Warmest holidays
A happy new year

Amid the frenzy of business and the burden of responsibility we all manage somehow to set aside our daily chores and habits at this special time of the year to observe the happiest of holidays and the promise of the new year.

I wish to take this opportunity to convey to you all on behalf of the Civil Service Employees Association, our best wishes for peace, joy, happiness and success this holiday season and throughout the coming new year.

This is a time when all men and women can pause to reflect and give thanks for the warmth and comforts of friends and family and to join with those around them in observation of this most special time of year.

My hope for the coming year is that we may all continue the spirit of joy and peace that we share this holiday season. With the support and guidance which you have given us in the past, I am sure that a peaceful and prosperous new year is in store for us all.

From all of us at CSEA, we wish you and yours the warmest of holidays and the happiest new year.

William L. McGowan

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DOT contracting out case resolved with major award

ALBANY — A class grievance filed in 1976 by the Civil Service Employees Assn. which alleged that more than 800 Department of Transportation employees were laid off as a result of the State of New York “contracting out” for goods and services, was settled late last week for $500,000.

It is the biggest arbitration award of its kind in the history of the collective bargaining relationship between CSEA and the State.

While most of the employees laid off on January 23 and May 14, 1976 have returned to state service and are working in their original grades, 27 people still remain on preferred lists. The settlement included a commitment by the State to canvass the 27 employees for job placement.

Timothy McInerney, Department of Transportation representative on CSEA’s Board of Directors and a key union representative in the successful class grievance, said “this decision reinforces the absolute importance of retaining the protection of employees language contained in Article 22 of the union contract.” He also had praise for the cooperation of the DOT employees originally affected and assistance of CSEA’s law firm, who handled the grievance under the union’s Legal Assistance Program.

It was alleged that the massive layoffs occurred in violation of the Protection of Employees article in the CSEA-State agreement which provides that layoffs of permanent employees will not occur as a result of the State’s exercising its right to contract out for goods and services.

Before determinations can be made for the distribution of the $500,000 award, a thorough review of each affected employee’s employment data must be conducted by CSEA and the State.

Stony Brook Local may strike

STONY BROOK — A proposal by the State University of New York at Stony Brook to institute a parking registration fee has SUNY employees up in arms, and Albert J. Varacchi, President of CSEA Local 614 says members of his Local are prepared to strike rather than pay the fee.

The SUNY at Stony Brook says it plans to institute a $2.50 parking registration fee for teaching and non-teaching employees and students at the Stony Brook campus at the start of the spring semester. “Our people are ready to take whatever action is necessary, including a strike if that’s what it takes, to prevent the university from imposing this registration fee.” Varacchi stated.

The CSEA Local has received the backing of the university faculty and a campus-wide student organization, POLITY, in its effort to prevent imposition of the fee.

New pension fund raids possible

UTICA — The union’s representative on the State Comptroller’s Pension Advisory Committee has warned of a "clear and present danger" that the funds of the State Employees’ Retirement System will be the target of renewed efforts to bail out New York City from financial difficulties in the near future.

James H. Currier, President of the CSEA Fort Schuyler Local 614, in a letter to President William L. McGowan, noted that the IRS codes were modified as a rider to federal loan guarantee legislation, reducing the state’s fiduciary responsibilities for the plan and making the pension plan more vulnerable.

The following are excerpts of Mr. Currier’s letter to President McGowan, updating activities surrounding the pension funds:

"I would direct your attention to what could be a serious problem with the ERS pension fund in 1979; specifically the use of pension fund dollars to bail out New York City in its next round of financial crisis."

"During the last session of the United States Congress, PL-95-339, the New York City Loan Guarantee Act of 1978, was passed and we as a group concurred with Mr. Levitt’s purchase of guaranteed MAC Bonds. What I have just learned, however, is that in conjunction with the loan guarantee legislation, HR 12051, a modification of the IRS codes, was also passed and this reprehensible law permits a State operated pension system to loan up to 10% of its assets to the employer and still keep harmless under the plans fiduciary responsibilities requirement. In short, the Feds authorized public plans to do what they would jail private plan managers for doing."

"A part of Mr. Levitt’s defense rested on his fiduciary responsibilities under a number of laws, not the least of which was the IRS codes sanctioning the tax position of the $10.5 billion ERS fund. The modification of that IRS code now means that the Comptroller could, and undoubtedly will, lose a substantial part of his argument against making what he would otherwise term an imprudent investment. I think we should take immediate action to look into this situation... and find out what can be done to plug up this loophole that could drain our members’ money and seriously jeopardize their future."

"I recommend we take positive action at the federal level, push for enactment of our version of the pension fund trusteeship, and keep very close watch on the gyrations we can expect from those who would rob our retirees of a secure future."

