The Civil Service Employees Association has come out squarely, and strongly, in support of the $1.25 billion Rebuild New York Bond issue, which will appear as Proposition 1 on the November election ballots.

"The bond issue will benefit all New Yorkers," CSEA President William L. McGowan noted in announcing the union's solid backing of the proposition. "For union members in both the public and private sector, it will create jobs. It will also spur economic development in New York," McGowan said.

"The federal aid that will come to New York if the proposition passes is one of the best reasons to vote for the bond issue," he said.

Too often New York State has been short-changed by the federal government. We must not let this opportunity to bring federal money into the state slip by," McGowan emphasized.

Noting that nearly $2 billion in federal aid would be lost if the bond issue is not passed, the union president said "New York's roads, bridges, canals, railways and mass transit systems must be rebuilt and the bond issue will allow this to happen."

McGowan also said the union will sponsor advertisements throughout the state urging support of the proposition, and that the union's nearly quarter of a million members will be urged to vote in favor of Proposition 1.

McGowan said passage of the proposition would provide for creation of about 36,000 jobs and increase the state's transportation program by 80% over the next five years.

Following announcement of the union's solid backing of the proposition, McGowan kicked off a four-day trip along the state's barge canal system as part of a CSEA campaign designed to prevent further deterioration of the historic waterway. (see pages 6 and 7). Several million dollars would be allocated to upgrading the barge canal system as part of the Rebuild New York Bond Issue.

CSEA President William L. McGowan, left, talks with a newswoman at one of the stops on a 4-day trip along the barge canal system this week. McGowan is pushing passage of Proposition 1 and restoration of canal staff and facilities. SEE PAGE 6.
A look at some taxing situations

People have grumbled about taxes from the dawn of civilization. In 1773, Massachusetts colonists dumped tea into Boston harbor to protest a tax they felt was unjust. The Boston Tea Party led to the Declaration of Independence in 1776.

At least until the recent era of "taxpayer revolts," complaining about taxes was tempered by a sense among most Americans that the tax system, with all its flaws, was basically fair. As recently as 1972, public opinion polls found the federal income tax to be considered the "fairest" of all taxes. But by 1980, the same polls showed the income tax to be the one rated "least fair" by a plurality of those asked.

Unfortunately, the changing public perception of the tax system is based on reality. Middle- and low-income taxpayers, especially since the 1970s, have been paying an increasing share of their income in taxes without any apparent increase in services.

However, the main reason for this growing tax burden — the gradual shifting of the burden from large corporations and wealthy individuals to middle and lower-income taxpayers — has not been widely understood.

This confusion in the public mind made the situation ripe for misdirected tax revolts led by conservatives like Howard Jarvis. The ground was fertile for demagoguery about "big spending" by "big government" and "welfare cheaters" spread by media mythmakers and politicians like Ronald Reagan.

In fact, President Reagan's 1981 tax program, the old "trickle-down" theory dressed up as "supply-side economics," represented the radical culmination of a longtime trend.

This trend is documented in a recent book, "Inequity and Decline," by Robert S. McIntyre and Dean C. Tipps of the Citizens for Tax Justice. The book details the erosion of the progressive tax system based on the "ability-to-pay principle and the harmful effects on the economy as well as on tax equity.

Between 1960 and 1980, taxes on corporate profits were slashed by at least a third. Individual income taxes, however, were 15 percent higher by 1980 than their level in the early and mid-1970s.

For the bottom half of the population, the tax rate increased by more than 50 percent while the tax rate for the wealthiest taxpayers went down by 16 percent.

Meanwhile, tax loopholes for corporations and the wealthy grew twice as fast as federal revenues during the 1970s.

The result was that the corporate share of the federal tax burden fell from 25 percent in the 1950s and 1960s to only 12.5 percent by 1980. Under Reagan, the corporate tax share dropped to less than 8 percent this fiscal year, the lowest level in modern history.

Tax breaks or "incentives" for business have been packaged as being a spur to sagging productivity. While "notably successful in shifting more of the federal tax burden onto wage earners . . . the 1970s saw a decline in the growth rate, stagnant productivity, spiraling inflation," and no increase in business investment, the book points out.

Yet the failure of trickle-down in no way dampened the enthusiasm of big business. In fact, the authors describe how business became even more aggressive and more tightly organized in pushing what came to be known as supply-side economics by 1980, when candidate Reagan embraced the idea.

Flush from their success in defeating Carter administration tax reform proposals and in widening corporate tax loopholes, big business launched "an unprecedented lobbying barrage," the authors note. This high-powered lobbying was backed by big money — the business political action committees (PACs) whose coffers multiplied by 900 percent between 1976 and 1980.


What came to be called Reaganomics amounted to the virtual elimination of the corporate income tax and individual income tax cuts skewed to the rich. Meanwhile, the average wage earner today is paying more taxes than ever before when federal, Social Security, state and local taxes are added up.

Reaganomics' devastating effect on the economy is well-documented in "Inequity and Decline," including the new tax incentives for business to seek tax shelters rather than invest and create jobs.

The book describes how Congress in 1983 plugged some of the worst business tax loopholes enacted in 1981 and it points the way back to a sounder and more just tax policy.

Reagan income tax reductions wiped out by other tax hikes

WASHINGTON — Most Americans are paying more taxes today than they were in 1980, before the Reagan "across-the-board" income tax cut, according to a study by the AFL-CIO Public Employee Department.

State and local governments, which generally had been cutting their taxes in seven of the eight years before Reagan took office have been forced to raise taxes because of the Reagan budget cuts, the report says.

Titles "In Search of the Reagan Tax Cut: A Working American's Guide to Where the Money Went," the study was released at the department's sixth biennial convention here.

The study was based on a survey of one city in each of 20 states. In only two of the cities surveyed — Minneapolis and Los Angeles — the combined tax burden was greater in 1983 than in 1980 until household incomes reached the $75,000 level.

Hardest hit are families at the $15,000-income level, all of which saw their total tax bills go up — from a low of $236 in Mississippi to a high of $685 in Wisconsin.

Democratic PRESIDENTIAL FORUMS

Organized labor will be an extremely important factor in the 1984 presidential primaries and general election. Labor will be solidly in the Democratic corner in an all-out bid to end the reign of the Reagan Administration.

In order to get acquainted with the Democratic candidates, CSEA members are urged to attend a series of fall forums scheduled throughout New York and sponsored by the New York State Democratic Committee.

All sessions are open to the public free. Candidates who have already addressed the forums include Gov. Reuben Askew, Sen. Gary Hart, Sen. Alan Cranston and Sen. Ernest Hollings.

Here is the Schedule of remaining forum dates:

• Sept. 28: Walter Mondale, noon, Hotel Syracuse, Syracuse.
• Sept. 28: Sen. John Glenn, 7 p.m., Hotel Syracuse, Syracuse.
• Sept. 28: Walter Mondale, noon, Rochester Institute of Technology, Arboratorium, City Center, 50 West Main St., Rochester.
• Oct. 6: All candidates, 7 p.m., Town Hall, 123 West 43 St., New York City.
In DOT Region 10, safety record improves under new rep

DOT saves money, risks lives, union charges

NEWBURGH — Charging that the New York State Department of Transportation is more interested in saving money than lives, Region III Field Representative John Deyo called an accident involving three members of DOT District 8, Local 507 a “flagrant disregard for safety. They’re more interested in production,” he said.

Two of the employees were seriously hurt when Albert Tompkins, Bill Speed and Lori Erlandson hoisted themselves on a scaffolding which collapsed and dropped about 13 feet from the Fletcher Drive overpass here on June 30.

Erlandson sustained internal and head injuries and Tompkins, head and facial injuries. DOT Region 8 Safety Officer Bob Paridy noted that a pin had not been properly placed, leaving the scaffold unsecured.

