McGowan labels proposed state budget 'absurd'

ALBANY — Members of the newly-appointed CSEA President-Task Force on Performance Evaluation held their first meeting in Albany January 23, hearing reports on how the rating system for state workers was supposed to have worked, and an admission from the state's Director of the Governor's Office of Employee Relations that the state miscalculated.

Marty Langer, Executive Director of the joint CSEA / State committee on Performance Evaluation, told the group that the intent of the system was good, but that poorly-trained management and confusion among the various levels of state supervisors caused the chaos of double-ratings and artificially-lowered categories. Bill McGowan, the Governor put the system into a state of suspended animation on Jan. 9.

Langer's fellow committee members, Marie Romanelli of Local 610 and Bill Chacona of Local 418, also answered questions for the Task Force.

Earlier, questionnaires about the problems with the system were mailed to all CSEA local presidents concerned. They will be analyzed by two committee interns, Alayne Katz and Eric Bertel, and the results released to Task Force members. In addition, the Task Force received additional questionnaires to use in interviewing people who had specific complaints about their ratings.

The Performance Evaluation System affected the 107,000 members of CSEA's statewide Operational, Institutional and Administrative bargaining units.

Sandy Frucher, director of the Governor's Office of Employee Relations, indicated that he was unaware of the system and that there was a lack of understanding on the part of supervisors regarding the definitions of each of the four adjectives used to describe performance, as well as the lack of a fifth rating category, caused his office to react somewhat violently. Frucher claimed that, where rat risk tolerance appeared to have been too high for any particular work force, his office indicated what numbers should have appeared in a normal statistical distribution and asked for further justification of all ratings higher than 'satisfactory.' Employees and managers alike then believed that a "quota system" had been instituted, despite Frucher's denials.

Task Force members will meet in Albany again on Feb. 7. Meanwhile, they are investigating all ratings-related complaints from union members, and will use their findings to help revise the plan and straighten out all problems before any future performance-rating system takes effect.

ALBANY — "Somehow I can't see our people being understanding of the state's fiscal problems when the Governor can afford to lay out millions of dollars on Executive Aircraft and the Governor's mansion as if this is just a mountain retreat in the Adirondacks."

That was how an irate William L. McGowan answered one reporter's question about how CSEA viewed Governor Carey's newly proposed state budget calling for broad reductions in personnel and an end to the loss of some 9,000 state jobs by April, 1981.

"Right now there are not enough employees to run this state effectively and efficiently, but there always seems to be money to buy helicopters to fly to the Olympics, or build a gym at the Governor's mansion, or hire more people at the Office of Employee Relations," the union president told newsmen.

"It's ironic that hundreds of our people have to go to war over this issue then that is exactly what we will do."

The "attrition" concept is a new one for the state, prior workforce reductions have been through mass layoffs but as a result of a study conducted by the Continuity of Employment Committee, a joint labor-management committee established under the former CSEA / State contracts, research proved attrition was the most humane and economical way to reduce a workforce.

McGowan made it clear, however, that the union will not accept the planned reduction because of the increasing burden it will place on already understaffed state operations.

"Our people are already being pushed beyond the limits in far too many areas from understaffing," Mr. McGowan said, "and talking about more cuts is absurd. If we have to go to war over this issue then that is exactly what we will do."

The union has publicly threatened to take any future performance-rating system into a state of suspended animation.

Meanwhile, they are investigating all ratings-related complaints from union members, and will use their findings to help revise the plan. Meanwhile, they are investigating all ratings-related complaints from union members, and will use their findings to help revise the plan and straighten out all problems before any future performance-rating system takes effect.

Annual legislative seminar scheduled

ALBANY — CSEA's annual Legislative Seminar especially designed for members of local and unit political action committees is scheduled for Saturday, February 2, at the Empire State Plaza Convention Center in Albany.

Several hundred CSEA activists are expected to participate, according to Bernard Ryan, CSEA Director of Legislative and Political Action. But, he noted, a high percentage of letters containing information on the seminar and registration forms were not delivered by the postal service.