CSEA COUNSELING SERVICE — CSEA has been successful in greatly reducing the number of Westchester county employees facing layoffs due to budget considerations. And to assist those who are facing that potential, the union has set up a counseling service to assist the affected employees in several ways. In the adjacent photo, CSEA Southern Region Director Thomas Lupoluito, left, councils Benito Riccozzi of the Westchester County parks department, as CSEA Southern Region President James Lennon, center, observes. See pages 6 and 7 for latest update on the Westchester County situation.
We encourage letters from readers pertaining to items which have appeared in THE PUBLIC SECTOR or which are of interest to public employees. Letters must contain the names, addresses, and telephone numbers of the writer for verification purposes. Telephone numbers will not be printed, and names may be withheld upon request. Send all letters to THE PUBLIC SECTOR, Clarity Publishing Inc., 75 Champlain Street, Albany, N.Y. 12204.

Cost-of-living for retirees

Editor, The Public Sector: The election year salary increases to the state employees after a three year hiatus, and promises of additional largesse for both civil service and palace guards are laudable, but as usual the governor has forgotten one group who are greatly in need of such generosity. The retired employees of New York State have received neither pension increases nor cost of living increases for the four years of his stewardship and for many years prior, and are now barely keeping their heads above the flood of inflation.

The cruel hoax imposed on them as an added injury is that from their meager, frozen pensions they are required to pay federal income taxes which in part pays for the consistent cost of living increases which the federal government grants to its retired employees. In the period during which a New York State retiree has received no pension increase, a federal retiree’s pension has almost doubled through cost of living increases paid for by the state retiree’s taxes on his pension income.

But things will get even better after the President’s voluntary wage control program, those private sector employees whose collective bargaining wage increases do not keep pace with the rate of inflation will be reimbursed by the government for the excess of inflation over 7%, and naturally by the taxes paid by the frozen pensions of the New York State retirees. At this rate, with continuing inflation the time will be near when their pensions will be supporting everyone but themselves.

J. L. Modell Eastchester, N.Y.

About those pensions

Editor, The Public Sector: I think the narrow and discriminatory view expressed by the Retiree Coordinator with regard to the present State Tax Exemption Keener program is unfair to the vast majority of retired people with private and federal pensions. In many cases the retiree in the private sector receives a much smaller pension than the retired state employee. Even though he or she paid both federal and state taxes on his contribution to his retirement plan all the time he worked the pension income is still subject to state tax after retirement. Many State Employees enjoy a non-contributory retirement plan today. Thus these employees upon retirement receive dual benefits. It is just this type of greedy attitude that spurs taxpayer resentment and revolt. I think your newspaper and Mr. Gilmartin could benefit more by spreading legislation that would limit the non-taxable portion of all pensions to ten thousand dollars, for all pensioners. This action would eliminate the discrimination now practiced by the State among its retirement plans. Any benefits the legislators have granted to the lower echelon employee have been outstripped by the benefits they have granted themselves. Even a cursory investigation of the benefits they enjoy would expose their greed. Is it any wonder why Prop. 13 type legislation is having such success? We, the taxpayers, need the right of initiative and referendum in New York State to check the greedy politicians.

J. L. Modell Eastchester, N.Y.

Eligible lists printed in 'Sector' based on size, space available

Although eligible lists are published as space permits, it is not always possible to print some lists simply because of the number of people taking part in the exam and passing certain exams.

For example, the following is a summary of eligible lists for the state. The list is having such success? We, the taxpayers, need the right of initiative and referendum in New York State to check the greedy politicians.

A harmful attitude

Editor, The Public Sector: There seems to be a prevalent view among public employee unions that their members are opponents of any attempts to reduce or limit government spending. Such an attitude can only be harmful to the already tarnished image of the public employee that is found among the general public.

It must be realized that the tax-paying private sector employee is merely trying to gain control over the current tax more, spend more trends. Rather than vicious direct attacks against such attempts, I feel ways must be found to educate the public along the following lines:

1. The public needs to be informed of the specific effects spending cuts may have on vital services.
2. Some blame for high government costs must be placed on the wealth of political patronage jobs, many of which may be only marginally useful, but would probably not be eliminated in the event of a budget reduction.
3. Inflationary effects need to be considered.
4. In many cases, proper administration may be able to provide better service and hold down costs without large numbers of public employee layoffs. There are other costs involved in government operation besides worker salaries.

Robert Jutton Syracuse, N.Y.
Harassment alleged, charges are dropped

JAMESTOWN — Workers of the City of Jamestown, represented by CSEA Local 435 there for the past four years, were scheduled to have an arbitration hearing on disciplinary charges brought against them.