Department of Labor Public Safety Employee and Health Bureau officials subsequently cited DOT with a number of violations, and ordered DOT officials to undertake a program “of instruction pertaining to unsafe conditions and regulations applicable to the employees’ work environment to control or eliminate any hazards.”

Employees should also be attached to lifelines in case such an accident should occur again, the officials said. Other specifics in the citing related to the scaffolding.

Local 507 President Jack Cassidy blasted DOT for cutbacks in staffing which he said “have caused unsafe conditions,” and he alerted work crews in all DOT regions to this situation. Said Cassidy: “Middle management is forced to maintain a level of production and in doing so, safety goes out the window.”

Worker’s fall dramatizes need for bridge safety program

CATSKILL — Never has an incident more dramatized the need for the enforcement of a sound training and safety program on our state bridges than the Aug. 22 accident in which a summer employee fell from the Rip Van Winkle Bridge.

The young man, a college student, was part of a crew painting the bridge when he apparently slipped and fell more than 150 feet into five feet of water. Miraculously, he sustained only a broken arm.

This was not the first such accident on a Bridge Authority structure this year. Just one month earlier, another summer employee fell 19 feet off the Mid-Hudson Bridge in Poughkeepsie onto concrete below and suffered a serious back injury.

State Department of Labor officials agree that an accident prevention program is needed. The initiation of such a program is one of 13 mandates included in a list of violations issued by the Public Employee Safety and Health Bureau which were made following an inspection of the bridge on Aug. 24. Among the others were:

- Provide safe access to all work locations under the bridge structure for all employees during maintenance operations;
- Provide a safety net for all workplaces that are more than 25 feet above a ground or water surface where the use of ladders, scaffolds, catch platforms, safety lines, temporary floors or safety belts are impractical;
- Do not permit maintenance operations to be undertaken until safety nets are in place and tested;
- Provide that forged steel safety hooks or shackles be used to fasten the safety nets;
- Provide employees with U.S. Coast Guard approved life jackets or buoyant work vests when working over or near water, where the danger of drowning exists;
- Provide that at least one lifesaving skiff be made immediately available at the Rip Van Winkle Bridge whenever employees are working over or adjacent to water;
- Provide that all employees are required to wear and use the appropriate personal protective equipment during maintenance operations where there is exposure to hazardous conditions;
- Provide that accident and prevention programs include frequent and regular inspections of the worksite, materials and equipment and are made by competent persons designated by the employers;
- Provide that each employee be instructed in the recognition and avoidance of unsafe conditions and the regulations applicable to his work environment to control or eliminate any hazards or other exposure to illness or injury.

CSEA officials pointed out that while painting a bridge is considered “hazardous duty,” it shouldn’t be suicide. The lives of inexperienced workers should not be jeopardized to save a few dollars.”

“After all,” Tighe and Mannellino said, “our objective is the same.”

The results of the effort spared employees from pain and broken bones, and meant a massive saving in productivity for management.

After seven months on the job, Tighe reported that lost-time accidents had been reduced 35 percent. Lesser accidents that did not result in lost time were reduced 29 percent. Vehicle accidents were reduced 22 percent.

Highway work presents hazards to employees, and officials said that DOT has been troubled with consistently high rates of accidents. Now, every accident in Region 10 is investigated by Tighe, and equipment or procedural changes are required to prevent any recurrence of the mishap.

“It’s a cumulative thing, not just one thing that does the trick,” said Tighe, who incidentally had scored high in a safety and health training course provided by CSEA when he was the union’s safety chairman. “CSEA has been great in helping to get employees to think in terms of safety.”

HAUPPAUGE — A new spirit of labor-management cooperation has been credited with helping Region 10 of the Department of Transportation to reduce lost-time accidents by 33 percent this year.

The improved record followed the appointment of Tommy Tighe as Region 10 safety and health representative.

Tighe was well qualified. He was a leader in the Region 10 DOT Local 508 of CSEA for 10 years, and served as an officer, grievance chairman and safety and health chairman for the union before being promoted to the management-level post.

Tighe and Local 508 President Lou Mannellino said that union and management cooperated closely in a new drive to reduce injuries to employees. Tighe provided training seminars for supervisors, assured delivery of safety equipment to the job sites and counseled employee on safe procedures. CSEA, meanwhile, advised members on safety rules and trained equipment operators by putting them through the defensive-driving seminars being conducted by CSEA Regional Safety and Health Coordinator Jim May.

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73rd annual convention at the Concord, Oct. 23-28

KIAMESHA LAKE — A busy schedule awaits attendants of the 73rd annual CSEA Delegates Convention slated for Oct. 23-28 at the Concord Hotel. The 1,500 delegates expected to be on hand for the meeting will face a full agenda, including educational seminars, departmental meetings, committee forums, regional caucuses and several general business sessions.

Activities at the Concord get underway Sunday morning with registration and a meeting of the CSEA Board of Directors. The general opening session for delegates is scheduled for Monday morning with remarks from CSEA statewide President William L. McGowan. Delegate registration will follow into the afternoon.

Committee forums and seminars will run through Monday morning. The afternoon will be taken up with state departmental meetings and political subdivision panel discussions.

Tuesday's agenda will include state, county and retiree delegates meetings and seminars on such issues as retirement, women and the union, budgeting and auditing for union officers, and political action. In the evening, President McGowan will conduct a question-and-answer forum on CSEA.

Two general business sessions will fill the day Wednesday, while the evening will kick off with a dinner introducing officers and dignitaries. A presentation by the Mental Health Players will follow.

More business sessions are scheduled for Thursday and Friday.

Preferred status unchanged by Tier III resignations

Editor's Note: There has been some confusion regarding the status of laid-off employees who "resigned" from state service to collect Tier III contributions. Here is the word on their status.

ALBANY — Laid-off state employees who may have "resigned" in order to withdraw Tier III contributions will remain on preferred lists.

CSEA Research Director Bill Blom explains that since the employees no longer hold positions "they had nothing to resign from."

The state Civil Service Dept. and the Employee Retirement System considers the "resignations" to be only for purposes of withdrawing contributions. Benefits attached to preferred list status remain.

Blom adds that employees who "resigned" may buy back (with interest) service credits upon returning to the payroll. Otherwise, they will have to begin anew accumulating time for retirement.

Any questions should be directed to the state Retirement System.

Bernard J. Zwinak is named CSEA executive director

ALBANY — CSEA President William L. McGowan has announced the appointment of Bernard J. Zwinak to the position of CSEA executive director.

The 53-year-old Zwinak joins CSEA after serving 12 years as the administrative assistant to the national president of the American Federation of Government Employees (AFGE). In that position, Zwinak was responsible for the function of the AFGE which represents over 700,000 federal employees.

Zwinak has also served as a national representative for AFGE in New York State. Between 1969 and 1971, Zwinak traveled in New York State representing federal employees working here.

President McGowan said, "Bernard Zwinak brings a wealth of experience in the public employee labor movement to CSEA. His knowledge and experience will be an asset to the state's largest public employee union."

Zwinak will officially join CSEA on Oct. 3, 1983.

Juravich to perform

ALBANY — CSEA's annual meeting will get off to a singing start with a Sunday evening appearance by noted labor singer Tom Juravich.

A familiar figure on picket lines, at rallies and in union halls throughout the Northeast, Juravich came to public attention in the fall of 1981 when he recorded a song about union busting attempts at Sterling Radiator in Westfield, Mass.

The song was so well received that the United Auto Workers (UAW) decided to release an album by Juravich, its first in 20 years. Called "Rising Again: Union Songs for the '80s," it features a number of the old labor standards as well as original songs about plant closings, advanced technology and the difficulties of being unemployed.

Juravich's work, however, is not just about hard times. It also conveys a sense of optimism and faith in the working people of this country.

Throughout the week-long event, information tables will be staffed by representatives of various CSEA departments, including communications, education and training, field services, publications, political action, research, and safety and health maintenance.

