When it comes to drugs, testing

It’s OK to say no!

See Page 3
AWARDS — Netha DeGroff, left, and Jean Owens, both employees of the state Division of Parole, hold their award certificates at the first Labor/Management Achievement Program luncheon at the Empire State Plaza in Albany Wednesday.

State workers honored for dedication to jobs
By Joe Picchi

Proudly holding her certificate, a smiling Jean Owens of Albany said Wednesday "such events should be held more often." Too many people think in terms of a "we" in at 11 noon Division, were among 45 state employees receiving awards at the first Labor/Management Achievement Program held in meeting Room 6 of the Empire State Plaza.

The two parole employees received their awards for developing the program.

After 8 years EAP for OCA is finally reality

NEW YORK — An agreement has been signed which provides an Employee Assistance Program (EAP) for 3,400 CSEA members in the state's court system.

"This is a welcomed program, and I'm pleased to see it finally in place," said Thomas Jefferson, who signed on behalf of CSEA. Jefferson is the Judicial representative on CSEA's statewide Board of Directors. He said the EAP agreement, which is part of the current CSEA-Office of Court Administration (OCA) contract, is the result of eight years of efforts by the union to obtain the program.

OCA EAP reps will be trained by mid-December and on call at each work location by early 1987, according to CSEA EAP Director James Murphy.

CSEA EAP DIRECTOR James Murphy looks on as CSEA's Thomas Jefferson signs new EAP agreement for OCA employees.

Union gears up to aid axed DOL workers

As this edition of The Public Sector went to press, CSEA officials were studying the implications of an announcement this week by state Labor Commissioner Lillian Roberts that the state Labor Department plans to reduce its workforce by up to 1,000 employees by early March, 1987.

A spokesperson for Roberts said it has not been determined which jobs will be cut, and from what locations. Roberts said the layoffs are necessary because the federal government has cut allocations for the Job Service and Training Division and the Unemployment Insurance and Work Incentive programs.

CSEA said it will do everything possible to protect as many jobs as possible and ensure that the contractual rights of everyone affected are observed. CSEA President William L. McGowan said the union will work with state officials to save as many positions as are possible and find alternative employment opportunities for employees who ultimately may be affected by the workforce reduction.

Commissioner Roberts said "We are reactivating our Continuity of Employment Unit which has been successful in finding jobs in other state agencies for department employees affected by past layoffs."

The Labor Department said "layout packets" will be sent on or about Dec. 15 to all permanent and contingent permanent employees explaining the layoff procedures and containing a location preference questionnaire and a preferred list card.

More complete details of the just announced workforce cuts and information relative to the layoff procedures and related matters will be contained in the next edition of The Public Sector.
CSEA is opposed to the use of drugs and just as adamantly opposed to random drug testing of employees. Instead, the union offers an alternative combination of education and treatment to locate and rehabilitate substance abusers. "CSEA neither encourages nor condones employee use of drugs," CSEA Deputy Director for Local Government Ronald W. King testified before a State Legislature Joint Labor Committee hearing in Albany recently. But, King said, CSEA strongly opposes employee drug testing because of three overriding concerns: that drug testing can violate workers' rights; drug testing is unreliable; and drug testing yields little useful information.

"While the union recognizes a social responsibility to support government initiatives that would identify and correct both cause and effect of drug and alcohol abuse, the potential ramifications of such efforts are of paramount concern to us. Simply stated, we do not think drug screening for any but the most sensitive positions is needed and even for those positions wholesale testing is unwarranted," he said.

The committee hearing was called "to explore the need for legislation regulating the testing of employees for the use of alcohol, narcotics and dangerous drugs." VIOLATING WORKERS' RIGHTS "As a union committed to safe working conditions and the well-being of its members, CSEA encourages workers suffering from any type of substance abuse to get needed help," King testified. "However, we will not support a program or policy that would have us sacrifice constitutionally guaranteed liberties on the altar of a political expediency or policy that would have us sacrifice constitutionally guaranteed liberties on the altar of a political expediency grounded in media hype and quick-fix solutions."

"To invade the privacy of the innocent in order to discover the guilty establishes a dangerous precedent, one which our Constitution mandates be rejected. Any program or policy that casually sweeps up the innocent with the guilty and willingly sacrrifices each individual's protection from unreasonable searches and seizures, right to procedural due process, and guarantees of privacy against self-incrimination is unacceptable. So too, disciplinary action taken on the basis of test results that violate principles and provisions of collective bargaining agreements is condemned as an obnoxious expansion of employer control at the expense of employee rights," he stated sharply.

DRUG TESTS ARE UNRELIABLE King pointed out that "the technology of drug testing is flawed," that "false-positive readings are not uncommon" and that "operator error, poor laboratory procedures, and improperly maintained equipment all contribute to false-positive readings." 

"Ruined careers and stigmatized workers should make us reconsider our rush to embrace drug detection technology," he suggested.

NEGOTIABILITY OF TESTING "CSEA is willing to negotiate with public employers toward achieving an agreed-upon procedure for drug and alcohol testing," according to King, but "CSEA rejects so-called 'dismissal therapy.' The preferring of disciplinary charges against an employee, merely because of that employee's status as an alcohol or drug abuser, belies the recognition that drug and alcohol abuse is a disease."

And, he testified, "Any agreement to which CSEA...may be party must provide that prior to requiring an employee to undergo alcohol or drug testing, sufficient objective facts must exist to constitute 'reasonable suspicion' of drug usage. Additionally, union representation must be recognized to ensure that the employee is aware of his/her rights in regard to the test and so that there will be a witness to procedures being carried out..."

