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## THE STATE EMPLOYEE

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## This Month's Cover

## OUR NEW NAME - WHAT?

The photograph on our cover this month gives an idea of the unexpected gratifying response to our prize contest to discover the best possible name for our magazine in line with the Association's reorganization and expansion. It pictures a part of the mass of suggestions received.

Please turn to our Editorials and read the rest of the story.

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## SALARY BOARD SURVEY

Each Delegate who attended the special meeting in Albany, February 7, was presented with a Technical Analysis of the Survey Report of the Salary Standardization Board, which is printed herewith in full. The Civil Service Employees Association vouches for the ability and impartiality of the competent statisticians and economists who made this Analysis, and the President of the Association assumes full responsibility for it.

The Survey has many serious defects which make it unreliable as a basis for determining State salaries fairly.

The most serious defects can be grouped under the following headings:

I. The general failure to compare like jobs.

II. The inadequacy of the samples taken for many jobs.

III. The failure to use reasonable discretion in the statistical interpretations.

IV. The failure to recognize the rapidity of change in wage rates in a post-war period.

These serious failures will be taken up in order and substantiated by detailed reference to the report.

## I. THE GENERAL FAILURE TO COMPARE LIKE JOBS.

a. Unfair comparison to Private Industry.

To understand how serious and how general this error is one must know the technique of comparison used in the study.

The following quotations give the most important statements under the heading "Organization and Methods of the Salary Survey."

"It was, therefore, decided to send out the field staff to interview the personnel executives in the various companies and agencies and secure detailed descriptions of their jobs. On the basis of these descriptions, comparisons with State positions were to be made in the central office of the Salary Standardization Board in a uniform manner by a small group of well trained technicians . . ." (Page 11)

". . . In general, the agencies visited were banks, insurance companies, manufacturing establishments, newspapers, hotels, public utilities, engineering companies, de-

partment stores, accounting firms, social agencies and hospitals. Only the well established agencies of reasonably large size were chosen because it was considered that their personnel policies might more nearly parallel those of the State.

"The personnel executives were informed of the need of job descriptions for all positions except those relating to sales and production,..."

"After the description of each of the positions were secured and recorded on a specially designed position survey card, the complete salary data was entered." (Page 12)

"About 250 private companies and agencies were surveyed and salary information was obtained for approximately 112,000 employees . . . . Field work began late in April and was completed in early September with the great bulk of the information having been gathered during July and August 1946 . . . ." (Page 13)

"After the descriptions of positions obtained from the private companies and other governmental agencies were matched with appropriate state titles, the salary data were tabulated in the form in which it appears in Part III. . . ." (Page 14)

According to this statement job

According to this statement job descriptions were obtained for all non-sales and non-production jobs and these were then sorted into the state jobs that seemed to be approximately like them, and then the midpoint was computed as an index of what the state should pay. In this process any person doing typing is very likely to go in the typist classification. There was no apparent way under this scheme for the persons classifying the jobs in the central office to determine whether the person listed was a competent typist or not.

A person familiar with the labor market knows that there are a con-

siderable number of typists jobs of different grade. For instance, in the May 1946 "Labor Market Letter for the New York City Area" a table is given classifying the job-openings available by the salaries offered. For the job woman typist, the offers by employers and applicant demands ranged from \$.56 per hour to \$1.06. Some employers apparently felt that their work required high grade employees and some could use mediocre people. They paid accordingly. No reasonable person could say that employers paying such diverse amounts had equivalent jobs nor would the applicants specifying amounts so far apart think they were applying for equal jobs. The \$.56 an hour listing works out to just under \$1200 per year. The \$1.06 listing works out to just over \$2200. The range included in the Survey table page 261 for typists was from less than \$1100 to \$2500 and over and hence was over more than the range discussed

Obviously these are not salaries for similar jobs but salaries for a family of related jobs. Somewhere in the list there is a group of jobs similar in their requirements to the States requirements but private industry is not so foolish as to pay \$2500 for what the state gets for \$1560 nor are the workers so foolish as to take jobs at less than \$1100 if they can meet the state specifications and get \$1560. In other words the comparisons are not to like jobs and there is no magic in the median or mid-point of such a conglomeration that makes it the reasonable definition of the workers the state has or needs.

One can get a better idea of the inequity of the comparison if he notes the "average minimum" (actually, the first quartile) salary for typists of \$1515 and median of \$1629 given for private industry and then looks in the classified ads of the Albany Knickerbocker News and sees Montgomery Ward appeals for typists, starting salary of \$28 a week with time and one-half for overtime. This is barely below the \$1515 salary listed as the "average minimum" (first quartile) which is presumably considered a beginners rate, and yet seems to be so low that Montgomery

## SERIOUSLY DEFECTIVE

Ward continues to advertise to try to get workers. The jobs are not comparable because state typists are frequently called on to type complicated tables and to adjust to a variety of demands that would not be expected of most Montgomery Ward typists. The proper group for comparison would probably have a beginners rate above the state rate. A much more careful comparison of jobs would have to be made before the typists could feel that they had had a fair determination of their salaries as of the summer of 1946.

The illustration given above is typical and most of the other occupations where a comparison is made with private industry, are subject to similar gross errors. Moreover the comparison in each case, by its use of the median, assumes that the state specifications have been designed to secure the average worker. This is not in accord with past practice.

The first sentence of the portion of the Civil Service Law given in the Appendix of the Survey, Article 3, Section 37 says:

"In order to attract unusual merit and ability to the service of the state of New York . . ." (Page 281)

The Legislature of the state, in passing that law, certainly did not indicate that it wanted average employees. It definitely wanted above average employees. The Survey ignores this statement in the law.

As a result of previous efforts to abide by the law, salary levels were set to compete for the above average employees, and competition in the Civil Service Examination was used as a technique for selecting the best among those willing to accept jobs at the salary offered.

If a crude statistical determination were to be established of the comparison point between private and state employment that would reflect the law, the upper limit of the middle fifty percent, i.e. the upper limit of the private employer range, given in the Survey might be used. This would put the state in a position to draw freely from the above average group and to at times secure persons

February

in the upper quarter of the ability and experience group.

Such a method is obviously very crude but it does approximate the intent of the law. The Survey method does not. The proper method to make a comparison would be to find employees and jobs actually comparable to the state employees and jobs and find what private industry paid them.

Since State salaries were originally set to "attract unusual merit and ability" a shift to the average scale is a substantial cut to present employees from the level to which they are entitled. The change can be expected to lead to a gradual transfer of present employees to other more suitable employers and their replacement by inferior personnel. Due to the accumulated service rights and home ties of the older employees, the state will retain the services of many present employees but at a high cost in morale. The recruitment of new employees of equivalent caliber will be impossible.

While the failure to compare the state jobs to comparable outside jobs was the most general failure in the comparisons with private industry there were other serious ones. One of the most surprising was the failure to secure union wage scales where such scales were generally available. For instance, carpenters have been highly organized for many years and have well established rates in our major cities. The Survey page 85 found thirty carpenters earning less than \$2100 and 17 earning \$3400 and over. The Union rate in New York City is \$2.50 per hour or \$100 for a forty hour week. If one estimates that a good carpenter should work about 40 weeks a year during the present building boom this works out to \$4000. According to newspaper reports the effective pay was as high as this last summer although the listed hourly rate was not. The rates shown for the unionized occupations would indicate that relatively few unionized workers were included in the samples taken. This is particularly odd since the state insists that the union scale should be paid in letting many contracts.

In some cases the private jobs to

which the state jobs were compared were completely and unquestionably different. One of the best illustrations of this type of error is in the comparison for launderer page 102. The General Statement of Duties includes the sentence "Supervises and instructs patients or inmates in routine unskilled laundry work ..." According to the Survey the median pay in private industry for workers to supervise and instruct patients in unskilled laundry work was \$1284 as compared with state pay of \$1916. The \$1284 rate is the rate for unskilled laundry work which does not include any responsibility for supervision or instruction nor does it require ability to speak, read and write English which is the minimum qualification for the state job. This appears to be a completely unfair comparison. There are other similar errors.

## b. Failure to Understand the Requirements of State Service.

The Survey seems to assume that state employees are taken hit or miss from among all workers who might be considered capable of performing a certain job irrespective of their speed and ability. As a result the Survey considers that the job specifications and minimum qualifications constitute a complete set of state specifications. It completely ignores the selective nature of the Civil Service examination, the effect of the salary listed in the announcement and the effect of selecting from the top three on the eligible lists. The combination of these forces is very important in determining the quality of the state workers and cannot be ignored in a fair comparison between state workers and other workers.

## c. Failure to Make Accurate Comparisons with the Federal Service.

The State and Federal Service have many similarities and useful comparisons between Federal and State jobs can be made if great care is used. The comparisons in the Survey are so carelessly made as to be completely unreliable and therefore useless. The problem can be most easily understood by most people if the comparisons are made

at pre-war rates which had been determined as approximate equivalents by many years of competition between the Federal and State services in the same labor market. The professional service in the Federal series started at about \$2000, the second class moving upward started at about \$2600, the third at \$3200, the fourth at \$3800, the fifth at \$4600, the sixth at \$5600 and the seventh at \$6500. The State professional series started at \$1800, the second step started at \$2400, the third at \$3120, the fourth at \$4000, the fifth at \$5200, the sixth at \$6700 and the seventh at \$8500. The statistics series in the State, which is covered in the professional series for the Federal scale, had even more significant deviations. The first grade, junior statistician, started at \$2100, the second at \$2700, the third at \$3500, the fourth at \$4500, the fifth at \$5750 and the sixth at \$7500. Apparently the Survey has classified Junior Grade in the State service to Junior grade in the Federal and then matched successive steps, completely ignoring the fact that the steps are of different size. If they had started from the high end of the scale and matched directors and then counted down grade by grade the result would have been entirely different. For instance as the comparison was made the State Associate Statistician was compared to the fourth step in the Federal System. This compares a state job at the \$4500 to \$5500 level with a Federal job at \$3800 to \$4600. If the jobs had been counted down from the Director level the state Associate would have been the first step down from Director and would have compared with the Federal Principal Statistician at \$4600 to \$5600. Neither of these is correct. The accurate comparison of series of unequal length is almost impossible, In both the Federal and State, services this level was used for bureau chiefs as well as for high grade specialists reporting to a Director. Thus the comparison for Associate Statistician is almost a full grade out of line. As a result the Survey shows the State level above the Federal. A similar failure to compare accurately exists for the engineers and to a greater or less extent will hold for all Federal State Comparisons in the Survey. To even approximate fairness the overlap of the grades must be given great weight.

