TAX “CUT”... OR TAX SHIFT?

FREEZE gets warm embrace from the Governor

See page 3
Gov. Cuomo gives tax shift freeze a warm embrace but Senate Republicans so far are giving it a cold shoulder. CSEA finds some things to like in Cuomo’s proposed state budget, but there’s plenty of room for concern as well.

CSEA’s vast legal experience, expertise prevents Westchester County from radically altering workweek of probation officers.

Ever feel like you’re being torn in two directions? Some MHTAs at Syracuse Developmental Center are actually pushing and pulling at the same time.

When the Monroe County executive threatened layoffs, CSEA said “no way,” mobilized the membership and fought back.

CSEA will soon begin the process of electing delegates to the 1990 AFSCME Convention to be held in Miami June 25-29. Delegates will be elected on a regional basis. Each CSEA region will elect the number of delegates it is entitled to on the basis of membership strength in accordance with the AFSCME and CSEA constitutions. Expenses for the delegates for transportation and room and board at the AFSCME convention will be paid by CSEA.

Details regarding nominating procedures will appear in the next edition of The Public Sector.


THE PUBLIC Sector

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A message from CSEA President Joe McDermott

A step closer to victory

Gov. Cuomo has proposed a budget which, while not perfect, recognizes that the state needs to generate more revenue rather than simply cut services to balance its budget. He has proposed freezing personal income taxes at current rates, a recommendation I made in a recent letter to him. It is a recommendation CSEA has made repeatedly because freezing tax rates and stopping the tax shift to local governments is vital to New York's fiscal health.

With Democratic Assembly Speaker Mel Miller already on our side, we are a step closer to winning our battle. But we have a long way to go. We now have to convince Senate Majority Leader Ralph Marino and other Republican senators of the dire need the state has for the tax freeze.

We must stop the shift of the state tax burden to local governments. They were already hit hard in last year's state budget. We all ended up paying, not through income taxes, but through higher property taxes and rents.

Income taxes are progressive; that means we are taxed based on our ability to pay. But property taxes are regressive and hit hardest the low- and middle-income wage earners, without regard to what they can afford.

While the Governor's stand on the tax freeze is welcome, I am very concerned about the possible loss through attrition and elimination of vacant positions of more than 1,200 jobs in the Office of Mental Health and more than 1,500 in the Office of Mental Retardation and Developmental Disabilities.

Our members in the facilities are already suffering the effects of understaffing and forced overtime — they are injured on the job, refused leave time and burning out far too quickly.

We should be filling jobs so that our employees can work safely and efficiently — while saving the state overtime costs.

I am also concerned about aid to local governments, particularly the status of last year's cap on Department of Social Services administrative costs. Our budget analyst is still studying the 600-plus pages of the budget proposal to see just how it will affect local governments and CSEA in general. CSEA will soon be able to formulate its action plan to be sure the budget passed is reasonable and fair to all New Yorkers.

Gov. Cuomo calls for tax freeze

ALBANY — Gov. Cuomo's 1990-91 budget proposal appears to provide a stable basis for state finances now and in the future. By recommending a freeze in state personal income tax rates, Gov. Cuomo adds $400 million in revenues in 1990-91, but as much as $1.7 billion the following year. CSEA has often and clearly said that freezing the tax cut is vital.

"The Governor has finally shown that the so-called tax cut will hurt New York state," said CSEA President Joe McDermott. "I am still concerned about a variety of issues in his budget, but the tax freeze is by far one of the best moves he could have made."

CSEA has been in the lead pushing for the tax freeze because the so-called tax cuts have resulted in a tax shift to local governments. They have had to struggle on reduced aid and raise property taxes to meet their expenses, many of which are state mandated. Many state jobs have been lost as well.

With Gov. Cuomo supporting the tax freeze, the fight moves to the state Legislature. Assembly Speaker Mel Miller, a Democrat, has said he supports the tax freeze; Republican Senate Majority Leader Ralph Marino has said he opposes the freeze.

Job security

While the budget proposal calls for fewer than 400 layoffs, CSEA is equally concerned with the loss of jobs through attrition and elimination of vacant positions in the Office of Mental Health (OMH) and the Office of Mental Retardation and Developmental Disabilities (OMRDD). OMH is slated to lose about 1,200 jobs through attrition and 525 through elimination of vacant positions.

"Our OMH and OMRDD members are struggling now because of understaffing," McDermott said. "They already face high injury rates and forced overtime because the agencies simply don't have enough workers. We want to be sure the state facilities are properly staffed."

One area in which jobs will expand is the Department of Transportation. The budget proposal would increase the workforce by more than 200 to aid in construction inspection and pavement maintenance as part of the Rebuild New York initiative. The new pavement jobs are to be in two DOT regions and are part of a pilot program that could be expanded to other parts of the state.

"The rebuilding program has proven that having enough public employees to do the job means the job gets done well and efficiently," McDermott said. "Now we have to apply the same logic to OMH and OMRDD."
Probation officers win in Westchester

WHITE PLAINS — CSEA has successfully defended a long-standing right of Westchester County probation officers.

Two years ago, county officials decided to end the decade-long practice of a four-day workweek for probation officers, who are members of Westchester County Unit of CSEA/AFSCME Local 860.

CSEA/AFSCME went to arbitration over the issue. CSEA/AFSCME attorney Jim Rose successfully argued the union’s case.

County officials failed to show that the four-day workweek was counter-productive and costly, said CSEA/AFSCME Collective Bargaining Specialist Al Sundmark.

"The fact is, our legal expertise refuted the county’s evidence," Sundmark said. "The grievance was denied and the county cannot change the four-day workweek."

During the two years it took to settle the case, CSEA/AFSCME tried to come to an amicable solution with the county, he added.

Rose said his relationship with county employees and his experience in similar cases helped him win this one. "We have a long history and a deep knowledge of cases that pertained to the changing of work hours," he said. "We have been very successful in these cases."

UNION LEGAL SERVICES

ANOTHER IMPORTANT BENEFIT FROM

CSEA/AFSCME

Holiday spirit moves CSEA members

LOADING SANTA’S TRUCK — SUNY Oswego faculty, staff and students donated more than 1,000 toys to the needy children of Oswego County for Christmas. CSEA members at the county Department of Social Services helped distribute the toys. Loading the toys for delivery are CSEA member Bill Barry of the SUNY Oswego grounds department and Marta Santiago, personnel director. College community members, including members of CSEA Local 611, picked the names of needy children from Christmas trees around the campus and purchased toys, books and games for them.

