Union on the move
CSEA outgrows old headquarters, opens for business at new site

ALBANY—Friday, Sept. 13 was a “blue ribbon day” for a ribbon cutting ceremony as CSEA officers and staff were joined by luminaries from the Capital District to officially announce the opening of CSEA’s new headquarters.

Under sunny noon-time skies, CSEA President William L. McGowan welcomed the crowd. “All of our members would like to thank you for taking time out to join us today. This is a great day for CSEA. We have a new building and anticipate filling it to capacity,” said McGowan. “We’re in a period of growth and will continue to grow to be not only the biggest union in New York state, but in the country, because we have so many great people behind us,” he concluded.

Albany County Executive Jim Coyne was on hand to cut the ribbon. “I’m happy to be here today,” said Coyne. “CSEA is very much respected in the public sector. We’re not always in full agreement, but as a former union member during my teaching days, I fully respect the philosophy of unions. I hope in the future you achieve your goal as the biggest union,” he concluded.

(Continued on page 9)

143 Washington Ave., Albany.
Some of the Greatest Things in America Never Change.

The public sector

ALBANY—CSEA members and agency fee shop payers who object to the appropriation of a portion of their dues for political or ideological purposes unrelated to collective bargaining can obtain a rebate. The CSEA political rebate amounts to $4.25 for the fiscal year ending Sept. 30, 1985.

The union’s procedures call for rebate requests to be submitted by certified or registered mail addressed to the statewide treasurer. Requests will be accepted during the month of October.

Individual requests should be submitted; list of members and fee payers are not acceptable. Each request for reimbursement must include the individual’s Social Security number.

AFSCME’s Constitution also includes a rebate procedure. The international secretary-treasurer calculates the portion of per capita payment or service fee equivalent that has been used for partisan political or ideological purposes during the fiscal year and rebates that amount upon proper application.

Individuals asking CSEA for political action rebates are not required to file separate requests to the International. CSEA will forward the International’s rebate requests to be submitted by the CSEA political action treasurer.

Some of the best things about Savings Bonds haven’t changed. The interest you earn is still exempt from state and local income taxes. Bonds still cost as little as $25. And they can be purchased at almost any financial institution, or easier yet, through the Payroll Savings Plan where you work.

Just hold Savings Bonds for five years and you get the new variable interest rates. Plus, you get a guaranteed return. This means you can earn a lot more, but never less than 2½%.

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Buy U.S. Savings Bonds. To find out the current interest rate and more information, call toll free 1-800-US-BONDS.

Rebate on dues for political action

Regional V fall conference

UTICA—More than 200 officers, delegates and other CSEA members are expected to attend the Region V Fall Conference scheduled for Sept. 27-29 at the Sheraton Inn and Convention Center in Utica.

According to Region V President James Moore, the weekend gathering will open with a Friday evening session conducted by the Regional Women’s Committee on discrimination in the workplace.

Two general sessions on Saturday will focus on convention motions at the forthcoming statewide delegates convention in New York City. Retiree and other committee meetings will round out Saturday’s business activities. A regional executive board meeting scheduled for Sunday morning will cap the weekend meeting.

“Both Saturday sessions are open to CSEA members in the Central New York and Mohawk Valley areas,” Moore said.

WANTED: info on sloppy road work by private contractors

CSEA Board Member Joan Tobin warned in a recent article in The Public Sector that “private contractors just want to get rich.” Her comments were made after Franklin White, the state’s new Department of Transportation commissioner, said he wants to boost the use of private contractors for routine maintenance work.

Tobin in her fight against contracting out, now wants more information about the quality of work being done by private contractors. CSEA members aware of any road maintenance or pavement work that was substandard should send specifics to: Kathy Albowicz, CSEA Research Department, 143 Washington Ave., Albany, N.Y. 12210.

Be sure to include such details as the contractor’s name and the location and nature of work contracted out. Also include your name and telephone number in case more details are needed. Your name will be kept confidential.

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"When you're paying . . . $3 million a year . . . you expect the garbage to be picked up"

PSC Broome Street facility at center of SIC probe into "sweetheart deals"

By Stephen Madarasz
CSEA Communications Associate

NEW YORK CITY—"When you're paying nearly $3 million a year in rent, you expect the garbage to be picked up at least."

It isn't, says Public Service Commission CSEA Local 450 President Kin Eng, but the garbage problem isn't the only deficiency at the PSC's new offices at 300 Broome Street in Manhattan.