A CONSTRUCTIVE ALTERNATIVE TO TESTING King said CSEA has a constructive alternative to mass, random testing. Education and treatment are at the core. "People need to be aware of the signs of substance abuse in themselves and others. No one can begin the road to recovery without first recognizing a problem exists and then seeking help," he said.

"Employees suffering from substance abuse need to receive treatment, not be disciplined or discharged. The employer and employee both benefit when an individual can be helped and remain on the job." King pointed out CSEA has long been a leader in establishing Employee Assistance Programs to address such problems as alcohol and drug dependency. Added King: "Job conditions and work-related stress are major contributors to substance abuse, and, therefore, changing such conditions must be central to any drug prevention effort... whatever action is deemed necessary must be corrective, progressive and directly linked to work-related dysfunction."
**Staff hailed for swift evacuation of 104 retarded during laundry fire**

By Sheryl Carlin
CSEA Communications Associate

Two Brookhaven Animal Shelter employees have been presented with Suffolk County Executive Peter F. Coahan for the capture of an allegedly drunk, hit-and-run driver who critically injured a woman.

Dog Control Officer Manual Narvaez and Dispatcher Carol Nepell, both members of the CSEA Brookhaven Blue Collar Unit of Suffolk Local 852, got involved in the Motor Patrol Program through work.

"If the wardens see any kind of problem in the community while they're working, they call it in to dispatch and we notify the police of the location and the problem," explained Nepell.

Narvaez was working one morning last month when he noticed a car swerving from one side of the road to the other. "I knew right away that the driver was intoxicated," Narvaez said.

"I continued to follow him and finally got him to pull over. At that point, he had already come close to running over a few people," Narvaez said.

Narvaez called in to Nepell to alert her of his location and to call the police.

"As soon as I got out of my vehicle and walked up to the guy's car, he took off across this main road and hit another car. He hit this woman's car so hard that his battery fell out and his car turned completely around. "He got out of his car, took one look at the woman slumped over the steering wheel in the other car, and he took off running. Well, I was right behind him!"

After following the man over three fences and through numerous backyards, Narvaez was successful in catching him.

"I tied his hands with my leash and held him until the police came," Narvaez said.

In his letter to Sheryl Carlin, Chief Custer noted that the fire was detected by a smoke detector in the hall adjacent to the laundry room. "The simple but crucially important act of keeping the door to that area closed automatically prevented the spread of fire and kept the deadly smoke and gases to a minimum," Custer said.

Custer also said "the decision to immediately evacuate the building shown excellent judgment and indicates results of proper training by employees."

Narvaez put in a plug for the important role of the smoke detector in a life-threatening situation by stating that his alarm "certainly proved its worth in early detection of the fire, therefore allowing valuable time in which to evacuate the building."

"The individuals we honor today are more than good citizens. They are heroes," Coahan said. "Their willingness to get involved and to assist others serves as an inspiration to all of us."

Brookhaven Blue Collar President Pat DeLuca and Suffolk Local 852 President William Maccaro attended the awards presentation (pictured with the recipients). "We are both extremely proud of these members," said Deluca.
The history of the American labor union movement is written with the sweat and blood of millions of working men and women over a period of more than a century, but it is written with very little ink in very few history books in America's education system.

That is slowly changing through experimental labor history programs in some schools, including a program initiated by CSEA a few years ago in the City of Troy School District. Interest in that program has been expressed by a few other districts in the state.

But efforts to introduce American labor history to school children are accelerating, and CSEA is in the middle of that campaign. CSEA delegates last month unanimously adopted an official policy position that CSEA organize a statewide program to promote labor history awareness, and "network with other unions to foster the requirement that labor history become a mandated part of the curriculum in all New York State American History courses."

Simultaneously the New York State AFL-CIO announced it plans to launch a labor education program for state schools to consider incorporating into their curriculum.

CSEAlegates last month approved this official policy concerning the introduction of American labor union history in the curriculum of all New York state American History courses.

CSEA, in its policy position, notes "The American labor union movement has made a substantial and significant contribution to the growth and prosperity of our nation...and was instrumental in passage of many laws effecting the general welfare as well as the youth of our nation..." Indeed, labor's story is a proud, and important, one. The late Vice President Hubert Humphrey called it a story that "needs to be taught in every school in this land."

Labor's push might be the catalyst to achieve Humphrey's assessment of the importance of including a balanced picture of the contributions of American workers in the nation's classrooms. The concept was approved in theory in a 1981 resolution of the State Board of Regents, and this year Gov. Mario Cuomo issued a proclamation in which he called upon "all members of the education community to recognize and include the contribution of the American labor movement as an integral part of the school curriculum."

WHEREAS:
The American labor union movement has made a substantial and significant contribution to the growth and prosperity of our nation; and

WHEREAS:
The labor movement was instrumental in passage of many laws effecting the general welfare as well as the youth of our nation such as: child labor laws, the minimum wage and civil rights; and

WHEREAS:
CSEA on a limited basis has begun and piloted a program to foster teaching and bringing to the attention of school youth the meaning and history of the labor movement;

THEREFORE BE IT RESOLVED:
That the delegates go on record that CSEA plan a statewide program to promote and support a continuation and expansion of the voluntary labor history awareness program and;

BE IT FURTHER RESOLVED:
That CSEA begin to network with other unions to foster the requirement that labor history become a mandated part of the curriculum in all New York State American History courses.

CSEAlegates last month approved this official policy concerning the introduction of American labor union history in the curriculum of all New York state American History courses.
Above, CSEA Executive Vice President Joseph McDermott welcomes participants as statewide Woman's Committee Chair Helen Zocco, right, and former Region I representative Connie Wunderlich look on. At left folksinger Ruth Pelham warms up for her sing-along session.

