than are those provided in public employment. And the trend has been more and more to have the costs paid entirely by the employer, whereas in our public systems the payments are split generally about half and half between the employer and employee. Modern business and industry in addition, more and more, provide life, health and accident insurance, and hospitalization and surgical plans for their employees and bear from 50 per cent to 100 per cent of the cost of these plans. In public employment, the entire cost has always been borne by the employee until very recently, when the City of New York acknowledged the fact that the public service was behind, rather than ahead of business and industry, by instituting a health and hospitalization plan in which the city will bear a proportion of the cost with the employees.

### Security

As to security of employment, there is certainly in these times at least as much security for the employee working for any large utility or similar business, as there is for the public employee. I think, too, that one of the faults that occurs when people make comparisons of public and private employment is that the public employee is compared to the workers in a small business or shop, while he should be compared to employees of a large utility corporation or of our larger business and industrial units. The public service is certainly as large and important a business as any of these, and although a particular municipality may have only a limited number of employees, the public service of the State, and of its political subdivisions, should be considered as a unit—with all workers in it a part of the whole, no matter where their particular pay check comes from. A good many of our State and local services are already closely related, as you know, with close contacts and interchange of moneys and services in welfare, health, highway construction and maintain-

### To Meet on Oct. 26 and 27

ALBANY, Oct. 4.—The October meeting of the State Civil Service Commission tentatively has been set for the 26-27th of this month.

ance and numerous other types of public work.

### Other Comparisons

In addition, in comparable private employment the modern corporation offers many other advantages to its workers; many provide transportation to and from work, recreational facilities and subsidized sports, and even profit-sharing through distribution of bonuses. Of course, there are generally not possible in the public service and would not be proper, but they do constitute an advantage of private employment. I think, further, that at the present time it will be found that the basic hours of work in both business and industry are on the average less than those in public

employment. Particularly is this true as regards our public safety departments, police and fire, as well as public works—the usual hours in all of these services being far in excess of what any person should be expected to work nowadays.

### Fair Pay Scale

To get back more specifically as to the basic elements needed for employee satisfaction, the first is, of course, a fair pay scale for the job, sufficient to enable the employee to maintain a decent American standard of living, with an established minimum and maximum and regular yearly increments.

(Continued Next Week)



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## Increased Pay Is Sought For 1,700 Engineers

ALBANY, Oct. 4—One of the issues to come before The Civil Service Employees Association convention this week is more pay for engineers in State service.

Representatives of the Department of Public Works chapter of the Association are expected to ask convention delegates to support a move to reallocate salaries for all engineering positions in the department.

With Association backing, when it is given, the New York State Association of Highway Engineers is expected to ask the State Salary Standardization Board to

schedule a hearing to consider pay increases for some 1,700 engineers in the Public Works Department.

Behind the appeal is the fact that the State expanded highway program calls for additional personnel, and the fact that salaries paid state engineers are below standards in other government units and private fields.

The appeal to the State Salary Board for a hearing is tentatively scheduled for late this October month. The engineers are expected to be represented by Attorney John T. DeGraff.



### A THOUGHT FOR THE WEEK

It is better that a man should be abused than forgotten.—Dr. Johnson.

# Civil Service LEADER

Tenth Year

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TUESDAY, OCTOBER 5, 1948

## NYC Jobs to Increase As Transit Expands

TOP-ranking NYC officials, including Mayor William O'Dwyer, Chairman William Reid, of the Board of Transportation, and others have conferred recently on the prospect of the city being more or less compelled to take over more transit lines, particularly bus routes.

The recent experience in Manhattan, when the operators of two bus lines set a date beyond which they would not run them, required the city to act fast. So it immediately took steps to become the owner. That meant more employees would be added to the Board of Transportation payroll.

Recently the NYC Civil Service Commission's Transit Bureau, of which Fred H. Hedin is chief, completed the reclassification of the 400 employees of the Isle Transportation System, which operated the Staten Island bus lines that the city took over. The employees who had been with the private owners for at least a year, on duties identical or related to city titles, were put into the competitive class in those titles.

### Queens Bus Jobs

The reclassification of the two bus lines in Queens formerly owned by the North Shore Bus Company, which operated half the bus lines in the borough, is half completed. There are 800 employees. Next the bureau will tackle the jobs of the two latest additions to city ownership, the Comprehensive Bus Company and the East Side Bus Company, both of which were managed by the same officers. The two lines have about 400 employees.

The need for a standard pattern for taking employees of private services and enterprises into city employ when the city acquires ownership is recognized by the Civil Service Commission. The LEADER has drafted a proposed local law which will be introduced in the Council next month and which, for discussion purposes only, sets the service minimum at six months. The one-year provision was borrowed from the Wicks law, but that law was for reclassification under the transit unification of nearly a decade ago and is not binding on the city's present work at all.

Chairman Reid felt that in time the city will own and operate more transit lines and it is generally agreed among ranking city officials that he is right.

### More Repair Jobs Too

The necessity for a standard pattern of job classification, and incidental factors, all of which are important, become greater than ever as municipal ownership spreads.

The equipment problem was another factor discussed, since all the recent acquisitions have been and new ones will be made from bus companies. Buses can't stand the beating that trolleys take and the city will be doubly careful to put and maintain all acquired buses in safest possible condition. The repair work will provide many additional city jobs besides posing financial problems in connection with vehicular replacements.

## Stahl Re-elected Chairman Of Capital Conference

ALBANY, Oct. 4.—Officers of the Capital District Conference, Civil Service Employees Association, who were elected when the conference was organized last January, have been re-elected for another term.

Returned to office are: E. Kenneth Stahl, chairman; David M. Schnieder, vice-chairman; Eileen Dalley, secretary, and Margaret A. Mahoney, treasurer.

The election of officers took place last week at the first annual meeting of the conference, which featured a discussion of the Association's annual convention which opens this week.

Reporting on the meeting, Mr. Stahl said it was felt that no resolutions should be offered at the Association convention in the name of the conference, but rather should come from individual chapters.

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**Repeat This!**

### Drama Department

HERE'S a suggestion for a charity organization looking for a dynamite publicity stunt: Have Governor Dewey sing to President Truman's piano accompaniment, after the November 2d returns are in. Such camaraderie of deep rivals for a good cause would certainly dramatize the best in democracy.

Attention Mayor O'Dwyer: Retailer Walter Hoving wants to achieve as much success in the political arena as he does in his department stores. Three years ago he was hot for the Republican-Fusion nomination for Mayor, to succeed to the mantle of the late Fiorello H. LaGuardia. He's treasurer of the Citizens Committee for Frankenthaler this year, and has his eye on the 1949 mayoralty campaign.

### Calling All Hobbyists

Feature at the fifth annual National Antiques Show, to be held March 7-13, 1949, at Madison Square Garden, will be competition among the nation's outstanding collectors. Clubs are being invited to display their rarest items. If interested, write to National Antiques Show, 97 Duane Street, New York 7, N. Y.

DA Frank Hogan has a barrel of information on politicians neatly filed in his mind for possible use, if and when he becomes a major political candidate. Friends want him to run for Mayor in 1949 but they are well aware of the great strength of O'Dwyer. Hogan's major aim, though, is a seat in the United States Senate.

### Party Politics

Hopefuls will find, should Dewey win next month, that jobs will be given out on a strictly Republican party basis. Dewey has always been a regular party-line Republican. The best that Democrats who are friendly with Dewey can hope for will be nomination to posts that by law must be filled on a bi-partisan basis. That's why a man like Frank Hogan needs Democratic support for any important political advancement.

A fast political growth among inner-circle Deweyites has been that of Bernard Katzen, counsel to the State Insurance Fund... Charles Breitell, Dewey's Sam Rosenman, eventually will wind up on the United States Supreme Court.

Look for a united salary increase drive by NYC uniformed forces soon after election... White-stone Houses, the cooperative housing project in Queens, great undertaking of NYC Policemen and Firemen, may have some occupancies ready by Christmas, but with supplies as hard to get as they are, don't bank on it... A committee of eligibles from the forthcoming NYC Fireman list will be formed to whoop it up for adoption of the fire hours referendum that goes before the voters November 2.

### Keeping Employees Informed

ALBANY, Oct. 4.—When the Capital District chapter of the American Society for Public Administration meets on October 19 it will feature a discussion of employee communications—the techniques for keeping employees informed about what's going on in their respective departments.