Eva J. Jones, a cafeteria aide at Bancroft and a CSEA Local 435 there, was scheduled to have a hearing on charges against her. The institution has dropped disciplinary charges against her, but the arbitrator will decide on the matter.

"Coming as it does on the heels of a recent conviction of Ms. Jones in another matter, it is unconscionable and incredible," Lee Frank, regional director, said.

"And it's unbelievable that they would hold to that position for the duration of the negotiations," he said, explaining that there have been eleven meetings between the county and the union with no progress.

"Because of the impact of inflation the county really wants the workers to have less than they started with."

"Other issues which constitute stumbling blocks in the negotiations," he said, "are job security, a no-subsequent clause, agency shop and contract language that the workers themselves, that puny two percent raise shows that the county has no compassion." Mr. Frank exclaimed.

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Declare impasse in Cattauquau County

CSEA members and staff who were involved in the effort to have the legislation passed were:

Joseph McDermott, Region IV president; Ryan; James Featherston, the attorney for CSEA; Martin Langer, legislative and political action chairman; Mary Jarocki, CSEA SUNY Albany, Harold Cropsey, CSEA Albany County; Jean Myers, Region IV political action chair.

New board member

ALBANY — Nancy J. Roark of Elmira, president of CSEA Judicature Local 334, has won election to the CSEA Statewide Board of Directors representing the Judicial Department.

The election was conducted by the union's Special Election Procedures Committee to fill the vacancy left by the resignation of Ethel Rodin.

Her term of office will run through June 30, 1979.

Union files for reclassification of state nurses

ALBANY — An appeal to reclassify state-employed Practical Nurses (LPNs) from grade 9 to grade 12 has been filed with the Division of Classification Compensation, State Civil Service Department.

The reclassification, if approved, would effect LPNs working for the State Office of Mental Health and in state mental hygiene facilities.

The reason for the appeal is to bring LPNs' rates and underdo prior training, into salary grades more commensurate with other state employees with licenses and training.

Thomas Coyle, CSEA assistant research director, said.

The actual appeal was filed by Alice Pope, LPN, of CSEA Local 408, an employee of the Central Islip Psychiatric Center.

The Public Sector, Wednesday, November 29, 1978
Need pension fund safeguards

It is a human characteristic to slip into a feeling of relief and security with the passing of a crisis. It has been quite some time since the financial problems of New York City have been page one items, so the reality of that continuing problem has diminished.

But CSEA's representative on the State Comptroller's Pension Advisory Committee, Jim Currier, has jarred us back to reality with a flatly stated warning—"There is a clear and present danger of renewed efforts to bail out New York City finances through the State operated pension fund." A modification of the IRS codes by the federal government tied in with the SUNY loan guarantee legislation, Mr. Currier warns, makes it much easier to force a sizeable amount of the State Employees' Retirement System funds to be used to help New York City in another fiscal crisis, a crisis Mr. Currier warns is present and growing.

His warnings of approaching danger, and his recommendations on how to further safeguard the pension funds must be considered carefully, for his position on this important and sensitive committee places him in a place to view conditions from within. The hundreds of thousands of CSEA-represented public employees whose pensions are involved can be assured the union is already taking necessary steps to counteract the dangers outlined by Mr. Currier. (R.A.C.)

Union taps its potential!

Sincere congratulations to all those CSEA members and staff who combined their efforts to help save approximately 200 jobs in Westchester County (see pages 6 and 7).

The combined efforts by the Westchester County Unit of CSEA Local 860, by CSEA Region III, by CSEA in Albany and by AFSCME in Washington, D.C., reduced a proposed layoff of more than 200 CSEA members in 1979 to between 30 and 40 employees.

The individuals who met with the county, researched the county's budget and/or helped counsel laid-off employees, demonstrated the great strength of CSEA.

The union has tremendous, unharvested potential. The situation in Westchester is just an example of that potential. (G.A.)

Mass layoffs more costly

The wholesale layoff of public employees, a bi-product of the Proposition 13-meat ax approach to government financing, is an expensive way of cutting government expenses. A SUNY professor explained that layoffs are more costly than attrition in reducing a government's payroll. (See Page 9.)

Layoffs were found to be 20 percent more costly than attrition because of a number of reasons, including:

- The public employer must pay back the unemployment insurance fund dollar-for-dollar of payments made to the laid off worker.
- Lower productivity from layoffs.
- Cost of operating the preferred hiring system.

The conclusion reached was that planned attrition eliminates many of the extra costs of layoffs while keeping most of the savings of layoffs.