Four general business sessions will fill the day Wednesday, while the evening will kick off with a dinner introducing officers and dignitaries. A presentation by the Mental Health Players will follow.

More business sessions are scheduled for Thursday and Friday.

Or was that: "Take from the rich and give to the poor?"
**Doctor prescribes Medic Alert, a precaution that can save lives**

By Joel Brulmoage

CSEA Communication Associate

HAUPPAUGE — George M. Wheatley, M.D., stretches across his desk to shake hands, and a shiny bracelet swings below his wrist. The medal are not a piece of jewelry. It's an emblem of this doctor's personal crusade: promoting Medic Alert.

Dr. Wheatley is director of the Medical Assistance Administration in the Suffolk County Department of Social Services and a member of CSEA Local 852. He got involved in the Medic Alert program when a friend's daughter almost died after being given a tetanus shot to which she was allergic. The doctor who administered the shot in an emergency situation did not know her medical history.

The girl's close call seemed needless to Dr. Wheatley, who committed himself to Medic Alert as a way of preventing such mistakes in medical treatment.

Medic Alert is an indicator to health care workers of a person's special medical conditions. Information about allergies and health problems is printed on a small medallion worn around the neck or wrist. In an emergency, especially when a patient is unconscious or cannot speak, the information can be life-saving.

Dr. Wheatley was named to the board of directors of the Medic Alert Foundation after his retirement from Metropolitan Life Insurance Company about 10 years ago. About the same time, he also started to wear a Medic Alert bracelet.

While he is busy running the Medicaid operation in Suffolk County, he wants fellow CSEA members to protect themselves with Medic Alert. He has been in touch with Suffolk County Local 852 President Charlie Novo to spread the word.

"It can be a matter of life or death whether you wear the Medic Alert emblem. Say you have a car accident or are taken ill away from home," Dr. Wheatley said. "The medical people who would take care of you would know nothing about you. They really need to know your medical history or something could happen to you like it did to my friend's little girl."

Dr. Wheatley calls it "vital" for people, especially those who are allergic to certain medications or with special medical problems, to know about and use Medic Alert.

For information about enrollment in the Medic Alert program, write Medic Alert Foundation, P.O. Box 1009, Turlock, CA 95381.

The lifetime membership fee is $15.

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**McEntee sees Washington state pay equity suit as precedent**

WASHINGTON — AFSCME President Gerald McEntee said his union's recent court case challenging Washington state with sex-based pay bias could bring "a revolutionary change in the way that this society treats women workers."

AFSCME also has filed a similar lawsuit against Connecticut, and pay bias charges against Hawaii and Wisconsin. In conjunction with CSEA, AFSCME recently filed a pay bias suit against Nassau County, and AFSCME also has pending suits against the cities of Los Angeles, Philadelphia and Chicago.

McEntee told a press conference here that AFSCME will show that the state "artificially and illegally segregated its workforce by sex." Further, he charged, the state held down salaries in female-dominated jobs which were comparable to higher-paid male-dominated jobs.

AFSCME's suit against Washington state opened Aug. 29 in U.S. District Court in Tacoma and should be decided in a few weeks. The union is charging pay discrimination against 15,000 women employed by the state. The lawsuit could lead to $200 million in pay equity adjustments.

AFSCME is basing its suit on a study conducted by the state in 1974, which showed that jobs held primarily by women were paid about 20 percent lower than jobs held by men with the same job evaluation points. The average pay gap was about $175 per month. At the union's request, the study was updated in 1976, 1979 and 1980, reconfirming earlier findings.

"There's more than back pay and pay raises involved," McEntee said. "If we win then the ruling in Tacoma is going to reach into counties and every town, city and school district."

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**Cortland County police unit wins holiday pay award**

CORTLAND — The American Arbitration Association (AAA) has notified the CSEA Cortland County Police Officers Unit, Local 812, of its decision to uphold a grievance filed against the county for violation of a holiday pay agreement.

According to Terry Moxley, CSEA field representative for the unit employees, the union filed the initial grievance in November 1982 when the county changed the method of paying sheriff's department employees for holidays worked. No settlement was reached and the issue proceeded to arbitration in April.

In its brief, CSEA argued that based upon past practice the county (Cortland) should have continued to pay employees at the rate of time and one half for all holiday hours worked, in addition to their regular pay for that day. The county called the contract language "ambiguous" and caused a "misinterpretation of the intent of the collective bargaining process relative to work day/work week and holiday coverage."

Although both sides agreed the holiday pay language in the contract is ambiguous, CSEA emphasized the language on past practice was expressly negotiated to prevent any unilateral changes.

In the decision the arbitrator called attention to the long-standing past practice of holiday payment, and noted that the unilateral change in policy by the county did violate the contract.

The AAA award specified that Cortland County did not properly pay sheriff's department employees for holidays worked since Nov. 5, 1982 and directed that they should be reimbursed for any difference between the amount paid them for working a contract holiday and the proper amount according to the past practice formula.

"This is a clear victory for CSEA," Moxley said following the AAA decision which, he noted, was favorably reached with the assistance of Regional Attorney Earl Boyle and the CSEA Legal Assistance Program.
McGowan takes save-the-canal campaign on a statewide tour

"For many reasons, including commercial transportation, irrigation flood control, tourism and recreational boating, CSEA is determined to do everything in its power to protect and preserve this valuable waterway."

ALONG THE BARGE CANAL — CSEA’s campaign to prevent the state’s historic barge canal system from becoming a stagnant water-filled ditch within a decade was gaining wide media attention all across the Empire State this week.

As this issue of The Public Sector went to press, CSEA President William L. McGowan was motoring the length of the 524-mile State Barge Canal, stopping at several key locations to conduct press conferences to bring the plight of the canal system to the public’s attention. At the same time, McGowan met with state and local political officials at each stop, enlisting their support in the union’s campaign to keep the canal system afloat by halting further reductions in the system’s operating budget and staff.

The cross-state trip by McGowan coincided with an announcement by CSEA that the powerful union has endorsed the $1.25 billion “Rebuild New York Bond Issue” to appear as Proposition 1 on November election ballots. Part of the reason CSEA is endorsing the Bond Issue, McGowan said, is because some of the money is earmarked to maintain the aging barge canal system. But the union president was quick to point out that “whether the bond issue passes or not, CSEA will keep fighting for the money needed to maintain the canals.”

Even as McGowan was driving across the state to personally deliver his strong message to the news media, dozens of barge canal employees were uncertain of their future with the system. The state has proposed laying off about 70 fulltime maintenance employees as the canal season comes to an end and rehiring them back as seasonal employees next year. That would greatly reduce winter maintenance on the crumbling system, and the union says, probably make the entire system inoperable within a decade as deterioration overtakes maintenance. The union’s campaign centers on retaining the fulltime status of the maintenance workers while maintaining or enlarging the system’s operating budget.

McGowan opened his statewide canal trip with a press conference in Waterford, near Albany, on Tuesday of this week. On Wednesday he conducted press conferences along the canal in Utica and Syracuse, and on Thursday stopped to meet the press at Lock 32 near Rochester. As The Public Sector moved to press today, McGowan was conducting a press conference at Lock 34 near Lockport.

"We must keep up the maintenance of the canal system, which provides transportation, flood control, hydroelectric power and water for irrigation. Thousands of New Yorkers agree and have signed petitions to keep canal structure operators on the job year-round to maintain the canal."

AN OFFICIAL OF B.A.R.G.E. (Bi-recreation Association to Restore the Great Erie), a boaters group, signs CSEA petition to “Save the Barge Canal”, above photo. Gene Braselton signed the petition while his boat was passing through the canal system’s Lock 30 recently.