Reports also uncovered a $100,000 appropriation to "fix up" the executive retreat at "Top Ridge" in the Adirondacks, a sprawling mountain resort which will serve as the Governor's base of operations during the Olympics. At the same time that this boondoggle was underway, CSEA was working out a memorandum of understanding to provide decent living facilities for the hundreds of state workers who volunteered to go to Lake Placid next month to make the Olympics a reality.

"A lot of people still believe that our members do nothing more than numbers that can be added or subtracted from the payroll without any effect," Mr. McGowan said. "These Olympics are a perfect example of the kinds of impossible jobs we are called upon to do daily. What would happen if our people suddenly decided that they didn't want to put on the Olympics and went home?"
Informational session held for Judiciary Local members

WEST SENeca — It might have been the first time that members of an audience hoped that the speakers would be full of hot air.

The occasion was a recent informational meeting for members of Judiciary Region 6 CSEA Local 335 members concerning the tentative contracts covering 3,800 employees of the Office of Court Administration across the state. But, as the adjoining photos illustrate, a malfunction in the room’s heating system left the audience cooling their heels and a whole lot more.

CSEA Collective Bargaining Specialist Patrick Monachino conducted the chilly meeting, one in a series of informational sessions being held across the state prior to sending out ratification ballots to members.

Pact within guidelines

NEW YORK — Chief Administrative Judge Herbert B. Evans announced on January 16 that the Federal Council on Wage and Price Stability has determined that a tentative three-year collective negotiating agreement between the State Judiciary and the Civil Service Employees Association, Local 1000, AFSCME, AFL-CIO, is within the President’s wage guidelines.

The union represents about 3,000 nonjudicial employees in the Unified State Court System.

When ratified by the employees, the new agreement will provide increases that are substantially similar to increases negotiated for employees in the State Executive Branch.
holidays are paid holidays, Martin Luther King Day on Jan. 15 and Flag Day on June 14. Gaba said the unanimous court decision was made during the second week of January, and the county has 30 days from then to seek the permission of the State Court of Appeals to appeal the Appellate Division decision.

He said once the county exhausts its appeals, the union will demand the employees involved "be made whole" back through 1977, and will go to court if necessary. Local 830 President Nicholas Abatiello said those employees who took the days off will be entitled to additional days off and that those employees who worked will be entitled to holiday pay of one day's pay plus time and a half for each day worked.

Abatiello, in a Martin Luther King Day message, said: "A year from today, when we meet again to honor the work and memory of the Rev. Dr. Martin Luther King, we CSEA members will be attending the ceremony on our paid holiday. "Thanks to the recent actions of the New York State courts, Martin Luther King Day will be our paid holiday.

"One of the most interesting aspects of our union's successful quest of this holiday is that we did it the way Dr. King would have done it, had he still been among us.

Dr. King knew his cause was right. He knew by exercising the legal remedies available, right would win in the end. This is how CSEA acted during the past two years to achieve this holiday for you."

**Dozen Ithaca layoffs stopped**

ITHACA — CSEA Local 855 has managed to prevent the immediate layoff of as many as 12 City of Ithaca public works employees.

Local 855 President Lou Nayman, backed by the presence of more than 85 DPW employees and Unit President Gordie Morgan, spoke before the city's Common Council recently and persuaded the aldermen to keep the full roster of DPW employees at least until March 1. He argued the need for high-quality, essential services as they are being provided by city employees.

The recommendation for layoffs came as a result of a budget squeeze and a consultant's report which questioned the need for the present system of public works services. Although that report recommended reduction of staff by attrition, it was the catalyst for the move to lay off city workers and contract out services to the private sector.

Nayman argued the aldermen of the legal and practical consequences of contracting out. He emphasized the need for public control of essential services as well as flexibility to meet emergency needs as they arise. The City of Ithaca has had major flood problems for the past several years. Layoffs would only mean an increased dangers to life and property.

