ALBANY — Headlines in an Albany newspaper labeled May 5, 1983, the state’s “D-Day” — the day employee layoffs became a reality. But for CSEA President William L. McGowan, the infamous date was more akin to Pearl Harbor Day. Some 1,300 state employees were laid off, with more scheduled to lose their jobs later in May, even though nearly double the expected number of employees had signed up for early retirement.

“We endorsed Mario Cuomo for governor because we believed in him,” an angered CSEA President William L. McGowan said. “We listened to his words and we believed them. But those words sound hollow to us now and to the thousands of state employees who are being laid off.”

In January, the new governor rejected a call to the state to renegotiate contracts with public employee unions, saying: “We have a tendency to scapegoat unions. It’s not fair.”

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President McGowan cited the governor’s words adding: “Once again, public employees are being made the scapegoats, and it’s no fairer now than the governor thought it was five months ago.”

In his January State of the State address, the governor noted: “Over the past decade, public workers retired, the need for layoffs would be reduced accordingly. Subtract 4,200 from the 7,200 who signed up for early retirement, and you get 3,000. So why are 1,300 people getting laid off now and another 2,000 by the end of the month?”

Yet only until this past year has the state's understanding was clear: if more than 4,200 workers retired, the need for layoffs would be reduced accordingly. Subtract 4,200 from the 7,200 who signed up for early retirement, and you get 3,000. So why are 1,300 people getting laid off now and another 2,000 by the end of the month?" President McGowan questioned. "Where did the governor learn his math? It’s a question we’ve been putting to state officials, and we’re not getting acceptable answers."

"State officials have been publicly admitting that down the road the ‘numbers will work out. They’re assuring everyone that most of the people being laid off will be back at work before you can say ‘lag payroll.’"

(Continued on Page 5)

ALBANY — CSEA’s number one legislative priority will be triggered into action this week, as the union’s Political Action Liaisons (PALS) embark on an extensive lobbying campaign to repeal the controversial Tier III retirement system. As the Public Sector was going to press, more than 200 PALS were joining forces with the state’s other key labor unions, members of the Public Employee Conference (PEC), in an all-out effort to eliminate the grossly unjust Tier III pension system.

"The key to this lobbying effort is that all the members of PEC, including CSEA, will be repeatedly appealing to the legislators in their district offices — where their opinion really counts," noted Bernard Ryan, CSEA’s political action director.

"After eight or 10 visits from such unions as CSEA, the Teamsters, the New York State United Teachers, to name a few, we’re hoping the horrendous unfairness of Tier III will finally be recognized," Ryan added. The Tier III system, technically known as the Coordinated Escalator (CO-ESC) plan, has been the subject of heated controversy since its inception in 1976. The plan is scheduled to expire on June 30 of this year.

Yet only until this past year has the state Legislature taken a second look at such a subject as the plan’s Social Security offset and the 3 percent contribution factor. PALS will be concentrating on these two factors when they lobby their senators and assembly representatives, Ryan said. These

(Continued on Page 3)
ALBANY — Newly-appointed Department of Transportation (DOT) Commissioner James L. Larocca said he is “sympathetic to the concerns” of the 164 full-time employees of the state barge canal slated for layoffs under Gov. Mario M. Cuomo’s proposed Executive Budget.

At his senate confirmation hearing last week, Larocca, formerly the state’s energy commissioner, was asked only one question: “What is the commissioner’s position on the barge canal?”

Larocca responded by noting the layoffs are largely a budgetary matter. His verbatim reply: “The barge canal was especially hard hit in the budget cycle this time. To the extent I’ve been able to examine it, the canal will be able to operate with some reduction in the recreational hours in certain of the locks, but the principal concern that this group has is that a number of positions were converted from permanent to seasonal employees and I am sympathetic to the concerns they have. I’m not sure that all of that sympathy can be converted to remedy all of the consequences of this budget we just went through.”

The layoffs reflect a 35% reduction in the New York State Barge Canal maintenance workforce, a “cost-effective” measure which CSEA says could ultimately pull the plug on the 158-year-old canal system.

“Most of this equipment is sixty to seventy years old, and requires constant attention during the winter months,” says Joan Tobin, president of Local 687 and a DOT representative on the union’s Board of Directors.

“To lay off these workers in December when the canal officially closes and require them as ‘seasonal’ the following May amounts to nothing more than planned obsolescence,” says Tobin, who has been meeting with state DOT officials since the layoff measure was announced.

Albany — A bi-partisan group of senators whose home districts adjoin the state barge canal have issued a formal letter of protest to State Transportation Commissioner James Larocca objecting to cutbacks in canal maintenance personnel.

The group, led by Senator Hugh T. Farley (R-44 Dist.), expressed deep concern over the future of the canal. If 164 full-time maintenance workers are converted to seasonal employees.

The basis for their arguments stem from testimony presented before a 1978 Senate Subcommittee on Inland Ports and Waterways. Farley, who chaired the subcommittee, said the testimony indicated that the physical collapse of the canal is likely before the end of the decade. Layoffs would hasten this deterioration.

In the letter dated May 4, Farley cited a handful of reasons why the canal should be maintained on a year-round schedule. An excerpt from the letter follows:

“Thousands of citizens benefit from recreational boating and use of canal lands for recreation. Several communities depend on the canal for their water supply. Flood control aspects of the canal save millions of dollars in possible spring flood damages. "Farm operations are dependent on the canal for irrigation. You (Larocca) are especially aware of the potential for hydro-electric power generation. And, exciting new developments in coal transportation may place the canal in a strategic position."

“Even the relatively low level of commercial traffic today includes delivery of fuel to the Air Force base in Rome, underscoring the canal’s significant national defense role.”

The senators, listed below, urged Larocca to join with them in a request for federal assistance. They also offered other alternatives such as the use of dedicated funds and a system of charge-backs of maintenance costs to specific beneficiaries.

**Senators take a stand**

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<tr>
<th>Name</th>
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<td>Hugh T. Farley</td>
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<td>Martin S. Auer</td>
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THE EASTER SPIRIT — Roswell Park Memorial Institute Local 383 members held a benefit sale this past Easter to help support the Institute’s financially-strapped day care center. The sale, which netted nearly $400, included gifts handcrafted by Local 383 Secretary Pauline Buczkowski, far left. Accepting the donation is Day Care Center Director Carol Hoffman. Pictured at right are Local President Art Cousineau and Local Vice President Kathy Gruber.
No contract breeds charges of 'confrontation bargaining' in WayneCo.

LYONS — Wayne County Personnel Officer Peter Pirmie has been engaging in "confrontation bargaining," Harm Swits, CSEA collective bargaining specialist, has charged.

"We've been without a contract since Dec. 31," says Swits, "and instead of fostering an agreement, Pirmie has been stonewalling, engaging in confrontation bargaining by making bizarre demands which would strip 550 employees of their basic rights to a decent wage and a secure job."

Examples of what Swits calls the county's "bizarre demands" include:

- requiring employees who are out sick to produce a doctor's certificate if a check of their homes is unanswered;
- eliminating seniority protection;
- eliminating grievance procedures;
- eliminating job protection for 200 non-competitive class employees;
- eliminating overtime provisions for approximately 100 clerical employees working in the downtown complex;
- eliminating paid lunch at the infirmary even though employees are locked in, that is, cannot leave the premises;
- eliminating disciplinary procedures;
- eliminating double-time provision when employees have to work such legal holidays as Christmas, New Year's, Thanksgiving, etc.;
- eliminating shift differential;
- eliminating binding arbitration for classified competitive class employees;
- requiring CSEA pay for any time employees spend on union business such as negotiations;
- requiring CSEA pay administrative fees for dues deduction; and
- allowing employees to be fired if they are late for work twice.

Swits also complained that Pirmie "doesn't have any respect for working men and women," and he expressed disappointment in the county's elected officials "because they are either unaware or unconcerned about the well-being of their employees."

Donahue calls for ambulance corps

GARDEN CITY — Warning that Nassau County was facing an "approaching crisis" in emergency ambulance medical treatment, Jerry Donahue, president of Local 830, has called for the creation of a county-wide ambulance corps staffed by paid professional civilian employees to replace the present system which relies heavily on volunteers.