Women at work in CSEA

SARATOGA SPRINGS — A record 350 participants turned out for CSEA's annual statewide Women's Conference here, and they weren't all women.

At the same time, host Region IV President C. Alan Meade noted: "this is not a conference about women's issues, but a conference about how women affect the issues."

Carrying that idea even further, statewide Committee Chairwoman Helen Zocco explained that the broad agenda was a reflection of how the committee is working to address concerns of all CSEA members on the job and at home. Among the programs topics were "The Aging Parent Dilemma"; "Domestic Violence"; and "The Challenge of Single Parenting" — all areas that can be as important to men as they are to women.

Said Cathy Collette of the AFSCME Women's Department: "We do not come to these conferences to talk about recipes. All the work we do contributes to the union fight for fair pay and decent treatment for workers. The union itself has to bring the fight for things like pay equity and child care programs to the bargaining tables and the courts — but women's committees teach the leadership skills that let women become part of the union power structure and focus attention on these areas."

Collette added that nearly half of all AFSCME local officers are women and that CSEA is in the forefront nationally in the contractual gains and innovative programs it has achieved.

CSEA Executive Vice President Joseph McDermott commented that years ago when the idea of creating women's committees was first proposed, there was a lot of skepticism about their role, but there should no longer be any doubt: "I think they've proven their importance at all levels in terms of contributing to the quality of life of all our members."

Participants listen as AFSCME's Collette offers some observations.
Day-care must be a top priority... Said Nevada Solano of the CSEA statewide Political Action Committee, pictured above with CSEA Secretary Irene Carr. Solano urged support for legislation mandating facilities be set up at state worksites employing more than 250 people. Bill numbers for the new legislative session were not available at press time.

Domestic violence means that 180 women are beaten every hour... Marcy Kolchinsky (pictured above with Region IV Woman's Committee Chair Ellen Diange), and JoAnne Mullen of the Schenectady YWCA Services to Families in Violence Program explained the nightmare that victims face from emotional and physical abuse to the insensitivity of the legal system. Unions can play a critical role in combating the suffering that domestic violence causes by supporting legislation to help protect victims, and encouraging education, self-help groups, and employee assistance programs.
OMH reconfiguration—What is it, really?

By Stephen Madarasz
CSEA Communications Associate

ALBANY — CSEA is taking a cautious view of major plans to “reconfigure” the state mental health system. The union has many unanswered questions about the long-range effect of the program which calls for a doubling of community-based residences for the mentally ill and a consolidation of the state psychiatric hospitals by 1991.

Critics of the plan across the state have claimed that it is nothing more than a new name for deinstitutionalization, an idea that has already proved a failure.

While CSEA applauds certain aspects of the plan such as increasing services to children and the homeless and providing for physical plant improvements at a number of the psychiatric centers, there is also concern that gains in some areas may be at the direct expense of other areas.

A major premise of the “reconfiguration” contends that psychiatric center facilities will be shut down as appropriate community-based services are opened. CSEA has serious reservations that community services and residences can be dramatically increased in the near term. The union also believes that shutting down facilities at a time when inpatient admissions are on the rise due to the drug and homeless crises, makes no sense.

“Right now every psychiatric center in the state is operating over its authorized capacity population” says CSEA mental health consultant Marty Langer. “If the state thinks they can shift to the community and close some facilities in the near future, then they’re not looking at figures that have anything to do with reality.”

“On the other hand, if they want to develop on-campus residential alternatives right on the psychiatric center grounds, then maybe we can make some progress.”

Adds CSEA President William McGowan: “It’s taken the state 30 years to bring community services to their present level. I really don’t know how they expect they can be doubled in the next five years.” McGowan is skeptical that community resistance has been a stumbling block all along can be overcome so quickly.

Even OMH acknowledges this obstacle as well as the complicated and lengthy process required to open community facilities. But it also indicates that plans cannot be put on hold until full acceptance develops. In the meantime, a massive media and community education effort is already underway. Comments McGowan: “The state really hasn’t given enough detail about how they’re going to get from here to there...so it remains to be seen if their plan is workable.”

Kingsboro Psychiatric Center — one of many OMH facilities that is overcrowded and badly in need of renovation. But CSEA believes the state plans for the system may not be looking at reality...

CSEA believes that given the pressing needs of the mentally ill, a more gradual approach to the phase-down of the psychiatric centers, one which allows them to be converted into alternative treatment centers is the most realistic and responsible approach.

State’s own projections run counter to plan

The OMH reconfiguration plan calls for the phasedown of some psychiatric centers as community facilities open. But the agency’s own argument for reconfiguration makes a strong case for keeping the centers open and operating even as new community programs come on line, even though that is not OMH’s intent.

Among the state’s own points:

* As the “baby boom” population continues to move through adulthood, the natural prevalence of major mental illness will result in greater demand for care both in hospitals and the community
* ...the size of the elderly population in state mental facilities is decreasing and those that remain are living longer. Consequently the rate of inpatient census decline...has significantly declined and will continue in the future
* The growth in the criminal justice system results in a direct demand for mental health services...no other segment of the mental health care system has grown so rapidly
* Those being admitted are sicker, more hostile, less predictable, more assaultive...and more difficult to treat patients who require longer stays in inpatient care
* Evidence is growing nationally, that prospective payment systems are contributing to hospitals discharging patients “sicker and quicker”. As this system becomes fully implemented, state hospitals, as inpatient care of last resort face an upsurge in admissions
* There is an overall lack of community services for the seriously and chronically mentally ill, some of whom are in the community and some of whom are inappropriately served in an inpatient setting
* Multiple settings and auspices of care have often resulted in a fragmented system and a diffusion of responsibility and authority. In many areas linkages and coordination among providers are not present

8 THE PUBLIC SECTOR December 1, 1986
The Labor/Management Achievement Awards Program has been established as an annual event to acknowledge those employees who have actively committed themselves to developing effective labor/management relations. Jointly sponsored by the Civil Service Employees Association (CSEA) and the New York State Governor's Office of Employee Relations (GOER) and administered by the Committee on the Work Environment and Productivity (CWEP), the awards program honors persons who have extended themselves in promoting labor/management cooperation through various programs, initiatives and activities.

