Committee works on job security

ALBANY — Top CSEA officials met with Governor Hugh Carey and past and present members of the Joint Continuity of Employment Committee last week to review the gains of the Committee and urge continued cooperation to keep displaced state workers working.

CSEA Executive Vice President Thomas McDonough told the Governor at a late afternoon briefing session that the valuable work of the Committee should serve as an example to the state of the mutual benefits that the union and the state can realize when the state seeks out CSEA's cooperation and advice.

The concept of a Continuity of Employment Committee began in 1977 under the two-year CSEA-State contracts. Under the chairmanship of Dean Robert McKerrie of the Cornell School of Industrial and Labor Relations, the joint committee conducted research and study programs to assess the problems of layoffs and the affect of layoffs on the workforce.

A published report released earlier this year, the Committee reported that public employees should only reduce staffing levels through attrition since unemployment costs, loss of productivity among unaffected workers, and loss of skilled employees made the traditional layoff approach a losing proposition for the state. It urged better manpower planning to reduce layoffs.

The Committee dealt with situations involving the closing of state facilities, coordinating a vacancy list in other agencies so that affected employees could move to vacant positions in nearby facilities, arranging for retraining of affected employees to qualify them for other positions, and other related activities designed to keep a useful employee from being lost by the state.

In the new CSEA-State contracts, the Committee concept is carried forward as a subcommittee of the so-called "Kumquat Committee", created to deal with continuity of employment, especially in a few critical areas of working life and productivity.

The Governor and CSEA Executive Vice President McDonough expressed satisfaction with the work performed by the committee to date and urged the new committee to continue to build upon the successes already achieved.

Performance evaluation ratings raise questions

ALBANY — Ratings by supervisors under the new Performance Evaluation System for CSEA's statewide Operational, Institutional and Administrative bargaining units are now being conducted. State departments and agencies have almost finished this first round of performance ratings, while others have not yet begun. Here are the answers to the most common questions being asked by employees now being rated:

1. Under the new plan, am I eligible for an ADVANCEMENT ("increment")? ANSWER: If you were at the top of your pay scale at the end of the last fiscal year, you are eligible for an advancement, IF you get your advancement on the payroll period nearest April 1, 1978, provided you are rated "Satisfactory" or better and were hired or promoted on or after Oct. 16, 1978.

2. If I am rated "Satisfactory" or better, what happens next? ANSWER: If you are rated "Satisfactory" or better, and were hired or promoted before Oct. 16, 1978, you'll get your advancement as soon as possible — probably within the next two or three months, if not sooner, depending on your department. It will be retroactive to July 1, 1979.

3. If I am rated "Needs Substantial Improvement," can I appeal that rating so I will get an advancement? ANSWER: Yes, and the burden of proof will be on management, to show that your rating was justified. But you must appeal within 14 days of your rating. Call your local CSEA president for details.

4. Under the new plan, am I eligible for an AWARD ("bonus")? ANSWER: If you were at the top of your pay scale before the date this current fiscal year began, you are eligible for a $300 award.

5. If I am eligible, WHEN will I get my award? ANSWER: If you are rated "Outstanding," you should have received your $300 award in October. However, because of the late implementation of the new performance evaluation system this year, awards are late and will be paid shortly after Jan. 1.

6. If you are rated "Highly Effective," will you get your award IF the total number of award-eligibles in your bargaining unit at your facility who get either "Highly Effective" or "Outstanding" ratings does NOT exceed 27% of the total number of award-eligibles in your bargaining unit at your facility. If this total DOES exceed 27% of that figure, all "Outstanding" employees will get awards, and additional awards, if any, will be given out to "Highly Effective" employees on the basis of seniority until the number of awards given out equals 27% of the number of award-eligibles in your bargaining unit at your facility. (Note: it is possible, though not likely, that all awards will go to "Outstanding" employees).

7. If I am rated lower than "Highly Effective," can I appeal so that I can get an award? ANSWER: If you are rated "Needs Substantial Improvement" and were hired or promoted on or after Oct. 16, 1978 but before April 1, 1979, you'll get your advancement on the payroll period nearest April 1, 1978, if you are rated "Satisfactory" or better and were hired or promoted on or after Oct. 16, 1978 but before April 1, 1979, you'll get your advancement retroactive to Oct. 1, 1979. Again, these will be paid out within the next few months, depending on your department.