FOOD FOR THOUGHT — Members of Erie County Employees CSEA Unit donated a quarter of a ton of food to the needy during the holiday season. Drop-off boxes at worksites collected enough food to go to three different charities. Helping with the delivery are, from left, CSEA members Iris Kliszak, Shirely Heron, Stephen Caruana, Maggie McNeela and Wally Sienkiewicz.
SYRACUSE — Some direct care workers at Syracuse Developmental Center are being asked to handle two wheelchair-bound clients at a time, a method which threatens the health and safety of both workers and clients.

"It is dehumanizing for people to be transported like cargo," said Patricia Belair, a member of Syracuse Developmental Center CSEA Local 424 and a mental hygiene therapy aide (MHTA). She is one of many CSEA members who are protesting the unsafe practice mandated by management.

CSEA has filed a grievance to force management to stop the unsafe and ill-advised practice.

The mandate affects MHTAs on the facility’s Team C who transport clients from residence halls to workshops. The MHTAs must either push both wheelchairs or push one and pull the other.

The mandate is imposed, according to management, to get clients to workshops faster.

That is ludicrous, said Bernell Patterson, one of the affected workers. In the past seven months, only one incident of a client arriving late to a workshop was reported.

"It’s not safe for anyone, patients or staff," she said. "Unless it’s an emergency, people shouldn’t be pushing two wheelchairs."

Despite complaints from staff and union officers, facility management representatives have flatly denied that there is any risk to patients. MHTA Kathleen Kelly, who works with clients in wheelchairs daily, disagrees.

"We are supposed to push both wheelchairs together down the hall while trying not to scrape them against the wall or run them into each other," Kelly explained. "This is in a hallway that is busy with ambulatory clients and other staff escorting wheelchairs, so not only are you pushing and pulling two wheelchairs down the hall, you’re dodging clients, staff and other wheelchairs while trying to avoid injury to the clients and yourself."

Now Kelly and Belair, both currently on workers compensation, face management threats because they both submitted doctor’s notes saying they should not handle two wheelchairs at once when they return to work.

The developmental center management has notified them that their shifts and passdays will be changed if they cannot push two wheelchairs. This is just another form of punishment, said Local 424 President David Berry.

"Not only is management violating our contract, but they are also placing these people in more dangerous wards, in effect punishing them for job-related injuries," he said.

Kelly turned in her doctor’s note because she was worried not only her health, but the health of the clients as well.

"I’ve been transferred to a behavioral unit, where the clients are abusive and have to be restrained, a unit where I could very possibly be hurt," she said. "I feel that I’m being punished and made an example of because I’m standing up for the clients’ rights, so that they are protected from injury."

To try to remedy the situation, the MHTAs offered to start transporting clients five minutes earlier, but management refused. They are simply being stubborn, Berry said. Meanwhile, CSEA is pursuing the grievance.

"We want the public to be aware of this problem now," he said. "We hope management stops this practice before someone gets seriously hurt."
CSEA campaign saves jobs in Monroe County

Fighting the fight forges strong sense of unionism

By Ron Wofford
CSEA Communications Associate

ROCHESTER — The union’s successful battle to prevent nearly all job cuts originally scheduled in the 1990 Monroe County budget has forged a tighter, more unified Monroe County Employees CSEA Unit.

“This fight was a real test of our union’s activist members and resources, and we passed with flying colors,” said CSEA Unit President Florence Tripi of the battle to overturn a budgetary proposal by County Executive Thomas R. Frey that would have eliminated up to 80 county jobs.

Concerted political action, activities by a unit steering committee and public support combined to convince the county legislature to restore all but four of the proposed job cuts.

“And we won’t rest until those four are restored,” Tripi said. “Two of them, a 911 program analyst and an emergency preparedness resource officer, will be particularly difficult. But they’re our members and we will receive our best efforts.”

Many CSEA unit members spent evenings, late nights and holidays over a two-month period working to restore the jobs, Tripi said.

Activists built public awareness by attending budget hearings, speaking at civic meetings, giving media interviews and publishing a position paper outlining the folly of the cuts and the negative impact they would have on the community.

The bulk of the jobs originally slated to be cut were in the parks, health and public works departments and would have affected many employees with substantial seniority and longevity. Among those originally pink-slipped, for instance, were Traffic Sign Fabrication Foreman Bernard Knoerpfl, with 24 years of service, and Plant Taxonomist Jim Kelly, a 16-year veteran. Tripi said they were examples of the valuable experience the county would have lost had the union not prevented the layoffs.

The CSEA unit steering committee, chaired by Tripi, included Don Hammond, Joanne Madeleina, Rhoda Gates, Sam LaFranco and Louis Roj. Tripi said the unit received strong support from Region President Robert Lattimer, CSEA Regional Political Action Coordinator Roger Sherrie and CSEA Budget Examiner Kathy Albowicz.

“We’re happy that we were able to show all our members, even those whose jobs weren’t threatened this time, how important it is to stay unified,” Tripi said. “And we hope the county administration will recognize that among Monroe County’s most valuable assets are its workers.”

Grants improve working conditions

IMPROVING THE QUALITY OF WORKLIFE — Three employees of the State University of New York College at Oswego are shown with one of two dozen microwaves recently placed at work locations around the campus for use by employees on breaks. The microwaves were purchased through a local labor/management committee under provisions of the state/CSEA contracts. Funding was negotiated under the last two CSEA/state contracts to provide grants through the Statewide Labor/Management Committee for projects designed to improve the safety, health and overall quality of worklife for CSEA members at state worksites. The SUNY College at Oswego project is one of scores funded across the state under the program. Standing behind one of the microwaves are, from left, Personnel Associate Teresa Morelle, Senior Clerk M. Lynne Zuccolotto and CSEA Local 611 President Glenn Loadwick.
CSEA LOCAL 444 Vice President Frank Culligan gets ready to enter the cab of one of OGS's new tractor-trailer tandem rigs.

By Daniel X. Campbell
CSEA Communications Associate

At first glance the numbers seem small, almost insignificant; increasing diesel fuel mileage on tractor-trailer rigs from five miles per gallon to seven miles per gallon.

But that represents a 40 percent improvement, and for a 40-vehicle fleet that logs millions of miles a year, the savings are startling. So much so that it has enabled the state Office of General Services (OGS) to provide fully-equipped, top-of-the-line vehicles for its Upstate Distribution Center operation without increasing the agency's budget.

Cooperation keys success

The success story is the result of a cooperative labor/management project that began about six years ago between Upstate Supply Support CSEA Local 444 and OGS. The two groups began searching for ways to improve working conditions and increase productivity of OGS employees involved in the transportation of supplies from the massive OGS warehouse complex in Rotterdam, Schenectady County, to state worksites throughout the state.