Individual Awards

Award Recipient
Woodbourne Correctional Facility
Lawrence Armstead
Dictating Machine Transcriber

NYS Dept. Tax & Finance-Buffalo
Jasinta Brown
Tax Compliance Agent I
John Licata
Tax Compliance Agent II

Dept. of Environmental Conservation
Robert Cross
Exec. Assistant to the Commissioner

Division of Parole - Central Office
Nellie DeGroff
Clerk
Jean Owens
Senior Clerk

Plattsburgh State Police
Nellie Derosier
State Police Communications Specialist

Mexico DOT
Earle P. Francis
Highway Equipment Operator

Westchester D.O.B.O.
Dominick Gentile, Director
Of Institutional Human Resource Management

Mid-Orange Correctional Facility
John Giglio
Telephone Operator
Raymond Pink
Motor Equipment Maint. Supervisor
Julia Meoli
CSSE President

Harlem Valley P.C.
Roseann A. Gilletti
Clothing Clerk

Pilgrim Psychiatric Center
Joan Johnson
EAP Coordinator

Manhattan Children's P.C.
Ray Johnson
MHTA II

Mid-Orange Correctional Facility
SK. Clair Payne
Secure Care Treatment Aide II

Local President
New Rochelle Department of Health
Thelma Jordan
Senior Stenographer

SUNY Plattsburgh
Elisabeth Lennon
Sr. Stenographer

Willard P.C.
Hugh McDonald
MHTA II

More winners—pages 10-11

A tearful Marie Carey, right, accepts a special Labor-Management award on behalf of her husband, Jack, while daughter Lisa looks on with Governor’s Office of Employee Relations Director Thomas Hartnett and CSEA President William McGowan. Carey, who is still recuperating from a serious injury, was honored for his years of dedicated service as CSEA’s Director of Collective Bargaining and more recently as Director of the joint Committee on Work Environment and Productivity (CWEP).
Regional winners, officers and management

CSEA Region VI

Frank Demetrio, Local CSEA Pres.

For his outstanding efforts and commitment to keep the New York State tax payer’s dollars in the local economy and to save jobs.

The Lee Johnson Memorial Award

Frank Zannetti, Local CSEA Pres.

Given in honor of Lee Johnson, Jr., of the former Mahoning County Board of Elections (now Mahoning County Board of Elections). Lee Johnson's involvement in the tax and finance department reflected a positive image of the tax department to the public.

Special Presentation Awards

Region I

Theresa Lapierre

For her efforts to develop a sober and productive Regional/Management Program Committee group created work to improve and maintain working relationships with the Tax and Finance Department.

Region II

Tony Calciano

For his outstanding efforts and commitment to improve the quality of work and customer service, and to promote collective bargaining and more open communication in the Tax and Finance Department.

Region III

Barbara Allen

For her outstanding efforts and commitment to improve the quality of work and customer service, and to promote collective bargaining and more open communication in the Tax and Finance Department.

Region IV

Larry Weiss

For his outstanding efforts and commitment to improve the quality of work and customer service, and to promote collective bargaining and more open communication in the Tax and Finance Department.

Region V

Jim Macara

For his outstanding efforts and commitment to improve the quality of work and customer service, and to promote collective bargaining and more open communication in the Tax and Finance Department.
Eligible state workers to get up to $500 in lump sum check paid next week

Under the CSEA/State Agreements for 1985-86, CSEA-represented state employees, in the Administrative Services, Institutional Service, Operational Services, and the Division of Military and Naval Affairs negotiating units, who meet the eligibility requirements, will receive a one-time lump sum Longevity Payment in a separate check sometime during the week of Dec. 8, 1986.

Eligibility requirements for the one-time lump sum longevity payment are as follows:

- Employees must have completed five or more years of continuous service at a salary equal to or above the job rate of the grades of the position which they occupied on March 31, 1986.
- Employees must have completed five or more years of continuous service at a salary equal to or above the job rate of the lower grade.
- The employee’s salary must be equal to or above the job rate of his/her grade and, who upon promotion to a higher grade received a salary equal to or above the job rate of the higher grade, will receive credit for service in his/her current position and for all service in the grade position between April 1, 1986, and March 31, 1987, and would have been eligible for the payment if they had been in the lower position on March 31, 1986, and remain in the lower grade position for at least six payroll periods as long as the demotion was not a result of disciplinary action.

Employees who received all or part of the $750 April, 1986, longevity increase added to base pay are not eligible for the $500 longevity payment in December, 1986.

The amount of the CSEA longevity payment for 1986 is in excess of the job rate can be counted towards the five-year requirement.

1. Employees who were full-time on March 31, 1986, and full-time employees who were on leave with partial pay or leave without pay will receive the full payment.
2. Employees who are part-time on March 31, 1986, will receive a pro-rated payment based upon their part-time percentage on March 31.
3. Part-time employees who on March 31, 1986, were on leave with partial pay or leave without pay will receive a pro-rated payment based upon their regular part-time percentage prior to the leave.