ADDING HIS NAME of tens of thousands of signatures on CSEA petitions seeking to halt the layoff of canal maintenance workers is Gerald DeBarr, right, supervisor of the Town of Arcadia. DeBarr signed the petition while visiting the barge canal system’s Lock 28 recently.
A day in the life of a canal structure operator

By Daniel X. Campbell
CSEA Communications Associate

WATERFORD — "You can't plan your future, you can't make any plans cause you don't know if you have a job or not tomorrow," Dave Pavlak, canal structure operator, said, shrugging his shoulders while getting into a rusty, red, beat-up state car to start his roving operator assignment. It's 4 p.m. on a Saturday in September. For the next eight hours, Pavlak is to "rove" — cover the operations of canal locks 1 through 4 on the Champlain branch of the state barge canal system. The 24-year-old worker is mad and bitter. Mad at the "callous" attitude of waterways management and the slow movement of public support to save the barge canal, and bitter about his own individual inability to resolve the problem.

"Hey, when I became a state employee I thought I had it made," he said. "I figured I had at least one thing — job security. But I don't have any security whatsoever, none," said Pavlak, speaking in a rapid-fire style as the old state car zigged and zagged, bounced and banged over the back roads from lock 1, Waterford, to lock 3, Mechanicville.

"Don't have any time for any maintenance," Pavlak said. On the 4 a.m. to midnight shift the rover is too busy driving, lifting and lowering vessels to have any time for repairs, he said. And on the midnight to 8 a.m. shift management's requirement that the rover travel the assigned area turning on lockhouse lights to make people think the locks are fully staffed and operational is, he added, a complete waste of time.

"I should be permanent," he says, swerving the rattling car around a rough corner. "But not even DOT personnel can tell me exactly where I am title-wise." He recalls a litany of recent personnel shifts on the canal system. "Gee, they do take care of their own," he says. "If you're in with the clique you're safe, pulling down overtime, getting first crack at new, safe positions before they're even posted. If you're out, you're out."

The car jars to a halt in front of a locked gate in Mechanicville. Pavlak quickly pops the first lock and notes that a second inner gate surrounds lock 3. "It looks like a stalag," he says, pulling up to the second barrier. The white buildings stand out under the storm-brewing sky like a small, well-guarded prison for one.

Pavlak quickly goes about his business as lightning streaks across the horizon. "We're in for a storm," he says, shouting to the lone figure standing on the Canadian yacht, named "Grand Detour," a homemade-looking vessel huge Mobil Champlain is tied waiting.

Lock 4 is showing its age; the smooth lock walls are pitted deep and plants were wandering about. It takes care of the Grand Detour first, lifting it carefully while watching for the missing sailboat which should be waiting to be lowered along with the cruiser.

The Canadian skipper has decided not to go up to lock 5 tonight. Pavlak tries to overcome the language barrier and explain to the skipper to make sure that he anchors off the channel, out of harm's way, since commercial traffic will be heavy on the barge tonight.

"Can we make 'the flight' tonight?" the captain of the cabin cruiser "Panche" asks. "The flight" is a nickname for locks 4, 5 and 6 on the Erie Canal out of Waterford which lift or lower boats 125 feet in less than a 1.5 mile run. Pavlak shrugs his slight frame. "I have to go to 1 and let a barge in, then bounce back with it all the way to here. So I can catch you at 3 but you'll have to wait for me to double back." The cruiser captain reluctantly agrees. Pavlak calls his lieutenant, who tells them the Canadian will not be going up and to find out what happened to the sailboat which should be waiting. "Tired of waiting, I guess," Pavlak explains.

He carries a small hand held walkie-talkie unit, but it's useless, he says. "Sometimes we can talk lock to lock. But we can't communicate with the boats and when I'm on the road, I can't communicate to the other locks. That can cause a whole mess." On the road again, Pavlak is doubling back to lock 1. "Double back is a new twist to the rules," he explains. "When the new layoffs hit, we lost five more operators and I got shifted down here. But management doesn't want to tell the public just how understaffed we really are. So now we're supposed to hop, skip and jump around so that no one boat waits too long. But it's not working. You can't fool the public all the time."

Waiting for a traffic light near a fast food outlet prompts this comment: 'They don't want us to use state cars to get our meals or take a coffee break. If we need a meal, we're supposed to return the state car to lock 1 and use our own car to drive back. Now that doesn't make any sense." He adjusts his cap and takes off as the light turns green.

The storm that hit Mechanicville is now surrounding Waterford, where the huge Mobil Champlain is tied waiting.

Captain Michael Brown is laconic about the hour-and-10-minute delay. "Its been happening an awful lot lately with the roving," he says. The Mobil Champlain carries up to 1.1 million gallons of gasoline in its tanks. It is loaded with a canal shipment, 800,000 gallons of fuel. "It's a twice a week trip in every other month. The barricade is just calling attention to the problem, challenging someone to do something." He indicated that some outsiders had already caused trouble at the Stillwater site.

At Mechanicville, he had telephoned up and down the system to find out where traffic was waiting. "I've got a commercial, 'Mobil Champlain' about due at lock 1, but the Canadian will never make it to lock 5 if I make him wait till I go back to 1," he says. "Plus lock 5 let a cruiser and a sail go through about two hours ago, so they're probably at 4 now waiting for me."

The Stillwater lock is tucked away in a park-like setting. A shiny new steel structure operator, said, shrugging his shoulders while getting into a rusty, red, beat-up state car to start his roving operator assignment.

ON THE JOB — BUT FOR HOW LONG? — Dave Pavlak slips behind the wheel of a state car to begin another shift of roving between locks 1 and 4 on the Champlain branch of the state barge canal system. His future as a barge canal structure operator remains uncertain, as some 70 operators are slated to be laid off this fall and winter.
Conditions ‘deplorable’ at Dutchess Co. Courthouse

POUGHKEEPSIE — After years of poor working conditions at the Dutchess County Courthouse, employees say the time has come to make money available for renovations.

According to Bernard Cohen, shop steward and vice president of Court Employees Local 332, lawmakers, who are now planning for their 1984 budget, should allocate funds for the project.

Cohen called conditions in the courthouse “deplorable,” and noted that quarters are overcrowded, ventilation is inadequate, lighting is poor and the ceiling is peeling.

In order to make lawmakers aware of the conditions the court employees have been working under, County Court Judge Judith Hillery recently invited county Legislative Chairman Joseph Poillucci to inspect the facility.

Following his inspection, Poillucci recommended that the county and state undertake the expense of renovations in the old building.

But according to State Supreme Court Justice Joseph Judice, there are no state, or federal, monies available for such a project, so the county would probably have to bear the cost itself. Judice points out that while the state pays court employees’ salaries, responsibility for the building itself rests with the county.

Judice, who says the courthouse is “bulging at the seams,” told officials the building either needs to be fully modernized, or should have additions put on. According to one public works official, it would take $1 million in repairs and renovations to ensure satisfactory working conditions.

Poillucci, meanwhile, points out that Dutchess County isn’t alone — Rockland County has a similar problem with its courthouse.

And Unit Vice President Frank DenDanto Jr. noted that other problems with courthouses exist in Putnam County and in Middletown. In Middletown City Court, a proposed renovation plan was rejected by CSEA Local 332 because it “left much to be desired.”

Alert stewardship pays off in St. Lawrence County

CANTON — Carole Lauber, Sherol Bice and Bruce Kent, three St. Lawrence County Social Services employees, have high praise for the efforts of CSEA shop stewards Joe Seavey and Steve Cameron.

The three, members of St. Lawrence County Local 845, recently received retroactive paychecks totaling $2,434.85 — without going through the usual grievance procedure.

According to Seavey, who also serves Local 845 as second vice president, the three employees received money retroactive from January 1981 through Aug. 5, 1983 after an investigation of pay records revealed that errors had been made in promotions, demotions and grade steps as outlined by a new promotional formula in the 1981-82 contract.

Seavey was able to prove to county officials at a labor-management meeting that Lauber had been improperly demoted from a grade 20, step C to grade 18, step C in April. Seavey contended that Lauber should have been on grade 18, step D. The union spokesman also proved that Bice had been improperly promoted with regard to increment step, and an error had been made in calculating Kent’s retroactive pay after contract ratification.