The project quickly zeroed in on the tractor-trailers in the OGS fleet. Drivers described the rigs as back breakers. They were cold in winter, sweat boxes in summer. Difficult to maneuver, the rigs wasted time and averaged only five miles per gallon of diesel fuel.

“Our people were more than willing to tell management about problems on the job, but they were reluctant to believe that things were really going to change,” recalled Local 444 President John Wyngaard.

But change they did. Twenty-three upgraded rigs have been added to the OGS fleet under a replacement program that will eventually modernize the entire 40-vehicle fleet.

Special features boost efficiency

The new tractors feature redesigned wheel bases, changed gear ratios and a streamlined cab design. The tractor modifications grew out of employee suggestions as part of the labor-management project.

The new vehicles get seven miles per gallon. Savings from the 40 percent mileage improvement cover the installation of air suspension systems, flotation driver seats, air conditioning and CB radios without increasing the agency's budget.

“Our members now drive safer, more efficient vehicles,” Wyngaard said. “Management has fewer problems with equipment and with personnel problems. And the taxpayer gets better service without the budget going up. That's a real success story. It's a win, win, win situation for everybody.”

“The savings generated by the mileage improvement allowed us to design a rig that does the job better, safer and at a lower cost,” said OGS Transportation Analyst Frank McGuire. Tractors cost between $47,000 to $57,000 each and trailers range between $16,000 to $32,000.

OGS Commissioner John F. Hudacs and CSEA Region IV President C. Allen Mead recently inspected the new rigs. CSEA Local 444 Vice President Frank Culligan, who drives the rigs, helped host the review.

“The workers are seeing solid results of labor/management cooperation and, for the most part, they like it,” Mead said.

NEW TRACTOR-TRAILER, which signifies modernization of OGS's Upstate Distribution Center fleet, forms background for, from left, CSEA Local 444 Vice President Frank Culligan, OGS Commissioner John F. Hudacs, CSEA Region IV President C. Allen Mead and Local 444 President John Wyngaard.
When you call CSEA's toll-free phone number for service

Don't hang up

You call the CSEA toll-free number 1-800-342-4146 and what happens?
You get a recorded message that starts out “Thank you for calling CSEA.”

DON'T HANG UP!

You've reached CSEA's automated telephone system which is designed to put you in contact with the department or person you want to reach as easily as possible.
Although the message takes you through a range of choices, it helps when you know ahead of time what to expect and how to get through.
If you call on a touch-tone telephone, you can access the choices directly. If you use a rotary dial phone you have to stay on the line and a CSEA operator will pick up and connect you.

With the touch-tone telephone you can reach a specific individual directly at any time during the message if you know the individual's extension number.
You simply press 0 and the extension number.
If you don't know the specific extension, you'll be given a series of choices to help you get through. These choices are known as the main menu and they are as follows:

* Press 1 for Field Operations or the Empire Plan/Health Benefits Committee
* Press 2 for disciplinary, grievances and other legal matters
* Press 3 for Communications, the Executive offices or Political Action
* Press 4 if you have questions concerning dues, membership or agency shop, CSEA group insurance other than health or need to talk to the Finance Department

* Press 5 for the CSEA Current Issues Update (a service that provides valuable information about CSEA actions and benefits)

Once you make any of these selections you will reach another set of choices which direct you to the specific department that you need to reach.
At any time you can hear the choices again by pressing 7.
You can also return to the main menu at any time by pressing 8.
If you don't make any choices, the CSEA operator will pick up your call.
The CSEA automated phone system takes some getting used to, but it's intended to help you get through to the CSEA departments you need to reach.
Take advantage of it; it's just another of the many ways that CSEA is working to improve the delivery of services to you!
A tale of two dumps

CSEA questions different state findings

Similar charges of illegal dumping at two CSEA-represented worksites have produced very different results and CSEA wants to know why.

The Olympic Regional Development Authority (ORDA) pleaded guilty to criminal charges and was fined $40,000 for dumping hazardous waste at the Mount Van Hovenberg sports complex outside Lake Placid.

But CSEA is charging “whitewash” after a state Department of Environmental Conservation report found no hazardous waste at the state Department of Transportation maintenance shop at Waterford, near Albany.

CSEA believes that the situation at Waterford may actually pose a greater health risk than the circumstances that led to the state action against ORDA.

Earlier CSEA complaints led to nine Department of Labor citations against the DOT facility for improper handling of hazardous waste and unsafe working conditions.

Both situations were covered extensively in The Public Sector last year.

“We want more answers as far as Waterford is concerned,” said CSEA Capital Region President C. Allen Mead. “We’d like to know why ORDA received a heavy fine while the DOT went scot-free.

“Given the extent of the concerns we had about the Waterford facility, it doesn’t make any sense that DEC found no hazardous waste problems at the site,” he said.

CSEA’s has reason to believe the test procedures may not have been thorough.

DEC’s investigation was sparked after CSEA presented evidence that DOT buried waste material such as sand contaminated with lead paint chips from sand-blasting operations and other waste products on the facility grounds.

An inspection of the alleged dumpsite also revealed partially buried 55-gallon drums, which may or may not have been empty when buried. CSEA was concerned about hazardous material from those drums leaking and contaminating the soil.

The DEC examination last spring revealed lead levels in the soil that greatly exceeded the U.S. Environmental Protection Agency (EPA) hazardous levels. DEC ordered DOT to remove large amounts of the contaminated soil and the barrels found buried on the premises.

But incredibly, DEC told DOT the situation did not present a health risk.

It was only after CSEA objected to that finding that DEC made its second, now-disputed evaluation.

The DOT Waterford site is located on the state Barge Canal. CSEA believes there is clear evidence lead paint chips and other contaminants seep into the canal and the adjacent Hudson River.

CSEA is also concerned about a three-ton pile of “Black Beauty,” a coarse black sand used in sand-blasting. While the DEC claims its lead level is within accepted limits, DOT is working with CSEA on plans to safely remove it from the site.

The illegally dumped materials were 32 barrels of waste oil and 29 lead acid motor vehicle batteries. However, DEC only tested four of the 32 barrels. Had they tested all of the barrels, ORDA and the management official would have faced a $150,000 fine and possible four-year jail term.
The state Legislature may seem like a distant bureaucracy to you, but it can have a strong impact on your job, your income and your life in general.

The Legislature can pass laws to improve safety on the job, such as last year's 35-mph speed limit in highway and road worksites. But it can also consider laws that would interfere with your rights, such as a law allowing random drug testing — a law CSEA would fight vigorously.