These findings demonstrate that government financing is not a simple solution that can be adjusted with sim pletom solutions. The best way for a government to cut its costs is not by simply laying off workers. (G.A.)
WATERTOWN — The CSEA statewide non-teaching school employees’ committee has targeted the agency shop, unemployment benefits for part-time non-instructional employees and equity for public employees as legislative priorities in 1979.

The priority list — which now goes to the statewide political action committee — was announced in Watertown at a workshop held on December 2.

Other priorities singled out by the committee include revisions in the state’s Taylor law, and a resolution in 1979 of the issues of state aid for school districts, and more specifically, aid for the small city districts.

Arne Wipfler, the CSEA’s coordinator for school district affairs, said the issue of equity encompasses two other matters targeted by the committee, protection from the contracting out of busing and of cafeteria services.

Ms. Wipfler called contracting out “a tremendous problem, that’s getting worse day by day.”

Most of the workshop dealt with the unemployment question and agency shop. It was attended by over 40 union members from Jefferson, St. Lawrence and Oswego counties.

The Jefferson, St. Lawrence and Oswego non-instructional workers present unanimously went on record as supporting legislation making agency shop mandatory for all employees in all of the state’s political subdivisions and school districts.

Wipfler also said the full Public Employment Relations Board (PERB) cannot be expected to act on a request to overturn a hearing officer’s ruling on unemployment until the end of January.

On November 22, PERB hearing officer Robert J. Miller ruled against the CSEA and another union, in a case involving non-instructional employees in three school districts.

CSEA charged the districts had violated the Taylor law by giving the employees notices of continuing employment, effectively blocking the employees from drawing unemployment benefits. CSEA contends that a notice of continued employment, be it written or oral, does not constitute a contract.

Wipfler warned the group that districts are using letters of continued employment to “circumvent” the law.

She also predicted that several union test cases now pending before the state’s unemployment appeals board will be appealed to the courts, regardless of who wins.

Wipfler also had some harsh words for school districts on the topic of agency shop, contending school districts “want to prevent you from having an agency shop because they are fearful of the growing effectiveness of the union and believe stopping agency shop will lessen your growth and strength.”

Committee chairman Hugh E. Crapser added that many school board members are opposed to agency shop, because they don’t want to be seen as “aiding and abetting” public employee unions.
For the past several weeks Westchester County has been a battleground of sorts, pitting the Civil Service Employees Assn. against the county over a proposed 1979 budget that would have required laying off 1,628 people immediately and more later.

The victory here is shaping up as decisive, but not absolute, in favor of the union and its employees.

These articles and photos illustrate the current activities in the continuing battle.

WHITE PLAINS — Efforts by the Civil Service Employees Assn. to lessen the impact of scheduled layoffs of Westchester County employees caused by purported budget considerations have resulted in a lowering of the anticipated number of layoffs to between 38 and 85 as of this time.

The 36 to 46 figures is considerably below the number of layoffs originally proposed in County Executive Alfred DelBello’s proposed 1979 budget, which projected 1,628 layoffs as of Jan. 1, 1979, for a wide variety of reasons, including a reduced number of layoffs later in the year.

According to Raymond J. O’Connor, president of the Westchester County Unit of CSEA Local 980, the county has opened 23 vacant job titles during almost continuous discussions with the union over ways to reduce the impact.

This, he said, while the county is officially laying off 82 employees as many as possible will be filled into the 23 positions being opened up.

The county Personnel Department interviewed the scheduled to be laid off between December 11 and 14 to see how many could qualify for the vacant positions.

O’Connor said he expects about 21 of the vacant titles to be filled, based on the qualifications of the laid-off employees.

At the interviews, the employees were accompanied by O’Connor, Chief Shop Steward Howard Damalis, Local 980, and CSEA staff members.

To prepare the employees for the meetings with the Personnel Department, the 82 were urged to attend a counseling session on Dec. 6. (See related story.)

About 50 of the employees showed up and they were instructed on preparing resumes and their qualifications were matched to the vacant ones. O’Connor said.

The restoration of the positions in the 1979 proposed budget came about after a number of meetings by the Union with DelBello and his key staff and by Union representatives at budget hearings of the county Board of Legislators.

Wyngard, a representative of the county unit at the meetings, with the executive branch were O’Connor, Wyngard, and Ron Mazza and Manny Viale, CSEA staff.

O’Connor credited the new cooperation of the executive branch and the Board to the political strength exhibited by Local 980 in the November election.

“We hope on delivered the message that we are politically active,” O’Connor said.

In that election, the local heavily supported a victorious Assembly candidate who defeated a DelBello-backed candidate.

O’Connor also reported that the executive branch backed off its plan to add additional layoffs later in 1979 from not funding all of the contracted layoffs.