Among topics discussed at the meeting were veteran preference, salaries for State employees, retirement and other issues.

Heading the nominating committee, whose report was unanimously adopted by the meeting, was John Cox, of Public Works, chairman. Other committee members were Arnold Wise, Taxation and Finance; Joseph Carroll, Audit and Control, and Frank Egan, Great Meadows.

## WHAT EMPLOYEES SHOULD KNOW

### Is a Pass Mark Binding on Commission?

By THEODORE BECKER

AS a present or prospective civil service employee you probably direct some of your energies toward getting on an open competitive or promotion eligible list for the job you want. After the list comes out you carefully scan it to see where you stand and try to figure out your chances of appointment.

If there are disabled veterans or non-disabled veterans ahead of you on the list, you take it philosophically. But if you feel some of those on the eligible list ahead of you got on in violation of law or rules you might go to court to rectify the situation. That's what a group of eligibles did who were on the NYC list for promotion to Assistant Train Dispatcher. These had answered 75 or more questions correctly out of the 100 asked on the examination, for which they alleged the pass mark, according to the rules of the city civil service commission, was 75 per cent.

### What Their Complaint Was

Their complaint was that 153 other eligibles had been placed on the list even though they had answered less than 75 per cent of the questions correctly. These 153 consisted of 14 disabled veterans, 78 non-disabled veterans and 61 non-veterans. They obtained passing grades when the civil service commission awarded to all competitors in the examination five additional points. Those who passed without this bonus contended, in effect, that they didn't need it and didn't want the other competitors to get it.

### Commission's Rule Cited

They pointed out that according to the city commission's own rules, the written test should have been "rated upon a scale of 100, which shall represent the maximum possible attainment" and candidates for "positions of a scientific, professional or technical character must obtain a rating of 75 per cent in each tech-

nical subject." They also argued that the rules have the force and effect of law and can only be amended in the manner provided by the Civil Service Law (by action of the city commission after a hearing, approval by the Mayor and approval by the State Civil Service Commission).

As to these defenses, the Court held that inasmuch as a candidate who answered all 100 questions correctly would have been entitled to a mark of 105, the "scale of 100" was violated by the procedure used even though 97 was the highest mark resulting from the bonus. It also felt that the position involved was a "technical" one.

### Commission's Justifications Considered

Still left for disposition by the Court were the justifications by the city commission for its action. The city commission had explained that because of the difficulty of the examination and also to meet the needs of the transit service, it raised the "raw scores" of all candidates by 5 points, thus adding 153 candidates to the eligible list, all in accordance with the practice of the commission for the past ten years.

The Court, however, was unimpressed with the "needs of the transit service" argument, inasmuch as the 55 existing vacancies could have been filled from among the 175 candidates who got original ratings of 75 or better. As to the 10 years practice, the Court held that such practice could not override law or rules having the force and effect of law. It held that the city commission could not disregard its own rules and, therefore, decided that the names of those eligibles who had answered correctly fewer than 75 of the 100 questions were to be removed from the eligible list. (Jacob v. McNamara, 8-25-48 N. Y. L. J. p. 307 col. 6).

## Comment

Editor, The LEADER:

It was with great interest that I read your article entitled "Standard Bus Job Law Is Drafted," by Morton Yarmon, in today's issue of Civil Service LEADER.

My young son employed by the bus company on Staten Island which was recently received notice from the Civil Service Commission that his services were to be terminated because he did not have the required length of service with the privately owned bus company prior to unification.

Now, the reason I am writing to you is to ask you to include in your draft "Veterans Preference" which seems to be overlooked entirely in this type of turnover. My son was only 17 years of age when he enlisted in the Marine Corps and served three years with the First Division. He was discharged in 1946; is a disabled veteran; holder of a Bronze Star Medal Award and this was his first real job as a civilian. He likes his work, does a god job and will

be two years with the company on December 4. He is now married and the father of a young baby so you can see what his job means to him. I am not speaking just as a mother whose emotions, you may feel, run away with her, but in the cause of justice as there are quite a number of other boys in the same category as my son who are also facing displacement because of some petty technicality.

I have written to the Civil Service Commission but received no encouragement. I also wrote to Senator Wicks who quoted his bill and the Municipal Civil Service rules as they apply to veterans. He did not commit himself but I gather from his communication that the veterans should have been given the consideration as the law applies for appointment and promotions in City Service.

Good luck in your legislation and please do not forget the veteran who did not forget us. I shall also get in touch with my Councilman to vote favorably for your bill.

(MRS.) ANNA E. BLOND

### Your Pre-election Ammunition

HERE is that score card again, the one that tells you how much more you're paying for staples today than ten years ago. Remember, this is the score card to keep handy for discussion with candidates. See how they feel about the living-cost problem of Civil Service employees—and after election be sure that these candidates keep their word.

MILK	100
NEWSPAPERS	75
BUTTER	300
EGGS	175
MAGAZINES	200
BREAD	100

During this same period, workers in nine representative basic industries, according to the United States Bureau of Labor Statistics, received increases averaging 120 per cent during this same period.

YOUR increases on a general average have amounted to 32 per cent (not 2 per cent, as was listed by error last week).

These figures speak louder than words. Use them.



STATE AND COUNTY NEWS

Assn. Opens Its Membership Drive

The Civil Service Employees Association is well on its way in the campaign to get all members paid up for the coming year...

The LEADER has been publishing a list of chapter membership committees. This week's installment follows:

DIVISION OF LABORATORIES & RESEARCH, ALBANY CHAPTER
Walter S. Reynolds, Thomas Byrum, Andrew Ford, Charles E. Schadier, Miss Evelyn Osborn, State Laboratory.

MOTOR VEHICLE, ALBANY CHAPTER
Matthew W. Fitzgerald, Jr., Pres. Michael Lester, Chairman; Rose Arnechino, Executive Section; Helen Thorne, Inspection & Dist. Office; Bertha Warshaw, Photo Copy-Personnel; Percy Caplan, Safety Division; Ann Erickson, Central Typing; Margaret Duval, Statistics; Christine Podmijersky, Mail Supply; Cora Cronin, Finance; Pessie Butler, Re-Reg. - Conviction; Frances Malsan, Gen. Files-Coding; Camille Rinaldi, Reference; Mildred Rodrigues, Filing; Grace Mack, Files Sect. 2 and 3; Catherine McManus, Files, Typing and Sec. 1.

CHEMUNG CHAPTER
Clyde E. Paull, President
Elmira
Gordon Lyke, 319 1/2 Washington Ave., Highway Dept.; Mrs. Marion S. Bryan, 501 McDowell Pl., Clerks & License Bureau; Francis J. Jususik, 520 Logan St., Airport; Aileen Broich, 598 W. Washington Ave., Vets Rel.—Service, County Treas. & Probation Offices; Josephine M. Williams, 1054 Johnson St., Welfare Dept.; Harry Wickham, 556 Spruce St., Sheriffs Dept.; James Leslie Winkler, RFD 1, Cayuta, N.Y., Court House & Purc. Dept.; Clyde E. Paull, 1160 W. Church St., Bldg. Const. & Maint. and Misc.

HERKIMER CHAPTER
John J. Graves, President
Robert Farber, R.F.O. No. 1, Ilion, County Highway Dept. (Herkimer); Stanley Greshel, Fire Dept., Herkimer, Herkimer Fire Dept.; George Humphrey, Fire Dept., Ilion, Electric Dept. Village of Ilion; Earl Lavalla, 300 Bee St., Frankfort, Village of Frankfort; Walter N. Wright W. Main St., Little Falls, County Clerks Office; Herkimer County; John Werner, Canal St., Mohawk, Village of Mohawk.

NIAGARA CHAPTER
Howard L. Kayner, President
William Doyle, Chairman, Niagara Sanatorium, Lockport; Charles Daboll, Niagara Sanatorium, Lockport; Anne Ziehm, County Clerks Office, Lockport; William McNair, County Welfare Dept., Lockport; Carl N. Russell, County Welfare Dept., Niagara Falls; Mark Judd, County Highway Dept., Lockport; Millicent Wilson, County Probation Dept., Lockport; Edward B. Selover, City Water Dept., North Tonawanda; Donald Buchanan, City Water Dept., Lockport; Joseph R. Shomers, City Electrical Dept., Niagara Falls; Madalyn Rodenbaugh, County Clerks Office, Niagara Falls.