Seavey also pointed out the new promotional formula had not been used with Lauber and Bice.

In discussing facts surrounding each case, Seavey was quick to give credit to fellow steward Steve Cameron. “Steve assisted in the initial review of the problem and, after investigating each case thoroughly, it was discovered that errors had been made in the promotions and steps according to the new promotional formula. We simply checked and rechecked our facts and submitted them to county officials. They agreed errors had been made and rectified those mistakes,” Seavey said.

“As far as Steve and I are concerned, we have the satisfaction of knowing the union did its job and helped to correct three wrongs,” Seavey added. “That’s what CSEA is all about.”

AFSCME Women’s Conference deadline

ALBANY — CSEA women should act now if they plan to join their union sisters from the northeast at the AFSCME Regional Women’s Conference Nov. 18-20 in Washington, D.C. Deadline for registration for the conference is Oct. 17.

Cost for participants would be limited to transportation expenses and the Hyatt Regency rates of $70 for a single room or $80 double. There is no conference registration fee, and meals will be provided during the three-day meeting.

Submit registrations to: AFSCME Meeting and Travel Office, 1625 L Street, NW, Washington, D.C. 20036. Or contact statewide Secretary Irene Carr at CSEA headquarters in Albany for additional information.

Opening in CSEA’s Retirees Department

ALBANY — CSEA is seeking an Administrative Assistant for its Retirees Department, to assist the Retirees Coordinator in providing services to the union’s retiree members.

The position requires good office and administrative skills.

Submit resumes no later than Oct. 1 to CSEA Personnel, P.O. Box 125, Albany, NY 12224.
Sweetheart OCA deal proves unfairness of Tier III in withholding contributions

The removal of the Social Security offset from the Tier III pension system was a big victory for public employees. Although many political pundits said we would never do it, we did. It assures that Tier III retirees will get all the pension benefits due them at the time in life when you need every dime.

Even so, one trade off we had to accept to accomplish that is totally unfair. That is the provision giving the state the right to hold a worker’s 3 percent contribution if the worker leaves public service before being vested. Under the new law the state holds that money, paying only 5 percent interest, until the worker reaches age 62 or dies.

Now the Office of Court Administration has shown how unfair this provision is by giving a sweetheart deal to its top officials allowing them to dodge this portion of the law.

The officials, who earn between $43,000-a-year and $69,000-a-year, were allowed to resign to get their Tier III contributions out and then they were rehired.

Newspaper reports quote Chief Administrative Judge Robert Sise as saying he approved the deal because the legislature had unfairly “changed the rules of the game for everybody.”

That’s exactly what I’ve been saying, but I haven’t seen any state commissioners or county executives or school district administrators offering our Tier III members the chance to resign to get their contribution out of the system and then immediately get their jobs back.

Some will argue that if these people remain in the public service long enough to be vested they will have to buy back the retirement credits anyway. That is true, but in the meantime they will have their money in investments yielding much more than 5 percent. And since they went to the trouble to concoct this dodge I would guess that they do not expect to stay in government long enough to be vested and retire.

I hope that the judges who rule on the legality of this portion of the law will agree with Judge Sise that it is unfair. That way all Tier III workers will get the same treatment as those high-level officials who were able to make a special deal.

CSEA will keep working in the courts and in the legislature to improve Tier III. Not only to change those portions we believe to be unfair, but also to protect our gains. We should never forget that our opponents on this issue are still fighting to take back what we have gained.

William L. McGowan
CSEA President

Electrifying experience has happy ending

Van Tassel survives close call thanks to quick reaction of his friend and co-worker

By Bill Butler
Public Sector Correspondent

OLD WESTBURY — Charles Van Tassel is back on the job these days at the State University College at Old Westbury — thanks to the quick action of a long-time co-worker and friend, Gus Antonson.

Gus apparently saved Van Tassel’s life when Van Tassel grabbed an electric outlet box and was zapped by a powerful electric current.

Because of the electric current, Van Tassel was unable to let go of the hot box, and Gus quickly knocked it out of his friend’s hand with a two-by-four piece of lumber.

“I wouldn’t want to work with anyone else,” Van Tassel said, beaming at his friend.

The two men have worked together on the state job for 18 years, formerly at Central Islip Psychiatric Center and later at the Old Westbury College. Van Tassel, 50, holds the title of general mechanic-carpenter. Antonson, 59, holds the title of maintenance carpenter.

In addition, the two men said they have been working together for 20 years on outside “moonlight” carpentry jobs to supplement their incomes.

They had been demolishing a stud wall in the “B Tower” academic building when Van Tassel to get their contribution out of the hot outlet box. “I heard him make a noise, and I hit the wire with a two-by-four,” Antonson said.

Van Tassel suffered shock and reduced heartbeat, and was put under intensive care for two days in the Nassau County Medical Center. He was back at work in two weeks.

Local 618 President Ted Matthews saluted Antonson for his rescue efforts. “If it weren’t for Gus, we’d have had a job opening here,” Matthews said of the serious incident.

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Developing career and test-taking skills

CATKILL — Getting ahead, escaping from dead-end jobs, climbing the career ladder, or simply finding a job that gives more personal satisfaction were the goals agreed to by the scores of CSEA members attending recent Woman's Conference workshops.

"Woman's conference was attended by many who were interested in making a change in their career," said one CSEA member. "Many people don't go for that promotion, don't take that test, don't send out their resumes, don't seek opportunities because they think they're too afraid of failure," she said. "They're afraid of doing it just right and losing a good job."

"We want to help them move ahead and take the test," said Moore College Career Center staff member Merta C. Broussard. "They need to know what skills they have and what they need to develop to get the job they want." A woman who attended the conference agreed. "I think it's wonderful," she said. "I want to go back to school to get a degree and start a career in my field."

In "Career and Skills Development," and "Sharpening Your Test-taking Skills," the career counselor conducted two exercises. The "dark cloud" exercise forced participants to identify their fears by writing down "the worst possible thing that could happen to me in terms of a career." Then, they were asked to evaluate the worst possible possibilities. The counselor pointed out how difficult it can be to identify and overcome these fears.

Merta Broussard said, "The goal is to help people realize that they can overcome their fears and take chances in order to improve their careers." The counselor also emphasized the importance of setting realistic career goals.

For more information on these and other career workshops, contact the CSEA Regional Office in your area. The workshops are available nationwide through CSEA regional offices as well as local chapters throughout the state. For more information, contact the CSEA Regional Office in your area. The instructions for these workshops are written by Cornell University and produced by the joint CSEA/State Committee on the Work Environment and Productivity (CSEP).
UTICA — The Region IV annual meeting here recently was a time for several hundred CSEA activists to reflect on the past, to prepare for the future, and to take time out and honor one of their own who was recently elected CSEA’s statewide executive vice president.

Al Mead, who assumed the region’s presidency in February, gave the assembly an update on his activities and then announced CSEA Executive Vice President Joseph E. McDermott was the winner of this year’s President’s Award.

McDermott, who led the Capital Region for ten years, was cited “in recognition of your commitment to seek, achieve and maintain the ideals embodied by CSEA, Inc. and in sincere appreciation for your dedication and leadership on behalf of our membership.”

Regional Director John D. Corcoran Jr. made a state of the region report, and then added to McDermott’s laurels by giving him a plaque of appreciation on behalf of the Region IV staff.

State President William L. McGowan also appeared at the annual meeting and discussed a variety of topics. He pledged that next year’s Labor Day parade in Albany would be “bigger and better, a real family affair,” and spoke about the need for more partnership between public and private sector unions, saying “If they want our support, they are going to have to give us their support.”

He also complained that “nowadays, working class people are blamed for everything” and promised “we will continue to do our best to protect our members.”
North Colonie School workers win new contract

Colonie — A new one-year contract for non-teaching employees of the North Colonie School District was approved unanimously Sept. 13 by the school board.