That's why CSEA makes it a priority to monitor the Legislature closely and act quickly on bills that could affect you. The union supports many bills which, if made into law, could make your life easier. CSEA also strongly opposes bills that could mean hardship for you.

CSEA's Legislative and Political Action Department is already hard at work pursuing the union's own priorities for the legislative session. Below is a partial list of some of those issues. It is not complete, and important issues will be added as the session continues, but it is an example of some of the ways CSEA works on legislative issues that can — and will — affect your life.

Health and Safety

VDT SAFETY: New York state desperately needs laws to protect the thousands of people who spend hours every day in front of video display terminals (VDTs). Currently, the state has a policy for its own workers, but no statewide laws exist to enforce safety for public or private sector workers.

CSEA is going to press for legislation that provides for appropriate VDT workstations, work schedules and protections for pregnant women.

RIGHT TO REFUSE: If you feel a job assignment will threaten your safety, even your life, current law says you must do the work, then file a grievance over the unsafe conditions. The union supports many bills which, if made into law, could make your life easier.

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CSEA is determined to change that. The union will fight for a law that allows you to refuse the assignment until the Department of Labor investigates and you are sure you will be safe.

WORKERS COMPENSATION: CSEA wants a fair increase in worker compensation benefits so that if you are injured on the job, you will have a sufficient income until you get back to work. The union will also push for a streamlining of the system so you can get your benefits within a reasonable amount of time.

Health Insurance

MANDATORY MEDICARE ASSIGNMENT: Right now, a doctor can charge a Medicare patient for a service without regard to the reasonable rate set by Medicare. That means many public employee retirees must pay the difference between the doctor fee and the reasonable rate. CSEA is leading the fight to require doctors to use Medicare reasonable rates in setting their fees.

RETIREE HEALTH INSURANCE: Under current law, employers can change retirees' health insurance coverage, often requiring them to pay the full cost, a cost many cannot afford. That leaves them with no coverage at all when they are most vulnerable. CSEA will work for passage of a law that would require employers to maintain coverage at the same level provided active employees.

Pension

PERMANENT COLA: Right now, public employees who retire get a set amount every month from their pension — no matter how long they live and how much the cost of living increases. CSEA is determined to obtain a permanent cost of living adjustment (COLA) for public employee retirees so that income increases as the cost of living increases.

BOARD OF TRUSTEES: The state comptroller is now sole trustee of the nearly $43 billion Common Retirement Fund for public employees. CSEA will press for legislation that would create a board of Trustees that includes public employee representation.

SOUTH AFRICAN DIVESTMENT: CSEA is convinced that the pension funds of public employees should not be invested in corporations which do business in or support apartheid South Africa. The union will support a bill for divestment from any of those corporations.

Local Government

DSS CAP: Last year, the state budget imposed a cap on reimbursements to local governments for the Department of Social Services administrative costs. That forced many local governments to pay more to provide state-mandated programs.

CSEA is already working to be sure that cap is lifted so that local governments get fair reimbursement. That will protect the jobs of local government employees.

RUGS: Resource utilization groups (RUGs), the state method used to reimburse nursing homes for services, has nearly crippled county-owned nursing homes across the state. The method unfairly penalizes the county homes, which provide services to a large percentage of Medicaid patients. CSEA is committed to the reform of the reimbursement system, providing fair reimbursement for the services county nursing homes provide. That will not only protect the vital services the nursing homes offer, but also the jobs of their employees.

School Districts

BUS ROUTES: CSEA will support a bill that would prohibit districts from setting up bus routes that would require the school bus carry more students than the number of seats available.

SCHOOL BUS SEATS: CSEA is drafting a bill that would require school bus seats in New York state conform to federal regulations on height.

Commercial Drivers Licensing

CDL REGULATIONS: New York must meet federal standards for licensing commercial drivers. CSEA is working for legislation that would provide training and education to enable our commercial drivers to pass the required tests.

CSEA sets legislative goals

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CSEA ready for 1990 session

January 22, 1990

CSEA President Joe McDermott

"This year we plan on making extraordinary progress"

— CSEA President Joe McDermott

CSEA President Joe McDermott

We have dozens of CSEA activists armed with practical political knowledge.

We have one of the state's most respected lobbyists, Ken Shapiro. And we just finished an election season that proved CSEA is a real power in this state," said Larry Scallon, director of legislative and political action. "That doesn't mean this session will be easy; it means we're coming out fighting.

CSEA has outlined its legislative priorities (see some of them in adjacent story) and has begun meeting with legislative leaders to let them know the union is serious about making real progress on important issues this session.

"We have a lot of support on many of our issues, and that will help," McDermott said. "But what really matters is that our members are serious about accomplishing important goals. We learned last year just how powerful CSEA members are when they get serious."

CSEA led a campaign that helped prevent the massive layoffs originally threatened in the state budget and fought for the 35-mph speed limit in highway and road worksites.

"We're going to call on our members again this year to help us by writing, calling and meeting with their legislators," Scallon said. "We know how effective they are, and we're going to need all the power we can muster. It'll be a tough session, but it will be another winning session."
CSEA pushing ahead with campaign for VDT operators; Suffolk appeal due

By Sheryl C. Jenks
CSEA Communications Associate

The Suffolk County Legislature is expected to appeal a recent state Supreme Court decision which struck down the county's landmark video display terminal (VDT) law.

While he called the legislation "well-intentioned" and "a first step in bringing worker health concerns to the attention of the public," Supreme Court Justice John Copertino ruled recently that the Suffolk County legislature lacked the authority when it enacted the local law last year.

Justice Copertino said health and safety in the workplace should be regulated by state government. "In striking down the VDT law, this court in no way finds that the worker health concerns addressed by the legislation have no basis in fact, nor concluded that operators are adequately protected by existing rules and regulations," Copertino wrote.

His ruling came in a lawsuit coordinated by a group of Long Island business leaders who challenged the county's authority to enact VDT legislation.

CSEA leaders reacted angrily to the ruling and said the union will intensify efforts to overturn that ruling on appeal and for passage of statewide and local legislation elsewhere.

"I can't believe it . . . all that work," said CSEA statewide Secretary Irene Carr, a strong advocate for VDT regulations. "We're upset and disappointed. Our members need protection and most employers aren't going to make the necessary changes without a law."

"We had hoped to see a trickle-down effect in other counties," said CSEA Region I President Gloria Moran. "After the Suffolk VDT victory last year, lawmakers across the state were expressing interest in developing similar legislation. Now the process may be stalled."

"Why business and management have to dragged kicking and screaming into providing VDT protection is beyond me," said Carr. "It's the wave of the future and there should be more concern about getting the most from the technology while improving the working life of the employees."