OTSEGO CHAPTER
Kenneth Hooks, President
James Fawcett, Police Dept.; Kenneth Hooks, Fire Dept.; Ani Colone, Welfare Dept.; George Argent, Otsego Co. Home; Brice Brownell, Parks Dept.; James Cat-

ella, City Engineers Office; Mrs. Roy Maybie, Librarian; Stanley Delamater, School Custodian; Carl Green, Water Dept.

ONEONTA CHAPTER
Mrs. Gladys A. Butts, Pres.
James M. Terpenning, Mrs. Gladys A. Butts, Elwood Erbe (Gilboa, N. Y.) Conservation, Miss Margaret Wells, Health Dept.; Miss Helen Ostrander, Ellis Whitaker, Teachers College. Bernard Gaffney, Dept. Public Works, Mrs. Agnes Williams NYSES Office; Mrs. Ruth Howland, Clarence Bull, Thomas Natoli, Miss Ruth Stearns, Miss Mary Volwelder, Herbert Torrey, Miss Lucille Brooks, Homer Folks Hospital.

ROCHESTER CHAPTER
Raymond L. Munroe, Pres.
Claire V. Kendelen, Gen. Chairman, 55 Broad St.; M. Lucille Pennock, 300 Terminal Bldg.; Glenda Smith, 1212 Temple Bldg.; Catherine A. McClarin, 155 West Main St.; Mrs. Lulah V. Boyce, Willard E. Hardies, 55 Broad St.; John J. Smith, 504 Terminal Bldg. Charles J. Gerling, 70 Exchange St.; Lillian M. Wilson, 30 State St.

UTICA CHAPTER
Edward J. Riverkamp, Jr., Pres.
Frank Wareing, Dept. of State, 231 Bleecker St.; Angelina Cardinale, Dept. of Health, 18 Pearl St.; Joseph Blase, DPUI, 509 Charlotte St.; Mary Coffey, DPUI, 500 Charlotte St.; Esther VanHatten, NYSES, 110 Genesee St.; Adelaide Twoomey, Motor Vehicles, Gertrude Fisher, Income Tax, 231 Bleecker St.; Ruth Higginson, Commerce, First Bank Bldg.; Lawrence Griswold, Education (Applied Arts & Sciences) Country Day School; J. M. Fague, Div. Veteran's Affairs G. & E. Bldg.; Mary Astour, Parole; Sophia Parry, NYSES, 110 Genesee St.

AGRICULTURE & MARKETS, ALBANY
Foster Potter, Pres.
Fred Frone, Elizabeth Gleason, Katherine P. Quilty, Bureau of Animal Industry; Dr. Safford, Food Control; Charles W. Noxon, Food Control; Perley Eastman, Plant Industry; Lucia Damarell, Weights & Measures; Florence Van Noy, State Fair; Eleanor Holmes, Publications; William Kuehn, Markets; Dorothy Smith, Administration; Isabel Fitzpatrick, Dog Licensing; Dorothy Van DerZee, Milk Control; Alice Reilly, Legal; Spencer Duncan, Markets; Margaret Nial, Institution Farms; Kathryn J. Devine, Statistics; Mildred Baxter, Finance; Rhoda Green, Misc. Services; G. W. Callan, Milk Control.

CIVIL SERVICE, ALBANY CHAPTER
Lawrence A. Kerwin, Pres.
Elizabeth G. Staley, Examinations Div., Mary Salerno, Municipal Service Div., Barbara Rate, Charles Rappazzo, Veterans Bureau, 39 Columbia St., Albany.
Mrs. Grace Sharp, Helen Lawrence, 23rd floor; Judy Soffey, 24th floor; Harry Bouton, Irene Curran, 25th floor; Frances Twiss, 2th floor; Vernon Santen, 30th floor; Mrs. Marion Cross DPUI Unit, 112 State St.
CONSERVATION DEPARTMENT CAPITOL DISTRICT CHAPTER
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# STATE REPORTS EXAM PROGRESS

The New York State Civil Service Commission issued the following report on examination progress:

- NS Rating not yet started.
- RSP Rating scale being prepared.
- WP Written in progress.
- WPC Written completed.
- PTP Rating of performance test in progress.
- TEP Training and experience in progress.
- TEC Training and experience completed.
- IP Interviews in progress.
- MP Medicals in progress.
- CW Clerical work in progress.
- VP Pending establishment of Veteran or Disabled Veteran Claims (all rating completed).
- SRR Pending service record ratings.
- LP List sent to printer.

## Open-Competitive

- 6016. Recreation Instructor, Mental Hygiene—LP.
- 6079. Asst. Director of Nursing (Psychiatric)—WC, TEP.
- 6097. Institution Fireman—subject to medical exam.
- 6098. Institution Patrolman—MP.
- 6099. Instructor of Nursing—TEC, CW.
- 6132. Steam Fireman—LP.
- 6137. Title Examiner—WC, TEC, MP.
- 6089. Dietitian—WC, TEC, CW.
- 6116. Sr. Dietitian—WC, TEC, CW.
- 6287. Compensation Claims Investigator, SIP—WC, TEP.
- 6281. Asst. Architectural Estimator—WC, TEC, CW.
- 6279. Sr. Building Construction Engineer—LP.
- 6290. Court Attendant, 1st & 2d Jud. Dist.—WC, TEC, CW.
- 6293. Factory Inspector—WC, TEC, CW.
- 6288. Industrial Investigator—WC, TEP.
- 6259. Occupational Instructor—WC, TEP.
- 6289. Labor Relations Examiner—WC, TEP.
- 6308. Asst. Mechanical Construction Engineer—WC, TEC, CW.
- 6251. Office Machine Operator (Cal. Key)—LP.
- 6350. Prison Guard, Correction—WP.
- 8006. Assistant Compensations Claims Auditor—LP.
- 8007. Court Stenographer, 1st & 2nd Jud. Dist.—WC, TEP.
- 8005. Inspector of Weights and Measures—WC, TEC, CW.
- 8095. Dog Licensing Investigator, Agriculture & Markets—WC, TEC, CW.
- 6284. Motor Vehicle Inspector—WC, TEC, CW.
- 8063. Sr. Education Supervisor (Agric. Educ.)—WC, TEC, CW.
- 8059. Film Library Supervisor, Dept. of Commerce—TEC.
- 8060. Asst. Film Library Supervisor, Commerce—TEC.
- 8094. Game Protector, Conservation—WP.
- 8070. Parole Officer—WP.
- 8072. Social Worker (Youth Parole)—CW.
- 8071. Sr. Social Worker, Correction—CW.
- 8073. Sr. Social Worker (Youth Parole)—CW.
- 8086. Travel Promotion Agent, Commerce—WC, TEP.
- 8087. Sr. Travel Prom. Agent, Commerce—WC, TEP.
- 8100. Canal Structure Operator, Public Works—LP.
- 8104. Jr. Civil Engineer, State Departments—WP.
- 8103. Jr. Civil Engineer (Design), Dept. of Public Works—WP.
- 8102. Sr. Civil Engineer (Design), Dept. of Public Works—WP.
- 8096. Local Assessment Examiner, Dept. of Taxation & Finance—WC, TEC, CW.
- 8107. Medical Technician, State Departments—WP.
- 8106. Sr. Medical Technician, State Institutions—WP.
- 8101. Stationary Engineer, State Departments—WC, TEC, CW.
- 8097. Jr. Tax Examiner—RSP.
- 8127. Asst. Civil Engineer, State Departments—WP.
- 8128. Asst. Civil Engineer, Public Works—WP.
- 8098. Laboratory Secretary—Labs. & Res.—WC, TEP.
- 8121. Associate Education Supervisor (Aviation)—WC, TEP.
- 8122. Sr. Education Supervisor (Aviation)—WC, TEP.
- 8089. Assistant Land & Claims Adjuster—WP.
- 8091. Associate Land & Claims

- Adjuster—WP.
- 8088. Junior Land & Claims Adjuster—WP.
- 8090. Senior Land & Claims—WP.
- 8129. Jr. Mechanical Draftsman, —WC, TEC, V.
- 8099. Office Machine Operator (Tabulating)—WC, PTP.
- 8118. Tax Research Assistant, State & County Depts.—WP.
- 8163. Bridge Repair Foreman, Dept. of Public Works—WC, TEC, CW.
- 8145. Supervising Dietitian, Department of Mental Hygiene—WC, TEP.
- 8160. Jr. Draftsman, State Departments—WC, TEC, CW.
- 8159. Sr. Engineering Aide—WP.
- 8119. Examiner of Municipal Affairs—PSP.
- 8162. Asst. Heating & Ventilating Engineer, Dept. Public Works—LC, TEP.
- 8161. Jr. Heating & Ventilating Engineer, Pub. Works—WC, TEP.
- 8164. Horticultural Inspector, Agric. & Mkts.—WC, TEP.
- 8155. Asst. Soils Engineer, Public Works—WP.
- 8157. Associate Soils Engineer—WP.
- 8154. Jr. Soils Engineer—WP.
- 8156. Sr. Soils Engineer—WP.
- 8800. Jr. Statistician—WP.