### Failure to Sub-divide State Payroll for Over-all Comparisons.

One of the most used statements in the study is the fact that if the total payroll of the State is divided by the total number of employees listed on the payroll that the per employee pay has increased by 44.6% from 1942 and by 11% from 1938 to 1942 or by 61% from 1938 to 1946. To many state workers the statement that the average employee is getting 61% more now than before the war is astonishing because they know that they have only received the 30-14 percent increases granted by the state. In a study as detailed as the Survey the employees had a right to expect that so important and to the employees so illogical a statement, would be analyzed, to determine which groups got the huge increases and which ones did not. Such an analysis is necessary because the "average" job in a state changes from month to month and year to year and rough over-all comparisons can cover up astonishing peculiarities. The fallacy in this 61 percent computation is shown in the following analysis. The figures for Illinois are used for illustrative purposes. (The reason that the analysis cannot be made directly for New York State is that it does not furnish the U.S. Bureau of Census with as much detail on payroll changes as the other states). The outstanding peculiarity in the table is the drop in the pay per employee in Illinois from July 1938 to July 1942 from \$1703 to \$1370 (page 17). A study of the U.S. Census reports show that the Illinois figure includes part-time employees and that the number of parttime employees fluctuates from one period to another. This was probably a contributing factor to the fact that the Illinois per employee pay increased from \$1370 to \$2095 in April 1946 or by 53 percent. Thus in the pattern of New York State discussions an observer could say that in Illinois the overall increase in salaries from 1942 to April 1946 was as great as the increase in the cost of living from 1938 to 1947.

The 61 percent figure cannot be accepted. The experience with the Illinois figure where some details are available shows the pitfalls of the technique of dividing total payrolls by the total employees.

## II. THE INADEQUACY OF THE SAMPLE.

## The Small Size of the Private Industry Sample.

The Survey speaks approvingly of the inadequacy of the sample used but an examination of the details shows that the sample was seriously inadequate for many of the comparisons made. The Survey mentions that data were obtained for 112,000 employees which is certainly a large number but it does not make 8 plumber and steamfitter foremen an adequate sample for determining salaries for state workers in these jobs. The frequently occurring



President Tolman addressing Delegates. Ist Vice-President Jesse B. Mc-Farland at left, and Secretary Janet Macfarlane, right.

Scene at Delegates' Meeting, Feb. [→ 8, in State Office Building, Albany. hance errors in so small a number would run to hundreds of dollars in an annual salary if the sample were ruly a random one (and this is unikely as will be explained below).

The example cited above may seem to be an extreme one but an enalysis of the report shows that there are 35 tables in which the number in the sample is less than 20. In such samples, chance errors will frequently amount to hundreds of dollars per year.

## The Failure to Obtain a Representative Sample.

The use of inadequate sized samples is aggravated by failure to make the samples secured representative. For instance the railroads and the General Electric Company are among the largest employers in the Albany area but there is no indication that data were secured from these organizations. Salaries and wages in the railroad service have generally been considered above avcrage. The average salary on the railroads was \$2700 in 1945 which is indicative of the level of pay although as noted above in the discussion of the Illinois figures such broad averages are subject to great errors. On the other side, the philanthropic organizations which tend to have low wages are heavily represented, apparently to get a fair sized sample of social workers and nurses but in the process other types of jobs may have been covered in disproportionate numbers.

The lack of understanding of sampling theory on the part of those responsible for the Survey is clearly shown by the statement on page 21.

"In every case, the total number of employees for which industrial figures were tabulated for each level of mechanic is greater than the number of New York State positions on the same level. For example, there are 310 Maintenance Man positions in the State service, whereas statistics were gathered for 905 Maintenance Men in private industry. There are 839 positions of skilled craftsmen in the State service in titles reported, whereas statistics were obtained for 1940 skilled craftsmen in private industry."

If the logic is continued to smaller samples, it would apparently mean that if the State employed one maintenance man, the Board secured salary data on two maintenance men, it would have adequately determined the salary of maintenance men in private industry.

Picking up another possible implication of the statement, one might conclude that the writer believed that sheer number yielded statistical reliability. Some persons may remember the famous presidential poll run by the Literary Digest in 1936, which claimed it was reliable because it had found how a large number of people would vote. The Digest poll result was completely wrong. The Gallup Poll, which was developed on sounder statistical assumptions but using much smaller samples has proved more reliable. The quoted statement indicates that the work done in the Survey failed to give adequate weight to the development of careful sampling techniques and undue weight to mere comparative numbers which was the great failure of the Literary Digest.

No separate figures are given to indicate the variations from industry to industry or to indicate the weighting of the industries in the sample and in the state. This is a serious defect from the point of view of one trying to evaluate the dependability of the results and supports the view, more fully developed elsewhere in this discussion, that the statistical handling of the data is too crude to yield reliable results.

## III. THE FAILURE TO USE REASONABLE DISCRETION IN THE STATISTICAL INTERPRETATIONS.

The failure, in many cases to secure adequate sized or representative samples has already been noted, as well as the failure to compare jobs accurately but there are other serious statistical errors.

## a. The Attempt to Estimate a Representative Average From Data That Has No Central Tendency.

The statistician has to be very careful in his use of averages because there are a number of different purposes for which they may be computed,

An average is sometimes desired just as a mid-point. Thus if one tries to balance a yard-stick on his finger he needs to find the point that is equidistant from the ends. Or children on a teeter-totter need to find the mean point of the total weight on the teeter-totter to determine the point of balance. For purposes such as these the determination of averages is reasonable and logical for any



frequency distribution. At other times an average is desired as a point that is representative of all the points in a frequency distribution. The use of the median in the survey is of this latter type. The median salary for carpenters is found because it is assumed that the median salary is representative of all salaries in the group and that the variations from the median are those that can be attributed to chance.

Statisticians have studied the characteristics of chance distribution for years and have established definite laws concerning them. A chance distribution, one that a median value would represent, has more observation at a central point than at any other point and the frequency of the observations decline regularly as one moves from this central point of maximum frequency called the mode to the limits of the distribution. The number at limits or tails will be very small. Where these conditions are not met there is no satisfactory central tendency and no average, such as the arithmetic mean, median or mode will be representative of the distribution. Where there is more than one point at which observations cluster to form peaks or modes the statistician knows that the distribution probably contains two distinct kinds of observations rather than one. This important concept can be understood by anyone if he will consider the difference between Delicious apples and Crab apples. Both are apples but if one took one hundred Delicious apples and one hundred Crab apples and mixed them up together and then measured each apple to find its diameter he would find the hundred Delicious apples bunched around 3/4 inches and the 100 Crab applès bunched around 1-11/2 inches. The estimated median value would be about 2 inches and would not be representative of either apple.

The behavior of the statistics given in the survey makes it obvious that jobs were thrown together that were as distinctly different as Delicious and Crab apples. A good distribution to illustrate this is the one given for Elevator Operator on page 109.

The first thing that even a casual observer will note is that this distribution is like the distribution having Delicious and Crab apples mixed together. There are three widely

## ELEVATOR OPERATOR Salaries in Private Companies and Agencies

Salary	Total No. of
Range	Employees
Less than \$1000	7
<b>\$1000</b> — 1099	29 .
1100 — 1199	51
<b>1200</b> — <b>1299</b>	43
1300 - 1399	84
1400 - 1499	183
1500 — 1599	53
1600 - 1699	. 50
1700 - 1799	98
1800 - 1899	33
1900 - 1999	402
2000 - 2099	94
2100 - 2199	· 4
2200 - 2299	124
2300 - 2399	3
2400 — and over	4

separated class intervals that have bunches of more than 100 employees. There are five class intervals with more employees than the classes on either side. The statistician is forced to conclude that this distribution does not contain employees in equivalent jobs but that three and possibly five distinct jobs have been pooled into this one table. One job appears to pay about \$1400 with its mode between \$1400-\$1499, another has a mode between \$1900-\$1999 and a third between \$2200-\$2299. There may be additional distinct jobs with modes at \$1100-\$1199 and \$1700-\$1799. Such a series of essentially different jobs is in accord with common observations of the varying duties of elevator operators. For instance, some elevator operators are old men who are given jobs on slow moving relatively infrequently used elevators at pay that is slightly better than the available pensions. Another group requires more endurance and skill in stopping fast moving elevators but does not need to handle customers with skill. A still higher grade must maintain a smart appearance, deal courteously with passengers, act as a source of information and handle the finest type of elevators. To pool all these grades and arrive at an average produces a result that cannot be intelligently interpreted for determination of a state salary scale.

The table on Launderer on page 103 which has previously been discussed under the heading of failure to match jobs also illustrate this statistical error. The customary starting rate in Albany for unskilled laundry labor for light work, predominately women, is 55 cents per hour for the first two weeks and then piece work which probably yields at least 60 cents per hour which works out to \$1248 per year, closely corresponding to the \$1284 shown in the table as the mid-point of the salary range. It also corresponds to the mid-point of the \$1200-\$1299 class which contains almost half the total distribution. There is also another smaller mode, with less than one-tenth of the distribution, in the \$1600-\$1699 class which corresponds with the 80 cents per hour paid unskilled laundry labor for heavy work, primarily men. Thus the table on launderer contains employees in two distinct jobs with pay as far apart as Feld-Hamilton salary grades. As already noted neither of these outside jobs is the same as the specifications given for launderer in the State service.

This basic statistical error occurs in practically every table to a greater or less degree. The failure to study the nature of the data gathered very largely destroys its value as it is used in the Survey. The figures for Farm Manager, for instance, have practically no central tendency and indicate an almost complete failure of the technique to indicate the salary that should be paid for this job. Another good illustration of the blind use of the statistics gathered can be seen in the table for Senior Medical Technician on page 141 of the Survey. The median value given for Private Companies and Agencies is \$2130. There is one distinct mode at \$1800-\$1899 and another at \$3000-\$3099. Where there is such a sharp difference in modes the indication is that there are two jobs in private industry and the Survey should have found which job was similar to the state job. It is not statistically justifiable to average such diverse jobs.

#### b. The Failure to Check Doubtful Statistics By Using Other Available Data.

In view of the obvious difficulty in obtaining usable statistics by the techniques originally adopted it is surprising that other recognized sources of data were not used for supplementary information. For instance, the State Employment Service has skilled labor market analysts in each of the major labor market areas of the state and almost every sizeable community has an Employment Office with a trained and experienced manager. No indication is given that these men were used in checking the reasonableness of the figures in the Survey or the adequacy of the specifications used in establishing them. They were apparently used in selecting personnel for the field work.

The Survey would have been greatly strengthened by comparisons of the following type. The union scale for carpenter in Albany is \$1.65. Under present conditions carpenters can probably be assured of 40 weeks work a year which yields an annual income of \$2640 with 12 weeks vacation instead of the \$2478 income given for private employers, page 85. If a carpenter is willing to work overtime in seasonable weather he could probably boost the listed income substantially and still have 12 weeks vacation.

The case of the laundry workers has already been given showing how current information on the local labor market will give more accurate information on pay rates than the elaborate but imperfectly executed sampling of the Survey.

Typists in Albany are currently being offered \$25-\$35 per week. This will translate to an annual rate of \$1300 to \$1820. This compares with the State starting salary \$1560. Such a comparison is of great value in checking the reasonableness of the rates shown in the tables. As already noted the state rate is only moderately above the starting rate at Montgomery Ward.

## c. Table Comparing Rates in Different States Is Not Reliable.

The table on page 17 entitled "Average Yearly Earnings of Employees in Selected State Governments" is one of the most important in the Survey. For instance the New York Times selected this table as the only one to print in summarizing the report. This table is not reliable. Reference to the census data shows that the figures are computed by dividing total state payrolls by total employees. In many states including New York State the figures include full time and part-time employees. The relative proportions shift and all kinds of peculiar changes can occur. This fact presumably partially explains the drop in the average yearly earnings of employees in Illinois from \$1703 in 1938 to \$1370 in 1942 and the rapid rise to \$2095 in 1946. There are many other possible changes in the relative proportions of different kinds of workers in the state service. For instance from 1938 to 1942 unemployment decreased sharply and fewer clerks were required in the Division of Placement Unemployment and Insurance. Similarly at certain periods in the war it was possible to fill many low paid jobs in the institutions. At the end of the war much planning was necessary in the state service. The first steps of such planning tend to require highly skilled top grade technicians. All of these factors which have nothing to do with the pay for equivalent jobs go into these figures and make them completely unreliable as indicators of the level of State pay.