Donahue's appeal to county leaders came on the heels of a disclosure by Nassau County voluntary fire department members in the Cayuga County Unit of Local 830, for seeking to remove a grievance representative from office in the unit she represented.

The shortages which the fire departments said could lead to deterioration of the county's emergency services in June stem from a squabble between the fire departments and the State and county over certification requirements.

The people of Nassau deserve a fully-trained, professional service to respond quickly in life-threatening situations," Donahue told reporters from Newsday.

The county's emergency ambulance services is staffed by 57 volunteer fire departments while Nassau police operate 17 ambulances staffed by 90 CSEA and police personnel are certified advanced emergency medical technicians — AEMTS. Both the fire department volunteers and the police ambulances respond to about 30,000 yearly calls each.

Ken Zwering, president of the emergency medical technician unit of Local 830, said CSEA wanted the county ambulances doubled to 34 and staffed with civilian technicians as the front-line services. Volunteer teams could provide back-up, he said.

Local 860 grievance rep. dismissed

ALBANY — CSEA's Judicial Board has removed a grievance representative from office in the Cayuga County Unit of Local 886, for conduct detrimental to the best interests of CSEA.

In a four-page decision the Board removed grievance representative Jean Longo from that elective office on the complaint of Unit President Michael Picciott.

The Board found Longo did not attend scheduled union meetings or post notices as directed, contributing to a lack of information among union members in the unit she represented. Longo also failed to appear at a Judicial Board hearing on the complaint.

In its decision, the Board noted, "A (Grievance) Representative, while not a Constitutional Officer, is nevertheless one of the most important Union positions... it is very important that the Representative be available to members and be dedicated to fulfilling the obligation of that office."

The Judicial Board is established pursuant to the Constitution and By-Laws of CSEA. It exists for the sole purpose of hearing allegations and investigating complaints concerning alleged violations of the union's Constitution and By-Laws, and enforcing the union's rules by appropriate action.

The rest of the membership can make a major impact on the effort to repeal Tier III by writing a brief postcard or note to Assembly Speaker Stanley Fink, Senator Majority Leader Warren Addonizio, and Governor Mario Cuomo (their addresses appear at right).

"The home district lobbying campaign has to be followed up with personal letters from the general membership. That way, we can cover all bases," Ryan said.

"It is of the utmost importance that all CSEA members get involved. Elected officials are very sensitive to public opinion, and the more feedback they receive on a bill or an issue, the better off we are in winning their support," Ryan noted.

"Is this the year"...Ryan urged, "but if and only if we give it our all."

The appeal to repeal Tier III: 'This is the year'

(Continued from Page 1)

legislators must realize that Tier III is "a pension system which won't produce any pension at all," he said, adding that the PALS are well-briefed on the intricacies of the plan.

"I don't expect the legislators to end up being retirement experts," Ryan said. "What the PALS are doing is taking this highly complex system and boiling it down to the simple facts: Tier III is a retirement plan which is unfair and unworkable."

After visiting their legislators, PALS will be required to fill out a "lobby report form" which will indicate whether the legislator supports the elimination of Tier III. Would he or she sponsor such legislation? Vote for it on the floor? In conference?

Answers to these questions are crucial to the lobbying effort. Filed in the union's political action office, these reports will also be reviewed when the legislator runs for re-election and looks to CSEA for grassroots support.

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COPING with LAYOFFS

How to make direct payments
ALBANY — If you are a CSEA member who is separated from employment, you can still continue to participate in CSEA-sponsored insurance by arranging to pay premiums directly to the insurance carrier.

CSEA, through Jardine Ter Bush & Powell, provides Basic Group Life Insurance (Code 305), Supplemental Life Insurance (Code 306) and an Accident and Sickness Plan (Code 307).

The first step for any laid-off employee who wishes to continue the supplemental insurance is to apply to the union for dues-free membership. (See accompanying article.)

Once the dues-free membership is approved by CSEA, Jardine Ter Bush & Powell will be notified. Insurance premiums will be billed directly and once payment is made, you will be put on a direct billing system and receive quarterly statements for up to one year.

Meanwhile, anyone who is laid off and who participates in the CSEA MasterPlan (Homeowners and Automobile Insurance) should contact Jardine Ter Bush & Powell at this special toll-free number — 1-800-662-2636 — and arrange to make direct payments to the Travelers Insurance Co. The direct number is 1-518-381-1590. Participants in the Family Protection Plan, as well as supplemental life insurance and accident and health/disability programs, may contact Jardine Ter Bush & Powell toll-free at 1-800-942-2572. The direct number is 1-518-381-1597.

Questions regarding the Basic Group Life Insurance Plan should be directed to CSEA's Insurance Department in Albany.

How to continue EBF coverage if you are on a Preferred List
ALBANY — State employees who currently receive benefits under the CSEA Employee Benefit Fund may continue coverage if they are laid off and placed on a Civil Service Preferred List.

It should be noted that dues free membership does not entitle a person to EBF benefits. Instead, you have the option of making direct payments to the CSEA Employee Benefit Fund to maintain (for up to one year) participation in dental, optical and prescription drug plans.

Anyone interested in the option should fill out the following form and return it to: CSEA Employee Benefit Fund, 14 Corporate Woods Blvd., Albany, N.Y. 12211.

Mail to: CSEA Employee Benefit Fund
14 Corporate Woods Blvd.
Albany, NY 12211

As an employee currently covered by the CSEA Employee Benefit Fund, I hereby request an application for direct-pay coverage while off the payroll.

NAME
ADDRESS
CITY
SOC. SEC. NO._
STATE
ZIP

Mail to: CSEA Employee Benefit Fund
14 Corporate Woods Blvd.
Albany, NY 12211

(Do not send payment at this time)

Firing, rehiring scheme costly to town
HUNTINGTON — It could be called the $7,468 solution. It was the award made to John Cody after this Suffolk County town abolished his job and then rehired him 10 weeks later but at a lower title and lesser salary. At the same time, his job duties remained the same and therein lies the story of this arbitration award and victory for CSEA's legal assistance program.

Cody, who begins this story as a code enforcement officer (grade 21), spent nearly six months as a town investigator (grade 15) until he was returned to the grade 21 position. Initially, the town tried to prevent the grievance on a technicality, but once that failed, a hearing was held and the union had an opportunity to present its case.

CSEA's success was based on Article 29 of the collective bargaining agreement which stipulates that when a new job is created, "the Employer shall assign it into the appropriate grade in relation to other jobs in the schedule." Union witnesses proved to Arbitrator Philip J. Ruffo that the grievant's duties as town investigator were "substantially the same" as under his former position of code enforcement officer. Moreover, the arbitrator noted that such evidence was "uncontradicted" and he explained, "the town's failure to produce as witnesses certain town officials with personal knowledge of the grievant's duties as a code enforcement officer and town investigator requires that the strongest inference be drawn that the testimony of such officials would have been contrary to the town's position."
GOSHEN — Increases of 7.5 percent each of the agreement's two years highlight the contract ratified by the Goshen Village Board and members of this unit in Orange County. The first pay raise is retroactive to June 1, with the second increase to come on the same date this year. Both hikes are in addition to increments where due. Workers will get four hours call-back pay instead of two. There are increases in the vacation and uniform allowances, and more foul weather gear will now be provided. There have also been improvements made in the grievance procedure.

Field Representative Diane Campion credits the work of the negotiating committee, chaired by Mike Nuzzolese, with members Cliff Price and Jack Cassidy, for bringing about a contract which she says "provides a number of good benefits to the hard working members of this unit."
MEMBERS OF THE NEGOTIATING COMMITTEE in the Hendrick Hudson School District in Westchester County participate in the formal contract signing between the district and its CSEA Unit at the Union Hotel in Peekskill recently. Seated, from left are Edmund Borchman, Board of Education Committee member; Charles Edibe, Superintendent of Schools; Daniel Horan, Board President; and Cee Cuevos, CSEA Unit President. Standing, from left, are William McNally, chief negotiator for the Board of Education; Florence McQuade, Stenographer/Secretary; Barbara Begany, CSEA Committee member; Dr. Virginia Rederer, School Board Committee member; and CSEA Collective Bargaining Specialist Ron Mazzaola. The three-year contract calls for pay raises of eight percent the first year, seven percent the second, and eight percent the third year.