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Local presidents workshop
a big success in Region V.
Committee works on job security

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The Governor and CSEA Executive Vice President McDonough expressed satisfaction with the work performed by the committee to date and urged the new committee to continue to build upon the successes already achieved.

BRIEFING THE GOVERNOR — Meyer S. Frucher, right, Director of the Governor's Office of Employee Relations, explains elements of the CSEA-State Continuity of Employment Committee's work to Governor Hugh L. Carey during a Capitol conference December 3. CSEA Executive Vice President Thomas McDonough, seated next to the governor, and CSEA Executive Director Joseph J. Dolan, left, told the joint meeting that the Committee is an example of how labor and management can work together to the benefit of both.

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1. Under the new plan, am I eligible for an ADVANCEMENT ("increment")?

ANSWER: If you were not at the top of your pay scale at the end of the last fiscal year, you are eligible for an advancement. If you get a "Satisfactory" or better rating in the current round of evaluations.

2. If I am eligible, WHEN will I get my advancement?

ANSWER: If you are rated "Satisfactory" and were hired or promoted on or after Oct. 16, 1978 but before April 1, 1979, you will get your advancement on the payroll period nearest April 1, 1980, provided you are rated "Satisfactory" again at that time. If you are rated "Highly Effective" or better and were hired or promoted on or after Oct. 16, 1978 but before April 1, 1979, you will get your advancement retroactive to Oct. 1, 1979. Again, these will be paid out within the next few months, depending on your department.

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5. If I am rated lower than "Highly Effective," can I appeal so that I can get an award?

ANSWER: If you are rated "Needs Substantial Improvement" and not "Satisfactory," you should have received your $300 award in October. However, because of the late implementation of the new performance evaluation system this year, awards are late and will be paid shortly after Jan. 1.

All employees who have been rated "satisfactory" or "needs substantial improvement" under the new Performance Evaluation System on Dec. 7 or earlier have until Dec. 21 to appeal, according to Kumquat Committee Executive Director Marty Langer. Anyone rated after Dec. 7 has 14 calendar days to appeal.

Appeal forms should be available in all personnel offices, but if they are not, appeals can be made on any piece of paper. Indicate the reasons for the appeal, sign the paper and give it to your personnel officer, Mr. Langer advises. For further assistance, call your local CSEA president.
Contracting out strongly opposed

"Tax dollars should stay in Poughkeepsie, not in Europe," union tells management

POUGHKEEPSIE — Contracting out by a municipal body to the detriment of public employee jobs has become a major issue again, this time involving efforts by the City of Poughkeepsie to contract out the city’s parking department and sewage department services to private contractors.

The Civil Service Employees Assn., which is in the midst of negotiating a new contract covering City of Poughkeepsie employees, has launched a vigorous campaign to have tentative agreements between the city and the private contractors rejected. CSEA is concerned that nearly 30 employees it represents in the parking and sewage departments will be adversely affected if those contracting out agreements become effective, as tentatively planned on January 1, 1980.

A newspaper advertising program was launched in early December to bring the negative aspects of contracting out to the citizens of Poughkeepsie. Additionally, CSEA officials report they are prepared to file an improper practice charge against the city on the issue of illegally contracting out of services under the current CSEA/city contract negotiations.

CSEA and members of the city unit were well represented at a hearing conducted recently by the finance committee of the city’s legislature to consider the agreement between the city and the private contractors. CSEA Field Representative Larry Scanlon was the principal union spokesman, pointing out the many problems associated with the city’s plans to contract out the services.

Scanlon told members of the finance committee, “According to the City Manager’s recommendation, the City will pay $70,000.00 for sewage pumping station, $55,000.00 for sewage administration, and $575,000.00 for sewage treatment and disposal. That totals $780,000.00. This figure demonstrates that it will cost the City more to contract out the operation of the treatment and disposal plant to Envirotech than it presently costs and, by law, the City will lose its State funding, equal to 25 percent of operation and maintenance costs, and may be endangering Federal aid in this area.

“By contract language, the City will pay the cost of fire insurance,” he said. “Also, Envirotech will only spend $50,000.00 on equipment repair per year with the City picking up the rest of the tab. Equipment repair, considering the operational problems at the current sewage plant, can cost from $50,000.00 to $1,000,000.00,” according to Scanlon.

“Also,” he said, “the City will be responsible for any fines imposed by any regulatory agency in the operation of the plant which exceed $50,000.00 in any year.