There is another minor error in this table which impairs the confidence of the user but which so far as spot checks can show does not add greatly to its misleading character. The figures given for 1938 check exactly with the figures given in the United States Department of Labor report for the average for the year 1938. This strongly suggests that these are averages for the year, and not July figures and hence that they are not as comparable as they purport to be.

## IV. THE REPORT IS OUT OF DATE.

## a. Failure to Recognize the Dynamic Nature of the Labor Market.

The current period is one of rapid change. The war and the inflation have completely disrupted normal relationships. In fact this is the reason that a study of State salaries was deemed necessary. In spite of this obvious fact the study has been largely conducted as though the world and New York State in particular were in one of those rare periods of static equilibrium, that would be so convenient for research workers.

The Survey seems to assume that wage relationships in private industry existing in the summer of 1946 can be properly used as an index of wage relationships in the spring of 1947. Thus wages paid to nurses in the summer of 1946 are assumed to

be the logical wages for nurses when it had actually been evident for months that the demand for nurses was outrunning the supply and that the salary for nurses would have to advance faster than other salaries. If the State is to secure adequate nursing service it must recognize the dynamic nature of the period and make a reasonable forecast of where the salary must be placed to secure the needed employees.

One of the useful devices for forming sound judgments on needed salary scales is the cost of living index. In a period when the average worker in the United States is raising his standard of living it is unlikely that any substantial group will be satisfied if it suffers a loss in standard of living. To use this technique properly one should also realize that the best comparison between state and private salaries is the competition achieved when employees are hired. Over a long period of time the employer generally gets what he pays for if he has a good scheme of recruitment. Thus it is reasonable to assume that before the war State salaries were adjusted to outside salaries by competition. Thus the minimum expected for the entrance salary for each grade in the State service would be the salary before the war plus the increase in the cost of living.

At a particular point in time, such as the summer of 1946, normal relationships may be greatly distorted. This is particularly true when a great inflation is occurring. Most students of the labor market recognize that weakly organized employees in specialized positions, particularly white collar workers and public employees, suffer particularly from delays in salary adjustments. A manufacturer negotiates with his labor union and is forced by it to make necessary adjustments before a large part of his trained force drifts away, but a public employer does not face a powerful union and the only available pressure is the slow and costly attrition of individuals leaving the service and new workers of equivalent ability refusing to accept jobs.

The facts just presented show that white collar pay scales are generally below their reasonable values in a period of rising prices. Under the circumstances, any organization

(Continued on page 58)

# ASSOCIATION ACTS TO SAVE CAREER STATUTE

February 8, 1947, was strictly a "save the State service through saving the Feld-Hamilton career plan for state workers" day for members of the Civil Service Employees Association as their delegates met in Albany. Any disillusionment that the new, easy to read 50 grades in Budget Bill, Senate Introductory No. 971, Print No. 1034, simply modernized the Feld-Hamilton laws' 13 services, each with its series of grades providing for orderly promotion, was thoroughly dispelled by the stern warnings of President Tolman and the legally concise words of John T. DeGraff and John E. Holt-Harris, Counsel and Assistant counsel respectively to the Association. Each speaker disclosed that the Budget Bill proposal would "take the heart out of the Feld-Hamilton law, the best public pay plan ever adopted anywhere."

The more than 30,000 members of The Civil Service Employees Association and in fact the whole body of state employees were well represented by more than 100 delegates from every part of the State and every group of state workers. It was a special meeting. The delegates were called together by President Tolman to examine thoroughly the proposals now before the Legislature having to do with salaries, bonuses and hours. Those who gathered for the occasion in the State Office Building in Albany named for a great champion of civil service and of unity of workers, Alfred E. Smith, felt something of his spirit as they twice rose to their feet in enthusiastic evidence of support of the Association's efforts on behalf of efficient public service and fair laws for public employees, and in a display of confidence in their officers and committees. Beyond the serious attention to the specific matters at hand, the meeting was a splendid demonstration on the part of State workers of unity in their own employees' organization.

The delegates praised Governor Thomas E. Dewey for including the emergency scales of 14 to 30 per cent approved on April 1, 1946, as a permanent part of the basic scales for the future. They were grateful to the Governor also for recommending an overtime pay beyond 40 hours.

They condemned without reserve the Salary Survey Report of the State Salary Standardization Board as "inaccurate, statistically unsound, out of date, and calculated to mislead." They adopted a 12 page report of Association experts which summarized its appraisal of the Salary Survey Report as follows: "No member of the Legislature, no state worker and no citizen can safely put any faith in either the detailed findings or the general conclusions of the Survey."

The delegates indicated that they held the strong belief that the report had misinformed and misled the Governor and his aides, and that it would mislead the Legislature if the rank and file of Association members did not act individually and collectively to inform their representatives in the legislature of the true facts.

In brief, the Association delegates asked the following pay and hour modifications in the Governor's Budget and Budget Bills:

- 1. The amendment of Budget Bill Senate Introductory No. 971 to include the equal pay for equal work principle and the promotion safeguards contained in the present Feld-Hamilton career law.
- 2. An emergency cost of living bonus to meet the 18% rise in cost of living since April 1, 1946, not recognized in any way in the Governor's Budget.
- 3. A straight 40 hour, 5 day week. with pay for overtime work beyond 40 hours, to become effective as to overtime pay April 1, 1947, and otherwise as soon as recruitment permits.

The delegates did not consider the many other bills having to do with retirement and various employment problems introduced in the Legislature as a result of delegate action on October 15, 1946, but the delegates overflowed Association headquarters the day previous and the day following the meeting to discuss with officers and members of the Association staff the progress of legislation

The resolutions adopted by the delegates and the statements of President Tolman, Mr. DeGraff and

appropriation of \$11,000,000 for other speakers are printed on the opposite pages of this issue.

> Other speakers included Vice Presidents Jesse B. McFarland and John F. Powers.

## Delegates and Representatives at Special Meeting

Sidney Alexander, Psychiatric Institute Chapter.

David L. Alloway, Attica State Prison Chapter.

Leon Armer, Clinton Prison Chap-

Theodore Becker, Civil Service Dept. Chapter.

Marie Bolger, Niggs Memorial Hospital Chapter.

Glenn T. Brennan, Marcy State Hospital Chapter.

Earl J. Bullis, Public Works Dist. No. 14, Rochester.

Gladys Butts, Oneonta Chapter. Catherine Campion, James Christian Health Dept. Chapter.

Ralph Carpenter, Vocational Institute, West Coxsackie.

Samuel Cippola, Craig Colony, Sonyea Chapter.

Charlotte Clapper, Health Dept. Wilfred Coiteux, Harlem Valley State Hospital Chapter.

John C. Collins, Motor Vehicle Chapter.

Charles R. Cox, James Christian Health Dept. Chapter.

Joseph Crotty, Hamburg Chapter. Aloysius H. Curran, State Bridge Authority.

Roy Curtiss, Social Welfare Chapter. Guy de Cordova, Hudson River State Hospital Chapter.

Lee Danaher, Pilgrim State Hospital.

John J. Denn, Jr., Taxation and Fi-

Elwood De Graw, Kings Park State Hospital Chapter. Mayone des Roberts, Social Welfare

Chapter. John A. Deyo, State School for Girls.

Hudson. Clarence Dickens, State College at Ithaca Chapter.

Harry Dillon, Auburn State Prison Chapter.

Angelo J. Donato, Palisades Interstate Park Comm, Chapter.

Marie H. Donovan, Buffalo State Hospital Chapter.

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The State Employee

WHEREAS, A careful technical analysis of the survey Report of the Salary Standardization Board

(1) failure in general to compare jobs in the public service with like jobs in industry;

(2) that the samples used were not properly representative of positions in the state service;

(3) that the data collected was not properly analyzed or interpreted,

(4) that there was no recognition of the rapid changes in wage rates in the postwar period, particularly in the last six months, and

WHEREAS, The general conclusion of the salary analysis was that the Report would not stand up to critical analysis, that it fails to compare like jobs, that

WHEREAS, The Salary Board has recommended and the Budget has introduced in the Legislature a bill to establish a series of fifty (50) salary grades to supplant the services and grades in the Feld-Hamilton Law,

WHEREAS, This proposed legislation will deprive state employees of career opportunities, equal pay for equal work and other cherished civil service rights, and,

WHEREAS, It would result in a general lowering of the services of the state to the people and would shatter morale and reduce efficiency, and,

WHEREAS, It has been the accepted policy of the state that public service is a career and that only the best available talent shall be trusted with public service, THEREFORE, BE IT RESOLVED, That this As-

WHEREAS, The principle of equal pay for equal work is one of the main pillars of the public service, and

WHEREAS, The Survey Report and the Budget Bill provide for unequal pay for equal work through its provision for differentials between different areas in the state wherever recruitment lags,

THEREFORE, BE IT RESOLVED. That the officers of the Association be instructed to endeavor to defeat the proposed area differential provision in the Budget Bill so as to safeguard the principle of equal pay for equal work.

WHEREAS, The Governor and the Legislature have granted salary increases through the year 1943 to

WHEREAS, In September 1946, the administration promised for all institution workers a forty-hour week with pay over 40 hours, effective as soon as the necessary legislation could be obtained, and

WHEREAS, The Budget Bill does not grant a forty-hour, 5-day week as desired and as expected by the employees in institutions, and

WHEREAS, The Executive Committee has recomnended the appropriation of \$25,000 or as much thereof as may be necessary to carry out an aggressive campaign to protect the salaries and inherent rights, and indeed the life and liberty of state employees,

its samples are frequently inadequate and that its statistical methods are unsound, and that in view of its defects no member of the Legislature, no state employee and no responsible citizen who examines the Report can safely put any faith in its findings,

THEREFORE, BE IT RESOLVED, That the Civil Service Employees Association, through its duly elected delegates from all parts of the state charge the officers of the Association with the responsibility of telling the truth about the Survey and to bring its fallacies and failures to the attention of the Legislature and its Committees and to the people of the state and to do everything in their power to prevent the adoption of low salary scales for state employees based upon the false findings of this Report.

WHEREAS, This proposal is a revival of the Burton Salary Plan of two years ago, which was repudiated by

THEREFORE, BE IT RESOLVED, That the Association oppose this legislation in its present form to the limit of its strength and do everything in its power to inform the Legislature and the people of the vital threat to efficient state government inherent in the abandonment of the principles of the Feld-Hamilton Career Law and of the necessity of amending the proposed legislation to retain basic Feld-Hamilton safeguard.

sociation denounces the proposal inherent in the Salary Survey Report and in the Budget Bill that only average and below average ability is required or desired in the state service.