ALBANY —  New seminars, a variety of workshops, guest speakers, more than a dozen information tables, a legislative update and a PEOPLE-THON fund-raising run will be among highlights of the Irving Flammenbaum Memorial County Workshop June 8-10 at Kutsher's Country Club, Monticello.

Seminars set for Wednesday include “Saving School Food Service Programs,” presented by the Non-Teaching School Employees Committee, and “How Games are Played: The Impact of Reagan's Cuts in Human Services Programs,” sponsored by the Social Services Committee. In addition, Karen Burstein, chairwoman of the State Consumer Protection Board, will present a seminar on “Energy and the Consumer.”

Six workshops will be conducted Thursday morning and repeated in the afternoon. They range from “Safety in the Workplace” and “Preparation for Negotiations” to “Building Membership Strength.”

Workshop participants can stretch their legs by participating in the Fun Run, organized to raise funds for PEOPLE (Public Employees Organized to Promote Legislative Equality). The CSEA/AFSCME political action fund will be used in the 1984 Congressional campaigns.

Social finale of the workshop will be a masquerade party, with prizes awarded for costumes in several categories.

Workshop business will conclude Friday with a general business meeting, legislative update, and a report by the Local Government Contract Task Force.

CSEA Director of Field Services Paul Burch urged county delegates to preregister for the annual event by May 20. Hotel reservations should be made directly with Kutshers no later than May 27.

ALBANY — CSEA’s County Division Delegates attending this year’s County Workshop at Kutsher’s Country Club in Kiamesha Lake, will have the chance to show their speed as part of another P.E.O.P.L.E. Run. PEOPLE, or Public Employee Organized to Promote Legislative Equality, is the CSEA/AFSCME fund raising organization to help union members have a voice in the federal election process.

Unlike New York State elections in which members’ dues may be used to assist in political activities, federal election laws require separate fund raising efforts. PEOPLE is how AFSCME and CSEA raise funds to participate in the federal election process, so vital to public employee interests.

One of the most popular PEOPLE fund raising efforts is the PEOPLE Run, a foot race in which participants get pledges from other union members to raise money for PEOPLE.

This year’s one and a half mile run will be held at the County Workshop at Kutcher’s on June 9. Each participant must collect $25 in pledges to run. All participants will receive a PEOPLE T-shirt and be eligible for awards.

The entry form for this year’s race is reprinted below.

**PEOPLE Fun Run REGISTRATION FORM**

CSEA, Local 1000, AFSCME, AFL-CIO

**Name**

**Address**

**ENTRY PLEDGES COLLECTED**

Check $  
Cash $

In consideration of this entry being accepted, I, for myself, my heirs, executors, administrators, waive, release and forever discharge any and all rights and claims for damages which I may have against the sponsors of this race, their officers, agents, representatives, employees and associates.

**Signature**  
**Date**

If runner is under age 18, parent/guardian must sign below:

**Signature**  
**Date**

Local/Unit Name & Number

CIVIL SERVICE EMPLOYEES ASSOCIATION, LOCAL 1000, American Federation of State, County and Municipal Employees, AFL-CIO
ONLY
$4.50

CSEA retiree membership tremendous bargain; protect your future through retiree power

ALBANY — Retired public employees can protect their futures for just $4.50 — the cost for a limited time 6-month membership in a CSEA retiree’s local.

The union’s legislative accomplishments for retirees have included pension increases for people who retired after April 1, 1970 and before Dec. 31, 1979, drug prescription cards for those with health insurances in the state program, and survivor’s death benefits for state employees.

But these benefits could not have been accomplished without the political clout of the 40,000 people who already belong to retiree locals. And, it is in the special interest of retirees who have not yet joined their ranks to do so.

Membership gives them a voice in the state’s capitol to lobby for their needs. In addition, there is an official retirees newsletter issued periodically, special mailings go out on selected issues, locals meet regularly to share ideas and exchange information, social gatherings are held, and there is access to a retiree’s department, staffed by professionals, in CSEA Headquarters.

For additional information, contact the retiree’s department by calling (518) 434-0191. To sign up, fill out the following form and with a $4.50 check send it to: CSEA, 33 Elk St., Albany, N.Y. 12207.

Print Last Name Above 
First Name 
Initial 
SOCIAL SECURITY NUMBER 

MAIL ADDRESS: 
Street and Number 
City 
State 
Zip Code 

OFFICIAL DATE OF RETIREMENT: 
LAST EMPLOYED 
ST. 
(Chose one and specify name) 
□ COUNTY 
□ VILLAGE 
□ CITY 
□ DISTRICT 
□ TOWN 
□ STATE 
(Specify above name of governmental unit checked)

DEPARTMENT, DIVISION, 
OF INSTITUTION OF ABOVE 
GOVERNMENTAL UNIT:

☐ RETIRED MEMBERSHIP DUES: $4.50

Signature of Applicant:

APPLICATION FOR RETIREE MEMBERSHIP

THE CIVIL SERVICE EMPLOYEES ASSOCIATION, INC. 
Local 1000, American Federation of State, County & Municipal Employees, AFL-CIO 
33 Elk Street, Albany, New York 12207

For employees taking early retirement, maintaining insurance programs is easy

ALBANY — Only two simple steps will have to be taken for early retirees to continue their participation in CSEA-sponsored insurance programs.

First, you must join a CSEA retirees local. See accompanying article above, for more information and an application form.

Then, you must arrange to pay insurance premiums directly because once you retire payroll deductions stop.

If you have any questions, call one of the following telephone numbers:

- CSEA Basic Group Life Insurance. . (518) 434-0191
- Jardine Ter Bush & Powell
- Supplemental Life Insurance. . 1-800-342-6272 Ext. 537
- Family Protection Plan. . . . . 1-800-342-6272 Ext. 447
- Accident and Sickness Plan. . . . . 1-800-342-6272
- MasterPlan (Home and Auto.). 1-800-462-2636

Jardine Ter Bush & Powell can also be reached by calling (518) 381-1600.

To obtain more information, fill out the following coupon and mail it to: CSEA, 33 Elk St., Albany, N.Y. 12207.

Info Center on preferred lists opened to help layoff victims

ALBANY — The Department of Civil Service has set up a Preferred List Information Center for state employees facing layoffs. Counselors will be available 8 a.m. to 6 p.m. to answer telephone questions.

The phone number is (518) 437-2973. The Center, in Room 119 in Building 1 of the State Office Building Campus in Albany, will also provide information on a walk-in basis from 8:30 a.m. to 4:45 p.m. daily.

THE PUBLIC SECTOR, Friday, May 6, 1983 Page 7
ALBANY — Because only members in good standing are eligible to vote in CSEA elections, the union’s staff and computers have been hard at work helping locals and units get ready for spring elections.

“Time is running short and election chairperson notifications as well as requests from locals and units are lagging,” CSEA Computer Services Director Dave Sparks says. “Electrons can’t be conducted without membership lists for voter verification purposes, yet we know that many of the locals and units haven’t yet followed all the necessary procedures.”

Sparks urged local and unit election committee chairpersons to take another look at CSEA Election Procedures Manual and submit the necessary notifications and requests.

“By May 1, we sent eligible voter membership lists to all local and unit election chairpersons of record at CSEA Headquarters,” Sparks noted.

CSEA disciplinary case leads to landmark decision

HUDSON — Legal history has been made in Columbia County. An unsubstantiated hearsay will no longer support a guilty determination of misconduct or incompetency in a Section 75 (disciplinary) proceeding.

The precedent-making decision, handed down by the appellate division of state Supreme Court, sets aside a decision against Mabel Eppler, a nurse’s aide at the Pine Haven Nursing Home. She was dismissed by the county after a hearing officer said she used “inappropriate physical contact with a female patient . . . causing injury to the patient’s left thumb.”

But after reviewing the evidence, the court found “the record reveals that not one witness was present at the time of the alleged incident and that all of the testimony of each witness concerning the incident was based on pure hearsay.”

Moreover, the alleged victim was not called to testify, where her medical record revealed, in part, that she suffered “from mental disorders diagnosed as senile depression . . . hallucinations of being gassed by unknown persons and paranoid ideations, false accusations of abuse by facility employees, resistance when being dressed including tearing of clothing, attempting suicide, and throwing food trays on the floor.”