“According to the contract, the City will lose overall control of the plant for a period of six, not five years, and will lose $73,921.00 in the first year alone.” Scanlon pointed out.

“Effective, efficient management can be obtained locally from a local taxpayer at far less cost to local residents. Remember, Envirotech is a Delaware chartered, California based corporation that has a substantial minority ownership based in the Netherlands. Our tax dollars should stay in Poughkeepsie — not in Europe,” the union spokesman stated.

In the area of parking, Scanlon pointed out several topics of concern.

"First, it was the rescinding of a parking rate increase January 2, 1979 which created a deficit situation. Not any employee caused excess," he said.

"Also, by using available materials already paid for but not listed in the Parking Department, various lots could be easily transformed from lots generating only several thousand dollars to lots making $50,000.00 to $60,000.00 and this would not cost the taxpayers one cent.

"Both contracts are full of open end cost increase provisions which are not negotiable, but mandatory.

"Both contracts provide handsome profits to the private contractor at the expense of the taxpayers, the workers," charged Scanlon.

"The Union is not just concerned with our members' rights, but with taxpayers' rights to quality services at a fair price. It should be pointed out that most City workers are residents and are concerned with the quality of life in their community. Contracting out of these positions will only begin a cycle of ever increasing costs with no end in sight," he warned.
KEEP CSEA INFORMED ON MAILING ADDRESS

In the event that you change your mailing address, please fill out the below form and send it to:
CSEA, Inc., P.O. Box 125, Capitol Station, Albany, New York 12224.
This form is also available from local presidents for CSEA members, but is reproduced here for convenience.

Change of Address for 'The Public Sector'
Please allow 3-4 weeks for change to take effect.
My present label reads exactly as shown here (or affix mailing label)

<table>
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MY NEW ADDRESS IS:

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| Agency where employed | Zip          |

My social security no.

The Public Sector (465010) is published every Wednesday weekly except for Wednesdays after New Years, Memorial Day, Fourth of July and Labor Day for $5 by the Civil Service Employees Association, 33 Elk Street, Albany, New York 12224.
**Delegation from NYC visits DC**

A delegation of 20 local union leaders from the 23,000-member New York City Region of the Civil Service Employees Assn. recently visited the Washington, D.C. headquarters of their national union. Jimmy Gripper, President of CSEA Region II, led the visit to the headquarters of the American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO.

Gripper and the other CSEA leaders, representing state employees who work in New York City, met with AFSCME President Jerry Wurf, AFSCME Secretary-Treasurer William Lucy, and the union’s directors of legislation, political action, research, and public policy.

“The visit to AFSCME’s national headquarters was very informative, and we learned about the resources and services that are available to CSEA as a result of our affiliation with AFSCME,” Gripper said. “We returned to New York with new ideas about how to deal with problems ranging from training stewards and handling grievances, to health and safety hazards on the job, to state policies that dump mentally ill patients out of public institutions.”

AFSCME INTERNATIONAL PRESIDENT JERRY WURF, right, and AFSCME Secretary-Treasurer William Lucy, left, flank CSEA Region II President Jimmy Gripper, with the remainder of a 20-member delegation of Region II leaders in the background, during a recent visit to AFSCME International headquarters in Washington.

NEWLY ELECTED OFFICERS of the NYS Psychiatric Institute CSEA Local 419 were installed recently by Willie Raye, CSEA Region II Third Vice President. From left to right are Mr. Raye, President Fullilove, First Vice President David Aureliano, Second Vice President Charles Titus, Executive Committee members George Tolentino, Irene Tybursky, Shirley Edwards, Laverne Evans and Edward Gorman; and Secretary Georgia Johnson. Absent from photo is Treasurer Theresa Reilly.

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**Pay change is blasted**

LAKE PLACID — The Capital Region of the Civil Service Employees Assn. has filed an unfair labor practice against management personnel in the New York State Department of Environmental Conservation for altering the pay schedule of ski center employees without consulting the union.

Employees at Whiteface Ski Center in Lake Placid were informed through a memorandum that upon returning to work for the winter, seasonal employees must wait five, rather than four, weeks for their first paycheck. In addition, all seasonal employees who are on the payroll at the time of the change will receive their paychecks one week late.

The charge, filed by CSEA Field Representative Charles Scott against Richard Lynch, director of fiscal management and Thomas Rider, director of personnel, both for EnCon, states that a change in pay periods is a “term and condition of employment, subject to the collective bargaining process and cannot be unilaterally changed without negotiating with the CSEA.”