## Promotion

- 3209. Captain, Correction Dept.—MP.
- 3210. Lieutenant, Correction Department—MP.
- 3211. Sergeant, Correction Dept.—MP.
- 5141. Director of Mental Hospitals, Mental Hygiene Dept.—WC, TEP.
- 5113. Institution Patrolman, Mental Hygiene Dept.—MP, SRR.
- 5052. Chief Lock Operator, Public Works Dept.—WP.
- 5054. Sr. Occupational Therapist, Mental Hygiene Dept.—WC, TEC, SRR.
- 5055. Supv. of Occupational Therapy—WC, TEC, SRR.
- 5034. Chief Court Attendant, New York County—CW.
- 5194. Head Maintenance Supervisor, Mental Hygiene—CW.
- 5186. Sr. Account Clerk, Social Welfare Dept.—LP.
- 3314. Sr. Account Clerk, Tax & Finance, Motor Vehicle Bur., N. Y.—LP.
- 3329. Sr. Account Clerk, Tax & Finance, N. Y. Office—LP.
- 5108. Sr. Clerk, Health Dept.—LP.
- 5229. Compensation Claims Investigator, State Insurance Fund—WC, TEP.
- 5228. Compensation Investigator, Workmen's Compensation Bd.—WC, TEP.
- 5348. Sr. Stores Clerk, Mental Hygiene—WC, TEC, SRR.
- 5184. Sr. Industrial Investigator—WC, TEC, CW.
- 5185. Supv. Industrial Investigator—WC, TEC, CW.
- 5137. Sr. Law Clerk, Law Dept.—LP.
- 5217. Occupational Instructor, Mental Hygiene—WC, TEP.
- 5208. Stenographer, Mental Hygiene—WC, SRR.
- 5207. Typist, Mental Hygiene Dept.—WC, SRR.
- 5017. Asst. Underwriter, State Insurance Fund—WP.
- 3308. Asst. Underwriter, State Insurance Fund, Upstate—WP.
- 5001. Sr. Underwriter, State Insurance Fund—WP.
- 5119. Assoc. Architect, Public Works Dept.—WP.
- 5200. Sr. Architect, Public Works Dept.—WP.
- 5065. Sr. Audit Clerk, Audit & Control, Office Audits—WC, TEC, CW.
- 5205. Sr. Clerk (Compensation), Board—WP.
- 5186. Sr. Clerk (Underwriting), State Insurance Fund—WP.
- 5377. Asst. Comp. Claims Examiner, State Insurance Fund—WP.

## Transit St. George Group To Meet on Oct. 9

The next meeting for the St. George Association of the NYC Transit System will be held in Masonic Hall, 23rd Street, on October 9, at 8 P.M. An entertainment and dance will be held on November 20, in Columbus Hall, 1 Prospect Park West, Brooklyn. The chairman of tickets is Mrs. Sarah MacDonald, 134 Chester Avenue, Brooklyn, Chairman of entertainment is Charles Fetter.

# EXAMS FOR PUBLIC JOBS

## U. S.

Physicist, \$3,727.00 to \$6,235.20 for jobs in Federal agencies in New York and New Jersey. Applicants must have completed either a standard professional engineering curriculum leading to a bachelor's degree in physics, or courses in Physics totaling at least 24 semester hours, plus additional appropriate experience or education which, when combined with the 24 semester hours in physics, will total four years of education and experience. Applicants must have had from one to four years of appropriate professional experience. Graduate study may be substituted for as much as two years of this experience. No written test. Get blanks from U. S. Civil Service Commission, 641 Washington Street, New York 4, N. Y. Send filled-in forms to the Executive

Secretary, Board of U. S. Civil Service Examiners, Headquarters, Fort Monmouth, N. J. (No closing date).

Engineer, \$3,727.00 to \$6,235.20 for jobs in Federal agencies in New York and New Jersey. Applicants must have completed either a standard professional engineering curriculum leading to a bachelor's degree in physics, or courses in Physics totaling at least 24 semester hours, plus additional appropriate experience or education which, when combined with the 24 semester hours in physics, will total four years of education and experience. Applicants must have had from one to four years of appropriate professional experience. Graduate study may be substituted for as much as two years of this experience. No written test. Get blanks from U. S. Civil Service Commission, 641 Washington Street, New York 4, N. Y. Send filled-in forms to the Executive

Secretary, Board of U. S. Civil Service Examiners, Headquarters, Fort Monmouth, N. J. (No closing date).

11. Elevator Operator, \$1,10 an hour; \$2,020 and \$2,152 a year.—Only persons entitled to veteran preference may apply. Jobs are in Washington, D. C., and vicinity. Requirements: 3 or 6 months of experience (depending on grade of position) in the operation of passenger or freight elevators. No age limits. No written test. (No closing date).

111. Engineer, \$2,974.—Positions are in Washington, D. C., and vicinity. Requirements: Appropriate college study and/or technical engineering experience. Age limits: 18 to 35 years. No written test. (No closing date).

115. Mining Engineer, \$3,727 to \$6,235. Positions in the Department of Interior, Washington, D. C., and throughout the U.S., mainly in the field service of the Bureau of Mines and the Geological Survey. Apply to U. S. Civil Service Commission, Washington 25, D. C., by September 21, 1948, for positions to be filled immediately. No written test. (Closes June 30, 1949).

106. Medical Officer, \$4,479 to \$6,235. For duty in Washington, D. C., throughout the United States, and the Panama Canal Zone. Requirements: Graduation from medical school; current medical and surgical license (waived for certain persons and positions); for two lower grades, full internship, either general rotating or in a specialty (waived for certain positions); for two highest grades, professional medical experience. Maximum age for Panama Canal

Secretary, Board of U. S. Civil Service Examiners, Headquarters, Fort Monmouth, N. J. (No closing date).

Engineer, \$3,727.00 to \$6,235.20 for jobs in Federal agencies in New York and New Jersey. Applicants must have completed either a standard professional engineering curriculum leading to a bachelor's degree in physics, or courses in Physics totaling at least 24 semester hours, plus additional appropriate experience or education which, when combined with the 24 semester hours in physics, will total four years of education and experience. Applicants must have had from one to four years of appropriate professional experience. Graduate study may be substituted for as much as two years of this experience. No written test. Get blanks from U. S. Civil Service Commission, 641 Washington Street, New York 4, N. Y. Send filled-in forms to the Executive

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New Jersey—Civil Service Commission, 1060 Broad Street, Newark, N. J.

Promotion exams are open to those already in government employ, usually in part-time positions, as specified.

NYC does not receive applications by mail. New York State both issues and receives applications by mail, but requires that applications be submitted in person at the closing date. The U. S. also issues and receives applications by mail, but requires that applications be submitted in person at the closing date. A postmark of that date is not sufficient for an application to the Civil Service Commission but a 6-cent stamp, and a 3/4x2 1/2 inch application blank from the State.

The NYC and State exams are open every day, except Sundays and holidays, from 9 a.m. to noon. The U. S. exams are open every day from 8:30 a.m. to 5 p.m., except Sundays and holidays.

Service, 45 years; for Inspectors, 50 years; for other positions, 44- and 50-year limits waived for veterans who have filed need not file an application for persons entitled to veteran preference. No written test. (Open until further notice).