Meanwhile, the hearing officer was taken to task for having “improperly interrogated him by soliciting incompetent opinion testimony from witnesses to as to how the injury could have been incurred.” And, the court noted, “against this factual background of the patient’s medical history and conduct, the hearing officer and respondent (Columbia County) chose to accept as substantial evidence of guilt the hearsay testimony of employees based solely on the accusation of the patient.”

At the same time, the hearing officer rejected Eppler’s explanation that the patient injured herself while dressing, even though it was found ripped at the time the injury was discovered. Accordingly, all charges against Eppler were dismissed because they were “contrary to the evidence in the record, unsupported by substantial evidence, and arbitrary and capricious.”

Eppler was ordered reinstated and awarded back pay.

CSEA Attorney William Wallens, who handled the case through the union’s Legal Assistance Program, described the decision as “significant” because “purely unsubstantiated hearsay evidence will not support a determination of incompetency or misconduct.” Furthermore, the Appellate Division also determined that the 30-day suspension contained in Section 75 means calendar, and not working days.

New EAP agreement signed

ALBANY — Labor-management agreements creating a comprehensive Employee Assistance Program (EAP) for all state employees were signed May 3.

The occasion marked an expansion and a new collaborative approach for the program, which arranges help for employees with difficulties involving family, finances, alcoholism, substance abuse, emotions, gambling or the law.

Joining in the consolidated system are the Governor’s Office of Employee Relations, CSEA, Council 82 of AFSCME, the Public Employees Federation and United University Professions.

“CSEA has a deep commitment to EAP and is proud to have pioneered in making this kind of help available to New York’s public employees,” noted CSEA President William L. McGowan.

“In an era of computer jargon, robot assembly lines, megabucks and megabudgets, and increasing tendency to talk in numbers, EAP recognizes that we’re still people — human beings with human problems. There is tremendous satisfaction in knowing we can give individuals the help they need in times of trouble.”

The consolidated statewide system makes help available in several ways:

—Local volunteer coordinators provide co-workers with referral to sources of assistance.

—Ten professional EAP representatives will coordinate the local EAP volunteers, conduct training and increase awareness of the program, as well as provide referral services to state employees.

EAP helps cushion harsh realities of layoffs

ALBANY — Layoffs, workforce disruptions and uncertainty over who does or doesn’t have a job — these factors are creating stress, anxiety and lots of unanswered questions for state employees.

Many of them are looking for answers through the Employee Assistance Program (EAP).

“People are coming to us looking for help, and we’re doing the best we can to assist them,” explained James Murphy, CSEA’s director for the EAP program.

“I don’t mean to suggest that we’re suddenly seeing severe emotional problems or an increase in drinking or drug abuse, although those risks are inherent in this kind of stressful situation. Most of the questions we’re getting now are very pragmatic ones.”

Local volunteer EAP coordinators have been making referrals to such services as unemployment benefits, financial counseling and food stamps. They’ve referred some individuals to the Employee Assistance Program (EAP), the Employee Assistance Program (EAP), and in other instances they’ve suggested sources of help with resumes and job-hunting skills.

“The people who are re-assessing their job skills and career plans and are thinking about going back to college have contacted EAP to ask about sources of scholarships or other financial assistance. Layoffs can be traumatic and frightening, and create a wide range of problems and needs, not all of which are economic,” Murphy concluded.

“Many programs and services are available to help people get through this, and EAP is designed to help people connect with those services.”

Central Region names conference for late exec. VP

LIVERPOOL — CSEA Central Region V has officially named its annual summer meeting the Thomas H. McDonough Summer Conference in honor of the late CSEA executive vice president. The region’s officers made the unanimous recommendation at its last board meeting.

This summer’s conference is scheduled for June 17-19 in Lake Placid. Gerald W. McEntee, president of the American Federation of State, County and Municipal Employees (AFSCME), has been invited to be the keynote speaker.
Pay equity is the major issue in the battle for equal rights; workplace is the battleground

"A dozen roses, a box of candy or lunch at a fancy restaurant isn't enough anymore..."

WASHINGTON — "The battleground for equal rights in the 1980s is the workplace, and the major issue is pay equity," according to the American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO. AFSCME represents public employees nationwide. Out of its million members, 400,000 are women.

In a report entitled, "Breaking the Pattern of Injustice: AFSCME's Blueprint for Pay Equity," AFSCME says "no issue is more critical to the economic well being of women — and clerical workers especially — than pay equity." The union released the report during National Secretaries Week, which began April 25, "to emphasize the extent to which clerical workers typically bear the brunt of pay discrimination in this country." The report lists several examples of clerical workers who are paid less than workers in male-dominated jobs that rank equal or lower in skill, effort and responsibility.

"A dozen roses, a box of candy or lunch at a fancy restaurant isn't enough anymore for working women," said Cathy Collette, coordinator of women's activities for AFSCME.

"Breaking the Pattern of Injustice" outlines AFSCME's strategy to achieve pay equity through collective bargaining, litigation, pay equity studies and education.

"There remains a great deal of misunderstanding on pay equity," Collette said. "Pay equity does not mean 'equal work for equal work.' It does mean equal pay for work requiring comparable skill, effort and responsibility." Pay equity is also called comparable worth.

In congressional testimony last September, AFSCME's president, Gerald W. McEntee, said there's been too much debate and not enough action on pay equity. At a Senate-House hearing, he said AFSCME, which instigated the nation's first pay equity study 10 years ago, is the only institution with an active litigation program to achieve pay equity.

"We have to take pay equity cases not only to the bargaining table, but also to the Equal Employment Opportunity Commission and to court," Collette said. "Sex discrimination is not simply unjust, it is illegal." The Supreme Court, in a 1981 decision in the case of County of Washington v. Gunther, ruled that discrimination is illegal even when the jobs in question are not identical.

"It's not enough to compare the salaries for men and women doing the same job, because for the most part, men and women do different kinds of work," Collette said. "Women tend to be segregated into jobs deemed 'women's work,' and the pay for those jobs tends to be artificially low." Clerical work is typical of "women's work," she said.

Women tend to remain stuck in lower paying jobs, too. According to the AFSCME report, in the City of Philadelphia, women make up 100 percent of the computer room technicians but none of the assistant computer room managers, and two-thirds of the food service workers but none of the food service managers.

"In cases such as these you can see that pattern of injustice that AFSCME is trying to break," Collette said.

According to the report, AFSCME intends to increase its efforts to bargain for pay equity during contract talks and to file more charges and lawsuits. Recently it was announced that an AFSCME lawsuit against the State of Washington — the first pay equity case of its kind — will be heard August 25.

The union also plans to increase efforts to educate the public — and its own membership — on pay equity. The union will hold a series of women's conferences beginning this fall.

"We can't meet our goal overnight," Collette said. "It's taken a long time to achieve the system of sex discrimination under which we work. But AFSCME will do everything in its power to continue the battle until it's won, because there is nothing more basic to the dignity of all workers than pay equity."
PAY EQUITY — THE ISSUE

The Equal Pay Act requires that men and women get paid equally for doing the same or substantially equal work, performed under similar working conditions. However, women have often been paid less than men for the same work. In fact, the U.S. Department of Labor estimates that women are paid 71 cents to the dollar of what men earn. This figure is the result of continuing discrimination against women in the workplace, both in job and earnings opportunities.

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Ballots are scheduled to be mailed May 14 to eligible CSEA members for the election of new members of the State Executive Committee and county educational representatives to the statewide Board of Directors.

On the following pages are lists of candidates for these positions, and, if submitted by the State Executive Committee candidates, a statement and photo of the individual candidates.

Under the union's timetable, ballots are to be returned no later than 5 p.m. on June 15, and are to be counted on June 15. In order to obtain a replacement ballot, you must contact Brenda L. Smith, the Independent Election Corporation of America, 7 Delaware Drive, Lake Success, N.Y. 11042; telephone number (516) 457-8000. Replacement ballots shall be counted as valid provided they are received on or before the date specified above and accompanied by a signed affidavit.