He said the county expects attrition and funds for vacant job titles to make up the difference.

In addition to the 36 to 46 layoffs, the 1979 budget also will abolish 375 jobs, he said.

A key factor in the meetings between the union and the executive branch was information on the budget supplied by the research departments of CSEA and of AFSCME.

Those analyses revealed additional funds available in the county.

LAYOFF THREATS CREATE TENSION; and CSEA Southern Region President James Lennon, right, and Ron Kelly of the parks department, are engaged in a heated discussion over the situation.

JOHN NYABAR of the Westchester County parks department speaks out during meeting held by CSEA to inform members of latest developments and other special counseling services.

COUNSELING EMPLOYEES on their contractual rights, CSEA Field Representative Ron Mazza, left, discusses the layoffs situation in Westchester County with Bob Turner, lipper left, Donald Hunt, standing, and John Nyabar.

THREATENED employees assisted by CSEA

WHITE PLAINS — West talks between the Civil Service Employees Association and Westchester County have yielded impressive reductions in the number of county workers originally slated for layoff, those Westchester County Unit members of CSEA Local 980 who did receive "pink slips" last week participated in a unique workshop designed to inform them of their rights and assist them in their search for employment.

The sessions were held for some 80 county employees at the Westchester Local 980 office and CSEA’s satellite office, both in White Plains. CSEA staff, led by CSEA Field Director for the CSEA Southern Region, Wyngard, and the board of its personnel, sponsored the workshop to assist workers in their current activities in the continuing battle.

The victory here is shaping up as decisive, but not absolute, in favor of the union and its employees.

These articles and photos illustrate the current activities in the continuing battle.

Thank you for your interest in our publication. If you have any questions or feedback, please feel free to contact us.
CSEA, Fulton reach agreement

FULTON — Following a marathon negotiating session lasting more than 18 hours, CSEA and the City of Fulton have reached a two-year contract effective Jan. 1, 1979 through Dec. 31, 1980.

New contract language includes an increase of $500 over basic salary for salaried employees in 1979, followed by an increase of $700 over basic salary in 1980.

Other benefits include: equitable distribution of overtime, City of Fulton to pay 100% of family cost of health insurance and new language covering bereavement leave, personal, sick leave, posting of non-competitive positions and vacations.

Jack Miller, CSEA Field Representative, served as chief negotiator for the unit which is part of Local 838, Oswego County.

NEW YORK CITY — The executive committee of CSEA Local 101 has voted unanimously to "vigorously oppose" passage, if submitted, of a suggested proposal by New York City Mayor Edward Koch dealing with civil service reform.

According to Local 101 President Solomon Bendet, the mayor's proposals included widening the function of managerial employees to include "hundreds of additional workers out of their unions" since managerial employees are excluded from union membership. Such workers would be subject to a higher possibility of dismissals, it was noted.

Other reform proposals call for voluntary hiring of employees hired within a 2 year period to have equal seniority and the use of new evaluation procedures in choosing workers for dismissal. Local 101's executive committee voted unanimously for a resolution to advise CSEA that "when and if Mayor Koch submits his proposals to the legislature CSEA should vigorously oppose its passage."

Mechanic exam set Jan. 23, 24

The State Department of Transportation has announced it will hold exams for two continuously open positions during late January and has set January 5 as a cutoff date for interested individuals to submit applications.

Exams will be held January 23 and 24 in Poughkeepsie for the positions of motor equipment mechanic, a grade 12 position with a salary of $10,024 (exam number 20-568); and maintenance assistant mechanic, grade 8 with a salary of $7,997 (exam number 20-578).

Interested persons should immediately complete the standard XDIO application form and forward it to the Civil Service Department.

Local 850 elects new officers

WATERLOO — Members of Seneca County Local No. 850 of the Civil Service Employees Assn. have elected new officers to represent the 250 County employees.

Following the election, Jack Miller, CSEA Field Representative, swore in the following new officers: Rino Piagentini, Seneca County Highway Department, President; Merlin Brimmel, Seneca County Sheriffs’ Department, 1st Vice-President; Sharon Irland, Skio-Vase School, Corresponding Secretary; Joan Scharwath, Motor Vehicle Bureau, Treasurer; Brian Dombrowski, Health Department, Representative.

Region III court employees ratify new coalition contract

ALBANY — Court employees in eight different jurisdictions in CSEA's Southern Region have ratified a coalition contract with the state's Office of Court Administration.

The contract is retroactive from April 1, 1977, extends through April 1, 1978, and is for three years.

Parents rely on you to deliver their children safely to school. They know their children will be in clean surroundings.