After several back-and-forth meetings, the Council followed Mayor Raymond Bordone’s suggestion, and voted 5 to 4 to prevent any layoffs prior to March 1. They also accepted the union’s suggestion that the City’s tentative budget and the consultant's report be reviewed by CSEA / AFSCME staff with an eye towards possible savings in order to prevent any layoffs in 1980. Discussions have already begun on the whole matter. The majority of aldermen have thus far acted on their position, stated in any layoffs in 1980. Discussions have already begun on the whole matter. The majority of aldermen have thus far acted on their position, stated in any layoffs in 1980. Discussions have already begun on the whole matter.
Enjoin plan

ALBANY — The Appellate Division of State Supreme Court has enjoined the operation of a prepaid legal services plan operated by Blue Crest Plans, Inc. of Hartsdale, N.Y., on the grounds that the plan was legally an insurance plan and no license to operate the plan had been obtained.

The unanimous decision reversed a lower court's decision that it was proper for the Blue Crest Plans to sell prepaid legal services to members of a Staten Island Union.

Several unions have been involved in plans in the past where a firm sells policies providing prepaid legal services to union members. This case, however, dealt with direct sale of policies to individuals.

In making the determination, the court said that because of the nature of a plan of the legal services offered constituted insurance within the meaning of the State Insurance Law and since the plan had not obtained advanced approval for such insurance from the state, a permanent injunction barring use of the plan was required.

CSEA locals wishing to check on proposals of prepaid legal services should research these proposals prior to implementation through the office of CSEA Chief Counsel James W. Roemer, Jr., at CSEA Headquarters, 33 Elk St., Albany, N.Y., 12224.

Albion contract reopened

ALBION — Workers of the Town of Albion represented by Orleans County Local 837 of the Civil Service Employees Ass'n have received an extra $25 per hour raise, effective January 1, 1980, as a result of the successful reopening of their contract by CSEA Collective Bargaining Specialist Danny Jinks.

Jinks argued that the previously negotiated raise of 30¢ per hour was insufficient because of the current rate of inflation.

The Town board agreed and thus the worker’s raise is 55 cents per hour.

KEEP CSEA INFORMED ON MAILING ADDRESS

In the event that you change your mailing address, please fill out the below form and send it to:

CSEA, Inc. P.O. Box 125, Capitol Station, Albany, New York 12224.

This form is also available from local presidents for CSEA members, but is reproduced here for convenience.

Change of Address for 'The Public Sector'

Please allow 3-4 weeks for change to take effect.

My present label reads exactly as shown here (or old mailing label)

Name
Street
City
State
Zip.

MY NEW ADDRESS IS:

Street
City
State
Zip.

Agency where employed
My social security no.

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Fund growth modest, surge predicted

By Deborah Cassidy
Staff Writer

COLONIE — Changes are continually being made in the policies of the Civil Service Employees Assn. administered Employee Benefit Fund, established in July, 1979, as the result of contract negotiations between the union and the State of New York.

The EBF, which provides dental and prescription benefits for all members of the administrative, institutional and operational state CSEA bargaining units, is also open to employee groups in political subdivisions. These groups, says Thomas P. Collins, Director of the EBF, may get into the plan through collective bargaining, with the employer paying the necessary cost of participation.

Fund membership has increased modestly in the last few months with the inclusion of such groups as Youth Support, Inc. and the State University Construction Fund. And the number of participants is expected to grow drastically over the next year as more large counties join.

Collins and Assistant Director Thomas J. Linden are currently working with the trustees of the Fund to establish several new plans for the future to meet the varying needs of the members in the political subdivisions, Linden indicated. They expect to have a minimum of three kinds of benefit plans "There must be a low cost entry plan for those who have none, and better plans to attract those who already do," said Collins.

The forms for filing dental claims with the EBF have been revised, making it easier to read and understand. The new forms, added Collins, will be more readily available than in the past, and may soon be distributed through all CSEA Locals and agency personnel offices.