**STATE EXECUTIVE COMMITTEE CANDIDATES**

**AG & MARKETS**
*JOHN WEIDMAN*

**AUDIT & CONTROL**
*BARBARA L. SKELLY*  
*BEATRICE McCOY*  
*DAVID D. JACQUES*  
*JEANNE M. PRATT*

**AUTHORITIES**

JOHN FRANCISCO

I ask for your support for my re-election so that I can continue to represent all Authorities on the Board. I am a three-term President of Local 086 and have been privileged to serve four years on the Directors Personnel Committee. Currently I chair the Region IV PAC and have served on Statewide Constitution and Bylaws. I have always tried to and pledge to continue to work in the best interest of all CSEA members.

**CIVIL SERVICE**
*DOLORES FARRELL*

**COMMERCE**
*ROSE ANN DESORBO*

**ENVIRONMENTAL CONSERVATION**
*KAREN E. MURRAY*

* Photograph, information or both not submitted

**CORRECTIONS**

HELEN CARTER

The membership deserves representation by someone with the courage of their convictions and the dedication to follow through, even when strongly opposed. I believe I can represent the Corrections employees best because my background includes both institutional and administrative areas. I can address problems at both levels impartially. I will fight unfairness wherever I find it, both from management and within the union. I need your support.

*SUSAN L. CRAWFORD*

I have served on the State Executive Committee for the past two years and feel my qualifications speak for themselves. Thirteen years as local officer serving as Secretary, Delegate and President. On Regional level served as Vice-Chairperson of Social Committee and member of Regional Trial Board. I have served as a member of Department Labor Management Committee since 1977, chairing the committee since 1981. I ask for your support in my bid for re-election.

*JAMES F. LeCLAIRE*

Department of Correctional Services - Executive Committee. Proper Qualifications: Familiar with systems; maximum inmate contact; willing and able to transmit our problems to the Department and CSEA, Inc. My Qualifications: Assistant Food Service Mgr., Great Meadows Correctional Facility (Max); Local President; Statewide L/M Committee; Active in Political Action; A firm believer in a strong union. A vote for Jim will be a positive step toward upgrading our members and a new chance for proper representation for all.

**EDUCATION**

CLAIRE L. McGRATH

Employed by the N.Y. State Education Dept. for 17 years with Office of Vocational Rehabilitation. As a Union Activist currently serving my 2nd term as a Local President. Previously I was a steward, 2nd V.P., 1st V.P. Grievance Chairperson for the local which services 40 agencies. Statewide: Negotiating Team, Chairperson Contingency Action Committee, Nominating Committee, Delegate to the State Conventions for the last 12 years. Region: Grievance, committee, Political Action, Chairperson of the Nominating Committee.

*RICK WEEKS*

I have served Local 657 as Steward, Delegate, Second Vice President, First Vice President and President. I have served on Regional and Statewide Committees. In seeking one position, that is the Executive Board Seat representing you, the State Education Department at both the Local and State Executive Committee levels. Your vote will be appreciated!

**EXECUTIVE**

JOSEPH E. KOWALSKI

Joe is employed by OGS as a painter in Albany, where he has been an active member of Local 660 as shop steward, elected operational representative and delegate to the statewide conventions. In 1982 he was appointed to the New York State Workers Project as a rank-and-file member. On behalf of his co-workers, Joe testified before the Assembly Task Force on the Infrastructure. Most recently Joe was appointed by President William McGowan to the Protection of Employees Committee.

*FITZGERALD TAYLOR*

I have held a wide range of union positions, gaining the breadth of experience that qualifies me to represent your interests to the fullest as a member of CSEA's statewide Board of Directors. In addition to serving as Local 554 president, I was a member of the state contract negotiating team, chairman of the regional communications committee and a member of the regional constitution and by-laws committee, and a member of the statewide seniority committee and methods and procedures committee.

**JUNE ROBAK**

Education Department employee 28 years. Incumbent, Education Board of Directors Representative 1979-Present. Incumbent, Local President. Have served as Treasurer, Delegate, Steward, and on various Local, Regional, and State Committees. I believe that my many years of experience in a leadership role will enable me to continue to represent the interests and concerns of all CSEA members of the Education Department at both the Local and State Executive Committee levels. Your vote will be appreciated!

**JOHN E. LOWERY**

Served in this capacity for past four years, President of OGS Local eight years and a member nearly 20 years. Recently chaired the Work-Related Clothing Committee for OGS. Was chairman of Agency Departmental Agreement for the seventies. Served on Regional Activities Committee and various committees in Local. Was on the first statewide “Watch-Dog” Committee. For faithful service vote Earl to another term.

**EARL KILMARTIN**
EXECUTIVE

CINDY EGAN
I've been an active member of CSEA since 1966, serving as floor rep, elected delegate to the CSEA convention, local vp and president of Local 695, State Executive Committee, Board of Directors and Delegate to AFSCME Convention. I've been appointed to Region 4 Political Action and PAL to Assemblyman Michael Hoblock, committee to reorganize Board of Directors, elected to serve on statewide charter and Public Sector committees. Thank you for your support in the past.

JAMES JAYES
Health Department employee and C.S.E.A. member for 10 years. Our *1 priority should be a unified effort backed by strong leadership to make management respond and resolve the real issues confronting Health Department employees. As a member of the Board of Directors of CSEA, I will be in a position to keep the line of communication open with the membership. I would appreciate your vote and if elected will represent ALL Health Department employees.

*BRIAN J. MADDEN

INSURANCE

*ELLIOT BERNSTEIN
Plans for the reorganization of our Delegates and the installation of new Directors to our Executive Board demands fresh leadership on the CSEA State Executive Committee for my Brothers and Sisters of the New York State Insurance Department. With your support I will grasp every opportunity to express our ideas, so that we may create a stronger and more unified union. Please, consider my pledge to serve you in these difficult times ahead.

LABOR

BRIAN P. RUFF
My battle against State and Federal budget cuts and layoffs will continue as top priority if re-elected. Ending Tier III, saving jobs, protecting our rights in the face of reorganizations, relocations and new programs, battling to improve the quality of work life and providing each member at every worksite better representation at Statewide Labor/Management in the Labor Department, State Insurance Fund and Workers' Compensation Board will also continue to be my priorities if re-elected.

JEANNE LYONS
"The State Executive Committee is the voice of the State division of CSEA. A place to bring problems/concerns for discussion/resolution. You have a voice. Let it be mine. As president/board representative, I know the problems we face and will strive to rectify them. My experience, ability, energy, assure my participation and will allow me to contribute ideas/information. Let me continue what I have begun. Re-elect me; I will serve your needs."

LAW

*GRACE A. DENNIS

MENTAL HYGIENE

REGION 1

MOTOR VEHICLES

*EVERTON F. PHILLIPS

BARBARA A. STACK
I represent experienced, concerned leadership supportive of a strong union through informed membership. Employed in Albany's Department of Motor Vehicles for 13 years. Incumbent DMV Board Representative; formed Statewide DMV-Labor/Management Committee; Member, Statewide and Region Political Action Committees, Director's Personnel Committee; Northeastern Safety Council; Coalition of Labor Union Women; National Commission Working Women.

PAT HAHN
I'm a member of CSEA Pilgrim Local 418 in good standing for seven-and-a-half years. I've worked in the Housekeeping Dept., then went toward service (MITA). I've been actively involved with CSEA for six years. I'm active in present union office fulltime on the grievance committee; shop steward; political action committee. Also have been active with social committee and elected member of the human rights community college course in business organization, unions, labor and psy.

* Photograph, information or both not submitted
JEAN W. FRAZIER
I have been a member of Local 404 CSEA Central Islip Psychiatric Center for three years. I have served on the Political Action Committee and the Board of Directors. I am concerned about the needs of our members and am dedicated to representing their interests.

ALFRED C. HENNEBORN
I have been a member of CSEA for over 20 years. I have served as a delegate to various state and national conventions. I am committed to ensuring the rights and needs of our membership are met.

JOEL SCHWARTZ
I have been involved in labor union activities for over 30 years. I am dedicated to fighting for the rights and interests of CSEA members and have a deep understanding of their needs.

GERARDO A. BONCORAGLIO
I have been a member of CSEA for over 15 years. I have served on the Political Action Committee and have a strong track record of representing the interests of our membership.

CAROL GUARDIANO
I have been a member of CSEA for over 20 years. I have served on numerous committees and am dedicated to ensuring the rights and needs of our members are met.

JIMMY GRIPPER
I have been a member of CSEA for over 25 years. I have served on various committees and am committed to representing the interests of our membership.