Another CSEA Field Representative, William Loehner, has filed similar charges on behalf of Gore Mountain Ski Center employees who will also be affected by the change.

“The reason for the change, according to the memorandum given to the employees, is to facilitate the bookkeeping process for EnCon’s personnel office in Albany,” said Scott. “For this they are inconveniencing our members.”

EnCon officials told Scott they discussed the matter with the former CSEA president, who agreed to the change. However, Scott says he talked with the former union leader who told him the change was once mentioned to him, but he agreed to nothing, and would testify in court for the CSEA.

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**Calendar of EVENTS**

**December**

13 — Saratoga County Local 846 Christmas party, 6:30 p.m., The Rafter, Saratoga Lake.
14 — CSEA Night at New York Appaloosa’s soccer game, Nassau Coliseum, Uniondale.
14 — Region III Christmas party, 8 p.m., Holiday Inn, Newburgh.
21 — Manhattan Developmental Center CSEA Local 443 Christmas party, 3 p.m., 75 Morton Street, New York City.
22 — Downstate Medical Center Local 446 annual Christmas party, 9 p.m., Deauville Country Club, Brooklyn.

**January**

11 — Region 6 meeting, 8 p.m., Rochester/Marriott Inn, Greece, N.Y.
12 — Region 6 meeting, 9:30 a.m., state and county workshop, general business meeting after lunch, Rochester/Marriott Inn, Greece, N.Y.
12 — Region 1 workshop, Safety and Health, 9 a.m.-9 p.m., Holiday Inn, Houppouge.

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**Questions and answers**

Q. I have to go into the hospital next week. I don’t know how long I’ll be there. Can you tell me what the amounts are that Medicare does not pay?

A. From the 1st day through the 60th day in each benefit period, Medicare hospital insurance pays for all covered services except the first $100. This is the hospital insurance deductible. From the 61st through the 90th day in a benefit period, hospital insurance pays for all covered services except for $40 a day. For more information about Medicare coverage of inpatient hospital care, read Your Medicare Handbook. If you don’t have a handbook, you can get one at any social security office.
Seminar sorts out the definition of abuse

NEW YORK CITY - Much is said and written about the subject of "patient abuse" in the state's psychiatric and developmental centers, but a recent seminar on the subject made it clear that despite all of the discussion there is serious disagreement as to what constitutes abuse.

Representatives of the CSEA and the state in New York City discussed the subject of abuse and how it must be handled in arbitration situations arising from contractual disagreements.

The session was attended by CSEA elected leaders, staff and lawyers and state personnel managers, lawyers and attorneys. It was opened by Dr. Paul Roemer, CSEA's Director of Communications, Collective Bargaining Specialist, Paul Burch and Region II President Jimmy Grupper.

Mr. Roemer and all speakers at the seminar said serious abuse of patients in a disciplinary situation is a very clear case but most by speakers as what constitutes abuse.

The arbitrators were selected by CSEA and the state under provisions of the improved disciplinary article in the state's collective bargaining agreement between CSEA and the state to deal with the special problems surrounding arbitration of disciplinary cases involving patient abuse allegations.

Dr. Fox was only one of many speakers who told the arbitrators that the environment of psychiatric and developmental centers requires special consideration in dealing with arbitrations involving charges that an employee abused a patient or herself.

The arbitrators were jointly selected to serve on the panel and, in patient abuse cases, an arbitrator from the panel must be selected if the disciplinary reaches the arbitration stage. CSEA concluded the specially trained arbitrators would better protect the interests of the employees and the client or patient allegedly abused.

Dr. Foxx, who has worked as a clinical psychologist, said, "that the state seems to have forgotten the clinician's perspective in handling patient abuse cases, an arbitrator session said serious abuse of patients is a very clear case but most by speakers as what constitutes abuse. I think that intent is what it seems."

Spring is in the air and that too, is an area where such an event may not be what it seems. "We are not interested," Dr. Fox said, "where someone is strangling you or fighting you. Self defense is not abuse. The point is that intent is what it seems."

Mr. Roemer, commenting on the panel discussion, said that he was the state's representative to the session, as well as the arbitrators, learned the distinctions between physical contact and abuse. "We're not trying to lessen the seriousness of real abuse while cases which are less so."