Associate Architect, (Prom.), reissue, Division of Building, Executive Department, \$3,727 total. There are five annual increases of \$275. Fee \$5. Vacancies exist at Sing Sing, Auburn, Elmira and Woodbourne. The eligible list will also be used for superintendent in institutions other than Dannemora and Matteawan. Candidates must be permanently employed in the Department of Correction, exclusive of Dannemora and Matteawan Institutions, and must have served on a permanent basis in the competitive class preceding the date of the examination for either (a) one year as a Principal Keeper or Assistant Superintendent; or (b) three years as an Assistant Principal Keeper; or (c) five years as a Captain. Candidates must have a thorough knowledge of New York State laws concerning criminal procedures and penal institutions and of the modern principles and practices of penal administration. Candidates who pass the written examination will be given a medical examination in which they must meet the physical standards adopted for the position. (Closes Monday, October 11).

7146. Principal Claims Examiner (Prom.), reissue, Department of Public Works, \$6,538 total. There are five annual increases of \$300. Fee \$5. Vacancies exist in NYC. Candidates must either be licensed to practice professional architecture in the state of New York or have a date of filing applications or date of their eligibility to obtain a professional license within 18 months of the date of the establishment of this eligible list. Eligibles coming under the second category will not be certified until the license has been obtained. Exam date, October 23. (Closes Wednesday, October 6).

7150. Senior File Clerk, (Prom.), Division of Housing, Executive Department, \$2,346 total. There are five annual salary increases of \$120. Fee \$2. One vacancy exists in the Central Office and Stenographic Bureau, NYC. (Closes Friday, October 9).

7151. Principal File Clerk, (Prom.) Department of Taxation and Finance, \$2,898 total. There are five annual salary increases of \$120. Fee \$2. One vacancy exists in the Albany Office of the Corporation Tax Bureau. Preference in appointment will be given to eligibles in the promotion unit in which the vacancy exists. (Closes Friday, October 9).

## 15 Open-Competitive To Be Held Dec. 11

ALBANY, Oct. 4.—Fifteen open-competitive examinations will be held for various positions in the Albany Department of Public Works on December 11. The examinations are: Senior Plumbing Engineer (Public Works), \$3,450; Senior Meter Tester (State Department), \$2,484; Senior Health Nurse (Health Department), \$4,836; Consultant for Placement of Departments, \$4,242; Director of Nursing, Orthopedic (Health Department), \$4,242; Associate Public Health Nurse (Health Department), \$4,242; Assistant Director of Nursing (Tomkins County), \$2,700; Assistant Public Health Nurse (Health Department), \$4,242; and Ray Technician (State Department), \$2,160.

## NYC Education

31-48. Supervisor for Classes for Children with Retarded Mental Development. Salary, \$5,500 per annum. Age 25 to 40 years. Candidates must have a baccalaureate degree or equivalent preparation plus 30 semester hours in approved graduate courses. Candidates must have five years of teaching mentally retarded pupils in day schools on a per annum salary. There will be a written, an interview, supervision, teaching, physical and medical tests. Application fee, \$11. Applications may be obtained in person or by mail from the Board of Examiners, Board of Education of New York City, 110 Livingston Street, Brooklyn 2, N. Y. (Closes October 24).

29-48. Teachers for Classes of the Blind in Elementary Schools. \$2,500 to \$5,125 in sixteen salary steps. Application fee is \$5. Age 21 to 40. There will be a written, oral english interview, teaching, appraisal of record, and a physical and medical test. (Closes November 22).

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## YONKERS

1003. Senior Clerk; 1949 salary, \$1,750 to \$2,050. One vacancy exists in the Legislative Department. Exam November 15. Fee \$1. (Closes Wednesday, October 13).

1004. Junior Typist; salary varies, \$1,450 total. One vacancy exists in the Yonkers Public Library. Fee 50 cents. (Closes Wednesday, October 13).

1005. Jail Matron; 1949 salary, \$2,000 to \$2,300. One vacancy exists in the Department of Public Safety. Fee \$1. (Closes Wednesday, October 13).

## ARE YOU reading THE LEADER's advertisements? You'll find lots of "best buys" among them, and lots of ways to save money on your purchases.

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# LATEST LISTS OF NYC ELIGIBLES

## Promotion MEDICAL SOCIAL WORKER Grade 2 (Prom.) Department of Hospitals

- 1. Gladys Potter (d) ..... 77.615
- 2. Frieda F. Blucher (v) ..... 85.875
- 3. Hazel Hotchkiss (v) ..... 81.000
- 4. Lilla S. Rosendale (v) ..... 80.900
- 5. Lillian E. Phillips (v) ..... 77.450
- 6. Mae McD. Leslie ..... 82.900
- 7. Ruth K. McVean ..... 81.525
- 8. Blanche Rabus ..... 80.750
- 9. Theo. Robinson ..... 80.425
- 10. Mary E. Chadwick ..... 80.250
- 11. Ida S. Meyer ..... 78.900
- 12. Ruth M. Hotchkiss ..... 78.500
- 13. Mary I. Monahan ..... 78.500
- 14. Gladys F. Randolph ..... 78.225
- 15. Elizabeth M. Asnos ..... 77.850
- 16. Dorothy M. Bailey ..... 77.750
- 17. Eileen O. Tiffany ..... 77.725
- 18. Rachel Bridge ..... 77.525
- 19. Helen L. Cohen ..... 77.500
- 20. Sophia B. Roberts ..... 76.400

## Open-competitive STENOGRAPHER (REPORTING) Grade 3

- 1. Milton Lang (d) ..... 94.60
- 2. Daniel Levenstein (d) ..... 91.60
- 3. Vincent De Ciucis (d) ..... 91.10
- 4. Julius Gorkin (d) ..... 89.80
- 5. Jerome S. Freeman (d) ..... 78.30
- 6. George Kupperstein (d) ..... 76.00
- 7. John V. Walsh (v) ..... 89.00
- 8. Mario J. Rizzi (v) ..... 97.10
- 9. Charles A. Voelkl (v) ..... 96.80
- 10. Harold Berman (v) ..... 95.40
- 11. Martin Newman (v) ..... 94.10
- 12. Alfred J. Policastro (v) ..... 93.50
- 13. David D. Levine (v) ..... 93.90
- 14. Paula L. Silverman (v) ..... 92.70
- 15. Irving I. Gravit (v) ..... 92.10
- 16. Edward E. Trested (v) ..... 91.10
- 17. Morris Waldman (v) ..... 90.00
- 18. Anthony F. Tartaro (v) ..... 89.30
- 19. Frank J. Contillo (v) ..... 87.40
- 20. Milton Greenberger (v) ..... 86.60
- 21. Abe Spanover (v) ..... 84.70
- 22. Harry Spolansky (v) ..... 83.00
- 23. Maurice O. Levy (v) ..... 80.60
- 24. Jack Shapiro (v) ..... 79.00
- 25. Herbert S. Reing (v) ..... 78.90
- 26. Louis Ubiles (v) ..... 78.90
- 27. Frank Alongi (v) ..... 70.30
- 28. Pierre C. Fontaine (v) ..... 70.00
- 29. Melba Russ ..... 98.50

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FEDERAL NEWS

Employee Roster Up 18,200 in a Month

WASHINGTON, Oct. 4—At the beginning of September 1948, a total of 1,895,400 civilian employees were in the executive departments and agencies of the Federal Government in continental United States, according to preliminary figures announced today by the United States Civil Service Commission. Compared with a month ago, this represents an increase of approximately 18,200 employees.

In the entire executive branch of the United States Government, including persons outside the continental United States, the number of civilian employees totaled 2,118,700, an increase of about 18,400 employees during August. The largest increases occurred in the Departments of the Army, Navy, and Air Force, Post Office, Veterans Administration, and the Selective Service System. The principal decreases from last month occurred in the War Assets Administration, the Department of Agriculture, and the Department of the Interior.

Ludwig To Be Installed By Retired Teachers

Henry Ludwig will be installed as president of the Association of Retired Teachers at a meeting on October 8 at the Hotel St. George, Brooklyn. Elizabeth S. Ferrer, who headed the organization for the past eight years, will preside.

Open All Day Columbus Day—Tues., Oct. 12th

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Good Salaries—Promotion—Vacation—Sick Leave—Pension Delehanty Training Will Help You to Succeed!

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NO EDUCATIONAL REQUIREMENTS

CLASSES MONDAY and WEDNESDAY at 10:30 A.M., 1:15, 5:30 and 7:30 P.M.

FREE MEDICAL EXAMINATION

By Staff Physicians at Convenient Hours

Examinations Expected in January

POST OFFICE CLERK and CARRIER

RAILWAY POSTAL CLERK

ENTRANCE SALARY \$51.60 & \$53 A WEEK

Increases up to \$73 a Week

40-Hour Week — Many Vacancies

No Educational or Experience Requirements

Liberal Age and Medical Standards

WED. & FRI., 1:15 and 7:30 P.M.