MARTHA J. FRAZIER
I have been involved in labor union activities for over 20 years. I am dedicated to fighting for the rights and interests of CSEA members and have a deep understanding of their needs.

*JOSEPH T. LEVALLE
*BILL CHACONA

JAMES J. FORSYTH
I have been a member of CSEA for over 15 years. I have served on various committees and am dedicated to ensuring the rights and needs of our members are met.

CAROL GUARDIANO
I have been a member of CSEA for over 20 years. I have served on numerous committees and am dedicated to ensuring the rights and needs of our members are met.

JIMMY GRIPPER
I have been a member of CSEA for over 25 years. I have served on various committees and am committed to representing the interests of our membership.

*CARL FENNELL

GARY J. ELDRIDGE
I have been a member of CSEA for over 20 years. I have served on various committees and am committed to representing the interests of our membership.

HAROLD F. RYAN
I have been a member of CSEA for over 30 years. I have served on various committees and am committed to representing the interests of our membership.

*GEORGE A. BONCORAGLIO
*BRENDA J. NICHOLS

MENTAL HYGIENE REGION I

MENTAL HYGIENE REGION II

ANTÓNIO D. MULCHY
I have been a member of CSEA for over 20 years. I have served on various committees and am dedicated to ensuring the rights and needs of our members are met.

EDWARD (BUD) MULCHY
I have been a member of CSEA for over 20 years. I have served on various committees and am dedicated to ensuring the rights and needs of our members are met.

*EVA KATZ

MENTAL HYGIENE REGION IV

WANDA M. LUBINSKI
I have been a member of CSEA for over 20 years. I have served on various committees and am dedicated to ensuring the rights and needs of our members are met.

*HUGH McDONALD

*Photograph, information or both not submitted

Page 14  THE PUBLIC SECTOR, Friday, May 6, 1983
My service to our members has included two terms on CSEA's Board of Directors. I presently serve as Chairperson of the Mental Hygiene Presidents Committee. I have been active in many of the state Labor/Management Team. I am Exec. V.P. of Local 414 Marcy Psych. Center. My work in each of these capacities have been to improve the working lives of CSEA members. As CSEA Reg. V Board Rep. I will continue this endeavor.

PUBLIC CORPORATIONS

*JOANN LOWE

JoAnn Lowe is currently seeking her third term as Board Representative for the Public Corporations. She is currently Chairperson of the Board of Directors' Charter Committee. JoAnn has always been an active participant in her local, the New York State Teachers Retirement System. She has been elected as a delegate to the Statewide Convention every year since 1972. Other positions held include past Local Treasurer, past Co-Chairperson of the Program Committee, past member of the Budget Committee.

PUBLIC SERVICE

*GILBERT R. TATRO

Currently I am President of D.O.T. Region I, past Vice-President and a past Unit President. I have served on the following committees: Safety, Political action & Adirondack Committee. As an HFO in Essex County and a 15-year veteran of CSEA I know our problems are many and unique in D.O.T. I believe my experience can serve the membership of D.O.T. in a competent and knowledgeable manner.

*JOAN M. TOBIN

D.O.T. employee, 18 years, Local President D.O.T. nine years, D.O.T representative four years. Activities include: Special Transportation Committee, 10 years, Department Negotiations, two years. I want to continue to work toward the betterment of the working life for D.O.T. employees. Your support of my re-election would be appreciated.

*JERALDINE McMILLAN-CHERRY

STATE

*WILLIAM G. McMahan

Presently I serve on each of the three levels of CSEA - local, regional and statewide, including: Social Services Representative to the Board of Directors of CSEA Inc.; Member of the State Executive Committee of CSEA Inc.; Member of the Directors Charter Committee; Chairman of Region IV Audit Committee; Member of Region IV Budget Committee; Judge of the State Department of Social Services; Member of Region IV Budget Committee. I have been active in the following committees: Safety, Political Action & Adirondack Committee. As an HFO in Essex County and a 15-year veteran of CSEA I know our problems are many and unique in D.O.T. I feel that my experience can serve the membership of D.O.T. in a competent and knowledgeable manner.

*JULIE C. DeMARTINO

TRANSPORTATION

*ADELE H. BORACOVY

*Photograph, information or both not submitted

THE PUBLIC SECTOR, Friday, May 6, 1983
**Reggie Savory**

I decided to become a candidate for Executive Board, D.O.T. Rep as I feel very strongly that this position requires someone from the field who knows and deals with our problems on a day-to-day basis. I am currently an HMS I and Safety Rep in Chenango County, which has the number one safety rating for the last three years in our region. I was Vice President of Local 522 from 1977-1979; President from 1979 to present.

**University**

Having chaired local Labor/Management for two terms, which the realization that the source of many campus problems is SUNY Central, I am seeking the opportunity of confronting the source. I also believe that my 15 years of experience at the SUNY/Buffalo Center, along with an extensive local union background, could benefit all SUNY members and be an advantage on the Executive Committee.

**Patricia Crandall**

I am running for re-election as State University Board Representative. I feel some progress has been made in the last two years at our Labor/Management meetings. I know the next three years are going to be a big challenge to CSEA and especially State University. I feel with my expertise and background I can represent all employees in State University. I have been active in CSEA for 16 years, with a very good attendance record for Board Meetings.

**Betty Lennon**

As a local officer (president since 1972) for 17 years and a union activist on the region (education, executive and nominating committees) and statewide level (SUNY labor-management and nominating committees), I feel I have gained the knowledge of SUNY and CSEA to represent its members properly. One of my main objectives is to improve communications between SUNY locals which will strengthen our role within CSEA and in the labor-management setting with SUNY.

**Marie Romanelli**

I pledge to utilize my years of SUNY AND CSEA experience—which include Statewide negotiations, CSEA/P, and both local and departmental Labor/Management activities—to continue responsible representation of the membership for the betterment of SUNY and CSEA. I ask for your endorsement and active support of my re-election.

**Sara Sievert**

Served as local President at SUNY Fredonia from 1972-1979; Am presently First Vice President and a member of the Labor-Management Committee; Chairperson of Local Political Action Committee and a member of Region 6 PAC. As an incumbent I feel I have the experience and knowledge that will enable me to continue representing University members as they should be. There is still much I would like to accomplish for SUNY members.

**Frances DuBose-Batiste**

Frances DuBose-Batiste, candidate for SUNY Board Rep. Profile: Lab Tech. Incumbent First Vice President Region 2, President DMC Local 646. Committees: SUNY Labor/Management, Affirmative Action, CSEA/P, Motions, Women's and Grievance etc. With my experience and your support makes me a winning team.

**Kathleen J. Berchou**

Having chaired local Labor/Management for two terms, which the realization that the source of many campus problems is SUNY Central, I am seeking the opportunity of confronting the source. I also believe that my 15 years of experience at the SUNY/Buffalo Center, along with an extensive local union background, could benefit all SUNY members and be an advantage on the Executive Committee.

**LPN cleared of patient neglect charge**

NEW ROCHELLE — The specter of patient neglect has been lifted. Senora Elarly’s personnel records have been cleared. Justice has triumphed.

The licensed practical nurse who works at the Ruth Taylor Institute was charged with failing to assess the seriousness of a laceration on the left forearm of a 91-year-old resident at the geriatric care facility. But after hearing various witnesses, Administrative Law Judge David Kaplan disagreed and found that Early acted properly.

The judge noted particularly that the source of many campus problems is SUNY Central, I am seeking the opportunity of confronting the source. I also believe that my 15 years of experience at the SUNY/Buffalo Center, along with an extensive local union background, could benefit all SUNY members and be an advantage on the Executive Committee.

The nurse’s aide had charged the incident actually happened an hour earlier but she no longer works there and was not called to the witness stand.

Kaplan concluded that Early, “acted properly within the limited responsibility of her job classification by dressing the wound with a cling bandage and notifying the nursing supervisor.” Indeed had she, “taken or performed any medical procedures it may well have been outside the scope of her knowledge or limited duties and may have exposed the health care facility to liability.”

Early’s personnel records were, therefore, cleared of any references to the incident.
EMPLOYEE RIGHTS

AGENCY SHOP — This bill received bi-partisan support from those legislators who felt that non-members should be required to contribute toward the cost of services provided them by the unions. Public employee unions have demonstrated a responsible and aggressive attitude in bargaining on behalf of all of those they represent, not just union members. The law should be made both permanent and uniform for all public employees in New York State.