The pact provides a 5 percent across-the-board pay hike for 170 school workers represented by CSEA. The district will continue to pay 100 percent of the employees' individual health and dental insurance plans and 75 percent of the costs on family plans. Some employees also will be receiving service increments worth an additional 3 to 4 percent.

Approval of the contract by the school board's education comes on the heels of a tentative agreement reached with the union Aug. 23. CSEA approved the pact Sept. 6 by a vote of 78-41.

Along with the salary increase, increment payments and the continuation of the current insurance programs, the North Colonie CSEA school workers also obtained the following:

- 10-month workers will be entitled to 5 paid holidays. This will also apply to cafeteria workers.
- Bus drivers attending safety meetings which go over their normal 3 hour work block will be paid for that time.
- Secretaries and clerks will have $75 added to their salary schedules.
- A productivity bonus of $100 will be granted for custodial workers and night custodial leaders.
- Routine maintenance checks of school buses will be performed by district mechanics rather than by bus drivers.
- Mini bus and station wagon drivers will be allowed to bid on their runs.
- While the district retains the right to schedule its buses to specific routes, up to five drivers will be allowed to select new runs after the school district year starts if their run is substantially changed.
- Pay periods will begin on Monday instead of Saturday to allow weekend overtime to be paid sooner.
- The district and the union will establish a joint health and safety committee.

The old contract between CSEA and the North Colonie School District expired June 30. Negotiations between the parties are usually tough and the CSEA bargaining team spent most of the summer at the table seeking to resolve a laundry list of issues. CSEA called on PERB for mediation aid in late June.

"We did a lot of housekeeping — nickel-and-dime items, they distracted and extended the old contract, another year," said Pat Monachino, CSEA collective bargaining specialist.

But, he said, "there was no rancor, no bitterness in the bargaining. Just hard bargaining on both sides."

Monachino called the $75 increase in salary schedules for clerical workers and the $100 productivity bonus for custodians "nickel and dime items that were considered against the overall cost of the contract. But the small issues helped lead to a quick resolution of major items, he said.

"Over a period, a couple of small contract demands which involve a few workers in one job time to time often get pushed to the side and forgotten as there is a push to settle major demands. This time we kept the small issues on the table until the district recognized it was time to do housekeeping and the union members were demanding them."

The bargaining team, Monachino said, "deserves a lot of membership appreciation since they kept the pressure on and the issues clear."

Non-teaching CSEA members covered by the new contract include custodians, bus drivers, cafeteria and office workers, and nurses.

During bargaining sessions, news media were speculating about a strike by the workers which never, in fact, came to fruition.

"They were looking for a potential strike situation which wasn't the case. There was plenty of smoke but no fire," Monachino said.

Seminar on health, safety

ALBANY — The New York State/CSEA Safety and Health Maintenance Committee is sponsoring a seminar on safety and health issues affecting public sector employees on Nov. 24 at the Queensbury Hotel in Glens Falls.

In a joint statement announcing the session, CSEA Collective Bargaining Specialist John Naughtier and Al DeMarco, assistant director of the Governor's Office of Employee Relations (GOER), called the event a "unique opportunity to assemble labor-management safety professionals, who comprise the state's safety network, for the purpose of exchanging information and exploring new strategies."

Topics to be addressed include the cost of accidents, getting management involved, and the employee's right to know. Special workshops planned include video display terminals, fire prevention and hazardous waste, and back safety.

CSEA President William L. McGowan will be present to give the union's perspective while GOER Director Thomas Hartnett will give management's point of view.

Funds allocated to state agencies for work clothes

ALBANY — Distribution of work clothing allowances, in accordance with Article 15 of the Operational Services Unit contract, has been accomplished under the guidance of the joint labor-management Committee on Working Conditions.

Funds were recently allocated to various state agencies which must make purchases in accordance with state purchasing procedures. This has caused some delays, but employees presently awaiting issue can be confident they will receive work-related clothing as soon as possible.

Agencies must give the committee a full accounting of expenditures by November.

A total of $1.525 million in clothing allowances is available over three years.

The OSU contract also provides that the Working Conditions Committee will receive $40,000 during each year of the agreement to be used to defray costs and specific replacement expenses incurred by an employee who is required by the state to provide personal tool inventory for use in the performance of his or her job.

A system is now underway to guarantee the most efficient use of the funds for the widest possible benefit.

Region III installations

Fishkill — Region III President Raymond J. O'Connor (right) conducts installation ceremonies for newly elected officers of Mid Hudson Local 009 at the Ship's Wheel Restaurant in Fishkill. From left are: Madeline Gallagher, secretary; John Yonke, vice president; Carole Peets, president; Juanita Crielin, treasurer and O'Connor. The event was held Aug. 18.

Wingdale — Officers of the Westchester Developmental Center Local 432 were installed in a ceremony held Aug. 19 at the Wooden Nickel in Wingdale. Region III President Raymond J. O'Connor conducted the swearing in of the newly elected officers. From left they are: Joe Eaton, a delegate and shop steward; Richard Colson, treasurer; Andrew Farley, a delegate and second vice president; Lee Rusford, first vice president; Josephine Swart, secretary and shop steward; Grace Force, delegate and shop steward; Gary Eldridge, president; and Ruby Davis, delegate.
The Constitution and By-Laws Committee has met four times since the Annual Delegates Meeting in October, 1982. The meeting dates were November 19, 1982; November 29, 1982; June 23, 1983; and August 4, 1983. The Constitution and By-Laws Committee has as its function the recommendation to the delegates of amendments to the Constitution and By-Laws of the Association from arguments and suggestions made from individuals, locals and committees of the Association. Any recommendation made to the delegates is to be voted on and approved by the delegates at the next Annual Delegates Meeting.

The Constitution and By-Laws Committee has considered the operation of the union and therefore impact directly upon the membership. CSEA delegates will be considering a number of important changes to the Constitution and By-Laws during the 73rd annual Delegate Meeting scheduled for October 23-28 in the interests of the Association. All recommendations made by this Committee are made to the delegates together with the reasons for the recommendations.

REVISION OF THE CONSTITUTION AND BY-LAWS COMMITTEE

Carmen Bagnoli, Chairperson
Bruce Larsen, Vice-Chairperson
Madeline Keohan, Secretary
Charlotte Murray, Recording Secretary
Jerry Barbour, Treasurer
Ronald Stanton, Executive Director

Key: Italic = New Material
Brackets = Removal of Old Material

ARTICLE VI
STATE DIVISION

Section 1. STATE EXECUTIVE COMMITTEE. The power and authority to transact business relating to state employees shall be vested in such a committee as the State Executive Committee, the State Executive Committee shall consist of the officers of the Association, and one representative from each State Department, the Judiciary, the State University, the Waterfront Commission and state public authorities as one unit, shall be determined.

Each Department and local Association must be associated with the State or the Board of Directors of the Constitution and By-Laws Committee are made to the delegates together with the reasons for the recommendations.

Section 2. LOCALS.
(a) A [[Local]] may be formed by members in the State Division in any department or locality upon the approval by the Board of Directors of the Constitution and By-Laws Committee; however, a member elected to both positions shall be ineligible to serve in both capacities.

(b) A [[Local]] may be formed by members in the State Division in any department or locality upon the approval by the Board of Directors of the Constitution and By-Laws Committee; however, a member elected to both positions shall be ineligible to serve in both capacities.

ARTICLE VII

COUNTY DIVISION

Section 1. COUNTY EXECUTIVE COMMITTEE. The power and authority to transact business relating to state employees shall be vested in such a committee as the County Executive Committee, the County Executive Committee shall consist of the officers of the Association and one representative from each County Division Local, and one County Educational Local. Each representative shall be entitled to one vote. Each representative may be a candidate for statewide office.