MOTOR VEHICLE LICENSE EXAMINER

Liberal Age and Medical Requirements

Salary Range \$58 to \$70 a Week

DUTIES: Examine Applicants for Operators & Chauffeurs Licenses

Classes TUES. & THURS. at 1:15, 6 and 8 P.M.

INVESTIGATOR

N. Y. City Departments Classes Meet WED. & FRI. at 7:30 P.M.

FEDERAL CLERK

CAF 5 and CAF 6 Classes Meet TUES. & FRI. at 6:30 P.M.

CLASSES NOW MEETING

- CITY PLUMBER MASTER

PLUMBER'S LICENSE

TUES. & THURS. at 7:30 P.M.

CITY LICENSE COURSES:

- STATIONARY ENGINEER MASTER

ELECTRICIAN

Enrollment Now Open

INSURANCE COURSE

Qualifying for BROKER'S LICENSE EXAMINATIONS

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115 E. 15 St., N. Y. 3

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OFFICE HOURS—Mon. to Fri.: 9:30 a.m. to 9:30 p.m. Sat.: 9:30 a.m. to 3 p.m. (Open All Day Columbus Day, Oct. 12th)

Public Employees to Attend Legion Convention in Miami

Many city, State and federal employees will be among the American Legionnaires and friends on the official trip to the national convention in Greater Miami, October 18-21, it was announced by Maurice Stember, Adjutant of the Department of New York, which has sponsored the trip.

Special trains, arranged by the Transmarine Travel Service, will leave Penn Station, on Friday, October 15 and return Saturday, October 23. Those wishing to fly will leave Saturday, October 16 and return Friday, October 22.

Mr. Stember stated that all City employees who are delegates or alternates are to be given leave to attend the convention. He added that he had directed a communication to Governor Dewey in the interest of State workers, and that similar privilege has been granted.

VETERANS

are entitled to half-time subsistence and payment of tuition and supplies by attending our

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44 Whitehall St., N.Y. 4, N.Y. Bowling Green 9-7086

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SCHOOL DIRECTORY

AMERICAN ART SCHOOL—Day—Evening and Saturday morning classes. Drawing & Painting from Life, Advertising Design. Approved for Veterans. 3419 Broadway, N. Y. 31. FOundation 8-1350.

SHOWCARD WRITING and lettering for advertising uses. Expert individual instruction. Est. 1922. Vets Eligible. REPUBLIC SCHOOL, 287 W. 17th St., N. Y. 11.

Academic and Commercial—College Preparatory BORO HALL ACADEMY—Flatbush Ext. Cor. Fulton St., Bklyn. Regents Accredited, MA. 2-2447.

Auto Driving A. L. E. DRIVING SCHOOL—Expert Instructors. 620 Lenox Ave. AUdubon 3-1433.

BARBER SCHOOL LEARN BARBERING. Day-Eve. Special Classes for women. GI's welcome. Atlantic Barber School, 21 Bowery. WA 5-0933.

Business Schools ADAMS BUSINESS INSTITUTE, 155-10 Jamaica Ave., Jamaica, L. I. Specializing in stenograph (machine shorthand). Day & Evng. courses. Only school in L. I. offering both pencil and machine shorthand.

WASHINGTON BUSINESS INST., 2105—7th Ave. (cor. 125th St.). Secretarial and civil service training. Moderate cost. MO 2-6086.

GOTHAM SCHOOL OF BUSINESS. Secretarial, accounting, comptometer, English-Spanish shorthand. Indiv. training. Day - Evng. Co-ed. 505 Fifth Avenue (42nd St.) VA 6-0034.

MERCHANT & BANKERS. Co-ed. 57th Year—220 east 42nd St., New York City, MU. 2-0986.

HEFFLEY & BROWNE SECRETARIAL SCHOOL, 7 Lafayette Ave. cor. Flatbush, Brooklyn 17. NEvins 8-2941. Day and evening. Veterans Eligible.

MONROE SCHOOL OF BUSINESS. Secretarial, Accounting, Stenotypy. Approved to train veterans under G.I. Bill. Day and evening. Bulletin C. 177th St., Boston Road (R K O Chester Theatre Bldg.) DA 3-7300-11.

RIVERSIDE BUSINESS SCHOOL, 2061 B'way. (72 St.) Intensive, Approved for Veterans. Registered by Regents. TB. 4-2191.

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FEDERAL NEWS

Drafted Employees Protected Under Liberalized New Rules

(Continued from Page 1) Drafted employees for any non-temporary federal worker who enters

the armed forces to be considered as having been on furlough or leave of absence when he is re-

stored to his civil service work. His agency must consider him in connection with any promotion for which he would normally have been considered had he not been on military duty.

A promotion received during the employee's military absence shall be effective as of the date it would have been made if the employee

had been present for civilian work. This is a definite change from the previous practice under which length of service in the higher grade to which promotion had been made was counted from the time the individual came back to civilian duty.

Job Though Agency Ceases

One of the new regulations is of special interest to civil service employees who go on military duty from other than the old-line agencies. It provides that if, upon the appeal of any person, the Civil Service Commission finds that the returning veteran's former agency no longer exists and that its functions were not transferred to another organization, the Commission shall place the individual in some other government agency having a position for which he is qualified and which is vacant or held by a temporary employee.

Another regulation has been approved which will aid a former legislative employee to obtain employment in the executive branch of the government if it is not possible to restore him to a position

in the legislative branch, if he has eligibility to obtain a competitive status in the executive branch.

The time of restoration in any case shall be "as soon as possible", and in no event later than 30 days after the veteran files application for restoration.

Back-pay Provision

Provision is made for the granting of compensation to veterans, covering loss of salary suffered because of the refusal or failure of an agency to restore a veteran once he has appealed to the Civil Service Commission for help in the matter and the Commission has determined that he is entitled to restoration and has ordered an agency to fulfill its obligation to restore.

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Democrats' Charges Against Dewey Denied

Civil Service blew into the Republican-Democratic battle late last week when the Democratic National Committee charged that Governor Dewey had once stated that Civil Service employees were "red-baiters," and various persons present at the meeting at which the alleged remark was made denied the incident had ever happened.

Democrats said it had all taken place last winter in the Governor's offices in Albany before the legislative committee of the Veterans of Foreign Wars. In addition, the Democrats charged, Dewey said that if he had his way, the "present Civil Service men in the national, state and local governments would not exist." It had all been said "in a

fit of rage," the Democrats added. Reporters got on the phone to question those who, according to the Democrats, had been at the meeting.

"Governor Dewey never said anything about the abolition of Civil Service in my presence," said Harold J. Burke, chairman of the VFW legislative committee.

"It's a damned lie," said Clyde Lewis, senior vice-president of the VFW.

National Commander Lyall T. Beggs likewise denied it all.

"We never comment on pipe dreams of the Democratic National Committee," commented Dewey press secretary James C. Hagerty, caught on the Dewey campaign train in Salt Lake City.

Civil Service employees wondered at the rumpus and remained a little puzzled.

Dispute Ends for Nonstatus Employees in Two Titles

WASHINGTON, Oct. 4—An order that will result in the separation by December 15 of all war- and temporary indefinite employees throughout the country in positions of Psychologist, Archeologist, with beginning salaries of \$2,974, has been issued by the U. S. Civil Service Commission. Authority of the agencies to grant temporary appointments, rather than to persons on the eligibility lists, was withdrawn.

Persons separated under this order will be replaced by persons who are on the register of eligibles established for these positions through the Junior Professional Assistant examination announced last year. Not affected by the order are field positions for which the board of U. S. Civil Service Examiners has established an appropriate register.

Exam For Inspector Jobs Will Be Opened This Month

An examination will be announced by the U. S. Civil Service Commission this month for Inspection Officer positions located throughout the country in the Foreign Quarantine Division of the U. S. Public Health Service. The positions have beginning salaries of \$4,479. Applications will be accepted from qualified persons throughout the country during a period of approximately six weeks. Do not attempt to apply until The LEADER announces that the exam is open.

About 70 appointments are expected. Among the duties will be to inspect the passengers and crews of inbound ships and aircraft for possible communicable diseases and to direct infestation inspection of such ships and aircraft in quarantine.