DIVISION OF MILITARY AND NAVAL AFFAIRS EMPLOYEES

Prior to June 13, 1985, these employees were paid in accordance with the Performance Advance Plans and salary schedules applicable to Management/Confidential employees. On July 1, 1980, and October 1, 1981, the job rates on the Management/Confidential Salary Schedules were increased by an amount greater than the percentage increases. These increases do not affect eligibility for the longevity Performance Award for employees who were receiving a salary equal to the job rate prior to the effective dates of the new schedules. A list of the Job Rates which an employee must have been receiving prior to June 13, 1985, in determining eligibility for the longevity Performance Award for employees who were receiving a salary equal to the job rate prior to the effective dates of the new schedules.
**Determined defense succeeds in Delhi**

DELHI — Determined union effort on behalf of Violet Hadley, a former Delaware County employee, has resulted in the CSEA member being credited for more than 15 months of county service toward her retirement.

Hadley, now in state service at SUNY Delhi, worked at the Delaware County Infirmary as a nurse’s aide under the Comprehensive Employment Training Act (CETA) program in 1975 and 1976. In August, 1976, Hadley left the CETA program and continued as a regular, full-time nurse’s aide at the county infirmary until July, 1977, when she began working at SUNY Delhi.

At some date prior to March, 1982, Hadley began her fight for retirement credit for her county service by writing to the New York State Employees’ Retirement System.

Hadley was later informed by the NYS Retirement System that no further action could be taken until Delaware County officials responded.

CSEA entered the fight in 1984 by approaching Delaware County officials on behalf of Hadley.

According to Jerry Phelan, CSEA field representative, Hadley’s problem continued unresolved until he requested CSEA legal assistance. CSEA Counsel Claudia McKenna started Article 78 legal proceedings last May to seek a court order directing the county to make the required retirement payments.

After county representatives were served with the legal petition, the county attorney indicated the CSEA move would not be opposed and he would order the County to make contributions to the retirement system on behalf of Hadley.

“There was no need for the case to drag on as long as it did,” Phelan said. “Violet Hadley did perform her county service, and was legally entitled to county contribution toward her retirement, but it was not until CSEA took legal action and Counsel McKenna began proceedings that things really began to move in the right direction,” Phelan continued.

**Huntington gains**

HUNTINGTON — Members of the Huntington School Clerical Unit of Local 870 recently settled a new, three-year pact retroactive to July 1.

Improvements were made in sick leave and the retirement incentive, there’s a new Agency Shop clause, plus respective salary increases of 7 percent, 8 percent and 8 percent; and adjustments to the base salaries in the first year of the contract.

The negotiations committee was headed by Unit President Ann McCrickert, along with Irene Spagana, Nancy Maul, Barbara Zlin, Grace Sherwood, Maria Abbate and Bee McKeown. Irwin M. Scharfeld, Collective Bargaining Specialist, acted as chief spokesman for the unit.

**Policy purged**

ALBANY — The New York State Public Employment Relations Board recently upheld charges by CSEA that the unilateral implementation of a disciplinary policy at the Orange County Home and Infirmary in October, 1985 was a violation of the collective bargaining contract.

Administrative Law Judge Denise Washington ordered Home and Infirmary Administrator Kenneth Carter to rescind the policy, to rescind any disciplinary actions and penalties imposed against unit employees and remove any record of these actions from the record of employees, restore lost benefits and wages with interest and to negotiate in good faith with CSEA regarding terms and conditions of the contract.

Although county officials argued that the policy “did not change either the steps of the disciplinary contractual procedure or the employers right to determine the standards for discipline for non-performance”, Washington emphasized that the policy “goes beyond such standards by establishing penalties to be imposed on any employee found guilty of infractions”.

**We’re your union at work for you!**

Arbitrator calls CSEA safe in employee “double-play”

HARRISON — One employee was transferred and another promoted in a unique “double play” achieved in two arbitration decisions.

According to Region III Attorney Arthur Grae, a maintenance mechanic from the Harrison School District retired. But when CSEA member Alfred Volpe applied for a transfer to the retiree’s position, and Adolph D’Imperio requested a promotion to Volpe’s job, both were denied. Instead, they contended, the job was given to an employee with less seniority and experience.

Arbitrator Jonathon Liebowitz ruled on Volpe’s grievance, deciding that because he was clearly senior to and had qualifications and training clearly senior over the appointee, that he should have been transferred to the district-wide position, and directed his immediate transfer.

Although seniority was not an issue in D’Imperio’s case, experience was. While a school district official admitted that he was aware that D’Imperio was a skilled carpenter, he testified that he felt that his talents would be a “detriment” because the grievant “would be less likely to be less compliant with directions from head custodians.

Arbitrator Steven Goldsmith pointed out that the testimony “is at odds with the official’s appointment of D’Imperio to replace Volpe” when Volpe was out of work for nearly seven months when he suffered a heart attack.

“Under these circumstances,” Goldsmith concluded, “I do not think there was a reasonable consideration of grievant’s qualifications and training including performance in carpentry, and find that in promoting the other employee, the district violated the contract.”

Hiring rate must be negotiated

MILLBROOK — Millbrook School District officials must negotiate a salary rate for a newly hired junior accountant, according to a recent arbitration decision.

When the school district hired a replacement for a resigning employee, officials offered her a higher salary than the previous account clerk.

Arbitrator Jonathon Liebowitz emphasized that although there existed no contractual contract provides for increases “based on rates of pay which are on record in the district.”

“It is clear,” he said, “that in unilaterally establishing a wage rate of one employee replacing another in a bargaining unit position,” that the employer violated the union’s exclusive representation status.”