1946-47; based upon the increased cost of living, and WHEREAS, He has failed to recommend any increase in salaries for the year 1947-48 to reflect an 18% or more increase since the last salary increase was made.

as shown by the consumers' price indexes, and WHEREAS. A large percentage of state employees have been obliged to reduce drastically their modest standard of living or to seek outside work in order to maintain their families,

THEREFORE, BE IT RESOLVED, That the Association cause to be introduced an emergency cost of living bonus bill to fairly reflect the present increase in cost of living.

WHEREAS, The granting of any reduction in hours permitted by the Bill is not mandatory and is at the sole discretion of the Director of the Budget,

THEREFORE, BE IT RESOLVED, That the Association continue to urge a real 40-hour, 5-day week with pay for overtime and that the 48-hour week be abolished as rapidly as practicable.

THEREFORE, BE IT RESOLVED, That the delegates duly assembled authorize this expenditure and direct the officers to proceed immediately with all measures deemed essential to success in this campaign.

## DR. TOLMAN SUMS UP CRISIS IN SERVICE

In the words printed here in full, Dr. Frank L. Tolman, Association President, sounded the call to action in the critical situation, facing State employees. This is the President's speech at the Special Meeting in Albany, February 8.

The purpose of this meeting is primarily to consider the attitude and the program to be followed by the Association in connection with salaries, civil service legislation, and the proposed destruction of the Feld-Hamilton law by the substitution of the fifty schedules instead of the Feld-Hamilton rates in the present civil service law.

I would like to very briefly tell you first what the Association has done in this matter, and then to review a little bit of the history of how things got this way.

The Association has had conferences with the Governor, with Mr. Breitel, with the Standardization Board, and with Mr. Burton. It will be remembered that the Governor said when the last increase was given he would not make a further increase until he had determined how salaries in State service compared with salaries outside. We told him we were entirely satisfied that such an important study was needed, that we felt certain such a study, if it was fair and accurate, would show State salaries were below a proper level, and that we would be very much interested in such a study. An appropriation was granted to the Salary Board and a technical staff was appointed. We went to the Salary Board many times during the course of that study and they gave us absolutely no information as to what was in the minds of the Salary Board. They did tell us something about the methods that were being used in this

The salary study was reported to the Governor on January 15th. Copies of the report were not made available to us. We couldn't get hold of one of them. We contacted the Governor's office nearly every day and were told we could have a copy when it was given to the press. I wrote to the Governor after he gave his general statement to the members of the press, saying that he had said a great deal about salaries, that the employees were very much troubled by what he had said, and that we hoped to have the report and be able to talk the matter over with him.

After his message to the Legislature, I wrote him again saying the Association did not agree in any way with the facts he stated to be true in reference to salaries, that we still had not had an opportunity to see the report, and that we wanted a further conference in the matter. He advised that he had not read the report either and stated that when he had read it and we had read it, he would call us into conference. Now, you see, all these salary recommendations had been made by the Governor before he had read the report. He has taken certain statements of conclusion but I don't think he has made a careful analysis or study of the report. On the basis of that report the Governor adopted the following salary plan:

He did something he had promised to do, something for which we are duly grateful—he wrote the emergency war compensation into the base rates, so those will be permanent. In addition, he leveled them off a little where the percentage increase varied, and that means an average increase of about \$50 to every person.

In September, the Budget Director issued an order putting a five-day 40-hour week in general operation; a 371/2-hour week in the departments, and promising a 40-hour week in the institutions, as soon as the money could be obtained.

This appropriation bill provides about \$10,000,000 for pay for overtime. That means that the Governor has kept his pledges to a considerable

The Administration has not made provision for a 5-day 40-hour week; it has made provision for pay in institutions and departments for work that is definitely authorized and required after 40 hours.

What we have received is the writing of the war emergency pay into the pay scales, a very slight adjustment to make the pay scales

more even, pay for overtime as may be authorized by the Budget, and that comprises about all that has been given or proposed to be given to the State employees this year.

We told the Governor in our con-

ference that we were unable to see

how the State employee could be

expected to absorb the most drastic rise in the cost of living that has occurred during the war and postwar period without some corresponding increase in salaries. We called his attention to the fact that in all his other budget messages up to this year he had granted increases on the basis of the increased cost of living; that his last increase amounting to 30% in the lower brackets and 14% in the upper brackets nearly reached the increase in the cost of living in the lower bracket but was far from reaching it in the higher bracket. The cost of living increased in this past year from 132 to 153%, and we were asked to absorb that increase by lowering our standards of living, by finding outside jobs and in any other possible way. This was equal to a reduction of salary of about 20%. That's our salary situation: in terms of real money, of purchasing power, it would be about 1/5 less approximately next year than last year. So that we were asked to take approximately a 20% cut in the real salaries of State employees, and we just didn't see how it can be done. The Governor said in effect: "Gentlemen, I have to look at the national picture. We are threatened with very great and very real inflation, and we think that everything should be done to curb that inflation. We think the State of New York should be a model, an example to industry and other people. Raises in wages will raise prices. This will lead to a runaway inflation. State salaries must be used as an example to the people of the State to keep wages generally in line." We asked the Governor why he didn't attack the high wages instead of the notoriously low wages of the State employee; why he didn't reduce wages in high paid industries: why he should pick out for a guine pig the person whose income was so limited, and he said in substance: "Well, on the basis of the salary study you are pretty well paid. We

think you can take it." The inference is that it may be true that other people can take it better, but it is easier to take it away from us than from other organized groups.

I want to be perfectly fair. I want you to understand that the method of this organization in all of its conferences with the Governor and everywhere else, has been to try to present the facts as we see them, to make the strongest presentation that we can make, to break down misinformation and prejudice, and arrive at a fair solution or compromise.

After the Governor had made that statement and we had countered with a statement that to our belief the members would not support the administration's hold the salary line policy it was agreed that the Association should have complete liberty of action in trying to get any relief that it could from the Legislature or from the public support of the people of the State.

Let us see what the situation is: we have, then, from the Governor an agreement that this Association, if it so desires, can introduce legislation to provide the salaries which we think are fair and proper. We have entire liberty to do everything that we properly can to secure such legislation. We have still scheduled conferences with the Director of the Budget in reference to some of the budget bills so that minor amendments may be made to take care of some of our particular objections to the administration of the proposed salary scales. But this legislature is going to have a very short session. The policy is to get everything finished by March 17th. The budget bill will be among one of those things that will probably be hurried as much as possible. So that one of the questions which we have to deide at this meeting is whether you agree with your officers that the lemand for a reasonable cost-ofiving bonus for next year is reasonble, and whether we should try to get it. There are other things that are even more important. Should we ry to protect the Feld-Hamilton aw? Should we try to get a real day 40 hour week in the instituions that will be mandatory, except for such emergency as may arise?

We have also had conferences with the Standardization Board, as I have stated, which will be described later. You will be told more about our conference with the Governor, and you will be told more in detail why we feel this report of the Standardization Board on salaries paid outside is an entirely prejudiced, unfair, untrue and unscientific document.

One of the things I have always believed is that no benevolent administration or anybody else is going to take care of the welfare of all of the employees, if they don't do anything about it themselves. I think we have had altogether too much experience not to know that unless pressure is brought by employees to protect their essential interests they will be about the first people to be sacrificed for political advantage or for budget economy. We are now at a point where it seems to be good politics to make a small savings in the salaries of state employees. I don't believe it is a savings in the long run, but that seems to be the official standpoint at the present time.

Our Association has every right that every citizen has to go to the Legislature to present its needs; it has the fundamental constitutional right of petition; it has the right of conference which the Governor and the administration has accorded to some degree to this Association, but which is still very restricted. A real employer-employee conference plan would give employees the data upon which decisions are reached before the conference; the data wouldn't be held up. Proposed legislation would not be held up until the last possible minute and then the employees told the bill has to be printed that afternoon and a decision has to be arrived at immediately.

Your Association, through the officers, has come to the conclusion and has acted on the principle, that if the conference plan is to work it has got to be real conference; that we have got to have an opportunity to study proposals; that we must have the facts upon which all proposals are based. And we cannot agree to be brought in at the last minute, with everything settled, and be told about it then. We have reached the conclusion that there is no conference

when you sit down, for instance, with the Salary Board, and they say, "Now, gentlemen, what do you want to say?" and you tell them what you want to say and they all keep still or talk about some other matter, and when you get through they say "Thank you, gentlemen, and goodbye." Conference is a twoway street in which the ideas of interested parties meet and they are perfected or changed and altered by the truth on both sides. And I say as long as I am president of this Association, the major objective is going to be to perfect that art of conference until it really works with a fair opportunity for doing a good

That, I think, is as much as I will say at this time in reference to the general situation. I have tried to tell you in a very general way what we have done, to tell you in a general way the reception we have received. to tell you in a general way the decision of your officers, and I should add this entire matter went to the last meeting of the Executive Committee and they voted complete agreement with the policy and the proposals of the officers. Those proposals are these: that we will go out, after we have drawn up what we think is a fair salary law, and we will try in every way to get it passed. We will spend a considerable amount of money in bringing this situation befor the people of the State. We will try to see every member of the Legislature when he is home, by members of our Association who are his friends and neighbors. We will tell the facts as we see them, through publications, through newspaper releases, and through advertising. We will make it perfectly plain that we think as far as salaries are concerned that we must have an increase that fairly corresponds with the increase in the cost of living since the last emergency increase in salaries was granted.

More important than the salary matter is the preservation of the Feld-Hamilton law. We worked 10 years to get Feld-Hamilton. All over this country every civil service jurisdiction and every public employee's organization regard it as the best salary

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# ATTEMPT TO WHITTLE FELD-HAMILTON LAW

At the Special Meeting Feb. 8. Counsel John T. DeGraff gave "facts and figures" which are presented herewith in full.

"I notice the title assigned to me is 'The Whittling Away of the Feld-Hamilton Law.' I didn't think up the title, but it is appropriate because that's just what is happening in the proposal now before the Legislature.

In order to really understand what Feld-Hamilton does, we first must know how conditions were before it came into being. I suppose most of you, probably a great many of you are aware of the conditions that existed before 1937. At that time there was no relation between salary and work. The principle of equal pay for equal work was something which was talked about but it was not practiced. A survey showed a junior clerk received anywhere from \$680 up to \$3000. Senior Clerk, supposedly a higher title, would receive from \$900 to \$3000 or more.

The State salary system, if it could be called a system, was nothing but a mess. The survey showed that certain departments which had some prestige or authority or some interest in their employees were paying salaries that were 50% higher than salaries paid by other departments for exactly the same work. When raises came around, there was no system. A department head would wrangle out of the Governor \$100,-000 or \$200,000; he would pass it around as he saw fit, sometimes to the people at the top, sometimes spread so thin that it would be only \$25 or \$50 apiece. Sometimes there wasn't anything to spread around.

The Feld-Hamilton Law started in 1937—that's when it was passed; it became effective the following year. It was a non-partisan measure passed by a Republican Assembly, a Democratic Senate, and signed by a Democratic Governor. It has always been a non-partisan measure, right from the beginning.

The whittling away started the first year. You will remember we had barely got started when there was a suspension of increments because of a drop-off of business conditions. The next whittling away

occurred in 1943 at the time we put on quite a campaign to put the attendants at Dannemora and Matteawan in the same scale as prison guards. And then the Governor came along with a special message, in which he urged the bill be defeated and, instead, that there be a \$100 raise provided for these employees. That was coupled with a bill which put a couple of new and lower grades in the prison safety service. By putting a new grade below \$1800, it permitted the Salary Board to lower salaries. Fortunately, that has not been done.