A state VDT policy issued in November 1987 calls for state agencies to develop a plan for meeting VDT health and safety guidelines for state workers within two years, but very few agencies have a plan in effect and the policy itself is on hold because of the current state budget crunch. There are no specific statewide VDT regulations covering other public or private sector employees.

VDT reference guide available from CSEA

"Employees and VDTs: Finding a Comfortable Fit" is a reference guide for VDT operators. It is available through CSEA. Packed with suggestions to help relieve the stress of long hours at VDT workstations, the booklets are published by the Clerical and Secretarial Employee Advancement Program (CSEAP).

To obtain a free copy of the pamphlet, send your name, address and CSEA local name and number to:

Bob Dillon
CSEA Headquarters
143 Washington Avenue
Albany, N.Y. 12210
National Health Care Now Is The Time

Access to care declining

Among industrialized nations, only the United States and South Africa have no national health care program. Until recently, a patchwork quilt of government programs and employment-based health insurance was providing most Americans with care.

Things have changed. During the Reagan era, public programs were cut dramatically. Millions lost manufacturing jobs that provided them with good benefits. New jobs were created that offer no benefits, and because of rising costs, many employers who provide coverage are shifting a growing share of the burden to employees.

Who are the insured?
They are workers and their families, children and the sick who cannot buy health insurance.
* 37 million Americans have no health care protection, 40 percent more than in 1980.
* Three quarters of the uninsured are workers and their families.
* One third of the uninsured are children.
* Two million of the uninsured are chronically ill and can’t get health care protection.

Why is the number of uninsured rising?
New jobs often offer no benefits.
Service industry jobs offering few or no benefits grew by 30 percent between 1980 and 1988. Nearly one half of the uninsured are in families in which the head of the household works more than 40 hours a week.

There are more part-time workers.
The number of part-time workers has increased 40 percent since 1980, and fewer than 25 percent get benefits.

There have been cutbacks in public programs.
Only 40 percent of the poor with incomes under the federal poverty line are actually receiving Medicaid, compared with 65 percent in 1973.

Increasing numbers of employees are working for small business.
Small businesses provide little if any health care. In fact, 48 percent of the uninsured work for firms with fewer than 25 employees.

What about those who are covered by insurance?
Cutbacks in employment-based health insurance have led some experts to conclude that as many as 50 million Americans have inadequate insurance. Employers are shifting costs to workers through higher deductibles, higher co-insurance, more premium sharing and increasing services which are not covered.

This adds up to bad health.
Millions of workers and their families are being forced to gamble with their health. The United States ranks at the bottom of industrialized nations in infant mortality and life expectancy.

The uninsured population used only 64 percent as many physician services as the insured, according to a 1986 study by the U.S. Department of Health and Human Services.

Nearly one in five uninsured pregnant women do not receive prenatal care during the first trimester of pregnancy.

Between 1982 and 1986, the number of Americans with no regular source of health care jumped 65 percent.
Of Americans with a serious illness such as cancer, heart disease or diabetes, 17 percent did not see a doctor in 1986.

Most older Americans cannot afford to remain without protection for long-term care. To qualify for Medicaid, they must become paupers.

Are covered workers being affected?
YES! The uninsured receive care in emergency rooms, costing the health care system almost $10 billion a year.
Insured workers help pay that bill through surcharges, subsidizing those workers whose employers refuse to pay protection.
Employers who don’t provide health care can beat out those who do in competitive bidding, affecting workers in construction, service industries and public sector employment.
And many insured workers don’t have coverage for well baby and elder care and face cuts in primary care. If health care costs continue to skyrocket, workers may find other coverage gaps.
What if you found $10,000? And what if you could use that money to pay a hefty part of your New York State Health Insurance premium every month once you retire? Just a dream? Not really.

Those sick leave credits on your time card are valuable. When you retire, your unused sick leave is converted into a dollar amount called a monthly credit. The monthly credit is then applied to your State health insurance premium every month for as long as you live. Or, you can use only part of the credit and leave part for your family, should they outlive you. Most state employees find that their sick leave credits save them hundreds and even thousands of dollars.

HOW DO I FIGURE THE VALUE OF MY SICK LEAVE?

Step 1. Find your daily rate of pay. Look at your paycheck stub to find the gross amount of your biweekly pay. Divide the gross pay by 10. (There are 10 workdays in the pay period.)

\[
\text{Daily Rate of Pay:} = \frac{\text{Gross Biweekly Pay}}{10}
\]

Step 2. Find the dollar value of your sick leave: Multiply your daily rate of pay by the number of sick leave days you have accumulated (up to a maximum of 165 days). This gives you the total dollar value of your sick leave.

\[
\text{Total Dollar Value of Sick Leave:} = \text{Daily Rate of Pay} \times \text{Sick Leave Days}
\]

Step 3. Determine your monthly credit: Divide the total dollar value of your sick leave by your life expectancy (in months). Use the actuarial table below to determine life expectancy.

<table>
<thead>
<tr>
<th>AGE AT RETIREMENT</th>
<th>LIFE EXPECTANCY (MONTHS)</th>
</tr>
</thead>
<tbody>
<tr>
<td>55</td>
<td>271 months</td>
</tr>
<tr>
<td>56</td>
<td>264 months</td>
</tr>
<tr>
<td>57</td>
<td>256 months</td>
</tr>
<tr>
<td>58</td>
<td>248 months</td>
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<tr>
<td>59</td>
<td>240 months</td>
</tr>
<tr>
<td>60</td>
<td>232 months</td>
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<tr>
<td>61</td>
<td>224 months</td>
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<td>62</td>
<td>216 months</td>
</tr>
<tr>
<td>63</td>
<td>208 months</td>
</tr>
<tr>
<td>64</td>
<td>200 months</td>
</tr>
<tr>
<td>65</td>
<td>192 months</td>
</tr>
</tbody>
</table>

Life Expectancy = \text{Total dollar value of your sick leave} / \text{Monthly Credit:}

Example: You want to retire when you are 60 years old, three months from now. Your gross biweekly pay is $950 and you have 100 days of unused sick leave. Here is how to estimate your monthly sick leave credit:

Step 1: Daily rate of pay:

\[
\$95 \text{ (Daily Rate of Pay)}
\]

Step 2: Dollar value of sick leave:

\[
\$950 \text{ (Gross Biweekly Pay)}
\]

Step 3: Monthly credit:

\[
\frac{\$950}{232} = \$40.95 \text{ (Monthly Credit)}
\]

In this example, you will have $40.95 each month, for as long as you live, to help pay your health insurance premium.