Teachers rely on you to provide them with the extra service on an individual basis with the child experiencing difficulty in math, cleaning up the spilled paint of an overly zealous group of first graders.

Principal's rely on you to ready the auditorium for an evening concert; preparing lunches on schedule.

And, of course, the children know you as friend, helper. How many children have said to their parents, "I want to be like Mr. Smith when I grow up. He sweeps the floor and runs the school."?

Each and every non-instructional employee provides an important service to the school community. Remember: your importance must be felt by you. You are a part of the wheel.

The financial portions of the contract are retroactive to April 1, 1977, and the time and leave provisions to April 1, 1978, according to Pat Monachino, the bargaining specialist assigned to the court employees. In addition, there is a wage-re-opener clause in the pact, allowing talks to begin soon on the 1979-80 salary hike for the employees.

Also, the court employees of the city of New Rochelle will receive a 6 percent location-pay differential, with a maximum of $1,020, as a result of the new contract.

"I was gratified to see that some 75 percent of the members involved actually voted on this contract ratification," Mr. Monachino said. "It shows there was a great interest, as well as an overwhelmingly favorable vote for this contract."

Carol Dubovick, acting president of CSEA's Court Employees Local 332, had strongly urged ratification.

False statement on application leads to firing

An appeals court has ruled that even though a State employee completed his probation application before it was discovered that he made a false statement on his examination application, he can still be fired without a hearing.

The case involved a former employee who contended that since he had acquired permanent status, he had a "protected property interest" in the job under the due process clause and, therefore, could not be discharged without a hearing. In a recent decision, the Appellate Division of State Supreme Court rejected his argument.

The court unanimously ruled that the New York State Civil Service Department "may terminate employment without a hearing where post-application investigation reveals facts which, if known prior to appointment, would have warranted disqualification."

The employee was fired following a Civil Service Department investigation concerning his answer to an application question about the reasons for his separation from previous employment.
BUFFALO — Basing his conclusions on the October, 1978 report of the Continuity of Employment Committee, Dr. Walter L. Balk told a productivity forum sponsored by the Erie County Legislature that layoffs are a more costly strategy than attrition.

Dr. Balk, chairman of the Department of Public Administration at the State University of New York, at Albany, also suggested that any campaign to increase productivity "has got to be a joint effort, between management and workers." With a stress on maintenance of morale to keep workers until they are retrained for new tasks, if their jobs are found to be no longer as important as previously.

He also pointed out that while civil servants are sometimes stigmatized as being unproductive, "they are frequent victims of the system." For instance, he said, "social workers must waste time in defining a juvenile delinquency case and coming up with the appropriate remedy because there are five state laws which govern." The Legislature, Dr. Balk said, could reduce the response time by consolidating the laws and definitions into one statute so that the workers wouldn't have to go to five laws before they could take action.

Dr. Balk said that the Continuity of Employment Committee, headed by Dean Robert B. McKesrie of the New York School of Industrial and Labor Relations at Cornell University found that layoffs are about 20% more costly than attrition.

In the committee's conservative calculations, he said, such factors as insurance charge-backs, insecurity-induced quitting of valuable employees, the lower productivity which accompanies layoffs, and lost state revenues, the cost of operating the preferred hiring system and many more items not calculated because of the statistical methods used,

First, he said, there is the obvious cost that public employers must pay the total cost of unemployment insurance payments since the public employer must reimburse the unemployment insurance fund dollar for dollar, payments made to the laid off worker.

Private employers, on the other hand, he explained, prepay their shakers' insurance. "So a layoff means for carrying on their maintenance of morale to eradicate it."

Tonawanda and Joan K. Bozer, R.D. Tonawanda and Joan K. Bozer, R.D. Bufallo, prompted the form for the legislature which may be forced to reduce spending levels following the adoption of any such limits in the November elections.

Dr. Balk called the attention of the legislators to the conclusion, "planned attrition programs represent one way of eliminating many of the costs of (the) side effects, while maintaining most of the savings of the layoffs."

Also in attendance at the forum were John P. Eiss, President of Erie County Labor Leagues No. 85, Steve Caruana, its Medical Center Unit President and CSEA Western Regional President, Robert L. Lattimer, a member of the Continuity of Employment Committee, which was formed following the layoffs in recent years.

CSEA backs arthritis telethon

NEW YORK CITY — The Civil Service Employees Assn. has announced the fifth consecutive year, it will lend support to the annual Stop Arthritis telethon of the New York Arthritis Foundation.

The telethon will be broadcast on WOR-TV (Channel 9), beginning at 10 p.m. Saturday, February 10 and continue through 6 p.m., Sunday, February 11.