The State Executive Committee shall delegate the duty of performing such duties as the County Executive Committee in the event of a vacant position or in case a member of the County Executive Committee is unable to perform such duties.

The County Executive Committee shall elect its own officers.

County and/or City Division Delegates meet in official session, the motions passed with regard to items that the delegates may vote on, and not the Association general policy shall be presented to the delegates at the annual meeting of the Association. They shall have all the rights and privileges of delegates at meetings of the delegates and shall be entitled to vote. Allowed expenses may be paid by the Board of Directors of the Association before such funds may be expended or any obligation for such expenditure may be incurred.

Continued on following page
ARTICLE X
AFFILIATION AND MERGER

No change

ARTICLE XI
RETIREE SECTION

Section 1. RETIREE EXECUTIVE COMMITTEE. The power and authority to transact business relating to retired members shall, except as provided by the By-Laws, be vested in theRetiree Executive Committee. The Retiree Executive Committee shall consist of one representative from each CSEA Region elected by the Presidents of the Retiree Locals in that Region and one representative appointed by the President of CSEA to serve on the Statewide Political and Legislative Action Committee. The Retiree Executive Committee shall serve at the pleasure of the Executive Committee. The person appointed to the Retiree Executive Committee shall be a representative elected by the Retiree locals in his or her Region. The person appointed by the President shall be a representative elected by the Retiree locals in the Region in which he or she resides. The Retiree member shall be appointed by the President of the Association. The Retiree Executive Committee shall consist of the President of the Association and retired members. The retired member appointed to the Retiree Executive Committee shall be designated. Terms of office of the Retiree Executive Committee shall be coincident with the terms of office of members of the Board of Directors.

Section 2. DUTIES AND FUNCTIONS. The Chairperson of the Retiree Section Executive Committee shall be the chief spokesperson of the Section, the Executive Committee, and the retired members. [He/she] The Chairperson of the Retiree Section Executive Committee, and any [Vice-Chairperson and a [Secretary] The Retiree Executive Committee shall have the authority to establish subcommittees to perform such duties as the Retiree Executive Committee shall designate. Terms of office of retired members shall be coincident with the terms of office of members of the Board of Directors.

ARTICLE XII
AMENDMENTS

No change

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

"ARTICLE I OFFICERS"

Section 1. PRESIDENT. The President shall be the responsible and chief administrative officer of the Association and shall preside at all Board of Directors and Delegate meetings of the Association. The President shall see that all orders of the Board of Directors are carried out. The President shall make a record of any changes of officers and the Board of Directors and maintain the official records of the Association meetings, Board meetings, Officers' meetings, and special meetings of the Board including any motions made at such meetings. The Secretary shall sign all documents pertaining to the transactions of Region, Local, and Unit secretaries. The Secretary shall give a surety bond, at the expense of the Association, in an amount fixed by the Board of Directors.

Section 2. VICE-PRESIDENTS. The Vice-Presidents shall be bonded at the expense of the Association in an amount fixed by the Board of Directors.

Section 3. LOCALS. A [Local] may be formed by the Governor or agent in any contiguous group of counties in the State of New York or any other State of the U.S.A. upon approval of the Retiree Executive Committee of the Section and the Board of Directors. The Board of Directors may direct that the establishment of any honorarium or the increase in any existing honorarium [may] not take effect until after an intervening election has occurred. Establishment of any honorarium or [increase in] the amount of any existing honorarium [may] not take effect during the term of office of a retiring officer of the Association which delegates are unable to attend, provided, that the local has been filed with written designation with the Secretary of the Association a description of said honorarium which delegates are unable to attend, provided, that the local has been filed with written designation with the Secretary of the Association a description of said honorarium. The Chairperson of the Legislative Action Committee who shall represent the interests of the Association. The Chairperson shall be responsible for supervising elections of the Association. Establishment of any honorarium or [increase] change in the amount of any existing honorarium [may] not take effect during the term of office of a retiring officer of the Association which delegates are unable to attend, provided, that the local has been filed with written designation with the Secretary of the Association a description of said honorarium. The Chairperson of the Legislative Action Committee who shall represent the interests of the Association. The Chairperson shall be responsible for supervising elections of the Association. Establishment of any honorarium or [increase] change in the amount of any existing honorarium [may] not take effect during the term of office of a retiring officer of the Association which delegates are unable to attend, provided, that the local has been filed with written designation with the Secretary of the Association a description of said honorarium. The Chairperson of the Legislative Action Committee who shall represent the interests of the Association. The Chairperson shall be responsible for supervising elections of the Association. Establishment of any honorarium or [increase] change in the amount of any existing honorarium [may] not take effect during the term of office of a retiring officer of the Association which delegates are unable to attend, provided, that the local has been filed with written designation with the Secretary of the Association a description of said honorarium.
Constitution and By-Laws

ARTICLE IV
FINANCE
Section 1. No change
Section 2. DUES AND AGENCY SHOP FEE
(a) No change (b) No change (c) No change (d) No change (e) No change (f) NEW MEMBERS. No change (g) RETIRED MEMBERS. No change (h) DISABLED MEMBERS. No member in good standing who shall have been totally incapacitated by accident or illness and, as a result of such accident or illness, has, upon proper notification to the Membership Records Department of CSEA (Headquarters, Albany, New York) lost the ability to function for a period of (such disability) that member's life without pay.

ARTICLE V
JUDICIAL BOARD
Section 1. The Judicial Board shall be composed of eight members. Each Regional President shall appoint one member and the President of the statewide Association shall appoint the Chairperson and the Vice Chairperson of the Judicial Board.

(b) In order to be eligible to serve on the Judicial Board, a person must have been a member in good standing of CSEA for a continuous period of five (5) years preceding the appointment and must have held, or be currently holding, an elected office. No (Statewide Officers [not take part in any Appellate procedure before the Board of Directors]) be present during the presentation of an appeal to the Board of Directors, but may not vote on the appeal.

(c) Any member of the Judicial Board who is not eligible for paid release time who and who has served as an Associate or Full member (Taxing jurisdiction) shall be compensated at the same per diem rate as a member of the Board of Directors of CSEA the statewide Association.

(d) The Judicial Board shall be composed of eight members. Each Regional President shall appoint one member and the President of the statewide Association shall appoint the Chairperson and the Vice Chairperson of the Judicial Board.

(e) No member of the Judicial Board shall serve as a Hearing Officer or may vote on a determination of the (CSEA) Board of Directors.

(f) Any member of the Judicial Board who is not eligible for paid release time who and who has served as an Associate or Full member of CSEA may serve as a Hearing Officer (hearing) business will be compensated at the same per diem rate as a member of the Board of Directors of CSEA the statewide Association.

Section 2. JURISDICTION
Any action herein created shall have the power to hear, investigate, determine, and all powers incidental thereto, as well as the power to promulgate procedures concerning:

(1) all charges against members,
(2) trusteeships,
(3) elections questions concerning contract ratification.

(b) The Judicial Board, upon good cause shown, shall have the power to hear, investigate, determine, and all powers incidental thereto, as well as the power to promulgate procedures concerning:

(1) all charges against members,
(2) (b) trusteeships,
(3) election questions concerning contract ratification.

(c) Any member of the Judicial Board who is not eligible for paid release time who and who has served as an Associate or Full member of CSEA may serve as a Hearing Officer (hearing) business will be compensated at the same per diem rate as a member of the Board of Directors of CSEA the statewide Association.
contrary to the endorsements and positions approved by the Statewide and/or Region[al] Political Action Committees.

(1) Interfering with any elected official of CSEA in the discharge of that official's lawful duties.

(g) Solicitation or acceptance of any money or the acceptance of any gift of more than nominal value from any employer, customer, or client of the union, or from any person or firm which has or which is seeking to establish a business relationship with the present union, or any business subsidiary thereof.

(5) Any conduct detrimental to the best interests of CSEA.