Now we come to the third whittling, and that was the Burton Plan of two years ago. There was no mystery about the Burton Plan; it was put out in the open before it was given to the Legislature. But the employees' reaction to the Burton Plan was immediate, outspoken, and unmistakable. The Association attacked it as breaking down the Feld-Hamilton law; we said if it was introduced in the Legislature we would fight it, and the result of that action was that it wasn't introduced in the Legislature. Two years have gone by, and we are now back where we were in 1944 when the Burton Plan was proposed. This present plan is no different, the basic plan and concept is exactly the same as the Burton Plan you know about, and it is a byword to the State employee as something he doesn't want.

In what respect is the Feld-Hamilton law changed? The Classifica-tion Board is still left, the Salary Board is still left. But those longrange protections for the employees, those things that make the Feld-Hamilton a career law instead of a set of figures, are largely gone if this plan is put into effect.

There are three main defects. The first is the destruction of the promotion series that exists in the present law; the second is the destruction of the policy of equal pay for equal work; the third is the destruction of the minimum salaries that are contained in the present law.

What do we mean by promotion series, and destruction of career opportunities? It is true that the promotion series for this year under this new proposal will be exactly as they are today. The bill does provide that no reductions will be made for the coming fiscal year. It isn't possible to reduce salaries in the coming fiscal year because they are too low now. The problem is for the future. The salary increases between positions where promotions take place, has been one of the most important safeguards in the Feld-Hamilton Law and has made it what it is today It is that gap that made possible most of the raises that were made in 1938 and 1939. The tendency in state service before Feld-Hamilton was to pay as little as possible on promotion, some small amount that made the promotion hardly worthwhile. Feld-Hamilton prevented that by having a spacing between all grades so that positions on promotion had to be pushed up a certain amount, in most cases \$400 or \$500. Let us take the position of Clerk. Under the Feld-Hamilton Law, an Assistant Clerk got \$1200 to \$1700, a Senior Clerk \$1600 to \$2100, a Principal Clerk \$2000 to \$2500, Head Clerk \$2500 to \$3100, and Chief Clerk \$3100 to \$3850. In other words, there was a substantial raise between every one of those positions. It couldn't be any less because there aren't any other grades between those

What happens under the new bill? An Assistant Clerk is in G-2; G-2 is the \$1600 to \$2200 grade. Senior Clerk is in G-6. Principal Clerk is in G-10. The salaries are just the same as today in addition to the emergency bonus and the small differential. But look what happens between Assistant Clerk and Senior Clerk. There are four grades between G-2 and G-6; four grades between Senior and Principal Clerk G-6 to G-10; between Principal and Head Clerk, five grades; G-15 to G-20. Between every one of those existing titles there are either four or five new grades, and in those new grades these positions can be dropped or, if the dropping is impossible from the top down, they can be raised from the bottom up and let the top remain stationary; but in either case you can telescope these positions.

In other words, instead of being promoted and going up \$500, you could be promoted to the next grade

and get \$100. They might be liberal, and you could be promoted two grades and get \$200. But you would have to be promoted four or five grades to get what you get now under Feld-Hamilton.

That is not necessarily an immediate threat; it isn't going to happen this year. But over a period of time this is a serious threat to making state service a career service because changes usually come from the bottom up. The bottom grade is where vou find difficulty in hiring. That requires higher rates to find the people necessary to do the job. But there isn't much pressure to raise the salaries at the top. Those people are still working, are in the pension system, and they are not going to quit, and you can always promote new people to fill those higher jobs.

That's a long-range outlook which we view with alarm. Under Feld-Hamilton, when you raise the bottom salary you must keep that same relationship with the higher grades. There isn't any choice.

Our fear isn't far-fetched because you have only to look into the past to see what happened. Take a Prison Guard who got \$1800 to \$2300. Before Feld-Hamilton, when he got a promotion to Sergeant he got \$200; when he got to Lieutenant, he got \$100, and Captain at another \$200. It wasn't worthwhile to accept a promotion and take the responsibility of moving a family if there was only \$100 or \$200 extra pay. That's what we fear in this destruction of the present promotion opportunities.

I want to make it clear that the danger is a future danger; it isn't this year, but it is aggravated by the traditional reaction of the Salary Board where they react mainly to pressure from economic conditions, and pressure from above. That's the danger in losing the fixed relationship between salary promotions, and t isn't going to be an easy one to

In this schedule, with 50 different grades, I am frank to say I don't snow yet exactly how we can write nto those 50 grades the protections ve now have in Feld-Hamilton and at the same time have the flexibility we need. I think it can be worked but in time but it isn't an easy job to put back those protections which were inherent in the schedule and which are now totally destroyed by this new list of figures.

The second one is the destruction of equal pay for equal work, by permitting higher pay in certain areas of the state. The proposal is that wherever the Salary Board finds it difficult to recruit in any given area, the salary rate in this area can be raised by one or two increment steps. That means that an Attendant who has been reduced from \$1690 down to \$1600, who works in a locality where it is difficult to find Attendants at \$1600, can be increased by \$120 or \$240 in certain institutions or in certain areas. The philosophy behind that proposal is simple and has a certain amount of economic appeal. The Department of Mental Hygiene says there are some institutions where they can hire all the Attendants they want at present rates; there are some where they can't hire any one for those jobs at present rates. Under Feld-Hamilton where you have got equal pay for equal work, when it is difficult or impossible to hire people for institutions, you raise the salaries on a state-wide basis and everybody participates in it. But under this plan, you can raise the salary on Long Island and let it remain the same everywhere else.

While it sounds good in theory to some people, I don't think it sounds good to you. It isn't going to work out as equal pay for equal work. If that policy is put in effect, one rate can be paid in one county and, in the adjoining county, another rate. If there is any justification for that proposal, it is far more justified in the federal government where there are economic differences between southern and northern states, but in federal service they have roughly what is equivalent to our equal pay for equal work, and the salaries are the same throughout the States. How then can you justify picking out in the State of New York one county where higher salaries are paid than in another county where the employees do the same type of work?

The next is minimum salaries. Minimum salaries haven't meant much to employees during the past few years. Our problem was: how

high can we get? But we are going to be faced with the possibility that prices are going to decline, and, when business declines, when the tax revenues aren't coming up to where they were, when the administration has to advocate the levying of new taxes in order to balance the budget -that's when the attack on employees' salaries will begin. And that was prevented by the Feld-Hamilton Law because there was a schedule of minimum salaries which could not be reduced.

This safeguard is destroyed in the proposed schedule. The new minimum is \$1500. You can't get less than \$1500, but that's the only minimum there is. Every position in the state service can be reduced in the discretion of the Salary Board and the Budget Director by 1, 2, 3, 4, 5, 6 grades without recourse to the Legislature, without anything but a wave of the hand by the Salary Board and an OK by the Budget Director.

Every one of these three items I have mentioned were in the Burton Plan of two years ago. This bill can be corrected in part by cutting in the minimums that are now in Feld-Hamilton. All you have got to do is write in the minimum salaries for certain groups. You could write a series of key minimums such as now exist in the Feld-Hamilton Law and thereby preserves some of the protection that goes with minimum grades.

Last September or October you all read the announcement of the Budget Director. That announcement stated a maximum 40-hour week was to be established for all departmental and institutional employees. Now we have the bill that has been introduced and which is now printed. It is a very interesting document; it is quite unique; one of the most amazing laws we have been privileged to read in some years. I will read you a few lines: (Senate bill Intro. 972, Print 1035 (1947)) "§41-a. Work-week of state officers and employees for basic annual salaries: overtime compensation. 1. For all state officers and employees, other than officers and employees of the legislation and the judiciary and other than those who shall be ex-

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## LEGISLATIVE PROGRAM OF ASSOCIATION - 1947

FOLLOWING IS THE ASSOCIATION'S 1947 LEGISLATIVE PROGRAM AS OF FEBRUARY 7. AFTER THE SESSION THERE WILL BE PUBLISHED A COMPLETE REVIEW OF THIS PROGRAM, INDICATING THE ACTION TAKEN ON EACH BILL:

#### Key to symbols:

- (D).....Drafted by Association and introduced at its
- (S).....Sponsored by Association and drafted in cooperation with others.
- (A)....Approved and supported by Association.

#### SALARY BILLS 1. UNEMPLOYMENT INSURANCE (D)

Intro. Print Committee Introducers Labor 297 297 Halpern Senate Ways & Means Assembly 203 203 Barrett

Extends Unemployment Insurance to all permanent State employees in the classified service. This bill, which has been sponsored by the Association for the past four years was recommended by Governor Dewey in his message to the Legislature. It gives State employees the same benefits now provided for private employees under the Unemployment Insurance Law. Passed Assembly.

### 2. COST OF LIVING SALARY ADJUSTMENT (D)

199 199 Condon Finance Senate Ways & Means Assembly 374 376 Barrett

Provides, that whenever cost of living rises 5% above the 1946 level, salaries \$3,000 or less will be raised 5% and those over \$3,000 will be raised 5% on first \$3,000 and 21/2% on the remainder with similar automatic increases whenever the cost of living rises.

## 3. DANNEMORA AND MATTEAWAN

351 359 Bontecou Finance Senate Assembly 271 271 Fitzpatrick Ways & Means Provides that, effective October 1, 1947, all attendants

shall be reclassified to the competitive class, incumbents to keep positions without examination, and receive same pay as prison guards and officers in other prisons. Appropriates \$95,000.

### 4. WESTFIELD AND ALBION (D)

503 516 Williamson Finance Assembly 286 286 Thompson Ways & Means Makes same provisions as (3) for Matrons in Westfield and Albion. Appropriates \$90,000.

#### 5. EMERGENCY COMPENSATION (Departments) (Conferences in progress)

- 6. EMERGENCY COMPENSATION (Judiciary) (Conferences in progress)
- 7. EMERGENCY COMPENSATION (Legislature) (Conferences in progress)

#### No. No. Introducers Committee 8. ARMORY EMPLOYEES (D)

Halpern Finance 1183 Senate Radigan Ways & Means Assembly

Raises pay of Armory employees by \$3 per day for Superintendents, all others by \$2 per day.

#### 9. CORNELL EMPLOYEES (D)

Provides no salary increment shall be denied except for unsatisfactory service.

> 10. AGRICULTURAL INSTITUTES (Conferences in progress)

#### FELD-HAMILTON AMENDMENTS

15. GENERAL REVISION OF FELD-HAMILTON LAW (Conferences in progress)

16. INCREMENT CREDIT FOR TEMPORARY AND PROVISIONAL SERVICE (Drafted)

> 17. OVERLAPPING GRADES D.P.W. (Being Drafted)

18. INCREMENTS AFTER 5-10-15 YEARS (D)

Assembly 373 375 Barrett Ways & Means

Gives one extra increment to employees who have been at maximum of Feld-Hamilton grade for five years, another 10 years and a third increment after 15 yearsaggregate not to exceed \$4,000.

### 19. (M) FOREST RANGERS (D)

259 259 Stokes Conservation Senate Assembly 625 Lawrence Conservation Extends Feld-Hamilton Law to Forest Rangers in the Conservation Department.