CSEA President William L. McGowan has accepted chairmanship of a special VIP Panel to announce contributions from CSEA members during the televised program, and CSEA Long Island Region President Irving Flaumenbaum has again been named coordinator of the union's fund raising effort in connection with the telethon.

Both Mr. McGowan and Mr. Flaumenbaum have co-signed a letter being mailed to CSEA's more than 300 Locals and their units calling for statewide support of the telethon and raising effort.

Advance ticket cards are being sent out to encourage contributions in advance of the telethon to be credited to the union's drive.

Msrs. McGowan and Flaumenbaum are also appealing in general to all CSEA members and their friends to help support this important telethon effort "to help fight what is truly our Nation's NUMBER ONE Crippling Disease."

Proceeds will go to support program services of the Arthritis Foundation in behalf of 2 million arthritis sufferers, young and old, in our own area as well as many more millions throughout the country.

The CSEA has participated in the four previous telethons and as Mr. Flaumenbaum put it, "we intend to once again show our support in behalf of all the sufferers here and everywhere during this fifth annual telethon. We are determined to provide the Arthritis Foundation, the only organization dedicated to finding a cure and care for this disease, with the means for carrying on their programs of research and patient services."

They stressed also the tremendous benefits that the arthritis telethon brings to bear on the worker and his family. "Arthritis is not just a minor ache or pain, it is a serious illness that affects productivity and devastates families."

They called on the workers to see that the Department of Employment Administration to an idea of this suggestion and see if it could be of use and value. Mistakes are costly in both the long and short run. Suggestions to improve such mistakes should not just be evaluated on paper, but possibly by use in an actual testing situation. Then the evaluation will be valid.

Study shows layoffs more costly than attrition

ALBANY — The State Department of Civil Service, which was recently highly criticized for its handling of civil service examination situations, has turned down a suggestion to improve the civil service examination procedure which included the prepackaging of materials needed for each of the various examination candidates.

Her idea contained the following points. First, when the Civil Service Department receives an application for an examination or a series of related examinations to be given on the same day at the same location it should then replace an examination folder with all required materials for the applicant. This would eliminate the haphazard job. It costs little for management to do a haphazard job.

John D. Corcoran, Jr., CSEA Capital Region Director indicated some disbelief in the attitude of the Civil Service Department towards an idea which reflects the concern of public workers to see that the Department of Civil Service functions in an effective, efficient manner in the area of examination administration.

Corcoran could not accept "State Regent examinations go off like clock work, numerous scholarship and competitive achievement tests are also run smoothly and basically. We are used to preplanning by the appropriate management level. Civil Service should review its procedures in light of the suggestions and if it could be of use and value, mistakes are costly and we must continue to do whatever we can to help preserve individual worth."

Early schedules indicating that entertainers from Broadway, Hollywood and Las Vegas will take part in this star-studded telethon.

CSEA leaders from across the state will also appear on the telecast to acknowledge support generated by the CSEA pre-telethon arthritis campaign.

Civil Service Department turns down suggestion

"The Public Sector," Wednesday, December 20, 1978
Patricia Robins wins award

POUGHKEEPSIE — Patricia Robins, formerly president of the Dutchess County Unit of the Service Employees Assn., has been presented an Award of Merit for her dedication and service to the Dutchess County Unit.

More problems reported to Civil Service Commission

NEW YORK CITY — Problems with scheduled Civil Service exams continued to mount. One of the latest, involving an examination for senior stenographer given at Julia Richman High School in Manhattan, caused charges they were teststructured to appear like "a herd of sheep rather than qualified, experienced and responsible adults". The shabby treatment, protested the employees, caused "much anxiety and tension" which affected their performance in the test.

1 p.m. for the arrival of dictating equipment used in the test. The employees also complained of confusion among proctors regarding instructions and the poor quality of the testing equipment.

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The Downstate employees call their treatment at the test "a perfect example of Civil Service's lack of understanding of employees' human rights" and said they were treated like "a herd of sheep rather than qualified, experienced and responsible adults". The shabby treatment, protested the employees, caused "much anxiety and tension" which affected their performance in the test.
Legal assistance protects you

EDITOR’S NOTE: As this article on CSEA’s Legal Assistance Program was going to press, the major settlement involving the union and the State Department of Transportation, which appears on page one of this issue, was announced. That legal proceeding, interestingly enough, was handled by the union’s law firm of Roemer and Featherstonhaugh under the Legal Assistance Program. Every penny awarded under the settlement goes to the affected employees; there is no diminishing of the award amount for legal services, which would be the case if private attorney were involved. In a followup article, “The Public Sector” will discuss the Legal Assistance Program in greater detail through interviews with those people closest to the administration of the massive membership assistance program.