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

(7) Upon receiving a charge, the Judicial Board may dismiss the charge or any part thereof if it appears to the Judicial Board that there are no grounds for proceeding on such charge or any part thereof.

(8) The Judicial Board shall not be charged with misconduct if the charge or any part thereof is frivolous in nature, or totally lacking in notice to all parties.

(9) Charges against the member or officer setting forth the specific acts of misconduct and the penalties which may be imposed. If the charges are proven, would sustain a finding of misconduct, the Judicial Board shall be accompanied by a written statement of the evidence then before it, or may hold a hearing without the evidence then before it, or may hold a hearing without the evidence then before it, or may hold a hearing without

(10) Any member or officer may be suspended from the local or unit thereof by the Judicial Board.

(b) Trusteeships.

Section 3. BOARD COMMITTEES.

(a) The Board of Directors of CSEA may [be elected to] represent. All appointments to the Negotiating Committees shall be made by the President upon the advice and consent of the appropriate Regional Executive Board. REST OF SECTION REMAINS THE SAME.

ARTICLE VII

MISCELLANEOUS ITEMS:

The following are open items on the Committee's agenda and require further investigation and consideration:

1. Proposal submitted by the County Executive Committee regarding the election of alternate members of the Board of Directors.

2. Amendment to Article IV, Section 3(d) (1) of the By-Laws as submitted by Betty Lennon, Local 612, by memorandum dated March 23, 1983.


4. Proposal submitted by William Harris, Local 836, by letter dated March 27, 1983, as it relates to the determination of the Judicial Board decision to which [exception] objection is taken, including the specific questions of the Judicial Board decision (except to questions of the determination to which objection is taken).

5. Amendment to Article VIII of the Constitution as submitted by Galileo Brogan, Region 6 Secretary, by letter dated June 27, 1983.
Tompkins County president reinstated with back pay
Kirchgessner says she's union-busting victim

By Charles McGeary
CSEA Communications Associate

ITHACA — The president of a CSEA local who says she is the victim of harassment as part of a union-busting effort by a county official has been reinstated to her job with full back pay and benefits upon orders of an arbitrator.

Marnie Kirchgessner, president of Tompkins County CSEA Local 855, had been suspended for more than three months from her job in the Tompkins County Social Services Department for alleged misconduct and incompetency. She had worked in the department for the past 10 years.

But Arbitrator Daniel C. Williams, in a lengthy decision, said he found "no evidence of misconduct or incompetency" on Kirchgessner's part.

Williams ordered her reinstated to her job, and directed Tompkins County to pay Kirchgessner back pay for the month that she was without pay during the three months suspension, and to credit her with all seniority she would have gained during the suspension. She had been returned to the county payroll in June but remained suspended from her duties pending the binding arbitration.

Kirchgessner said the suspension was the most recent in a list of harassments. She said Social Services Commissioner James Brennan "wants the union out...and thinks if he can bust me, he can bust the union."

As a result of the incident, CSEA has an improper practice charge pending against the county. According to CSEA Representative Jim Hennerty, the recent arbitrator's decision does not erase the pending IP charge. CSEA charges the county with harassment and discrimination against Kirchgessner as a result of her union activities and criticism of county policies.

As noted in the arbitrator's decision, Kirchgessner was suspended as a result of a foster home placement made March 3 against her supervisor's wishes. The decision notes "placing a child temporarily in a foster home was an emergency measure."

'Without the power and full support of CSEA I doubt I would have my job back."

—Marnie Kirchgessner

The feisty local president said of the reinstatement, "I'm relieved. I've been ready and willing to go back to work the entire time I have been suspended."

She also said, "I sincerely hope this favorable decision will send a strong message to my fellow county employees. I want them all to know that without the power and full support of CSEA I doubt I would have my job back. When I needed help, the union was there."

Kirchgessner has since returned to her duties in the Social Services Department. Her back pay will amount to about $1,200.

V FOR VICTORY — Marnie Kirchgessner, president of Tompkins County Local 855, flashes a big smile and the victory sign as she returns to her job after reinstatement. Following a three-month suspension by the county, a state arbitrator ruled she be returned to her duties with full pay and benefits.
ALBANY — On the eve of Primary Election Day a large group of disgruntled Albany County employees picketed a meeting of county legislators and promised to “Remember in November.”

“Throw the bureaucracy out” was the main chant from more than 100 CSEA-represented county workers on the picket line. They were from three CSEA bargaining units of Albany County employees who have been working without a contract for the past 10 months.

Contract negotiations have been bogged down for the county members for some time, due to the administration’s refusal to change its offer of a $200, one-shot, across-the-board salary increase for 1983.

All three county CSEA units — social services, health and non-uniform employees at the county jail — had been prepared to enter into a legislative hearing process to resolve the contractual dispute. But the recent decision involving Niagara County appears to have ended that option, and the demonstrators were hoping to influence the county legislators to refer the matter back to the bargaining table with a strong recommendation that the administration change its position, since it was recently made known that the county now has a $6 million surplus for 1983.

There are approximately 3,000 Albany County employees. CSEA represents about 1,000 of them. Seven of the county’s eight bargaining units have been without a contract since Dec. 31.

“We’re ready to return to the bargaining table to address this year and next year,” said CSEA Collective Bargaining Specialist Pat Monachino.

Joining the 100 or so CSEA members on the picket were members of other CSEA locals and representatives from AFSCME Council 82 and the Service Employees International Union Local 200, both of whom also represent other county workers who have yet to settle with the union.

“The solidarity of Labor Day has spilled over into our everyday activities,” said CSEA Capital Region President C. Allen Mead, commenting on the participation of the other unions.

On Primary Day, the Albany County Democratic machine lost two of six primaries. The message of “We’ll Remember in November” was still ringing in the politicians’ ears.
THANK YOU, Congresswoman Frank Horton

ROCHESTER — Rep. Frank Horton, R., N.Y., has been praised by CSEA Region VI President Robert L. Lattimer for the congresswoman's help in passing a 9.8 percent increase in direct federal aid to counties and municipalities.

The measure, HR 2780, will mean an increase of about $40 million in revenue to New York localities, and Lattimer assured Rep. Horton that CSEA and its members will remember his help when the 1984 elections come around.

"This increase is badly needed and should be of great assistance to public employees, especially those in local government," Lattimer said. AFSCME Associate Director for Legislation Steven Silbiger said this was the first such increase in aid in seven years.

Rep. Horton, as a ranking Republican on the government operations committee, was under tremendous pressure from the Reagan administration, which opposed it, according to Silbiger. "But Mr. Horton showed his independence and true desire to help meet the needs of local government by guiding the bill through to final passage in the House," said Silbiger.

Lattimer was joined recently by Region VI political action committee members Sheila Brogan, Florence Trippi and Herman Parsons in thanking Congressman Horton for his efforts.

Mt. Sinai school workers join teachers on the line

MT. SINAI — In a strong demonstration of support for fellow unionists, the Mt. Sinai School Employees unit of Suffolk Education CSEA Local 870, joined the picket lines of the teachers. "We're both affiliated with the AFL-CIO," said Claudia Yalden, unit president. "We strongly side with the teachers in their effort to obtain a contract. Because CSEA demonstrates with the teachers, both groups' positions are strengthened in dealing with the district."

CSEA members picketed with the teachers before and after school hours beginning Monday, Sept. 12. Members were told that if they were asked to work overtime or unusual hours or duties to check the request with CSEA to make sure the contract allowed it.

"We don't want our members being used to take the place of the teachers in any capacity," said CSEA Field Representative Jim Walters. "We can make a strong statement in support of the teachers by not performing teacher functions for the district that are not spelled out in our contract."

According to Toni Florelli of the teachers union, the teachers have already voted unanimously to strike, if the district does not settle the contract dispute.

TEAMING UP on the Mt. Sinai picket line are Mt. Sinai teachers union member Pat Urquhart and Mt. Sinai CSEA unit member Gail Ryan.