December 1, 1986
CSEA’s 76th Annual Delegates Meeting in Niagara Falls is now history, but it goes into the books as among the more productive during the three-quarters of a century the union has been conducting them. As reported in the previous issue of The Public Sector, delegates changed the union’s Certificate of Incorporation to provide the delegate body with ultimate policy-making authority, approved the reappointment of a committee to review the delivery of legal services to CSEA, and approved the naming of a committee to study all other services of CSEA. Among numerous other actions taken by the delegates were changes in the union’s Constitution and By-Laws. Following are reports on some of those changes.

Delegates consider changes in Constitution, By-Laws

Perhaps one of the most closely watched proposed changes was one that never reached the meeting floor. As reported in the previous issue, a proposed By-Laws change that would have allowed the restructuring of the system and an increase in the amount of union dues paid by CSEA members, agency shop fee payers, and retired and associate members was withdrawn prior to consideration by the delegates.

But delegates did take action on a number of other proposals, including rejecting a plan that would have given members of the statewide Board of Directors a weighted voting system instead of a single vote for each Board seat.

Delegates approved a redefining of requirements for formation of locals in the Local Government Division, and approved changes in the text of the official oath of office for CSEA officers and Board members.

Approved as a first reading, and requiring subsequent approval before becoming effective, were such items as a proposal to exclude CSEA members who are also elected or appointed public officials from holding elected or appointed positions within CSEA; and restriction of any local, unit or region assessment of additional dues.

Delegates said “yes” to amending the eligibility of Judicial Board members to participate in Board matters related to that member’s region, but turned down a proposal to allow for reducing, if necessary, the length of the annual meetings. They also approved changing the name of The Human Rights and Minorities Committee to The Human Rights Committee, and redefined the nominating procedures for statewide offices and membership on the State Executive and Local Government Executive Committees.

Numerous other changes of the “housekeeping” variety were also approved.
DOMINIC SPACONE, above, is the new chairman of the Local Government Executive Committee of CSEA's statewide Board of Directors. He moved up from his post as vice chairman, replacing Mary Sullivan, who was elected CSEA's new statewide treasurer by the Board of Directors during the Annual Delegates Meeting. Sullivan fills the unexpired term of Barbara Fauser, who recently retired. Spacone is president of Niagara County Educational Employees Local 872 and is the Local Government Educational Representative from Region VI on CSEA's statewide Board of Directors.
When will I know?

Ten scholarship recipients and announce the winners by cant's character and abilities. Consider any recommendations or other evidence (e.g. high school activities or academic honors) of the applicant should write to:

AFSCME Family Scholarship Program
Attn: Education Department
1625 L Street, NW
Washington, DC 20036

What is it, anyway?
The AFSCME Family Scholarship Program is an ongoing program of scholarships available to children of active AFSCME members. Under the program, which commences with the 1987 academic year, ten (10) scholarships of $2,000 each will be awarded annually to high school students who meet the eligibility requirements. Once awarded, the scholarships will be renewed for $2,000 each year for a maximum of four years, provided the student remains enrolled in a full-time course of study.

A group of distinguished labor educators, from both academic and union backgrounds, will form a Scholarship Selection Committee. This independent committee will have the task of choosing the scholarship recipients.

Exactly who is eligible for scholarship?
Any graduating high school senior who is a daughter or son of an active AFSCME member, and who intends to enroll in a full-time four-year degree program in any accredited college or university, is eligible to apply for a scholarship. The scholarship may be used for any field of study.

How do I apply for a scholarship?

To apply for an AFSCME scholarship, an eligible student must do the following:
1) Fill out and send in an “AFSCME Family Scholarship Program application form;
2) Send in a completed “AFSCME Scholarship High School Report”;
3) Provide information regarding a parent’s AFSCME membership;
4) Submit a high school transcript;
5) Submit the results of either the Scholastic Aptitude Tests (SAT) or the American College Tests (ACT); and
6) Write an essay, not to exceed 1,000 words, on the subject: “What AFSCME Has Meant to Our Family.”

As one of the eligibility requirements, a candidate must take either the Scholastic Aptitude Test (SAT) administered by the College Board, or the American College Test (ACT) administered by the American College Testing Program. The applicant is responsible for registering for the test and for paying all fees for the test.

An applicant must have SAT or ACT results reported directly to the AFSCME Scholarship Selection Committee by the organization administering the test. On registration forms for the SAT, the scholarship applicant should write the AFSCME code number 3134 in Item 14. On registration forms for the ACT, a scholarship applicant should write the AFSCME code number 3134 in Block U. Using these AFSCME code numbers will insure that the applicant’s test results will be reported to the AFSCME Scholarship Selection Committee.

You must fulfill ALL of the following checklist to qualify

- Application Form
- High School Report Form
- Information regarding a parent’s AFSCME membership
- High School Transcript
- SAT or ACT Results
- Essay on “What AFSCME Has Meant to Our Family”

Note: For an applicant to be considered, he/she must submit ALL of the items on the check list, and be sure that SAT or ACT results are reported to AFSCME by the testing organization.
ALBANY — Recognizing the profound changes that new technologies are bringing to the workplace, the joint NYS-CSEA Committee on Work Environment and Productivity (CWEP) is taking a close look at what it means for state employees.

CSEA is interested in how the changes, even with all of their benefits, may affect the quality of worklife. The state meanwhile wants a central approach to implementing new technologies to get the best use with the least difficulty.

Both sides held a briefing recently at CSEA headquarters with Dr. Edward Hackett of Rensselaer Polytechnic Institute (above far left) to establish guidelines for study of the issue.