Employees who go on leave of absence without pay for no more than a year may now retain their coverage by making direct payment to the Fund on a quarterly basis. Several hundred employees in this situation have taken advantage of this option already, Collins pointed out.

A recent reduction in the waiting period for coverage from 90 to 28 days is another improved feature. This means when an employee transfers from another health plan to the EBF, the first plan remains in effect for 28 days and the fund immediately becomes effective at the end of this period. In addition, coverage continues on the EBF for 28 days after an employee leaves his government service due to termination, retirement or death.

"This is especially good because it allows an employee or a dependent to finish up any dental work that may have been started during the life of the plan," explained Linden.

In the early stages of the program, payment of claims was slow. In recent months, however, Linden noted, the average time for payment has been between five days and two weeks. Only 20 percent of the claims are now being held up, he said, and this is because the forms must be mailed back to a member or dentist who forgot to sign them. To date, according to Linden, over 40,000 claims have been paid.

The EBF has readily gained acceptance among dentists, especially among group dental practitioners, says Linden. The employees are generally satisfied with the program, and any complaints they have made were immediately investigated by a Fund representative. "Members who feel their claim has not been adequately covered may follow an appeal procedure to have it reviewed. In many cases we have reconsidered and increased our payment," Collins said.

Collins encourages employees to take advantage of this benefit. While the utilization rate is not drastically low, he noted it could be higher. "It's here, it's free and we want everyone to use it," he commented.

A new pamphlet offering general information and providing answers to the ten most asked questions about the Fund is now being prepared and will soon be mailed to all EBF members.

THOMAS J. LINDEN, Assistant Director of EBF, is available to meet with political subdivision groups to discuss how they may participate in the Employee Benefit Fund.

Fund representatives available for meetings

COLONIE — Members wishing to know more about the operations of the Employee Benefit Fund are invited to stop into the office at One Park Place, just behind 80 Wolf Road in Colonie.

Inquiries may also be made by mail, and will be promptly answered.

Thomas J. Linden, Assistant Director of the EBF, will attend political subdivision meetings to explain what the fund offers, how to get into it and to answer questions. He said he will also participate in collective bargaining sessions to address employers.

Local presidents may call him at 459-5463 or 4.

Special notice to State employees:

The CSEA Employee Benefit Fund is notifying all employees in the state's Administrative, Institutional, and Operational bargaining units that Dental Insurance Forms are now available by mail. To receive your form as soon as possible, complete the following information coupon and send to:

EMPLOYEE BENEFIT FUND

1 Park Place

Albany, New York 12205

(Please print clearly)

Name:

Address:

City:

State:

Zip:

THE PUBLIC SECTOR, Wednesday, January 30, 1980... Page 3...
By Dawn LePore

ROCHESTER — The state’s performance evaluation system, the political action effort and the continuing problem of member unity were major topics of discussion at the CSEA Region VI meeting held January 11 and 12 at the new Marriott Airport Hotel here.

The meeting was sponsored jointly by the Rochester City Local 612, the Country Local 819, the Monroe Developmental Center Local 505, the Genesee Canal Local 594, the Transportation Region 1 Local 598, the Orleans School Local 102, and the SUNY at Brockport Local 601 and the Monroe County Local 828.

The performance evaluation system is not dead, but it is very clearly dormant,” said Marty Langer, Executive Director of the Work Environment and Productivity Committee. He explained that no more employees are to be evaluated until the plan is revised to include better training for evaluators and a more equitable award system.

He added that an investigation of the abuses in the program was being conducted. Langer emphasized that all employees who have been given outstanding ratings will be paid bonuses, according to state assurance to that effect.

Marie Romanelli, a member of the committee that helped put together the program, admitted that there were weaknesses in the program, but urged support of the concept.

“I believe, as a state employee and a local president, in the type of concept we negotiated,” she said. “It isn’t perfect and probably never will be 100 percent. We want to address the inequities, but we need time. If you don’t give it time, along with your cooperation, you’ll only hurt yourself.”