ALBANY — Despite its better than 80% success rate in thwarting efforts by the State of New York to terminate CSEA members involved in disciplinary actions, the union’s massive Legal Assistance Program remains one of its least known services.

Last year alone, the Legal Assistance Program averaged a better than eight out of ten success rate in preventing the state form firing employees that it accused of wrongdoing. Think about those numbers for a moment. The state proposed firing about 200 state workers, but could only impose that penalty on 37.

While this type of activity is only one of the many functions of the Program, it is the clearest example in the complex world of labor relations as to how a union can effectively protect its members.

In disciplinary proceedings, grievance arbitration or appeals matters, and in litigation revolving around law, contract doctrine and rulings by the state’s Public Employment Relations Board, the Program is working every day to make justice in the working place a reality for public employees employed by the State of New York or its political subdivisions and represented by CSEA.

Last year alone more than $1.5 million was spent by CSEA on Legal Assistance for public employees represented by the state’s largest public employee union. Through a complex formula of direct assistance from the unions statewide headquarters and shared grants with its Locals, the Legal Assistance Program is frequently all that stands between justice and the wrongful destruction of a working man or woman’s career. During the 1977 calendar year,

TONY CAMPIONE is Administrator of Legal Assistance Programs for the Civil Service Employees Assn. He is located at CSEA Headquarters, 33 Elk Street, Albany and spends full time on the massive legal assistance programs.

the State of New York filed 2,559 notices of discipline against employees represented by CSEA. While most of these disciplinary actions involved relatively minor infractions and are settled in the early stages of the disciplinary proceedings established by CSEA’s contracts with the state, more than 500 ended up in arbitration proceedings. Still more fights occurred in the political subdivisions. The cost of fighting these actions is enormous, but there is no practical alternative. There are, of course, cases where a disciplinary action is justified, but there are also many cases where no discipline is justified. In order to protect employees both directly and indirectly involved in such proceedings, the union created its Legal Assistance Program to oversee the complex areas of disciplinary and grievance proceedings as well as to fund related court action and PERB proceedings where necessary.

To the thousands of public employees faced with a disciplinary charge, the need and value of the Program is obvious. But to the many thousands more who are fortunate enough never to face such proceedings, the need is still very real.

The need for the Legal Assistance Program is similar to the need for a police force. While it certainly serves a real value in handling wrongdoing which do occur, it serves an equally important value as a deterrent to potential wrongdoing.

CSEA carefully built up strong contractual protection for the public employees it represents through years of negotiation. Stronger protections for CSEA-represented employees not only in state service but also in political subdivisions is still being won, but the complex procedures involved in these protections still varies from contract to contract.

Generally, however, all seek to build upon the protections provided by state laws for public employees and expand those protections to assure real job security and what is increasingly becoming known in the labor movement as the “law of the working place.”

CSEA’s Legal Assistance Program is the vanguard of the union’s commitment to bringing the “law of the working place” to every public employee work location in the state.
AFSCME holds leadership panel in Region VI

BATAVIA — The first in what will be a series of Leadership Training seminars conducted for Civil Service Employees Assn. leaders by the training and education staff of AFSCME was held recently here.

Local CSEA officers, stewards, grievance chairpersons and other local officers and members from CSEA's Western Region attended the day-long session. CSEA Western Region President Robert Lattimer called the workshop a successful venture, and CSEA statewide President William L. McGowan, who attended the program, said it was an excellent example of a benefit of the affiliated relationship of CSEA and AFSCME. It is expected that a followup session will be scheduled next spring, according to Mr. Lattimer.

AFSCME Director of Training and Education Dave Williams and several members of his staff out of AFSCME headquarters in Washington conducted the program.

INDIVIDUAL WORKSHOP SESSIONS were conducted throughout the day-long program. Here Evelyn Rieder of the AFSCME staff conducts a group session as part of the overall program.

CSEA PRESIDENT BILL McGOWAN, right; Western Region President Robert Lattimer, center, and AFSCME Director of Training and Education Dave Williams, left, discuss the initial Leadership Training workshop conducted for CSEA leaders and members by AFSCME.

(Above) ROCHESTER AREA employees participating in training session are L. Jean Smith from Rochester Psychiatric Center CSEA Local 420, and Charles Fletcher and Francis Head, both from Department of Transportation Region 4 CSEA Local 566.

(Above right) AFSCME STAFF MEMBER John Dowlinger is shown conducting one of the many workshop sessions held throughout the day.

(Bottom Right) CSEA LOCAL 607 from SUNY Fredonia was represented by Mary Ann Bentham, left, Local President Sara Sievert, center, and Barbara Salelta.