Hackett will undertake the project titled "Implementing New Technology in New York State Agencies". The study will examine technologies now in use in the state workplace, how effective they have been and what problems they may have caused.

The study will also look at questions about the proper training of employees to prepare them for working with the new equipment, changes it causes in work assignments, and its impact on job stress.

Says CSEA statewide Secretary Irene Carr (Pictured above right): "This is an issue that we take very seriously — workplace technology is changing every day and we have to know answers to the questions it raises before problems develop."

HAVING A BALL — They may not be the New York Mets, but this group of employees from Westchester Developmental Center enjoyed their twice weekly baseball games this past summer. According to Local 432 member Richard Colson, who is pictured here kneeling on the right with the baseball hat, the hats, T-shirts, jackets and baseball equipment were provided by a Work Enhancement Grant obtained through the Committee on Work Environment and Productivity. Sixty-seven employees participated on four teams.

What do you think is the most important function of a unit or local officer?

Where asked: Region III

Lee Rushford, Vice President, Westchester Developmental Center Local 432.

"Communicate between labor and management to alleviate problems."

Marge Harrison, President, Hudson River Psychiatric Center Local 410.

"To represent membership to the best of your ability."

Fred Nero, President, Mid Hudson Library Unit, Dutchess County Local 814.

"To get an education, so you can be an educated officer."

Paul Shutowich, Vice President, Greenhaven Prison Correctional Facility Local 185.

"Follow-up of grievances to make sure they’re taken care of."
Competitive Promotional Exams (State employees only)

APPLICABLE FORMS: Application forms for promotion candidates are available through your Personnel or Business Office. You may also obtain them by mail or in person at the following offices of the State Department of Civil Service:
- NYS Office Building Campus, 12239, 6th Floor, 2 World Trade Center, New York, N.Y. 10047; 6th Floor, Adam Clayton Powell State Office Building, 163 West 125th Street, New York, N.Y. 10027; or Room 303, 65 Court Street, Buffalo, N.Y. 14202. Specify the examination by its number and title. Mail completed application form to NYS Department of Civil Service, The W. Averell Harriman NYS Office Building Campus, Albany, N.Y. 12239.

APPLICATION FORMS—You may obtain application forms by mail or in person at the following offices of the State Department of Civil Service:
- NEW YORK—55th Floor, 2 World Trade Center 10047, or 6th Floor, Adam Clayton Powell State Office Building, 163 West 125th Street, 10027.
- LOCAL OFFICES, NYS Employment Service (no mail requests). When you request an application, specify the examination number and title. Mail completed application to NYS Department of Civil Service, W. Averell Harriman NYS Office Building Campus, Albany, N.Y. 12239.

Region II plans blood-lead tests

A screening to determine the levels of lead in the blood systems of CSEA members who worked in the World Trade Center Tower II during the Spring of 1986 when a high level of lead was discovered in drinking water between floors 45 and 62 is being sponsored by CSEA Metropolitan Region II.

CSEA Region President George Boncoraglio said free fingertip blood screening will be conducted at the CSEA Region II headquarters, 11 Broadway, 18th Floor, New York City, between 9 a.m. and 5 p.m. on December 17 and 18.

Appointments, on a first-come, first-served basis, may be made by calling CSEA at (212) 514-9200. Participation is entirely voluntary, but appointments must be requested by calling the union’s regional office between 9 and 4 p.m. not later than Dec. 10. The screening will be conducted by a physician who is an expert in environmental and occupational medicine and who is associated with Mt. Sinai Hospital.

Boncoraglio said CSEA will provide a memo to those employees who are required to turn in a written verification as to the reason for their absence during business hours on the day of the screening.

CSEA ACTIVIST Ted Merrit, right, winner of a recent Local 855 Tompkins County Unit membership campaign, generously turns his incentive award over to new member Mike Cahill, while Sue Bucrzinski, CSEA organizer, and Mike Loehr, second vice president of the county unit, look on. Merrit was responsible for signing more than 60 new CSEA members in a “Sign Up ’86” drive in Local 855 coordinated by Bucrzinski and Loehr.
JIM KURTZ: Jamestown Area Labor Council recognizes his union activities

JAMESTOWN — Jim Kurtz, Region VI treasurer, Chautauqua County Local president and long-time CSEA activist, has been recognized for his union leadership by the Jamestown Area Labor Council.

Kurtz has been awarded the George Ritzer Labor Award by the council, which annually presents it in memory of Ritzer, a veteran labor leader who died in 1980. The award is in recognition of lengthy sustained support of the cause of organized labor, by an outstanding labor leader in the community or county.

Lowery: Moving up ladder

John Lowery, president of Goshen Secure Center CSEA Local 554, has been sworn in as CSEA Region III third vice president, replacing Harold Ryan, who retired earlier this year. In the above photo. Lowery, second from left, is sworn in by Region III President Pat Mascioli. Looking on are Local 554 Secretary Nellie Swanson, left, and Local 554 member Chris Ragland, right.

New president for new local

CSEA Central Region President James Moore offers his personal congratulations and best wishes to Linda Fiorentino, recently appointed president of the newly-designated Local 181 Mid-State Correctional Facility at Marcy. Fiorentino a CSEA activist for more than 14 years, also serves as Region V treasurer.

THE GRIPPERS: All in the family

Union activism of the CSEA variety is a family affair for the Gripper family of Brooklyn. In photo at left, Jimmy Gripper, left, is being sworn in as first vice president of Brooklyn Developmental Center Local 447 by his cousin, Robert Gripper. Both Jimmy and Robert are elected members of CSEA’s statewide Board of Directors, holding two of the three Board seats allocated to Mental Hygiene Region II, and both are very active in Local 447. Jimmy is a former president of CSEA’s Metropolitan Region also. Jimmy says “the Gripper family is a labor family,” and notes he hopes to swear his son, Jarrad Gripper, into an office in the future. Jarrad, also a member of Local 447, is studying to be a shop steward and is taking courses in labor relations as well.