During the afternoon general business meeting, Demetrio Savarino, co-chairman of the region’s political action committee, stressed the importance of every local having its own PAC. Each local would then have a representative on the regional committee, he said.

“I don’t expect the legislators to give us anything.” Savarino said. “We are currently 80 anti-labor groups across the country lobbying in Congress. If Congressmen get elected that are anti-labor, the bills that will be passed will be anti-labor.

“If your local doesn’t have a committee,” added Region President Robert Lattimer, “the political action fund will not entertain any request for money from your local.”

In regard to a letter sent to locals two months ago requesting their suggestions for staffing bargaining unit committees, Lattimer noted that many, including five mental health facilities, had yet to respond. In addition, a questionnaire on how to improve region services handed out during the last region meeting was also met with poor response, he said.

Public Sector reporter Dawn LePore addressed the group of 30 concerning the importance of good communication between local officials and the newspaper.

Unless we’re notified by you as to what’s happening in the region, we’re not able to provide the coverage the region deserves in the paper,” she said. Le Pore repeated her request made earlier this fall to be placed on the regular local mailing lists.

On other issues:

— CSEA President William McGowan reaffirmed his intent to work toward implementation of OBSA safety standards for all public employees, in the state.

“J want OBSA not only for state employees or political subdivisions. I want it for all of our people, and that means one hell of a fight,” he said. “Our people deserve a safe place to work.”

CSEA staffer Jack Gayy urged that locals have their grievance representatives on their own standing Board of Arbitrators, participated in the mock arbitration session. The program is open to students and is held on an education program.

Field Dunnigan, a member of the board of Arbitrators, participated in the mock arbitration session.

Arbitration

ROCHESTER — Combining a rare mixture of information and entertainment, a mock arbitration session highlighted the Friday evening session of the recent Region VI meeting held here.

Members of the audience responded enthusiastically to the program, written by Regional Director Lee Frank. The session detailed the grievances of an employee of an imaginary facility, discharged because of the alleged physical abuse of a retarded client there.

Tongue in cheek performances were turned in by Region VI field reps Bob Young as the employee and Tom Ponomare as the client. Wally Smith was Steve Wiley and Jim Hancock represented Frank.

The session ended with a very happy ending, to the delight of the audience.

Regional Atty. Jim Hancock, left, and Region VI field rep Tom Pomidoro, right, helped conduct session on arbitration.
Challenge Niagara Parks work week change

By Dawn LePore

NIAGARA FALLS — Since Thanksgiving Day, management at the Niagara Frontier Parks has imposed a four-day work week upon employees, in apparent violation of Article 32 of the state contract.

"They implemented this figuring that no one would say anything," said Joseph Fabiano, President of CSEA Local No. 104. "The office said it was mandatory, although Article 32 says that work hours can't be changed without the consent of employees, except in an emergency. And this wasn't an emergency."

The order, by Parks Commissioner Mario Pirastru, requires about 70 employees to work ten-hour days, beginning at 7 a.m., Monday through Thursday, until March, when the normal working hours would be resumed. "This whole thing causes a lot of problems for people who have young kids at home or for some who have two jobs to make ends meet," Fabiano said.

"Pirastru's action is unconscionable," said Robert Latimer, CSEA Region 6 President. "He blatantly ignored all protocol by choosing to violate a negotiated contract. And the Department of Employee Relations has also out-stepped bounds by refusing to tell an appointed official to follow that contract."

A contract grievance — currently in second stage — filed at the beginning of December demands that the work week be changed back immediately and that employees be paid at one-and-a-half times the regular rate for all hours over eight, as well as providing for the return of any accruals used for those extra hours.

In addition, a non-contract grievance has also been filed, in regard to a interpretive memo, from the Office of Employee Relations, on the subject of Article 32. Dated March 1, 1978, the memo includes guidelines on how to establish alternative work schedules.

"We maintain that any consultation of the employees (as required by Article 32) was not recorded properly and submitted with any other appropriate materials to the Office of Employee Relations," said Danny Jinks, Region 6 collective bargaining specialist.