Dental Technician Exam Closes on October 19

The U. S. Civil Service Commission announced an examination for probational (permanent) appointment as Dental Technician, Grades 5 to 8. The salary is from \$2,724 to \$3,727.

Experience requirements range from two to five years, according to grade. Openings are in the five boroughs of NYC. There will be no written exam.

Application forms may be obtained from the Executive Secretary, Board of U. S. Civil Service Examiners, Veterans Administration, New York Regional Office, 252 Seventh Avenue, New York 1, N. Y.; or from the Director, Second U. S. Civil Service Region, 641 Washington Street, New York 14, N. Y.

Application blanks, when filled out, should be sent to the U. S. Board of Examiners at its address given above and not to the Civil Service Commission.

October 19 is the last date for filing applications. Age limits are 18 to 62.

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NEW YORK CITY NEWS

Frankenthaler's Record Marked by Liberal Ideas

George Frankenthaler, who has never sought public office, though it has often sought him, is running for Surrogate of New York County on the Republican ticket, because this time he said "Yes" in the belief that his wide experience in Surrogate practice will afford him another opportunity to perform a public service.

In New York County the interest in the race for Surrogate is second only to that in the Presidential election.

Judge Frankenthaler is a man of composure, despite his energy, and at 62 is more active than most men half his age. He can point to an unusually successful legal career and intimate participation in business, community work, charities and civic and political affairs.

Serves as Arbitrator

He was appointed arbitrator by Governor Thomas E. Dewey in the 1945 elevator operators' strike, which he settled. The resulting contract between employers and employees voluntarily included Judge Frankenthaler as arbitrator on a three-year contract basis.

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GEORGE FRANKENTHALER

the pocketbook. The Surrogate's Court of New York County decides matters of decedent estates, wills, trusts, guardianship, income and property on a financial scale unequalled anywhere else in the world.

Last year Mayor William O'Dwyer, a Democrat, appointed him as arbitrator in the Queens bus strike. The results were again successful.

His Record Approved

Democrats, no less than Republicans and Liberals have spoken of Judge Frankenthaler approvingly. He is running for the place to be vacated by Surrogate James A. Delehanty, whose term expires on December 31 and who will retire on a pension. In January, 1944,

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when Mr. Frankenthaler was inducted as Supreme Court Justice, Surrogate Delehanty said at the induction ceremonies: "In the 11 [now 15] years that I have been a Surrogate, I have had under my direct view the work that you have done and can do. You have an understanding heart, a keen mind, a comprehensive knowledge of business, and a familiarity with the mechanics of judicial administration."

The Citizens Union indorsed Judge Frankenthaler for Surrogate as one having "exceptional qualifications for this important office."

Recognition of Merit

H. Elliot Kaplan, Executive Director of the Civil Service Reform Association, wrote Judge Frankenthaler last July, when the Judge was being mentioned as the likely candidate, that the nomination would constitute recognition of merit and fitness. The letter follows:

"This talk about your being nominated for Surrogate of New York County strikes a responsive chord among the enlightened string of advocates of good government, and appeals most strongly to me, for your selection will reflect recognition for merit and fitness for a responsible office. As you know, that has been my life-long ideal—the selection of public servants for their peculiar fitness for public office.

"I sincerely hope that you may be given an opportunity to emulate the excellent record of your late brother who served us so well in the Supreme Court."

The brother was Supreme Court Justice Alfred Frankenthaler, with whom George Frankenthaler had been associated in law practice.

His Judicial Record

In 1944 Governor Dewey appointed George Frankenthaler to that bench, in which the appointee served for a year. The record of that year shows that all judgments rendered by him after trial, whether with or without jury, if appealed from, were unanimously approved by the Appellate Division without opinion; one case reviewed by the Court of Appeals was also unanimously affirmed without opinion.

Born on the lower East Side, Judge Frankenthaler was graduated with honors from City College (B.S. '03) and elected to Phi Beta Kappa. He got his law degree in 1907 from Columbia University and was admitted to the Bar the same year.

In his work as attorney, much of it in Surrogate Court practice, he does all his own legal research, brief writing and trying of cases and wouldn't have it otherwise.

"How do you like such a load of work?" he was asked. "I love it," he replied. "My only regret is that there are only 24 hours in a day."

Courtlandt Nicoll Wants Pension Rise, if Prices Do

"Civil service retirement pensions should be adjusted to conform with the ever-rising cost of living," said Courtlandt Nicoll in a statement to The LEADER last week. "Those who have served their government so long, and so loyally, are entitled to security in their old age."

Mr. Nicoll, who is running for Assemblyman in the Ninth District, Manhattan, on the Democratic and Liberal Party tickets, came out strongly in favor of a minimum pension. He also suggested that pension hikes correspond to cost-of-living figures published by the Bureau of Labor Statistics.

"I consider this a vital issue in the overall civil service picture," he declared, "outranked in importance only by the extension of the merit system itself."

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Lists of Eligibles

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Oct. 15 Last Day To Submit Letter On Job

ALBANY, Oct. 4—The deadline for entries in the State Personnel Council sponsored contest, "Why Do You Like Your Job?" is drawing near, Mary Goode Krone, council chairman, pointed out this week. The contest, which offers seven prizes to State employees who write the best letter of 100 words or less on their job, closes Oct. 15. Prizes include U. S. bonds, ranging from \$100 to \$25 for the best entries. In announcing the contest, Miss Krone told The LEADER results will be used in helping to new State employees. She said the contest is the "first one of its kind for public employees anywhere in the country as far as we know." Entries will be judged on clarity of statement and on way a worker brings his limitations and ability to his job. He finds it of interest to him. In sending entries to the Personnel Council, 39 Columbia Albany, state employees are requested to give their title, department and mailing address. winners will be announced.

How to Reach Application Offices

How to Get There—Rapid transit lines that may be used reaching the U. S., State and NYC Civil Service Commission in NYC, and the City Collector offices, where applications are and received for large exams, follow: State Civil Service Commission, 270 Broadway, near City Street; N. Y. Civil Service Commission at 299 Broadway, near City Street, and the City Collector's office in the Municipal Building (north end, ground floor), Manhattan—IND trains A, C, D, CC to Chambers Street; IRT Lexington Avenue line to City Bridge; BMT Fourth Avenue local or Brighton local to City Bridge. U. S. Civil Service Commission, 641 Washington Street, Seventh Avenue local to Christopher Street station. City Collector's office, Municipal Building, Brooklyn—IND A, C or F to Jay Street; Lexington Avenue or Seventh Avenue train to Borough Hall. City Collector's office, Tremont and Arthur Avenues, The Bronx—Third Avenue "L" to Tremont Avenue. City Collector's office, 120-55 Queens Boulevard, Queens—E or F to Union Turnpike, Kew Gardens. For the largest examinations City Collector offices give out NYC applications in the five boroughs. These offices are open from 9 a.m. to 3 p.m. on weekdays, closed on Saturdays, Sundays and holidays. Use of City Collector offices does not apply unless specifically mentioned in the examination notice. Always specify exams by title and serial number.

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NEW YORK CITY NEWS

POLICE LIEUTENANT ELIGIBLE LIST

Table with columns: Rank, Name, Promotion, Salary, and other details. Includes sub-sections for 'LIEUTENANT, POLICE DEPARTMENT, Promotion' and 'Sullivan Post of Legion To Hold Dance on Oct. 9'.

is Issued Assessments

ing to all State, county... against submitting to any... for political cam-... issued by the Civil... Association. It... State and municipal... heads to post a notice... The Association... notices. NYC were also... making contribu-... campaign fund or... The Association... Charter, Sec-... prohibits any officer or... of the city, whether in... or unclassified ser-... making any such con-... upon penalty of forfei-... or position.

Television Institute Afternoon Classes

accommodate additional... and veterans unable to... the regular morning ses-... 7:20 A.M., the Radio... Institute, 480 Lexington... NYC, has established... afternoon classes. The... groups will be in... Monday through Friday... 6:40 P.M. Plans enrolling for training... Radio-Television Institute... G. I. Bill are entitled... and subsistence. R. MacDonald, director... Institute, states that there... considerable demand for... of the Institute to work... television industry. He... that there are definite in-... opportunities for the prop-... radio-television tech-... as time goes on.