If your health insurance premium is $67.14 a month for family coverage, your monthly sick leave credit will cover $40.95; $26.19 will be deducted from your retirement check each month to cover the remainder. Keep in mind, as the premium increases or decreases, the amount you must pay will also increase or decrease. Your monthly credit of $40.95 will not change.

HOW MANY DAYS OF SICK LEAVE MAY I USE TO REDUCE MY PREMIUM?

You may use all of your sick leave credit up to a maximum of 165 days.

MAY MY FAMILY USE MY MONTHLY CREDIT IF I DIE?

Just before you retire, you may specify that you want your survivors to be able to use your monthly credit. This is called the Dual Annuitant Sick Leave option.

If you want to choose the Dual Annuitant Sick Leave option, you must do so before your last day on the payroll. If you do not choose this option before your retirement
Your sick leave credits are valuable

becomes effective, your monthly credit automatically ends when you die. The option is permanent. You may not change the option once you retire, regardless of the circumstances.

HOW DOES THE DUAL ANNUITANT SICK LEAVE OPTION WORK?

If you choose the Dual Annuitant Sick Leave credit, you will use 70 percent of your monthly sick leave credit for your premium for as long as you live. Your eligible dependents (your spouse and your eligible children) who outlive you may continue to use 70 percent of the monthly credit for their New York State Health Insurance premium. If your spouse should die before you, you will still have the 70 percent monthly sick leave credit.

EXAMPLE: Using the example above, your monthly sick leave credit is $40.95. If you choose the Dual Annuitant option, your monthly sick leave credit will be $28.66 (70 percent of $40.95). You will have a monthly credit of $28.66 every month of your life. If you die before your spouse and children, the monthly credit of $28.66 is available for the duration of your dependents’ eligibility for NYSHIP. THIS IS ONLY AN EXAMPLE. YOUR MONTHLY CREDIT WILL BE DIFFERENT.

Remember, the opportunity to elect the Dual Annuitant Sick Leave option is available only once, at the time you retire. And your choice is permanent.

MAY THE MONTHLY CREDIT BE APPLIED TO ANY HEALTH INSURANCE PREMIUM?

NO. You may use the monthly credit only for the Empire Plan or an HMO in the New York State Health Insurance Program. The credit cannot be applied to any other health insurance you or your family might buy. Nor may the credit be applied to a COBRA premium. (COBRA is a federal law giving enrollees and their dependents certain rights to continue coverage if they lose group health insurance coverage.)

IF THE MONTHLY CREDIT IS MORE THAN THE PREMIUM, DO I GET A REFUND?

No. The amount is a credit, not a cash balance. But keep in mind, premiums tend to increase and a large monthly credit is valuable.

IF I VEST, MAY I USE MY SICK LEAVE CREDIT FOR HEALTH INSURANCE?

No. You may not use your sick leave as a vestee, nor may you use it if you retire from vested status.

DOES MY SICK LEAVE CREDIT COUNT FOR THE MONTHLY CREDIT AND TOWARD LENGTH OF SERVICE FOR RETIREMENT SYSTEM PURPOSES?

Yes. Up to 165 days of sick leave can be used to calculate your monthly credit and your length of service.

IF MY SPOUSE AND I HAVE DUAL FAMILY COVERAGE, WILL ONE OF US LOSE OUR MONTHLY SICK LEAVE CREDIT?

No. You (the enrollee) must choose which option you want before you retire. If you then die, your spouse may choose to continue coverage as a Dependent Survivor, if eligible, or to reactivate his or her own enrollment.

If your spouse reactivates enrollment, the monthly sick leave credit will be calculated (based on his or her age, salary and unused sick leave at retirement). Your spouse may also elect the Dual Annuitant Sick Leave option at this time, if his or her benefit package included this option. (Benefits differ, depending on negotiating units and other factors.)

IS THERE MORE I SHOULD KNOW?

Yes. Your monthly credit and health insurance in retirement are valuable. And benefits change. If you’re planning to retire, talk with your agency Health Benefits Administrator early. We want you and your family to have the best protection possible.

For all CSEA members contemplating retirement in the near future:

A CSEA RETIREMENT GUIDE

Retirement can and should be a pleasant, rewarding period after years of public service employment. But adequate planning is necessary to ensure that the retirement years are truly “golden years.” CSEA has published an information-packed booklet, the “CSEA Retirement Guide,” available free to CSEA members planning to retire in the near future. To obtain your free “CSEA Retirement Guide,” complete the coupon below and mail to the address indicated.

Civil Service Employees Association, Inc. CSEA Retiree Division
143 Washington Avenue Albany, N.Y. 12210

Please send me a “CSEA Retirement Guide.”

Name _____________________________
Address ___________________________
City _____________________________ State ______ ZIP _______

Social Security number _____________________________

My CSEA Local is _____________________________
My CSEA Unit is _____________________________

Civil Service Employees Association, Inc. CSEA Retiree Division
143 Washington Avenue Albany, N.Y. 12210

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Name _____________________________
Address ___________________________
City _____________________________ State ______ ZIP _______

Social Security number _____________________________

My CSEA Local is _____________________________
My CSEA Unit is _____________________________
The CSEA/NYS Joint Committee on Health Benefits is offering a FREE video tape loan program on health and wellness-related topics for use by CSEA locals and units. The tapes are ideal for enhancing membership health awareness at membership meetings, health fairs, information days, Employee Assistance Programs, etc. The following VHS tapes are available on a first come, first served basis.

- **LIVING WITH STRESS**
  Gives an overview of the subtle pressures of stress and how to cope with them.
  —15 minutes

- **SMOKING: HOW TO QUIT**
  Attempts to show how a program of gradual smoking reduction can be successful.
  —18 minutes

- **MEDICAL EFFECTS OF ALCOHOL USE**
  Includes many of the short-term effects, as well as the not-so-familiar long-term effects, on the liver and other body organs.
  —12 minutes

- **EXERCISE SHOULD BE FUN**
  Describes how we can efficiently and enjoyably burn up calories.
  —8 minutes

- **LOW BACK PAIN**
  Includes a long list of do's and don'ts on how to maintain a strong, healthy back.
  —14 minutes

- **UNDERSTANDING COMMON BREAST PROBLEMS**
  Informs women about the problems, risks and treatments for breast cancer.
  —11 minutes

- **AIDS — THE SURGEON GENERAL’S UPDATE**
  The surgeon general’s message is urgent and persuasive as he explains why public education is still the only weapon against this disease.
  —32 minutes

- **THE EXPANDED ROLE OF NURSES — LEGAL IMPLICATIONS**
  This tape anticipates and attempts to resolve those disputes by stressing the complementary nature of nursing and medical skills and a team approach to care.
  —15 minutes

- **NURSING LIABILITY FOR “DOCTOR’S ORDERS” II**
  This tape offers sound guidance for making difficult decisions based on accepted professional standards, hospital protocol and concern for patient protection.
  —10 minutes

- **MEDICATION ERRORS**
  This tape illustrates the communication gaps causing errors that cause risk to patients and staff.
  —13 minutes

CSEA local and unit presidents may reserve tapes, at no cost, for union functions by contacting the Joint Committee on Health Benefits at CSEA Headquarters:
1-800-342-4146 (statewide) or (518)434-0191 (Albany area)
Born too soon

Premature birth means lifetime of problems

ROME — For Mike Pedde, a member of the state School for the Deaf CSEA Local 201, the annual Christmas tree lighting in the city of Rome was a memorable one.