"Pirastru and the Niagara Parks Commission have gone into this project without sufficient information to determine the impact on employees and their families and the work to be accomplished in the winter season," he said.

"Their contention is that you can save energy. We think that the energy saved will be minimal compared to the inconvenience of the employees involved."

"When we questioned Pirastru and Bradowski (Assistant Parks Director) as to whether they had done a feasibility study on the productivity of employees working more than eight hours, they said 'No.' Jinks said. "Our research into such studies show that productivity of employees, because they're tired, drops drastically between the eighth and tenth hour."

"It seems to us that this shows the change in work week to four days was nonsensical and a waste of taxpayers' money."

In 1980 all CSEA members and their families will be going to the polls to elect a new President of the United States. With the increasing financial role of the federal government in state and local government finances, Presidential politics has become an ever increasing focus of attention for public employee unions.

In an effort to monitor the attitudes of its members in this vital election year, CSEA is conducting a straw poll to get an indication of the Presidential preferences of its members at the outset of the campaign. Your participation will help CSEA assess the attitudes of our membership to the candidates to help the union monitor the changes in attitude of our members, if any, during the campaign.

To participate, check the boxes to the left of candidates to indicate if you recognize their names. Then pick one of the candidates which you feel you would vote for if the election were held today. Mail your straw poll ballot to: CSEA Straw Poll, 33 Elk Street, Albany, N.Y., 12207. You'll be helping your union deal with the demands of presidential politics and you'll be helping reflect the true voter strength of the candidate that you would like to see become the next President of the United States.
AMSTERDAM — Nearly two years of heated and sometimes discouraging contract negotiations between the Greater Amsterdam School District Aides Unit of the Civil Service Employees Assn. and the school board have ended in a three year agreement containing a salary increase and some additional benefits.

The new pay schedule, which serves only to bring salaries for teacher aides up to federal minimum wage standards for each school year from July 1, 1978 to June 30, 1981, has been broken down as follows: a 15 cent increase to $1.90 per hour, retroactive to July 1, 1978; 20 cents more per hour for the year 1979-80, retroactive to July 1979, and 25 cents per hour more for July 1980.

"Naturally we are glad to see the salaries raised to minimum levels, but we still must take into consideration the fact that our salaries remain below those paid to aides in other area school districts," commented Barbara Case, president of the CSEA unit.

New benefits include an additional sick day for each of the last two years of the contract, a total of three days per year for bereavement leave and holiday pay for Christmas Day.

Charles Demartino, Suffolk County CSEA Local 852 Building and Grounds Unit President, has been appointed to the CSEA-County Salaries and Appeals Board. The appointment of the union representative on the board was made by Local 852 President Ben Boczkowski.

SAFETY DISCUSSION — Members of the CSEA Long Island Region I TIE (Training, Information, Education) Committee listen as CSEA safety expert Nels Carlson, right, discusses safety issues and the need for OSHA legislation to protect public workers. From left are committee members Robert Ford, Jerry Brooks, Jim Forsyth, chairman Greg Sznirski, Region I President Irving Flaumenbaum, and Carlson.

NEED HELP?
The Employee Assistance Program (EAP) is a free CONFIDENTIAL counseling service established by CSEA under a special financial grant from the New York State Division of Alcoholism and Alcohol Abuse. It is being made available to any employee who needs help with a personal, family, medical, emotional, alcohol or drug related problem. For further information and the name of a program coordinator to contact, call the toll-free "800" number. All calls and interviews are strictly CONFIDENTIAL.

The Employee Assistance Program has a new address, new office phone number, and a new toll-free "800 hot line" for public employees to call if they have alcohol, drug or family-related problems that is hampering their work performance. The EAP's new office is located at 1215 Western Avenue, Albany, N.Y. 12203; the new office phone number is (518) 438-6821, and the new hotline is 1-800-342-3565.