Eng says employees are inconvenienced, at the very least, because one of four elevators is always broken. And only now, nearly a year after the state moved into the building, the landlord is refacing the outside of the building. The PSC move was part of the massive relocation of state workers out of the World Trade Center and into decentralized quarters throughout the city. The move into Broome Street is the centerpiece of a State Investigations Commission probe into "sweetheart deals" to secure the lease arrangements for politically connected landlords.

The state is paying $28.5 million for a 10-year lease at Broome Street. "At that price, the place should have been ready for occupancy from the start," says CSEA Region II President George Boncoraglio. "Instead," he says, "our tax dollars are paying the landlord to fix up his building, while our members work in a construction site."

Local 450 President Eng says the garbage pile-up is the greatest annoyance. "We sometimes go more than a week between pickups and it really accumulates at people's desks and in the hallways."

CSEA Regional Occupational Safety and Health Specialist Floyd Payne said, "It's not really a safety and health issue as it is now, but it creates the potential for problems if the garbage starts blocking access in and out of the building, or begins to attract roaches and rodents."

Eng indicates that the issue has repeatedly been brought to management's attention. "But the answer they keep giving us is the Office of General Services, which negotiated the lease, is trying to work it out with the landlord. You'd think at those prices they could get some satisfaction."

PAY NOW, WE'LL FIX IT LATER—Scaffolding surrounds Region II OSH Specialist Floyd Payne and the exterior of the PSC offices at 300 Broome Street. The state moved into the quarters a year ago, at nearly $3 million annual rent, but the landlord is just now getting around to refacing the building. Elevators at the facility are constantly out of service also, according to complaints of members.

HIGH RENT BUT TERRIBLE SERVICE—PSC CSEA Local 450 President Kin Eng and Region II OSH Specialist Floyd Payne inspect the garbage piled up at the PSC's Broome Street offices. Even though the state is paying sky-high rent for the facility, Eng says garbage sometimes isn't even picked up weekly, creating the potential for serious health and safety problems.
NEW CITY — Rockland County violated the collective bargaining contract when a CSEA member was denied two consecutive days off, according to a recent grievance decision.

William Nehrbass, a radio operator with the Rockland County Sheriff’s Department, was denied a work schedule of five days and two days of rest, according to CSEA Attorney Myron Mandel.

At this time, Nehrbass was the most junior employee and was therefore assigned as a relief operator. As a result, he was denied two consecutive days off during 18 scattered weeks during the year.

County officials maintained, however, that Nehrbass’ schedule did not violate the contract because they claimed, the definition of “day of rest” contained in the agreement “merely requires two days of rest in a week, consisting of 24 consecutive hours on which the employee is not scheduled to work.” Moreover, said the county, this type of scheduling had been used for years, and “the bureau’s operations are unique and require 24-hour, seven-day-a-week scheduling.”

Members of the grievance panel upheld the union’s contention that the contract “contains no exception for radio operators in relation to the basic work week.”

The contract “requires that an agency which operates on a 24-hour basis establish working days and hours in a manner not inconsistent with the contract,” said the panel. “While the evidence indicates that the bureau has apparently operated on this type of schedule since 1967, there is no basis in the contract for treating radio operators differently from other employees insofar as the requirement for two consecutive days of rest is concerned. Even a long-standing practice cannot operate to deprive an employee of a specific right guaranteed in the contract.”

The panel concluded by requiring that all radio operators be afforded two consecutive days of rest after working a maximum of five days. In addition, the panel ordered that an employee will receive a day of overtime pay in any week where he or she does not receive two consecutive days off.

CSEA member reaches out to victims

ALBANY: “Rape,” says Wanda Lubinski, “is a crime of violence, not passion.”

For the past year, Lubinski has been working as a volunteer with the Albany County Rape Crisis Center. During that time, she has received training in the psychological, medical and legal aspects of rape and sexual abuse.

“I’ve helped a three-year-old boy and a 21-year-old woman through the hellish hours following an attack,” Lubinski said.

Lubinski serves as president of CSEA Mental Hygiene Central Office Local 673 for two terms. She proudly notes that she signed up for CSEA membership on the first day of work 13 years ago, and has served in numerous union offices and positions.

No longer busy with union office responsibilities, Lubinski turned to involvement with the Albany County Rape Crisis Center. “I had time available and they needed help, so I volunteered,” she said.

Her involvement has led her into the emergency rooms and police stations.

“We don’t just answer phones and give advice,” Lubinski explained. “We are victim advocates who are ready to assist victims through medical exams and police questioning. We’re ready to be at the victim’s side.”

Her involvement in the rape crisis program has also led to her interest in the Troy Center for Battered Women. “Society has got to recognize these crimes, rape and battering, as just that—crimes—violent crimes against women and children.”