Mr. Roemer, the right of a patient to confidentiality. The state's position on the issue is equally clear. It claims the legislature won't allow release of the records except under certain circumstances and that even if those circumstances are met, the state opposes such disclosure on the grounds that it violates the patient-physician relationship. CSEA Regional Attorney Ted Bliss gave a presentation to the arbitrators outlining recent arbitration cases upholding the right of the employee to confidentiality. The state's position was that the issue has been settled.

"We believe the decisions in the Bell and Camacho cases make it clear that we have the right to those records to defend accused employees and that is where the issue stands now," attorney Smith said.
Once upon a time, not so very long ago, it was possible for a government body to, with relative ease, conduct public business behind closed doors, and, to make it difficult, if not impossible for the public to find out what transpired behind those doors.

But it's not so easy anymore. That's because the original Freedom of Information Law of 1974 and the current Freedom of Information Law, which became effective January 1, 1978, provide your rights of access to many governmental records previously unattainable. And the Open Meetings Law (or "Sunshine" Law) which went into effect in New York in 1977, with clarifying amendments effective October 1, 1979, protect your right to attend meetings of public bodies, listen to debates and observe the decision-making process of such bodies in action.

As tax-paying citizens and as public employees, the actions of governmental bodies at every level impact heavily upon the lives and careers of CSEA-represented public workers. It is important to know and appreciate your rights relative to such governmental actions. The following excerpts from a new publication, "The Freedom of Information and Open Meetings Laws ... Opening the Door" prepared by The Committee of Public Access to Records.

THE FREEDOM OF INFORMATION LAW

The Freedom of Information Law, effective January 1, 1978, reaffirms your right to know how your government operates. It provides rights of access to records reflective of governmental decisions and policies that affect the lives of every New Yorker.

Scope of the Law

The law defines "agency" to include all units of state and local government in New York State, including state agencies, public corporations and authorities, as well as any other governmental entities performing a governmental function for the State or for one or more units of local government in the State (section 86(3)).

The term "agency" does not include the State Legislature or the courts. As such, for purposes of clarity, "agency" will be used hereinafter to include all entities of government in New York, except the State Legislature and the courts, both of which will be discussed later.

What is a Record?

The law defines "record" as "any information kept, held, filed, produced or reproduced by, with or for an agency or the State Legislature, in any physical form whatsoever ... " (section 86(4)). Thus it is clear that items such as tape recordings, microfilm and computer discs fall within the definition of "record."

ACCESSIBLE RECORDS

The original statute granted rights of access to nine specified categories of records to the exclusion of all others. Therefore, unless a record conformed to one of the categories of accessible records, it was presumed deniable.

The new law, reversing that presumption, states that all records are accessible, except records or portions of records that fall within one of eight categories of deniable records (section 87(3)).

(a) a record of the final vote of each member in every agency proceeding in which the member votes;

(b) a record setting forth the name, public office address, title and salary of every officer or employee of the agency; and

(c) a reasonably detailed current list by subject matter of all records in possession of an agency, whether or not the records are accessible.

THE OPEN MEETINGS LAW

The Open Meetings or "Sunshine" Law went into effect in New York in 1977. Amendments that clarify and reaffirm your right to hear the deliberations of public bodies became effective on October 1, 1979.

In brief, the law gives the public the right to attend meetings of public bodies, listen to the deliberations and watch the decision-making process in action.

As stated in the legislative declaration in the Open Meetings Law (section 95): "It is essential to the maintenance of a democratic society that the public business be performed in an open and public manner and that the citizens of this state be fully aware of and able to observe the performance of public officials and attend and listen to the deliberations and decisions that go into the making of public policy."

What is a "meeting"?

Although the definition of "meeting" was vague as it appeared in the original law, the amendments to the law clarify the definition in conjunction with expansive interpretations of the law given by the courts. "Meeting" is defined to mean "the official convening of a public body for the purpose of conducting public business." As such, any time a quorum of a public body gathers for the purpose of discussing public business, the meeting must be convened open to the public, whether or not there is an intent to take action, and regardless of the manner in which the gathering may be characterized.

Since the law applies to "official" meetings, chance meetings or social gatherings are not covered by the law.

What is Covered by the Law?