William L. McGowan
President, CSEA

John C. Quinn
Director, EAP
Tomkins airport upgrades

Three positions at the Tomkins County Airport have been upgraded due to the efforts of Local 855 of CSEA. The airport workers perform essential, complex, and potentially hazardous jobs in maintaining the crash rescue fire equipment at the busy facility. These duties were outlined in detail in the Sept. 19, 1979 issue of The Public Sector, as was their struggle to obtain better compensation.

John MacLean, airport worker and CSEA officer, was gratified by the decision. “With the cooperation of Airport Manager John Joubert, CSEA was able to go to bat for us and deliver the recognition we felt we needed. It was a wonderful holiday event.” Local 855 officers also noted the help given by The Public Sector’s coverage of the issue of The Public Sector, as was noted the help given by The Public Sector’s coverage of the...
**Dutchess County workers nearly didn’t get paid**

POUGHKEEPSIE — The 1,100 members of the Dutchess County Unit of CSEA Local 814, innocent victims of a political tug-of-war within the county government, nearly didn’t get paid earlier this month.

A "last minute" settlement on Jan. 15 between the Democratic county executive, Louis F. Campion, and the Republican-controlled County Legislature paved the way for the issuing of pay checks on Jan. 18, Unit President C. Scott Daniels reported. The settlement came at a meeting of the legislature.

Prior to the Jan. 15 settlement, County Comptroller Paul W. Hackett said he would not certify the paying of county employees, Daniels said.

The political dispute, of which the county unit was not a participant, involved a county ordinance authorizing the payment to county employees which the executive and the legislature could not agree on, Local 814 President Ellis Adams said.

**Brotherhood day set**

NEW YORK CITY — The 27th annual Brotherhood Observance of the New York State Employees Brotherhood will be held Feb. 7 at the Hotel Roosevelt in New York City.

Among the 13 sponsoring organizations of the Observance are two CSEA locals, New York State Local 010, and Department of Labor Local 350.

At the observance, the Benjamin Potaker Brotherhood Award will be presented to New York State Lieutenant Governor Mario Cuomo.

**Calendar of events**

**JANUARY**

30 — CSEA Armory Committee meeting, 2 p.m., State Armory, Rome.

**FEBRUARY**

2 — CSEA Legislative Seminar, Empire State Plaza Convention Center, Albany, 9 a.m.

6 — Westchester County Local 850 Executive Board Meeting, 7:30 p.m., 196 Maple Avenue, White Plains.

6 — Legislative breakfast, 8 a.m., Quality Inn, Albany.

6 — Metropolitan Region II Mental Hygiene labor-management meeting, 10 a.m., World Trade Center, New York City.

7 — New York State Employees Brotherhood Committee and annual observance, 8:30 a.m., Roosevelt Hotel, New York City.

16 — Fulton County Local 818 dinner-dance, Eagle's Club, Johnstown.

29-March 2 — Region V Convention, Hotel Syracuse, Syracuse.
Outrageous residential tax increases likely without classification system

The following testimony was delivered by CSEA Statewide Secretary Irene Carr before the New York State Senate Finance Committee and the Assembly Task Force on School Finance and Real Property Taxation Committee on January 17 in Binghamton.

Mr. Chairman, members of the Senate Finance Committee and the Assembly Task Force on School Finance and Real Property Taxation Committee, other participants and guests, I am Irene Carr. I am the Statewide Secretary of the Civil Service Employees Association, Local 1000; AFSCME AFL-CIO. Because CSEA represents both employees of the State of New York, but also employees of the numerous political subdivisions and school districts across the state, CSEA is vitally interested in this issue.

I would like to start out by thanking the Assembly Task Force for sending, to the directors of CSEA, copies of its September, 1979 study entitled "An Analysis of Public Policy Approaches to Classification". This study concludes, as a basic statement of policy, that many individual home owners will experience large tax increases if the problems raised by the Hellerstein decision are not alleviated by legislation. I agree with that conclusion, and speak in support of a statewide classification system.