New guidelines have been established to strengthen and streamline operations of the State Insurance Fund’s Employee Assistance Program (EAP). Signing the new guidelines agreement on behalf of the union was CSEA Local 351 President Harriet Hart. Hart, right in the photo above, is shown with Registered Nurse Elise Solversen, an associate member of CSEA who is involved in the Fund’s four-year-old EAP project.

THE ORIPPERS; All in Union activism of the CSEA variety is a family affair for the Gripper family of Brooklyn. In photo at left, Jimmy Gripper, left, is being sworn in as first vice president of Brooklyn Developmental Center Local 447 by his cousin, Robert Gripper. Both Jimmy and Robert are elected members of CSEA’s statewide Board of Directors, holding two of the three Board seats allocated to Mental Hygiene Region II, and both are very active in Local 447. Jimmy is a former president of CSEA’s Metropolitan Region also. Jimmy says “the Gripper family is a labor family,” and notes he hopes to swear his son, Jarrad Gripper, into an office in the future. Jarrad, also a member of Local 447, is studying to be a shop steward and is taking courses in labor relations as well.
RALPH ZAPPIA — a success story

He leans on CSEA program to LEAP forward in life, and ‘it was real easy’

BUFFALO — For Ralph Zappia, gaining a quality education while holding down a full time job isn’t easy, but soon he’ll have an associate business degree, which he feels will be a “great leap forward.”

“I really feel thankful to our union,” Zappia said of CSEA’s Labor Education Action Program (LEAP), which provides state workers in Operational Services, Administrative Services and Institutional Services Units, Health Research Inc., SUNY Construction Fund and Division of Military and Naval Affairs with higher learning opportunities.

“This had quit attending Bryant and Stratton Business School in 1976 because my personal funds were low,” recalled Zappia, who works as a stores clerk in the chemistry department of SUNY-Buffalo, and is also a steward for Local 602.

“But I saw an article in The Public Sector in 1984, checked it out, and I was soon on my way to reaching my goal. It was really easy. First, I checked with our local and region offices, got the necessary forms, sent them in, awaited approval that came by return mail, and then registered at Bryant and Stratton. The forms are available from state agency training or personnel offices.

Zappia said he would highly recommend the program to any of his fellow members who are interested in completing their education.” I received a lot of good assistance from the local and the region, in getting it all together. It was really the catalyst to my returning to school.”

Presently enrolled in a marketing course, Zappia attends classes on Tuesday and Thursday nights, and is within 20 credits of completing requirements for his degree. “If I double up on courses, which I plan to do next semester,” declared Zappia, “I will finish up next year.”

I received a lot of good assistance from the local and the region, in getting it all together. It was really the catalyst to my returning to school.

RALPH ZAPPIA, above inspecting the chemistry department funnel stock, and right on the job at a computer terminal checking inventory.

Next LEAP class being notified

Notice will be sent to applicants next week for the Spring ‘87 Semester of CSEA’s Labor Education Action Program (LEAP), informing them of their acceptance or rejection for the upcoming semester.

If you are accepted for a LEAP course, there are a number of things you must do in order to comply with program requirements, including:

1) You are required to formally register with the school. You should immediately contact the school to verify registration requirements, location and date of your first class. If you fail to formally register with the school, they will not be permitted to hold a space for you and/or you may be responsible for the tuition for that course.

2) You will be required to purchase your own textbooks and related materials.

3) If you are accepted for a course at a community college, you will be required to obtain a “Certificate of Residence” from your county office building to prove county and state residence. Failure to do so may result in you not being allowed to enroll at the college, or you may be required to pay additional tuition charged to out-of-county residents.

4) No schedule changes may be made by the student or college without prior approval from LEAP. If you enroll in a course and/or section other than the one approved by LEAP, you will be responsible for payment.

5) If the course you are accepted for is cancelled after LEAP’s registration period, LEAP will not be able to reschedule you into another class. However, you will be given a higher priority when applying for a course for the Fall ‘87 Semester.

6) LEAP pays full tuition for any student who attends two out of the first three class sessions of the course. If you miss two out of the first three classes, you must drop the course immediately or you will be responsible for payment. If there are extenuating circumstances for missing classes, you must contact LEAP immediately after the third class to arrange continuation in the course.

7) If you must drop a course, you should immediately complete the required LEAP Course Drop Form, which is available from your agency training or personnel office. You must also follow the school’s official drop procedures in order to avoid being charged partial or full tuition by the school.

NON-COMPLETION FEE AND APPEALS PROCESS

A $25 fee will be charged to students who have attended at least two out of the first three class sessions and then drop their course. Students may pay the $25 non-completion fee, or file an appeal with the Appeals Board. Refer to the Spring ‘87 Course Announcement or the top page of the application form for further information about the non-completion fee and appeals process.

Questions concerning the program should be directed to:

CSEA/LEAP
145 Washington Avenue
Albany, N.Y. 12210
(518) 434-0191

LEAP offers tuition-free courses at two and four-year public and private colleges, BOCES and various state facilities across New York state. LEAP is available only to CSEA-represented state employees in the Operational Services, Administrative Services and Institutional Services Units, Health Research Inc., SUNY Construction Fund, and Division of Military and Naval Affairs. The program is designed to help increase upward career mobility in state service, and to generally improve the participant’s quality of life on and off the job.