That’s because his four-year-old son Robert helped with the lighting ceremony. The mayor of Rome chose Robert to participate with six others because of the hardships he has battled since birth.

Born two and a half months prematurely, Robert has been plagued with respiratory problems and will continue to face those problems for the rest of his life. He was born with underdeveloped lungs and has spent much of his life in Syracuse’s Crouse-Irving Memorial Hospital.

According to his mother, Karen Pedde, Robert’s medical bills have totalled more than the cost of their house, and insurance has not covered all the bills. Robert has been denied Social Security benefits, is still receiving medical treatment and must attend special education class so he can enter kindergarten when he is five.

The financial burden on the family has been great, but Mrs. Pedde said the problems go beyond money.

“When you have a premature child, people don’t realize the severity of the problems that it can cause,” she said.

At times, her husband has had to take time off to care for Robert, and has taken flack for it, Mrs. Pedde said.

“Although he has gotten the time off, he often gets comments like, ‘Don’t make this a habit,’ or ‘It’s tough for us,’” she said. “He doesn’t want to lose his job, but he has a family obligation.”

Mrs. Pedde said she would like to raise awareness of the problems premature birth can cause.

“It’s a common problem,” she said. “The costs are high, both emotionally and financially.”

To help the family with those burdens, a fund was recently established with help from CSEA Local 201 President Bob Verdgeline, who presented the Peddes with a $100 check from the local.

Thanks to the State/CSEA Labor/Management Committees and the U.S. Postal Service, two important job-related seminars were offered to state employees.

The seminars, “Mail Center Operation and Safety” and “Postal Regulations for Mail Center and Secretarial Staff” were offered to employees involved in all aspects of mail service.

The State/CSEA Labor/Management Committees sponsored the training, which was administered by SUNY/Empire State College and presented by the U.S. Postal Service.

The committees also sponsored statewide seminars in manual lifting techniques, leadership in food service and food preparation and production.

In the photo at left, a number of state employees take advantage of a postal office tour. From left are: William Jones, senior commercial program specialist for the Albany Post Office; Rosemarie McEroe and Claire Randall of Wassaic Developmental Center; Talbot Robinson of the Department of Social Services; and Albert Sacca of the Higher Education Department.

Training is in the (mail) bag

January 22, 1990 17
CSEA is offering self-study booklets that should help all members, whether local government or state employees, prepare for examinations and improve their test scores in a wide range of civil service examinations.

A career in civil service generally begins by passing an open competitive examination, and the road to civil service career advancement leads through a series of promotional exams. Developing basic test-taking skills and knowing the exam subject thoroughly are the keys to scoring high on promotional exams. CSEA is also offering a cassette tape designed to help deal with anxiety associated with preparing for and taking civil service exams. The tape also includes some relaxation exercises that should be useful in lowering stress levels in general.

The self-study booklets and stress management tape are available from CSEA's Education Department. Each booklet is $3 and the stress-management tape is $2.50. Use the proper form below to order preparation booklets for state or local government examinations or stress management tapes. The booklet "Improving Your Test-Taking Skills," is suitable for preparing for state or local government exams.

CSEA LOCAL
CIVIL SERVICE TEST
PREPARATION BOOKLETS

Civil Service Employees Association
Attn: Education Department
143 Washington Avenue
Albany, New York 12210

Please send me the booklet(s) indicated. I understand the price is $3 (which includes postage and handling) for EACH booklet I order. I have enclosed a check or money order, payable to CSEA Education Department, for $ to cover the cost of this order.

<table>
<thead>
<tr>
<th>BOOKLET</th>
<th>($3 EACH)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Secretarial And Typing Series. Review work in supervision, secretarial and typing practices, spelling, punctuation, capitalization, etc.</td>
</tr>
<tr>
<td>2</td>
<td>Custodial Series. Review work in supervision, building operations and maintenance, ability to read and follow written instructions.</td>
</tr>
<tr>
<td>3</td>
<td>Social Welfare Examiner Series. Review work in supervision and administration, interviewing, understanding social and human relations problems.</td>
</tr>
<tr>
<td>4</td>
<td>Caseworker Promotional Exam Series. Principles and practices of social casework, interviewing and supervision.</td>
</tr>
</tbody>
</table>

Please send booklet(s) to:
NAME ___________________________
ADDRESS ___________________________
CITY ___________________________
STATE ______ ZIP ______
SOCIAL SECURITY # ___________________________
CSEA LOCAL ___________________________

STRESS MANAGEMENT AUDIO CASSETTE TAPES

Civil Service Employees Association
Attn: Education Department
143 Washington Avenue
Albany, New York 12210

Please send me the cassette tape(s). I understand the price is $2.50 for EACH tape I order. I have enclosed a check or money order, payable to CSEA Education Department, for $ to cover the cost of this order.

Please send tape(s) to:
NAME ___________________________
ADDRESS ___________________________
CITY ___________________________
STATE ______ ZIP ______
SOCIAL SECURITY # ___________________________
CSEA LOCAL ___________________________

For the convenience of CSEA members ordering booklets and cassette tapes, you may send a single check or money order to cover your entire order. Fill in the appropriate dollar amounts where indicated on the order forms for booklets and cassette tapes but send a single check or money order (payable to "CSEA Education Department") for the amount of your total order.
CSEA Toll-Free
The union's toll-free telephone number — 1-800-342-4146 — is your direct link to CSEA Headquarters.

When you call the toll-free number, a recorded message describes the choices to put you through to the right place for the help you need.

You need a touch-tone telephone to complete your call without operator assistance. If you aren't calling from a touch-tone telephone, an operator will pick you up and complete your call at the end of the message.