The law applies to all public bodies. "Public body" is defined to cover entities consisting of two or more people that conduct public business and perform a governmental function for the State, for an agency of the State or for public corporations, including cities, counties, towns, villages and school districts, for example. In addition, committees and subcommittees are specifically included within the definition. Consequently, city councils, town boards, village boards of trustees, school boards, commissions, legislative bodies and committees and subcommittees of those groups all fall within the framework of the law.
TAX AND FINANCE
CSEA LOCAL 690 held its annual holiday party for members and guests last week. Among the dignitaries attending were James H. Tully Jr., center, President of the State Tax Commission, and CSEA Executive Director Joseph J. Dolan Jr., right. They are greeted by Local 690 President Carmen Bagnoli, left.

Below, TAX AND FINANCE Executive Deputy Commissioner Joseph Valenti, right, is welcomed by Local 690 President Bagnoli.

Above, AMONG THE GUESTS at Local 690 holiday affair last week were, from left, CSEA Region IV President Joseph E. McDermott, CSEA Board of Directors member John Gully from Tax and Finance, and CSEA statewide Secretary Irene Carr.

Above, CSEA EXECUTIVE DIRECTOR JOSEPH J. DOLAN, left, chats with Local 690 members Tom Crary, Tom O'Donnell, Helen Butrym, and Victor Butrym.

Left, AMONG LOCAL 690 members attending annual holiday party were Bill Burdick and Dana Sgarlata.
**Political action results**

The group also endorsed District Attorney John Finnerty, who ran successfully for the post of Steuben County Judge.

"We feel very proud of the effort CSEA made in this election," said local President James Lindsey. "Our people have definitely made a contribution to government in this county. We want to thank all members who voted and worked on this year's campaign."

CSEA-endorsed winners on the Steuben County Board of Supervisors are:

- Fran Gehl (D)
- Peter Giambone (D)
- Bernard J. Smith (D)
- John Stover (R)
- George McKinley (R)
- James Barcades (R)
- Harvey Young (R)

The group also endorsed District Attorney John Finnerty, who ran successfully for the post of Steuben County Judge.

CSEA members who participated in the political action efforts include:


Lindsay, who also served as political action chairman, said he wished to give special thanks to Harold Towner, Hornell City Chapter 007 president and Ed Robinson, Hornell's political action chairman, for their support and cooperation.

CSEA REGION II OFFICERS met recently with CSEA statewide President William L. McGowan when they toured the Metropolitan Region and conferred with local presidents. From left are President McGowan, Region II President John Stover, First Vice President Felton King, Second Vice President Frances DeBose, Third Vice President Willie Raye. Also, Secretary Helen Cugno, Treasurer Clinton E. Thomas, and Corresponding Secretary Robert Diaz.
Union leader on special commission

TROY — Edward LaPlante, president of the 400-member City of Troy Unit of the Civil Service Employees Assn., has been appointed by outgoing Troy Mayor Steven Dworky to serve as the labor representative on a commission to investigate the establishment of a strong mayor form of government in Troy.

Currently, LaPlante noted, a city manager, who is appointed by the city council, has complete control over government operations. Dworky would like to have a strong mayor elected by the citizens.

Should the commission, which consists of representatives from business and neighborhood organizations in Troy, come out in favor of the change, Troy citizens will be asked to vote on the issue via a special referendum.

At this point, LaPlante could not comment on CSEA's position concerning a strong mayor, but indicated the union is pleased to have a city official, he added.

TAKING TO THE AIR WAVES — CSEA representatives recently participated in a call-in radio talk show over station WALL in Middletown to bring their claim of serious understaffing problems at the Orange County Home and Infirmary to the attention of the public. Union participants, along with representatives of county management, were, from left, Dawn Gambino, a union rep in the county home and infirmary; CSEA Field Representative Bruce Wyngaard; and Kay Cayton, President of the Orange County Unit of CSEA Local 586. In early November, employees held a protest demonstration over staffing conditions at the facility.
Beneficiaries should have voice in decisions which affect them

The Civil Service Employees Assn. expects to introduce, in the near future, proposed legislation which would reshape the proposed investment board for the common retirement fund of the Employees Retirement System and the Policemen’s and Firemen’s Retirement System. Current proposed legislation would relieve the comptroller as the sole trustee, by creating a 5-member investment board with one employee or employee organization member. CSEA claims this is inadequate representation and is preparing legislation which would provide additional employee and/or employee organization representation on the investment board. The proposed legislation was unveiled recently by CSEA Atty. Stephen Wiley in testimony before a hearing conducted by the State Assembly Governmental Employees Committee. The following is extracted testimony by Atty. Wiley at that hearing.