I must start out by noting that, while CSEA agrees with the conclusion of the Assembly study that there ought to be a classification system, there is unanimity of opinion on this issue. For example, I note that the report of the temporary state commission on Real Property Tax, which was issued in March, 1979, concludes that there should be neither classified tax rates nor classified assessments.

I confess that I had some difficulty understanding the rationale utilized by the committee in reaching that conclusion. For example, the study does not attempt, as does the Assembly study, to predict the effects of full valuation without classification where there is a high ratio of business taxpayers to residential taxpayers. Instead, the committee merely concludes that classification is likely to have the effect of increasing, relatively, the business tax burdens, and decreasing residential tax burdens. It concludes that, because business may pass such tax increases on to consumers, the view that classification provides tax relief to the residential class is more illusory than real. It further concludes that an increase in business taxes will discourage business and industry from locating in New York State.

This analysis fails to meet the basic issue. In general, classification will not have the effect of increasing business taxes. It will have the effect of continuing a system of tax allocation which existed in New York State for 200 years prior to the Hellerstein decision.

The old bromide about "keeping business in New York" is a transparent attempt to propose a simple and politically palatable solution to an extremely difficult problem. Unfortunately, the shift of the tax burden, which will occur in 1981 under a classification system, is adopted, is a real problem which is neither cured nor addressed by the report of the temporary state commission.

I confess, however, that the movement to full evaluation, without a system of classification in Otsego County has not resulted in the extreme tax shifts predicted by the Assembly committee.

Within Otsego County, the city of Oneonta went to full value assessment in 1975. The reason for making that decision was, I understand, at least partially because business was not paying its fair share of taxes on real property owned within the city of Oneonta.

The September, 1979 report of the Division of Equalization and Assessment, which contains a discussion of full value programs during the 1979's, points out that the following Otsego County towns had also filed a full value assessment role between 1970 and 1979: Butter nuts, Decatur, Hartwick, Middlefield, Milford, New Lisbon, Otsego, Springfield, Westford.

It is my understanding that none of these movements to full valuation occasioned a shift of any substantial measure in the burden borne by one class of taxpayers as opposed to the other.

If I believed that the experience in Otsego County would be indicative of the experience in other areas across the state, I would not be here testifying. Unfortunately, it is impossible to predict, from the experience in Otsego County, what full value would bring to other taxpayers around the state.

Because CSEA represents employees in every county of this state, and because I am a statewide officer of CSEA, therefore, it would be inappropriate for me to limit my remarks to Otsego County.

In New York City, residential taxpayers in the borough of Brooklyn cannot be expected to tolerate a tax increase of 104%, and those in the borough of Queens certainly cannot be expected to tolerate a tax increase in the amount of 139%.

Outside the city of New York, the increases in residential taxes are less dramatic, but still outrageous. In the selected cities and towns, the increases range from 17% in Niagara Falls to 53% in the town of Cheektowaga. The average increase in residential property taxation rates for the selected cities and towns in the Assembly study averages 27%.

There is, of course, no reason for such a dramatic shift to residential taxpayers, and a veritable windfall to business and commercial taxpayers. Such a shift will cause a taxpayers' revolt, and will not result in providing a single additional dime to the taxing authorities.

I will not report here CSEA's choices on the policy question presented by the report issued by the task force on school finance and real property taxation. Those choices will be discussed and evaluated, in a general way, by Irving Flaumenbaum at the hearing in Mineola, and I am fully in accord with his views.

My purpose is to caution that the experience of Otsego County with full valuation will not, because of the property mix, be the experience of other areas of the state. The fact that there has not been a problem in Otsego County does not mean that there will not be a problem elsewhere.

I believe that the problem must be and will be solved before 1981. It will be solved after these hearings have been completed, and the views expressed in them have been analyzed.

I stand ready, as does CSEA, to help in any possible way. I commend the committees for their careful and detailed consideration of a very complex issue, and impressive schedule of joint public hearings.

Lastly, I thank you for the opportunity to present this testimony.