20. (M) NIAGARA FRONTIER (D)

207 207 Burney Finance Assembly 253 253 Pillion Ways & Means

Extends Feld-Hamilton Law to employees of Niagara Frontier Authority.

## 21. (M) BOARDS AND AUTHORITIES (D)

208 208 Burney Finance Assembly 252 252 Pillion Ways & Means

Authorizes every Public Authority, Board or agency not now under Feld-Hamilton Law to elect to have pay of its employees fixed under the Feld-Hamilton Law. Third reading S. and A.

#### 22. MAXIMUM AFTER FIVE YEARS SERVICE (D)

532 547 Fine Finance Senate Assembly 785 795 Radigan Ways & Means Requires payment of Feld-Hamilton maximum to

employees who have been in the grade for five years.

### 23. REVOLVING FUND (D)

359 367 Erwin Public Service Ways & Means Assembly 278 278 Ostertag

Extends Feld-Hamilton Law to employees of Revolving Fund in Public Service Department.

Intro. Print No. No. Introducers Committee

24. NURSES - INCREASED COMPENSATION (D) 205 205 Anderson Civil Service Assembly 314 314 Van Duzer Civil Service

Transfers nurses from the Junior Professional to Professional Service at increased compensation.

#### 25. NURSES — DEFINITION (D)

Senate Anderson Civil Service Assembly 315 315 Van Duzer Civil Service

Provides that Professional Service shall include "professional" rather than "graduate" nurses.

> 26. TEMPORARY RECLASSIFICATION 48-a (Being drafted)

#### RETIREMENT BILLS

## 30. MINIMUM RETIREMENT ALLOWANCE (D)

540 555 Hallowell Senate Pensions Assembly 670 678 Shaw Ways & Means

Provides a minimum pension of \$30 each year of service up to 30 years. This, together with employee contributions, will insure a minimum retirement allowance of \$1200.

## 31. VESTED RETIREMENT BENEFITS (D)

Senate 1220 Wachtel Pensions Assembly 1141 Brener Civil Service

Provides that if employee discontinues state service after employment for five years, he may elect to leave his funds on deposit in Retirement System at such interest rate as Comptroller may approve, and receive deferred retirement allowance at age 60.

#### 32. ONE YEAR DEATH BENEFIT (D)

Senate 539 554 Hallowell Pensions Assembly 669 677 Shaw Pensions

Increases death benefit from six months to one year's salary, computed at the rate of one month for each year of service.

## 33. TWO-YEAR DEATH BENEFIT (D)

Senate 1180 Desmond Pensions

Provides that death benefit shall be computed at one month's salary for each year of service up to twelve years, and thereafter at the rate of one month's salary for each two years of service. Maximum benefit, two years salary, with proviso that no benefit be increased after age sixty. ,

## 34. 55 YEAR RETIREMENT PENSION (D)

Senate 1179 Desmond Pensions Assembly 856 866 Noonan Ways & Means

Authorizes every member of Retirement System to elect to retire at age 55, additional cost to be divided equally between employee and the State.

## 35. TWENTY-FIVE YEAR RETIREMENT (UNIFORMED PRISON PERSONNEL) (D)

245 245 Condon Pensions 272 272 Fitzpatrick Assembly Ways & Means

Introducers Committee

Provides for retirement after 25 years of service or at age sixty upon paying same contributions now paid by state police.

#### 36. 25-YEAR RETIREMENT — INSTITUTION EMPLOYEES (D)

Senate 886 923 Wachtel Pensions Assembly 377 379 Knauf Ways & Means

Provides for retirement after 25 years of service for all employees in institutions in departments of Mental Hygiene, Correction, Social Welfare and Health.

#### 37. 25-YEAR RETIREMENT FOR ALL EMPLOYEES (D) Assembly 1011 Austin Ways & Means

Gives all employees of the State the option to retire after 25 years of service, additional cost to be divided equally between the State and the employee.

#### 38. PENSION CREDIT FOR TIME ON PREFERRED LISTS (D)

318 324 Fine Senate Pensions Assembly 668 676 Shaw Pensions

Provides that employees may obtain retirement credit for time on preferred list by paying both State's share and own share for such period.

## 39. PURCHASE OF ADDITIONAL ANNUITIES (D)

Senate 1101 Mitchell Pensions Assembly 1237 Hatfield Ways & Means

Authorizes employee to make additional contributions to Retirement System for the purpose of purchasing increased annuities.

#### 40. DEATH BENEFIT - SICK LEAVE (Drafted)

Provides death benefit may be paid while employee is on leave of absence for illness not exceeding 2 years, thereby extending the terms of present law which prohibits payment of death benefit if employee has been on leave of absence for more than one year.

### 41. COMMISSION TO STUDY RETIREMENT LIBERALIZATION

Assembly 1089 Noonan Ways & Means

Creates Commission of nine members to study Retirement Law and to recommend and devise plan to liberalize Retirement Law by providing for minimum pensions, lower retirement age and other benefits. Appropriates \$100,000.

## 42. CORRECTION SYSTEM OPTIONS (D)

593 608 Erwin Pensions Assembly 824 834 Fitzpatrick Pensions

Allows members of Correction Retirement System same options now in effect in State Retirement System.

### 43. MENTAL HYGIENE RETIREMENT OPTIONS (S) (Drafted)

Allows members of Mental Hygiene Retirement System the same options now in effect for State Retirement System.

## 44. WIDOW'S DEATH BENEFIT (CORRECTION) (D) (Drafted)

Provides that widow shall receive annual pension \$600 if she was married for five years to a prison guard who has retired or was eligible to retire under Correction Retirement System.

#### 45. ARMORY EMPLOYEES (D)

Senate 457 470 Halpern Pensions Assembly 786 796 Radigan Ways & Means

Increases from five to ten years the period in which member can obtain benefits of Retirement System from which he was transferred by operation of law.

#### 46. EXEMPT RETIREMENT FROM ESTATE TAXES (D)

Senate 440 453 D'Allessandro Pensions Assembly 231 231 Foy Taxation

Exempts all retirement benefits from New York State Estate taxes on death of member of Retirement System.

## 47. MEMORIALIZE CONGRESS TO EXEMPT PENSIONS FROM FEDERAL INCOME TAX (S)

Jan. 13th Van Duzer Rule

Resolution requesting Congress to exempt pension incomes of \$2,000 or less from Federal income tax.

## 48. CORNELL PRIOR SERVICE (S) (Drafted)

Amends statute applicable to Cornell University to extend time for claiming prior service credit.

## 55. RETIREMENT CREDIT FOR MILITARY SERVICE (S) (Drafted)

Provides that all members of the Retirement System shall receive full retirement credit, without making any contribution, for period of military service in World War II.

#### (M) 56. REINSTATEMENT AFTER RESIGNATION (D)

Senate 309 309 Manning Defense Assembly 276 276 Milmoe Military Affairs

Provides that employee who resigned during or within six months prior to military service in World War II, may, in discretion of appointing officer or body be reinstated to former position and receive increment credit for military service providing reinstatement is made within one year after resignation or six months after effective date of act, excluding from such periods the time he was in military service.

## (M) 57. NATIONAL GUARD AND RESERVE FORCES (D) Senate 206 206 Anderson Defense

Senate 206 206 Anderson Defense Assembly 277 277 Ostertag Military Affairs

Amends section 43 of Military Law to provide that employees who, after April 1, 1942, becomes members of National Guard, or Naval Militia, or of Reserve Corps or Force in U. S. military, naval or marine service, shall have 30 days leave of absence with full pay and retirement protection when engaged in ordered military duty.

#### HOURS OF WORK

## 63. 40 HOUR WEEK

Senate 972 Budget Bill Finance Assembly 1081 Budget Bill Ways & Means Provides 40 hour week with overtime at straight time rates for work in excess of 40 hours per week, in discretion of Budget Director.

## 64. TIME AND ONE-HALF FOR OVERTIME (D)

Senate 871 Fine Labor

Provides that all employees shall be paid time and one-half for work in excess of 40 hours in any week.

#### 65. TEACHERS SOCIAL WELFARE (D)

Senate 892 Young Social Welfare Assembly 950 Van Duzer Social Welfare

Provides that teachers in Social Welfare Department shall be limited to same working hours as teachers in Mental Hygiene.

#### CIVIL SERVICE BILLS

#### 71. STATE POLICE (D)

Assembly 915 Barrett Ways & Means
Provides that employees of Division of State Police
shall be appointed and promoted in accordance with
Civil Service Law.

#### 72. EXTEND MERIT AWARD BOARD (D)

Senate 228 228 Halpern Finance Assembly 316 316 Van Duzer Civil Service Extends Merit Award Board to April 1, 1948.

## 73. REMOVALS — TWO YEAR LIMITATION (S)

Senate 1063 Wicks Civil Service Assembly 17 17 Del Giorno Civil Service

Provides that removal or disciplinary proceedings must be brought within two years after misconduct or incompetency which forms the basis of the charge.

## 74. HEARING AND COURT REVIEW OF REMOVALS (A)

Senate 93 93 Fine Civil Service Assembly 451 453 Crews Civil Service

Provides for hearing and court review when removal proceedings are instituted against employee in competitive class.

#### 75. APPEALS COUNTY COMMISSIONS (D)

Senate 591 Erwin Civil Service Assembly 507 Lupton Civil Service

Permits employee of a county or civil division in a county to appeal to County Civil Service Commission from disciplinary or removal action if Board of Supervisors of county elects to make county subject to provisions of the law.

#### 76. APPEALS - POWER TO REINSTATE (D)

Senate 592 Erwin Civil Service Assembly 163 163 Hatfield Civil Service

Empowers Civil Service Commission to hear all appeals in removal or disciplinary proceedings and to order reinstatement of dismissed employee.

#### 77. EXAMINATION FEE - PROMOTIONS (D)

Senate 577 Wachtel Civil Service Assembly 988 Austin Civil Service

Repeals provision requiring payment of examination fee upon promotion examination.

(Continued on page 57)

## ASSN. WINS COMPROMISE

At the moment of going to press, the following newspaper statement was released from the Association offices:

The Administration, at this session of the Legislature, proposed a sweeping amendment to the Feld-Hamilton career law. The Civil Service Employees Association immediately opposed the measure contending that it virtually destroyed the Feld-Hamilton law by removing certain inherent safeguards. Frank L. Tolman, President of the Employees group, characterized the proposal as "totally unacceptable to employees in state service in the form in which it was presented."

After a series of conferences with the Association, extending over the last three weeks, the Administration has agreed to amend its bill.

The Association had insisted on raising the minimum entering basic salary in state service from \$1200 to \$1600. The amended bill will effect the change.

The employees' group also proposed an amendment which would set definite salary "floors" below which the salaries for certain positions could not be lowered, and an amendment which would guarantee substantial salary increases on promotion to higher positions. The Administration argued that to include such restrictions would result in a rigid and unworkable salary plan.

After long deliberation amendments acceptable to both sides were agreed upon. The amended bill will provide for a salary "floor" of \$2280 for positions involving professional, administrative or technical training. It will also permit the Salary Standardization Board to reallocate salaries in the following manner:

All positions in a promotional series shall be allocated to successive grades, the salaries of which shall properly reflect the varying degrees of responsibilities, training and duties required to be performed. All positions in the competitive class in direct line of promotion, as determined by the Civil Service Commission, shall be allocated or reallocated in the following manner:

(1) The minimum salary of the higher position shall be equal to or greater than the maximum salary of the next lower position with respect to all positions which on January 1, 1947, were allocated to a grade in which the minimum salary was equal to or greater than the maximum of the next lower position.