“Both comptroller Regan and Arthur Levitt have recognized that it is necessary to insulate the sole trustee from the tremendous pressure which may be brought to bear. Both Mr. Levitt and Comptroller Regan apparently agree on a bill which was introduced in the 1978 session as Assembly Bill 13188. It has been reintroduced as Senate 3001 and Assembly 5734. This bill creates an investment board for the common retirement fund composed of five members, one of whom would act as a board of trustees for the fund. The members would be: one, an experienced designee of the comptroller, two, an experienced designee of the governor, three: three members designated by the advisory council for the retirement systems, two of which would be ‘experienced’ and one of which would be an employee member of the advisory council.

‘CSEA disagrees with this approach. It fails to provide adequate employee or employee organization representation on the board. It also limits the decision making powers to investment issues.

‘CSEA has an alternate proposal, which has not yet been introduced but a copy has been attached for your convenience. The proposed legislation is similar to the Levitt-Regan proposal in that it establishes a board of trustees to make investment decisions for the common retirement fund of the Employees’ Retirement System and the Policemen’s and Firemen’s Retirement System. The board of trustees, however, is composed as follows:

1. An experienced designee of the comptroller
2. An experienced designee of the governor
3. An experienced designee of the speaker of the assembly
4. An experienced designee of the temporary president of the Senate
5. Two designees from the advisory council from the retirement system, one of whom shall be one of the two members designated to the advisory council by the employee organization representing the largest number of employee members of the employees’ retirement system, and one of whom is either a police or a fire member of the comptroller’s advisory council.

“In addition, this bill amends appropriate sections of the code while the comptroller remains the administrative head of the employees’ retirement system and the policemen’s and firemen’s retirement system, his adoption and amendment of the rules and regulations for the administration and transaction of business of the retirement systems is subject to the supervision and consent of the board of trustees.

“Also of importance is section 9 of the bill, which requires, for investment decisions, the affirmative vote of at least one of the public employee members of the board of trustees. These changes do not give employees a veto over investment decisions. A majority representation on the board of trustees or the control over retirement system monies. However, they do provide for a somewhat more balanced representation on the board of trustees as well as for a more effective voice in investment decisions. CSEA believes that the beneficiaries of the system should have some voice in the decisions which so vitally affect them.”

ATTY. STEPHEN WILEY told a State Assembly committee recently that CSEA, because it has an extreme interest in the retirement system and its policies, is drafting legislation to reshape a proposed board of trustees to make investment decisions for the common retirement fund of the Employees’ Retirement System and the Policemen’s and Firemen’s Retirement System.

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Protect your future with Retiree membership in CSEA.

- Take an active role in CSEA Retiree’s legislative campaigns for pension cost-of-living increases
- Share in activities of the CSEA retiree chapter nearest you
- Continue present CSEA’s life insurance policies at the local group rate
- Become eligible for CSEA’s “Senior Security 55” life insurance policy for members only
- Acquire low hospital cash-to-you protection for CSEA retirees and spouses
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Send the coupon for membership information.

Survey finds N.Y. pensions most costly in U.S.

State and local government employees in New York State contribute less to their pensions than any of the other states, claims the Citizens Public Expenditure Survey Inc. a statewide taxpayer research organization. Only 5 percent of New York State and local retirement systems, paid for by New York employees, is from employee contributions, said the research organization.

Sixty-three percent of the retirement systems are supported by government contributions in the form of taxes and 22 percent from earnings on investments, said the survey.

“The 5 percent amount from employees is the lowest among the 50 states,” said the organization. The closest states to that figure are Florida, 7 percent, and Michigan 8 percent. The U.S. average for employee contributions is 20 percent.

The Citizens Public Expenditure Survey also pointed out the 63 percent of state and local governmental retirement systems paid for by New York taxpayers is the highest among the 50 states. The U.S. average is 48 percent. New York is slightly above the average in income from investments for retirement systems, said the survey.

New York receives 32 percent from investment income. The U.S. average is 31 percent. “Sixteen states have a higher percentage,” said the research organization.

This newspaper article appeared in early December. It pointed out a number of things, including that public employees in New York State contribute less of their own money toward their pensions than in any other state, just 5% compared to a national average of 20%. The article also says New York averages 22% from investments for retirement systems, slightly above the national average of 31%. The article stated that 16 states receive a higher percentage from retirement fund investments.