If you know the extension number of the individual that you're trying to reach, you can press "0" plus the extension number on your touch-tone telephone at any point during the recorded message and be connected.

If you don't know the extension, the message will give you the following choices:
- For Field Operations or the Empire Plan/Health Benefits Committee, press number 1.
- For grievances, disciplinaries, and other legal matters, press number 2.
- For Communications, the Executive Offices or Political Action, press number 3.
- For questions regarding any of the benefits or assistance with negotiating any plan(s), call 1-800-342-4274 or (518) 483-4555 or write: CSEA Employee Benefit Fund 14 Corporate Woods Boulevard Albany, NY 12211.

Employee Benefit Fund
The CSEA Employee Benefit Fund is a CSEA-administered trust fund which provides certain supplemental negotiated benefits for state employees and participating local government employees. It currently administers Dental Care, Vision Care, Prescription Drug, and Package 7 Benefits Plans.

For questions regarding any of the benefits or assistance with negotiating any plan(s), call 1-800-342-4274 or (518) 483-4555 or write: CSEA Employee Benefit Fund 14 Corporate Woods Boulevard Albany, NY 12211.

Education and Training
CSEA can help you prepare for civil service exams with low-cost study booklets and free-to-borrow video tapes. A small selection of audio tapes are available to the visually impaired.

CSEA also provides educational workshops for union activists eager to learn more about their union responsibilities.

To request booklet order forms or to obtain information on union workshops, call CSEA headquarters at 1-800-342-4146. For information on videotapes, contact your CSEA regional office.

Grievances, Disciplinary
If you believe you have a grievance, immediately contact your Local grievance representative or shop steward. If they are unavailable, contact your CSEA Unit or Local President, or write: CSEA Labor Relations Specialist at the appropriate regional office (see adjacent map). Do not delay if you believe you have a problem; grievances must be filed on a timely basis.

AFSCME Advantage Credit Card
The AFSCME MasterCard has one of the lowest interest rates around — 5 percent above the prime lending rate. There is no annual fee.

To obtain an application form, call your CSEA regional office (see adjacent map).

The card is issued by the Bank of New York. If you apply for a card and there is no response within four weeks, call the bank toll-free at 1-800-642-1977.

Insurance
CSEA offers several insurance programs at low group rates and provides the convenience of automatic payroll deduction.

These voluntary group plans include: Basic Group Life, Supplemental Life, Income Protection Program, Hospital Indemnity Plan, Family Protection Plan, Auto Insurance and Homeowners Insurance. For more details, call 1-800-366-5273 or (518) 381-1600.

AFSCME Advantage Travel Services
Helps you get where you're going, fast. And saves you in the process! You can stretch your dollars with the cost-free travel benefits that include guaranteed lowest available airfare, car rental discounts, hotel and motel discounts and a vacation hotline.

For a free starter kit call 1-800-522-8727.

Health Insurance
For health insurance questions concerning Empire Plan coverage, call the appropriate following telephone numbers:

**EMPIRE PLAN**
Blue Cross Claims 1-800-342-9815 or (518) 485-0171
Metropolitan Claims 1-800-942-4640
Participating Providers 1-800-336-3696
Health Care Help Line 1-800-336-3696

Retirement
If you are retiring soon, it's important that you select the proper option from the Employee's Retirement System.

By using the services of a CSEA-provided retirement counselor, you will be able to plan for a lifestyle in your retirement years that takes into account your anticipated expenses.

For more information, call 1-800-366-5273.

General retirement information is available by contacting CSEA's Retirement Department, CSEA Headquarters, 143 Washington Avenue, Albany, N.Y. 12210, (518) 434-0191 or 1-800-342-4146.

United Buying Service
Get big savings on consumer products through the union's official discount buying service. UBS combines the power of millions of members to negotiate discounts on a wide range of major name discount products.

Everything from automobiles to major appliances, video to home furnishings and more. The program is free to CSEA members and carries no service charges. To place an order or for pricing information, call 1-800-336-4UBS or 1-800-877-4UBS. UBS has also set up a hotline for information on limited special monthly offers available only to CSEA members. For a listing of specials, call the hotline at 1-203-967-2980.

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ALBANY — Public employees are part of the solution, not the problem in the war on drugs. That was the message CSEA delivered to key state lawmakers during a recent state Senate hearing on the Governor’s Anti-Drug Abuse Council’s proposed strategies.

While CSEA agrees with many of the proposed recommendations, some aspects — particularly those calling for expanded drug testing for public employees — are troubling.

“Labor and management have to work together for a drug-free workplace,” said CSEA President Joe McDermott. “But it can’t be at the expense of people’s right to privacy. Whether you trample on people’s rights for the right or wrong reasons, the results are the same.”

“Random drug testing is unnecessary and intrusive,” McDermott added.

Aside from concerns about the accuracy of urine testing, there are serious questions about the effectiveness of the approach as a deterrent to drug abuse.

Recent U.S. Supreme Court and New York State Court of Appeals rulings give employers in certain fields, such as transportation, law enforcement, public safety and security, expanded rights to require drug testing of employees under certain circumstances.

But these standards should not be applied to all public employees.

“Drug testing must be limited to those instances where the employee is evidently abusing alcohol or drugs and is impaired in job performance,” CSEA Legislative Counsel Fran Turner told the lawmakers.

“Even then there should be a wide range of due process protections such as the right to have test findings confirmed by a second or third more accurate test, the right to rebut findings and the right to maintain confidentiality,” she said.

CSEA also believes that the employer should not take any disciplinary action until the employee has a chance to get help.

CSEA enthusiastically endorsed the sections of the report calling for improvements and expansion of Employee Assistance Programs (EAP) that help workers get the treatment or counseling they need confidentially.

The EAP operates in the workplace through trained coordinators — trusted co-workers — who can steer those in need to the appropriate help.

A key to its success is that workers know they can seek help for personal problems without fear of losing their jobs.

CSEA played a leading role in the establishment of the state’s EAP in the late 1970s. Since then, the union has effectively pursued the development of similar programs in local government and school districts across the state.

The council’s recommendations also call for an expansion of residential treatment settings for drug and alcohol abusers.

CSEA’s testimony stressed that these programs could best be set up and run by public employees. CSEA bolstered this position by referring to recent criticisms of state Division of Drug and Substance Abuse Services contracts with private sector providers who didn’t provide the services they promised.

“Drugs destroy lives and tear apart families and communities,” said McDermott. “Many of our members are already on the front lines of the fight against drugs every day — we want them to get all the help they need to get the job done,” he said.

“CSEA is committed to helping New York win this war, but we want to be sure the state uses the best strategies.”