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LEADER will be glad to

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Large advertisement for 'TREAT CRISPS GOLDEN BROWN POTATO CHIPS' with a 'LEADER BOOKSTORE' coupon and 'MAIL COUPON NOW!' section.







# NEW YORK CITY NEWS

## Court Upholds Legality of Wage Agreements

The legal validity of agreements between NYC employees and the Board of Estimate, on pay and working days, wherein included waivers of rights under Section 220 of the Labor Law was upheld by Supreme Justice Samuel Dickstein. The case was brought against the Director Thomas J. Patterson by a group of Auto Engineers who also protested as discriminatory the inclusion of the raise for those who signed agreements, who included other engineers. The court found the arrangement was not discriminatory.

The case is of extreme importance because it has a possible effect on the 20,000 skilled and unskilled workers who are paid rates prevailing in private industry, as determined by Comptroller Lazarus Joseph, unless there is a similar signed agreement.

**Court's Opinion**  
Justice Dickstein's opinion follows: The budget for 1948-49, as approved by the Board of Estimate, provided a fund of \$32,650,000 was provided (Code 9802-019) to cover adjustments for city employees. At the same time, Code 9802-019 established a fund to cover adjustments of rates of pay for employees seeking prevailing determinations under section 220 of Labor Law.

"In making a schedule of the groups of employees entitled to receive the basic increase of \$250 pursuant to Code 9802-019, the budget director excluded from consideration such employees who were within the protection of the Labor Law and those holding the title of auto engineman. Several hundred incumbents of the title of auto engineman had theretofore filed claims with the comptroller pursuant to section 220, Labor Law, for an investigation and determination of prevailing rates of pay paid to commensurate employees in private industry. Section 220, Labor Law, is designed to provide to mechanics, laborers and workmen a rate of pay commensurate with rates paid to a majority of employees in private industry engaged on public work in the same locality (see *Gaston v. Taylor*, 274 N. Y., 359). The comptroller has not yet completed his investigation nor made a determination. Thus the auto enginemen were excluded from the benefits of the increase under Code 9802-019, since they claimed the benefits of section 220, Labor Law.

**Many Did Not File Claims**  
"Since many auto enginemen had not filed Labor Law claims, perhaps because they had reached the conclusion that they did not properly fall within the Labor Law provisions (a conclusion which the city urges to be correct), an agreement was prepared by the budget director by the terms of which an auto engineman could accept the increase of \$250 if he agreed to waive his rights, if any, under the Labor Law for the effective period of the agreement. Over 600 employees in that category signed such an agreement. Others, of whom petitioner is one, refused to do so.

"Petitioner brings this proceeding to declare that such agreement, requiring auto enginemen to waive their rights under the Labor Law, is null and void, to direct respondents to pay all persons employed under the title of Auto Engineman the \$250 general increase, and to restrain the Comptroller and Treasurer of the City of New York from paying the increase to the signatories of the agreements unless similar payment is made to those who have not signed agreements.

"Although the city has contended that the category of auto engineman does not fall within the purview of section 220, Labor Law, it was nevertheless met with the claims of employees that they were protected by the statute. The comptroller will determine those

claims. Since the possibility existed that a favorable determination would be made for such claimants, entitling them to a prevailing rate, the City was justified in withholding the basic increase of \$250, because, while the City may not pay less than the prevailing rate, it is not compelled to pay more. An agreement which compromised these conflicting contentions would be valid.

"In *Evadan Realty Corporation v. Patterson et al.* (78 N. Y. Supp. 2d. 114) in a similar situation, it was held that 'Waiver of section 220 rights may be effected' (*Ryan v. City of N. Y.*, 177 N. Y., 271). In the *Evadan* case the court also decided that since the contract provides for future services, that consideration supported the waiver as well as the city's undertaking to make the payments required by the contract. I therefore find a waiver agreement to be valid.

"No discrimination exists because of the extension of the benefits of the \$250 increase to those who signed agreements while it was withheld from those who did not. The agreement was proffered to all auto enginemen employed by the city (See *Matter of Estes v. City of N. Y.*, 168 Misc., 808). Those who did not sign still have their rights, whatever they may be worth, to prosecute their claims under section 220, Labor Law.

"I hold that the agreements for acceptance of the basic pay increase and waiver of rights under the Labor Law are valid, and that respondents are justified in withholding such increases from those who have not signed agreements. The motion is in all respects denied and the petition is dismissed."

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NEW YORK CITY NEWS

Case of Transferred Fire Lieutenant Nears Amicable Adjustment

By H. J. BERNARD

The case of Fire Lieutenant Joseph A. Lawlor took on an entirely different complexion this week than the one that had been publicized in the daily press...

On his promotion to Lieutenant, Lawlor had been depicted to the Commissioner as one who, for family reasons, should be assigned near his home in Queens...

No Grievance Against Quayle

Lieutenant Lawlor was reported to have no grievance whatever against the Commissioner and to have recalled acts of generosity by the Commissioner in the past...

whether he had made such an official request.

Fine War and Scholastic Record

The Lieutenant's promotion took place after some difficulties were put in its way by a medical report of the Civil Service Commission...

Political Speech Did Trick

As told exclusively in last week's LEADER, Lieutenant Lawlor had made a political speech at a Queens Democratic club...

Lawlor again appeared before a committee to oppose a local law that would have put the Chief of Staff and Operations over the recently promoted Chief of Department...

Staten Island resulted from the political speech.

Lawlor's Forthrightness Praised

Civil Service groups that ordinarily would oppose a willful transfer are holding their fire because they feel there are more facts in the case than have come to their attention...

The Uniformed Fireman's Association at its meeting last week discussed the case at length. President John P. Crane read from the medical report of the Commission...

25 NYC Exams To Open Oct. 14

The NYC Civil Service Commission announced 17 promotion examinations and eight open-competitive examinations of the October series and the dates for issuance of application blanks...

OPEN-COMPETITIVE

- 5313. Bricklayer. 5515. Sheet Metal Worker. 5319. Asphalt Steam Roller Engineer. 5320. Gasoline Roller Engineer. 5373. Clock Repairer. 5417. Oiler. 5419. Electrician's Helper. 5602. Civil Engineering Draftsman.

PROMOTION

- 5576. Supervising Probation Officer, Domestic Relations Court. 5577. Supervising Probation Officer, Court of Special Sessions. 5578. Supervising Probation Officer, City Magistrates' Court. 5658. Office Appliance Operator (Multilith), Grade 3.

- 5606. Mechanical Engineer Draftsman. 5508. Bridges and Tunnel Engineer. 5501. Bridge and Tunnel Engineer. 5062. Electrical Inspector. 5414. Oiler. 5442. Steamfitter. 5403. Cable Splicer. 5522. Foreman of Auto Mechanics. 5556. Claim Examiner (Grade 3). 5283. Foreman of Pavers. 5311. Rammer. 5327. Blacksmith. 5285. Foreman, Asphalt Workers.

AUTO MECHANIC STUDY

The Municipal Reference Library has study material for NYC examination for Auto Mechanic (Diesel). The library has a complete collection of previous examination question papers and answers study. The library is open from 9 a.m. to 5 p.m. on weekdays from 9 a.m. to 1 p.m. on Saturdays. It is located in Room 201 Municipal Building, Chambers and Centre Streets, Manhattan.

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(Continued from Page 1)

- 5697. Structures Maintainer (Group B). 5698. Structures Maintainer (Group C). 5699. Structures Maintainer (Group D). 5700. Structure Maintainer (Group E). 5701. Structure Maintainer (Group F). 5702. Structure Maintainer (Group G). 5703. Assistant Superintendent (Structures and Track). 5704. Assistant Supervisor (Mechanical Power). 5706. Bus Maintainer (Group B). 5707. Ventilation and Drainage Maintainer. 5708. Assistant Forman (Surface Track). 5709. Maintenance Engineer (Power). 5710. Trainmaster. 571. Car Inspector. 5712. Air Brake Maintainer. 5713. Car Maintainer (Group A). 5714. Car Maintainer (Group B). 5715. Car Maintainer (Group C). 5716. Car Maintainer (Group D). 5717. Car Maintainer (Group E). 5718. Car Maintainer (Group F). 5719. Car Maintainer (Group G). 5720. Towerman. 5721. Power Maintainer (Group C). 5722. Assistant Foreman (Track). 5723. Assistant Superintendent (Live Equipment). 5724. Signal Maintainer (Group B). 5725. Signal Maintainer (Group A).

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