LIMITED RIGHT TO STRIKE — Several other states, including Alaska, Hawaii, Idaho, Minnesota, Montana, Oregon, Pennsylvania and Wisconsin allow public employees, other than those engaged in essential services, the right to strike where both parties have participated in impasse resolution procedures which have been unsuccessful. This bill is modeled after the Hawaii approach, and would provide a right to strike for public employees who do not have resort, by law or agreement, to an impasse resolution procedure which culminates in final and binding interest arbitration.

EMPLOYER IMPROPER PRACTICE — Public employee strikes may be caused by an employer improper practice, usually the failure to bargain in good faith. Where a strike was caused, in whole or in part by such an improper practice, the two for one penalty against employees and the loss of dues deduction against the union could not be implemented.

LOBA FOR POLITICAL SUBDIVISIONS — The final resolution of an impasse in negotiations would be resolved with the system of last offer binding arbitration, under which a panel consisting of one member appointed by the public employer, one member appointed by the union and one member appointed jointly, would select the most reasonable final offer of either the public employer or the union. This bill is particularly designed for the political subdivisions, and is to be utilized as an optional method to finally resolve an impasse.

U-GRADES — This bill amends the Civil Service Law and the Education Law to prevent the Chancellor of the State University from unilaterally changing positions in the university from the classified service to the unclassified service in derogation of the constitutional concepts of merit and fitness.

MARTIN LUTHER KING DAY — This General Construction Law presently sets forth public holidays. Although Dr. Martin Luther King Day is designated as a public holiday, the law does not provide for its public celebration. This bill would change that provision so that Dr. Martin Luther King Day would have the same status and importance as other public holidays.

§75 REVISION—HEARING OFFICER — To be selected from a panel of arbitrators-Civil Service Law §75 presently provided the procedure by which an employee of the State or political subdivision with permanent status may be terminated for incompetence or misconduct. CSEA and the State have negotiated an alternate disciplinary procedure which ends in final and binding arbitration. Under §75 however, the hearing is to be held by the appointing authority or his designee. As a result, the employer becomes the prosecutor, judge, and jury, a most unfair procedure. This bill would require the selection of an independent hearing officer.

ATTORNEY FEES-WORKERS’ COMPENSATION — Present law requires an injured employee to file a claim for workers’ compensation or death benefits where injury or death arose out of an in the course of employment, and prevents an employee from suing the employer directly. Unlike a direct suit, benefits under the Workers’ Compensation Law are severely limited to a percentage of an employee’s average weekly wage. Where an employer contests or denies the claim, a hearing must be held. If the employee retains a licensed representative or an attorney, those fees are taken out of the extremely minimal award. This bill would require fees to be paid by the carrier, in addition to the award, where the employee is successful.

§72 MENTAL & PHYSICAL DISABILITIES — Permanent employees who are unfortunate enough to become mentally or physically disabled from performing the duties of their jobs may now be placed on leave without pay for one year and terminated at the end of that year if unable to return to work. The federal courts have criticized the absence of due process in this procedure, and have set up certain safeguards to be followed. This bill would incorporate those safeguards and provide for a hearing, before an independent hearing officer, on the issue of whether an employee was physically or mentally able to perform the duties of his or her position.
LAYOFF UNITS — This bill amends the Civil Service Law to provide that the layoff unit in a political subdivision with a population subdivision of fewer than 50,000 shall be all of the departments or agencies in the political subdivision, rather than the single department or agency as is the present case. A political subdivision could "elect out" of these provisions by filing an appropriate resolution.

LOCAL CIVIL SERVICE NOTIFICATION — This bill would require the personnel officer or local civil service commission to provide written notice of proposed rule changes to persons interested, and is similar to the procedure presently provided for the New York State Civil Service Commission under the Administrative Procedure Act.

COMMUNITY SERVICE BOARDS — This bill would allow employees of the Department of Mental Hygiene to serve on Community Service Boards.

MILITARY LEAVE (30) WORKING DAYS — The New York Court of Appeals, New York's highest court, has recently determined that the provisions governing military leave for public employees provides for paid military leave for 30 calendar days, instead of for 30 work days. As a result, employees who work on the second shift or who have pass days on other than weekends, may be required to attend ordered military drills without being paid. This bill would merely restore the practice as it existed prior to the Court of Appeals decisions.

NYNJ WATERFRONT COMMISSION — This bill would provide civil service status for employees of the New York/New Jersey Waterfront Commission.

WHISTLEBLOWER — This bill provides protection for both public and private employees against retaliatory personnel action by an employer against an employee who discloses policies or practices reasonably believed to pose a threat to public safety or health, or who discloses substantial mismanagement, gross waste of funds or abuse of public authority.

VIETNAM CONFLICT DATES — This bill would define the dates of the Vietnam Conflict as being from January 1, 1963 to February 1, 1973 for the purposes of the Public Officers Law.

VIETNAM VETS MEDICAL LEAVE — This bill would provide Vietnam Veterans with the ability to attend appointments at VA hospitals or similar medical facilities without charge to leave credits, for treatment and care related to service-connected disabilities.

WESTCHESTER COURT EMPLOYEES TRANSFER — This bill will provide that permanent employees of the County of Westchester Department of Public Safety and Services performing security services in the courts where jobs will be taken over by the State of New York the Judiciary Budget will be allowed to elect to transfer to the state, receive credit for sick leave and severance pay, maintain permanent status and receive credit on the state salary schedule for previous years of service.

TAX AND FINANCE — This bill is necessary to protect the rights of certain long term state employees to receive lump sum benefits where there have been short term promotions which might technically preempt eligibility.

EDUCATION

PARTY BILL — The Education Law presently encourages the contracting out of transportation services by school districts by giving private contractors a more favorable state-aid formula. This bill will eliminate that advantage.

CONTINGENCY BUDGET — This bill would provide for a local school board to adopt an alternate budget procedure which would allow them, after a regular budget has been defeated by the voters, to provide for continuation of contingency services such as cafeteria services and transportation services.