(2) In all other cases, the difference between the minimum salary of the higher position and the minimum salary of the next lower position shall be not less than the difference between such positions on Jan. 1, 1947.

The amendment further provides that the Salary Standardization Board, without changing the allocation of any other position in a promotional series, may allocate or reallocate a given position to a higher salary grade. It also fixes a floor on salary reductions by providing that no reduction may be made which would lower the salary set on April 1, 1947 farther than 1 grade downward in the new salary schedule.

The Association also opposed the provision permitting unequal pay for equal work in various areas of the State. The Administration assured the Association representatives that the provision was designed only for emergency use and would be employed very sparingly. The conferees agreed to subject the proposal to a one year trial.

The Association conferees feel that the proposed law as amended should have a trial. Dr. Tolman stated: "This is confessedly a compromise. It is far from perfect but it can be amended or repealed next year if, in the light of actual experience with its application, such action should be warranted."



## The Association and the Budget

The Assembly Chamber was crowded to capacity on February 13, 1947 as taxpayer, employee and other groups asked for revision of the Governor's Budget. This is an annual event. The arguments pro and con are addressed to Members of the Legislature particularly the Members of the Committees having to do with State finances.

Dr. Tolman, John T. DeGraff and John E. Holt-Harris represented the Association. Dr. Tolman's plea to the Legislators on behalf of State employees follows in part:

"On behalf of more than 40,000 State employees, I wish to brand as false and misleading two statements that have been presented to you gentlemen of the Legislature and bandied about loosely in the press and elsewhere. The statements are: that state employees are well paid, and that the Feld-Hamilton law is obsolete. Thousands of State employees are grossly underpaid. The Feld-Hamilton career law, far from being obsolete, is the most progressive public pay plan in effect anywhere in the United States.

"State employees have not asked for any increase in real wages during the war years or after. They do not ask an increase now. They ask only that they receive the same real salary rates as they received during the pre-war period.

"In the Feld-Hamilton law we have an instrument which worked so well in normal times that no appeal to your Honorable Body was necessary beyond the adjustments provided in the law. In times of inflation or runaway prices, it is, of course, necessary to increase paid salaries by a temporary bonus so as to keep "take-home" pay in line with prices.

"As compared with pre-war, the Governor's Budget amounts to about 450 million cash and 200 million additional which is the result of pure inflation. Nearly every item in the budget is written up 50% or more over normal to reflect higher prices in cost of food, cost of equipment, cost of construction and cost of wages for contract work. In addition, all possible repair and construction is deferred in the hope that prices and cost will fall. There is, however, one major exception. The salaries of State employees have not been written up to fairly reflect the increase in living costs over the prevailing rate of wages. The budget does provide that last year's bonus be continued as part of the base salary. It provides for pay of straight time wages for approved overtime over 40 hours of work. Last year's bonus did not completely place salaries in line with living costs. For the lower State employees, fairly good adjustment was made. For higher paid State employees the adjustment of 14% was entirely inadequate. The result is that salary scales in the State service are now far below the level of prices. Living costs have risen since the last increase by 18%, to over 153. The higher salaries are below the cost of living by about 27%. Low salaries are behind by about 19%.

"Every fair-minded person agrees that the teachers, the public employees and the white-collar workers are the chief victims of the inflation. In many thousands of cases, such persons are in actual want. They are working at night after a full day's work to make both ends meet. They have reduced their budgets to the point where further reduction is almost impossible. Wages in industry are in general approximately twice pre-war rates. Retail prices are 53% above pre-war. State employees' salaries are 14 to 30% above pre-war rates. Private wages and retail prices are still going up. State workers' salaries can only go up in proper proportion if your Honorable Body will take cognizance of these facts in all justice.

"In a Lincoln Day address yesterday, one of the leaders in the Republican Party stated that the problem of inflation and the results thereof was the major issue before the country and the party. The only thing, he stated, that seems possible and practical is to stabilize both wages and profits, including white collar jobs and government workers, at a point 50% above pre-war rates. This is exactly the proposition that the Association presented to the Governor and to the Salary Board. We now present it to you with the sanction of a large section of the National Republican Party. We believe that it is just and fair and we have every confidence that your Honorable Body desires to find a just and fair solution in the treatment of your employees."

## "What's In a Name?"

Wm. Shakespeare

"That which we call a rose, by any other name would smell as sweet." So we tentatively selected a simple name for our magazine—as close as possible to our present title but indicative of the larger scope under our reorganization.

However we thought we'd ask for suggestions from our readers and offer a prize of \$50 for a name which in the opinion of the Editorial Board, might better describe our magazine and its aims. Perhaps we would receive a dozen or so different suggestions, which we could sift quickly and then we could blossom forth with our new name with this issue. So we thought.

Actually we received 575 individual suggestions! Of course there were duplications—which is the reason for including in the rules the requirement that suggestions must be received within a specified brief time and day and hour of postmark would decide possible "ties."

Now your Editorial Board takes its responsibilities in this matter seriously. There can and will be no "brush off" or light consideration. Every single suggestion must and will be given due thought. There have been siftings and re-siftings, meetings and discussions, but we found it much too big a problem to be settled by the time of publication of this issue.

So please bear with your Editorial Board. The March issue probably will appear under the new name. Whatever the decision, there will undoubtedly be many who will criticize it bitterly. But you may be sure it will have been arrived at after long and careful consideration, intelligently we hope, and certainly honestly.

## Gratifying?

In our January issue we published a story on the new style check for State employees, with the request that all receiving these checks cooperate by refraining from folding or mutilating them in any way. The request was necessary in order to try to make as simple as possible the running of checks through tabulating machines, a task of the Department of Taxation and Finance. New cards have to be prepared for all those which are mutilated.

We received pleasant congratulations on the story from both offices directly affected—the Comptroller's and the Dept. of Taxation and Finance. And now comes further gratifying information from Comptroller Frank C. Moore, who gives considerable credit to us for these results already evident in the reduction of mutilation:

On January 7, the percentage of "spoiled" payroll checks was 14.18. On January 14 it had risen to 24. January 21, the percentage of spoiled checks dropped to 8.86; on January 29 to 6.75; and on February the percentage had fallen to 4.86. Glad to have been able to help out!

## Beg Pardon

Among the names carried in our "In Memoriam" page in the January issue was that of John J. Hughes, whose title was incorrectly given as "Porter" in Public Buildings. Mr. Hughes' title was "Supervisor-Foreman."

The Secretary of the Manhattan State Hospital Chapter of the Association is Isabel V. Uttal. The "official roster" of Chapter Officers contained in our January issue incorrectly stated that Edward Fletcher held this Position.

### LEGISLATIVE PROGRAM

(Continued from page 54)

## 78. PALISADES PARK COMMISSION (S) (Being drafted)

Provides that employees of Palisades Park Commission shall be appointed and paid in accordance with the Civil Service Law.

#### 79. REMOVALS MENTAL HYGIENE (D)

Assembly 1132 Barrett Civil Service
Provides that employees in Mental Hygiene institutions employed for six months or more can be removed
only upon compliance with Civil Service Law, Section

## 80. EXTEND COMPETITIVE CLASS (Drafted)

22, which requires written charges.

Resolutions directing Civil Service Commission to extend competitive class to positions now classified as non-competitive.

#### **MISCELLANEOUS**

#### 84. UNIFORMS FOR INSTITUTIONAL WORKERS (D)

Senate 576 591 Wachtel Finance Assembly 363 365 Knauf Ways & Means

Requires State to furnish uniforms for institution employees in Department of Correction, Mental Hygiene, Health and Social Welfare.

## 85. PUBLIC SERVICE DEPARTMENT (M) POWERS OF CHAIRMAN (D)

Senate 323 329 Manning Public Service

Transfers to Commission the power to appoint and remove employees and authority over personnel administration and policies, such power being now vested in Chairman.

## 86. MOVING EXPENSES (D) (Drafted)

Provides if employee is transferred, except at own request, State will pay moving expenses up to \$150.

## 87. SEX DISCRIMINATION (D) (Drafted)

Prohibits, in public employment discrimination in rate of pay because of sex.

## 88. INSTITUTION PEACE OFFICERS (Being drafted)

Empowers institution patrolmen to act as peace officers off institution grounds.

## 89. UNUSED PASS TIME, VACATION, ET. ON RETIREMENT (D)

Assembly 1128 Austin Ways & Means
Provides that upon retirement all employees shall
be paid for unused sick leave, vacation, holiday, pass
time, standing to their credit.

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#### SALARY SURVEY

(Continued from page 45)

that tries to determine fair wages for white collar workers by comparing their wages with the wages of other white collar workers is almost in a class with the kitten chasing its tail.

An essential part of a fair white collar salary determination is a review of the changes in the cost of living and in non-white collar salaries and wages. The Survey states what has happened to overall wages, salaries and prices up to April 1946 but makes no effort to relate this material to the problem of determining fair salaries for specific jobs.

The misleading effect of a superficial study of comparative salaries such as the Survey Report is clearly shown by a review of the material reported on the psychologist series, pages 225 to 227. A review of the table for psychologist would lead one to believe that the State scale was almost correct. The average for other states was given as \$3403 compared to a New York State rate of \$3234. No figures were given for the Federal government nor was any statement made as to the serious shortage of workers in this field nor to the fact that the Federal government is hiring so many people with this type of training as to dominate the market. In this particular case the facts are readily available because the Federal government has just released an announcement for an examination for Clinical Psychologist for entrance rates of \$4149 to \$7102 a year. There are many positions listed so that this exam will dominate the market. The requirements for the lowest job, \$4149 entrance salary, appear to be approximately the equivalent of those for State psychologist. The State requires three years of experience in clinical psychology and the Federal government two. The State entrance salary is \$2928 compared to the Federal entrance salary of \$4149. The factors resulting in the Federal rate were known last summer and an adequate study would have arrived at a more reasonable conclusion than the Survey table.

#### Failure to consider changes in the cost of living since the summer of 1946.

Labor is the major element of cost. Salary and wage rates and prices are bound together by an unbreakable link. A dramatic change in the cost-of-living occurred in the months immediately following the Survey period. The barometer of changes in prices of living essentials commonly used by moderateincome city families, frequently called "the cost-of-living index" rose from 131.7 in May 1946 to 153 in December 1946. There is little present indication of a substantial break in the barometer. Much of the increase in prices is a reflection of the high wages already established in many industries and no one seems to expect that established wage rates will decline. Some things, food in particular, are declining slightly but the general wholesale price index made a new high in the week ending January 18, 1947. Moreover the situation in Washington makes it clear that rents will be rising in the future. The delayed increase in rents is likely to more than offset the decline in food prices.

A review of wage trends in recent months would even indicate that prices will continue their advance. Almost every week there are announcements of new wage increases for important groups. Some of these reflect delayed raises, for groups like the State employees who have been left behind, but other raises represent the achievement of new and higher standards of living for their groups. These are tending to force prices up.