BUS SEATS — The Transportation Law would be amended to require motor vehicles seating eleven passengers or more, and used in the business of transporting school children, to be equipped with padded seat backs at least twenty four (24) inches in height, rather than twenty eight (28) inches in height.
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<tr>
<th>BILL</th>
<th>STATUS</th>
<th>COMMITTEE</th>
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<tr>
<td>R-1 S. 686 Schermerhorn A. 737 Lentol</td>
<td>BOARD OF TRUSTEES — The Employees Retirement System is presently administered by the Comptroller, who is also the sole trustee of more than $18 billion in assets. Public employees who are members or pensioners of that system have no voice in investment decisions made by the Comptroller, unlike those in the five pension systems in New York City and the New York State Teachers Retirement System. This proposal would guarantee public employee voting membership on the Board of Trustees for the Employees Retirement System.</td>
<td>S. Civil Service &amp; Pensions A. Government Employees</td>
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<td>R-2 S.3849 Schermerhorn A.5114 Lentol</td>
<td>SUPPLEMENTATION — In order to offset inflationary increases occurring during the last year, this bill would add to the supplementation provided by Chapter 422 of the Laws of 1981. The increase in the amount of supplementation would vary from year to year, would be computed on the first $8,000 of annual retirement allowance, and be available for those who retired at age 55.</td>
<td>S. Civil Service &amp; Pensions A. Government Employees</td>
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<td>R-3 S. 860 Kehoe A.1005 Conners S.1506 Auer A.1974 H. Miller</td>
<td>VETS BUY-BACK — OSEA continues to support the concept that veterans of World War II, Korea and Vietnam shall be allowed to purchase up to three years credit in the Retirement System for service in those wars.</td>
<td>S. Finance A. Veterans Affairs S. Civil Service &amp; Pensions A. Veterans Affairs</td>
</tr>
<tr>
<td>R-4 S.1532 Farley A.2019 Conners</td>
<td>HEALTH INSURANCE-UNUSED SICK LEAVE — This bill would allow an unmarried spouse of an active employee of the state who died on or after April 1, 1979, to continue individual coverage and exhaust any accumulated and unused sick leave up to 165 days.</td>
<td>S. Civil Service &amp; Pensions A. Government Employees</td>
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<td>R-5 S.3905 Schermerhorn A.5107 Lentol</td>
<td>TIER I AND II REOPENERS — This would allow employees who were on the payroll prior to the cutoff date for eligibility in the lower tier and who, through no fault of their own, were both eligible for membership and reasonably believed they had properly applied for the membership, to file to become members of the lower tier.</td>
<td>S. Civil Service &amp; Pensions A. Government Employees</td>
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<td>R-6 S.3229 Volker A.4009 Eve</td>
<td>UNIVERSITY OF BUFFALO — This bill would allow employees who were employed by the University of Buffalo prior to its acquisition by the State of New York to purchase retirement credits from the New York State Retirement System for the time of employment by the University, with electing employees contributing both individual and employer contributions, together with appropriate interest.</td>
<td>S. 4-22-83 2nd Reading A. Government Employees</td>
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<td>R-7 S. A.</td>
<td>HEART BILL — This bill would provide a presumption that diseases of the heart occurring correction officers were caused by employment for retirement system accidental disability hearings.</td>
<td>S. A.</td>
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<td>R-8 S. A.</td>
<td>TIER III ELIMINATION — This bill would eliminate Tier III of the Employees' Retirement System.</td>
<td>S. A.</td>
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<td>R-9 S. A.</td>
<td>FIRST $20,000 EXEMPTION — This bill would allow the first $20,000 of a pension allowance to be exempt from Federal Income Tax.</td>
<td>S. A.</td>
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<td>R-10 S.4605 Farley, Flynn, et al A.6175 Lentol</td>
<td>RETIREE EARNINGS — This bill would increase the amount a retiree from the State of New York or its political subdivisions could earn without loss or diminution of retirement allowance. It is the intent of the committee that such amount keep pace with the amount provided with respect to federal social security.</td>
<td>S. 4-22-83 2nd Reading A. Ways &amp; Means</td>
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<td>R-11 S.1706 Schermerhorn A.2242 Hinchey, Lentol</td>
<td>DENTAL PLAN — This bill would simply allow retirees to be eligible for dental insurance under the group coverage.</td>
<td>S. Civil Service &amp; Pensions A. Government Employees</td>
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<td>R-12 S.3783 Schermerhorn A.4829 Lentol</td>
<td>HEALTH INSURANCE-25% OF COST FOR DEPENDENTS — This bill would provide that the surviving spouse of a retiree who had family coverage in the health insurance plan would be allowed to continue such coverage after the employee’s death, at no more than 25% of the full cost.</td>
<td>S. Civil Service &amp; Pensions A. Government Employees</td>
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<td>R-13 S. A.5437 Kremer</td>
<td>CORRECTION OFFICER 25 YEAR PLAN — This bill would provide, on a local option basis, a 25 year half pay retirement plan for correction officers of political subdivisions.</td>
<td>S. A. Government Employees</td>
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<td>R-14 S.3396 Auer A.5432 Sears</td>
<td>ROME COMMUNITY STORE — This proposal would provide retirement system credits for employees of the Rome Community Store in the Department of Mental Hygiene who have been denied service credit for years of service prior to June 21, 1973, because the Retirement System had determined that they were not authorized retirement credit prior to that date.</td>
<td>S. Civil Service &amp; Pensions A. Ways &amp; Means</td>
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<td>R-15 S.3425B Budget A.4225B Budget</td>
<td>EARLY RETIREMENT — This bill grants an additional three (3) years retirement service credit to certain non-elected related provisions. This bill also makes other related provisions.</td>
<td>S. A.4225B Substituted; 3-26-83 Passed Senate 57-2 A. 3-17-83 Passed Assembly 128-2; 3-28-83 Signed by Governor Chapter 17</td>
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NORWICH — Shortly after the Chenango County Office of Aging building opened for business here on a snowy Monday, April 25, a heavily-armed married couple entered the building through a side door and took 17 people hostage, including four CSEA members who work for the county Department of Social Services.

The hostage siege shocked this small city located in a largely rural area in Central New York. Most severely, though, it left terrifying imprints on the hostages, who were mostly social workers and other county employees. They later wondered if stricter security measures could have prevented the harrowing experience. The only light found in the dark episode was that no one was injured.

Case Worker Lucy Boyd was one of the CSEA members taken hostage. She belongs to the CSEA Chenango County Unit of Local 809. He is similarly a case worker and member of the CSEA Chenango County Unit. "It certainly was a scary situation," Welch said. Other CSEA members taken hostage were Senior Case Worker Joan Gates and Public Assistance Director Josephine Benedicto.

Their alleged abductors were Lawrence Gladstone, 49, and his wife, Christine, 31, of nearby Preston. They had two shotguns, a rifle and Molotov cocktails, police later confirmed. The couple came into the building with their arms and bombs concealed in cardboard, a garbage bag and a tote bag. They unveiled their weapons when they stepped inside the second-floor social services offices.

They gathered an available group of people together and ordered them into a 12 by 10 foot area buildings. Norwich City Police were notified of the siege. At 9:20 a.m., 15 minutes after it started, the Norwich City Police were notified of the siege. About 150 people, who were not hostages, were evacuated from the building.

The county Sheriff's Department and state troopers joined forces with the city police. The city fire department was alerted. By 10 a.m., the building was surrounded by law enforcement officers.

Soon after, a two-block perimeter was closed to traffic. Police made initial contact by phone with the Gladstones. Throughout the hostage stand-off, a direct phone line was used between the police and the abductors. No face-to-face contact was made until the Gladstones were captured by police about eight hours later.

At the time, the hostages were not aware that police had arrived on the scene. Gladstone had not seen police until the standoff was over.

The first pair of people to be released at 9:45 a.m. carried a three-page list of demands from the Gladstones. The demands included the return of their 43 dogs taken by an animal control officer 18 months ago.

Other demands included an open phone line to President Reagan and $4 million for "reparations for war crimes perpetrated by forces against our persons and those of our dogs." They also wanted to speak with Gov. Mario Cuomo and Sen. Daniel Patrick Moynihan. They demanded to see Dan Rather, Frank Gifford, Bryant Gumbel and actress Doris Day, an advocate of animal rights. Except for the return of a few dogs, none of the demands was granted by police.

At 3:42 p.m., the remaining four male hostages were released when another dog was brought in. About two hours later, the Gladstones gave up, but not before gunfire was exchanged. A state trooper's shotgun went off. Police claimed the gun firing mechanism malfunctioned.

Gladstone fired back with his shotgun down a stairwell. Police returned fire. The Gladstones were captured and ushered out back door. While the Gladstones are being bound over for grand jury action, the CSEA members that were hostages wondered how the incident could have been avoided. "I think it would be difficult to arrange security in a building like this, which, after all, is a public place," Welch said.

"I think it's unavoidable unless you had metal detectors," said Gates. "No one would know what was concealed unless you frisked people." County Social Services Commissioner Stanley Kimiecik said, "My feeling is that if you had a guard at every door this kind of thing could have been avoided.

"That's my personal feeling; it could create more problems. Any reaction now is more of an emotional one." Although he was not a hostage, Kimiecik stayed inside the building throughout the crisis to assist police.

Jerry Sayles, president of the CSEA Chenango County Unit, noted, "It would be nice if the county Office of Aging, whose employees were also involved as hostages. At 9:30 a.m., 15 minutes after it started, the Norwich City Police were notified of the siege. About 150 people, who were not hostages, were evacuated from the building.

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At the time, the hostages were not aware that Lawrence Gladstone had served 26 months in Fort Leavenworth Federal Penitentiary. He had been convicted in the late 1960s of conveying arms to Ireland for the Irish Republican Army.

Despite his criminal past, Lawrence Gladstone showed some sympathy to his hostages. He asked if any pregnant women were among the group or whether any of them had heart conditions. Eventually two more people were released.

He also asked the hostages if they were all county employees or if there were any "civilians." At least one non-employee and possibly another was let go, said Ault, who was among the last to leave.

At 11:30 a.m., a press conference was called by police in the nearby library. Relatives of the hostages and county employees nervously waited for developments in the library and other area buildings. Norwich City Police Chief Gary Follett told reporters. "Things are calm. There don't seem to be any reason for alarm."

The incident received statewide and national news coverage. Along with County Sheriff Moe