#### SUMMARY

The survey Report of the Salary Standardization Board does not bear critical analysis. It frequently fails to compare like jobs, its samples are frequently inadequate, its statistical methods are unsound and it is out-

No member of the legislature, no state worker and no citizen can safely put any faith in either the detailed findings or the general conclusions of the Survey.

#### **DELEGATES**

(Continued from page 46)

Emmett J. Durr, Raybrook State Hospital Chapter.

Frank B. Egan, Great Meadow Prison Chapter.

August Eitzen, Hudson River State Hospital Chapter.

Floyd L. Elsbree, Women's Relief Corps Home Chapter.

F. M. Fairbrother, Woodbourne Institute Chapter.

William J. Farrel, Brooklyn State Hospital Chapter.

Christopher J. Fee, Labor Dept.
Vito J. Ferre, Gowanda State Hospital Chapter.

Edith Flynn, Motor Vehicle Chapter.

W. M. Foss, Conservation Dept.J. S. Frawley, Public Service Comm. Motor Inspectors' Chapter.

Edgar E. Fritts, Willard State Hospital Chapter.

Fred J. Frone, Agriculture and Markets.

Patrick Geraghty, Manhattan State
Hospital Chapter.

Edward J. Gibbon, Warwick State Prison Chapter.

Arthur Gifford, Mental Hygiene Dept.

Edward J. Groeber, Social Welfare Chapter. Walter K. Hayes, Public Works,

Dist. No. 2, Utica.
Kathleen Hennessy, Rockland State

Hospital Chapter.

Mary D. Houghton, Albion State Training School Chapter.

Walter E. Hunzinger, Marcy State Hospital Chapter.

Nellie Inocent, Wassaic State School Chapter.

John F. Jahn, Public Work, Dist. No. 1.

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Vincent Karawacki, Utica State Hospital Chapter.

John W. Kauth, Utica State Hospital Chapter.

loseph F. Kenny, Tax Dept.

Fred Krumman, Syracuse State School Chapter.

Martin P. Lanahan, Audit and Control.

Laurence R. Law, Attica State Prison Chapter.

Doris LeFever, Syracuse Chapter. Joseph J. Lennon, Westfield State Farm Chapter.

Edward J. Long, Mount Morris State Hospital.

William McCarroll, Matteawan State Hospital.

Albert S. McClay, Raybrook State Hospital Chapter.

James McCully, Boggs Memorial Hospital Chapter.

John A. McDonald, Rochester State Hospital Chapter. Jesse B. McFarland, Social Welfare

Dept.
Walter McNair, Kings Park State

Hospital Chapter.
Francis A. MacDonald, Southern

Conference.
Lida C. MacDonald, Brooklyn State
Hospital Chapter.

Sarah O. MacDonald, Warwick State Prison Chapter.

F. C. Maher, Law Dept.

May Mahoney, Motor Vehicle Chapter.

Willis Markle, Harlem Valley State Hospital Chapter.

John F. Miller, Dept. of Labor Chapter.

Mrs. Robert Mulligan, State School for the Blind, Batavia.

J. G. Mundinger, Geneva Chapter. John J. Murphy, Creedmoor State Hospital Chapter.

Michael J. Murphy, Central Islip State Hospital Chapter.

Hubert J. Nelson, Wassaic State School Chapter.

Peter Noe, Warwick State Prison Chapter.

Joseph A. O'Hara, Gilleran Memorial, Public Works.

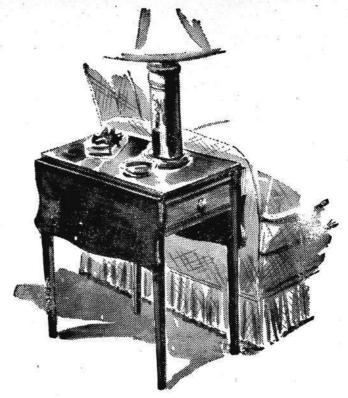
Isabelle M. O'Hagan, Dept. of State.

Marie A. Owen, Long Island InterCounty State Park Chapter.

Victor J. Paltsits, Banking Dept. and New York City Chapter.

William A. Paterno, Napanoch State Institute Chapter.

Hiram Phillips, Letchworth Village Chapter. Clyde Pizer, Barge Canal Chapter. HARRY SIMMONS



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Biagio Romeo, Psychiatric Institute Chapter.

Jacob J. Rothstein, Albany Public Service Com. Chapter.

C. E. Safford, Agriculture and Markets.

David M. Schneider, Education Committee.

Irving H. Scott, Creedmoor State Hospital Chapter.

Joseph Scott, Rochester State Hospital Chapter.

Dr. J. Schleifstein, Laboratories and Research State Health Dept. Chapter. George H. Seims, Long Island Inter-County State Park Chapter.

Fred Seminera, Rockland State Hospital Chapter.

Frank W. Shaw, Gilleran Memorial Public Works.

John D. Shea, Labor Dept.

Howard Shumake, Middletown State Hospital Chapter.

Howard G. Siedenburg, West Haverstraw Chapter.

Walter L. Smith, Sing Sing Prison Chapter.

Robert Soper, Newark State School Chapter.

William C. Stodart, Social Welfare Chapter.

Clarence W. F. Stott, Binghamton Chapter.

Paul Swartwood, State College at Ithaca Chapter.

Harry G. Tolman, Hornell Chapter. Kenneth Valentine, Public Service Commission

Denton Vander Poel, Thomas Indian School Chapter.

May Van Order, Dept. of Labor, D.P.U.I. Chapter.

Howard Van Scoy, Rome State School Chapter.

Joseph Vickes, Wallkill State Prison Chapter.

Mary Volwieder, Oneonta Chapter. Alice W. Wagner, Albion State Training School Chapter.

Frank S. Walsh, Central Islip State Hospital Chapter.

James Walsh, Game Protectors Chapter.

James Walsh, State Vocational Institute, West Coxsackie.

Fred Walters, Middletown State Hospital Chapter.

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### DR. TOLMAN

(Continued from page 49)

law ever written anywhere in this country, and now the heart of the law is to be cut out. My own feeling is that we couldn't simply lie down on the operating table and let them cut the heart out of the measure closest to the State employees' heart without attempting to get some real therapeutic surgery in place of this amputation certain to destroy the life of the patient.

I think we need a real 40-hour 5-day week. We understood the budget

promised us that.

I think one thing we should all keep in mind is that the Legislature has certain inherent duties and responsibilities. It is the duty of the Legislature, not of the budget, not of the Salary Standardization Board, to make the laws.

The 50-salary schedule as proposed is too flexible and the operation of it lies with the Budget Director and the Salary Standardization Board. Under the Feld-Hamilton, they have to go to the Legislature to amend any Feld-Hamilton schedules. Although it has flaws it has relationships between jobs by which increases are given that fairly represent civil service differential between jobs in a promotion series. The proposed plan gives entire liberty and freedom to the Salary Standardization Board to put the salaries after this year anywhere they please. It reduces the minimum salary from \$1560 to \$1500. It provides two salary scales, one for the people in the service who have safeguard clause that their salaries should not be reduced, and a lower entering salary for the individuals who come into the service in the future. It has a great many other defects.

The Association presented to the Salary Board its program. It said: We think that up to the date when the 30% increase was made, 30% was a little less than the increase in the cost of living." So we proposed a first adjustment which will increase all salaries over the basic Feld-Hamilton rates by 30%. In addition to that, the cost of living has gone up 20 points since that last increase was made, 23 points to be exact, and so we suggested that wages be increased by 18%, giving a total of 50% above present base rates in Feld-Hamilton. We made that proposal to the Salary Board

some months ago. We believe that a 50% increase in the base rates over pre-war years is reasonable when the cost of living has gone up to 153%. The Salary Board threw that out as absolutely ridiculous. They proposed to keep on the 30% level for the lower paid and on the other levels down to 14%, with very slight adjustments for the higher paid.

We still feel that 50% over the base rates in Feld-Hamilton is a reasonably fair adjustment. We still would take a small loss at those figures.

In addition to that, the main question in connection with these proposed rates in Feld-Hamilton is the administration of the law. The salary Standardization is set up to make adjustments in salary schedules as rapidly as essential conditions change. As soon as the base pay for any particular job gets out of line with other pay in other jurisdictions, as soon as it gets out of line with union scales for similar jobs, as soon as it gets out of line with related jobs, the Salary Board is intended and is obligated to make the necessary adjustments. We never would have gotten into the mess that we are in if the Salary Standardization Board had done what it was created to do. You know how those appeals have been held up from year to year. You know how they came back without any report on those appeals. You know how they delayed and deferred, and how very few reallocations have been made. And now we know the reason for it. We know the reason for it is because they were unwilling to abide by the scales set by the Legislature.

It has always been my contention that there could be no opposition; that the Legislature properly set the scales and the Salary Board had to abide by it. Their point of view was that it was their business to determine how much of an increase should be given in an allocation. Their thought was "We will throw out the scales and erect a system of scales that we think is appropriate."

It is my very deep feeling that the Salary Standardization Board is, in this law attempting to usurp the prerogatives and powers and duties of the Legislature; that it is providing for a system of making very small and inadequate concessions when the pressure gets hot enough: that there is no similarity between these 50 schedules and those in the Feld-Hamilton Law. It is perfectly true that you are safeguarded for one year under the terms of this budget bill. Next year you will get practically the salary to which you are entitled under the present Feld-Hamilton Law and you will have the emergency compensation, and you may have \$4 or \$15 or maybe \$50 or \$100 more on the basis of the equalization of the increments throughout the series. But it places the Budget Director and the Salary Standardization Board as the supreme authority, uncontrolled, in reference to any future changes downward. It has a lot of downward revisions in salary scales that you don't personally suffer. What you get now you will generally lose when you get to the miximum of your grade, and I don't think it is a fair deal

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## ATTEMPT TO WHITTLE

(Continued from page 51) cluded pursuant to the rules and regulations hereinafter mentioned," get a 40-hour week with overtime in excess of 40 hours. But then we go to the rules hereinafter mentioned and we find they say "The director of the Budget shall promulgate, and may from time to time amend or rescind, rules and regulations for carrying into effect the provisions of this section. Such rules and regulations, among other things, may classify, exclude and define positions and employments for the purposes of this section, and otherwise provide appropriate formulas for deter-

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bill, all it says is that there shall be a 40-hour week for all state employees except those that the Budget Director decides to leave out of it. What kind of a law is that? It might just as well say "there shall be no 40-hour week for any state employee except for those to whom the Budget Director chooses to give it." Or you might as well say that the Legislature appropriates \$11,000,000.00 to be spent as the Budget Director shall choose and determine.

I don't think there has been any bill so complete in its surrender of the legislative power to an administrative agency, as is proposed by this bill. There are no standards set up in the bill although in every bill where discretion is vested in an administrative agency there must be some standards, some designations, however, general, as to who is to come under it and who is excluded.

Despite the form of this bill, I think the institutional employees or practically all of them will get the

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40-hour week. I think the great majority of the employees wil get it because there is \$11,000,000 appropriated, but the point I want to make is that insofar as the law is concerned, not one person in the State has any assurance that he will get overtime in excess of 40 hours. He is at the mercy of the discretion of the Budget Director, because that is the only standard contained in the proposed

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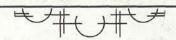
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