Lubinski, who received a tremendous amount of training with CSEA, plans to use her union leadership skills in her volunteer roles. “I’m grateful to CSEA for all the training which I can apply to help other people in difficult situations,” she concluded.
At Bronx Psychiatric Center:

**Conditions go from bad to worse**

By Steve Madarasz
CSEA Communications Associate

BRONX—As Local 401 President Ernest Punter sees it, working conditions at Bronx Psychiatric Center are going from bad to worse. Even as Punter was testifying about the deterioration before a Senate hearing earlier this summer, the union was receiving another slap in the face from management.

On July 31, the local was informed a contractual grievance that it had already won was being reversed by the Office of Mental Health's Bureau of Employee Relations. It involved management violation of a labor-management agreement that had been painstakingly negotiated four years earlier to protect employee rights in case of involuntary reassignment.

“We signed the agreement after six months of discussion in 1982,” says Punter. “Everyone agreed to it. Management certainly cleared it with Albany and it was working.”

But a new facility director decided in 1984 that it was not to his liking and began to work around it. He wanted to move 22 employees, but was required under the agreement to honor their existing pass days.

Eventually, he transferred them anyway and then called for a general rebid on pass days throughout the facility. Since the 22 forced transfer employees had little seniority, the end result was that they were reassigned without choice and without retaining the rights guaranteed under the labor-management agreement.

CSEA immediately grieved the action and last May 17 were told by OMH that they had won. The administration at Bronx PC said, however, that it would not go along with the decision and indicated it would have to discuss it with OMH officials in Albany. That set the stage for the July 31 decision reversal.

While the union plans to appeal the issue, Punter points out that a great deal of harm has already been done: “It’s a matter of credibility. This isn’t the first time management has broken a written agreement with the union and that’s what bothers me most. What’s the point in having a grievance process if you can’t have any confidence in it?”

Adds Field Representative Marcia Shiozawa: “I’ve never seen anything like this before. Does it mean we can’t expect enforcement of agency-level decisions if a particular administration doesn’t like them?”

Punter says it’s a cruel hoax when management “plays with people’s lives and stacks the cards against them.”

“We represent people who want to come to work and do their jobs caring for sick people. That’s difficult enough under the circumstances here and our people shouldn’t be treated like pawns in a political game.”

Court clears BPC worker of patient abuse

BRONX—For Bernice Moody, it wasn’t right when an arbitrator found her guilty of charges that hadn’t been brought against her. But CSEA didn’t let the issue end there and in an unusual step, a state Supreme Court judge overruled the decision and cleared the Bronx Psychiatric Center employee of any wrongdoing.

Moody was accused of patient abuse, but found not guilty of the charge by an arbitrator. However, he then went beyond his authority by claiming Moody had inadvertently pulled the client’s hair and had not reported the incident.

Even though Moody had not been accused of those infractions, the arbitrator recommended disciplinary penalties for them.

CSEA successfully challenged those findings in court, arguing first that an arbitrator cannot rule on issues that have not been presented to him. The union, pointed out next that under terms of its contract with the state and civil service law, an employee may not be disciplined for inadvertant acts.

The judge agreed and indicated “to punish an employee for an inadvertant act is draconian in nature.”

It is rare to go beyond an arbitrator’s decision into court. But, according to CSEA officials, this was a case that was crying out for justice. Says BPC Local 401 President Ernest Punter: “The arbitrator’s decision clearly violated our contract. He found Moody not guilty of what she had been charged with, but to appease management he developed charges on his own.”

Punter cites this case a just another incident in the continuing struggle to maintain employee rights at Bronx Psychiatric Center.

Punter hopes that the new facility director who recently joined Bronx PC will move quickly to heal festering wounds between CSEA and the administration.

“This Moody case is really a milestone because it shows we can win when we’re right and it serves notice that we’re not going to just roll over and play dead when patient and employee rights are being trampled.”

STRATEGY—Bronx Psychiatric Center Local 401 President Ernest Punter, left, discusses a plan of action with Grievance Chairman George Austin, center, and First Vice President Ed Grey. The local is fighting tooth and nail just to hold onto contractual rights that have been violated by Bronx administration. The facility is also under fire from a Senate committee for failing to upgrade patient care and programming. A new facility director begins work this week.
Seneca County Local gets agency shop

WATERLOO—After months of work by its membership committee with full support from CSEA staff, Seneca County Local 850 has signed enough new members to qualify for agency shop.

Jannette Monterville, president of the local, recently announced the development and credited the organizing team for helping to make the union advance possible.

CSEA wins three new Seneca Co. titles in PERB decision

WATERLOO—A PERB judge recently upheld CSEA's position in a Seneca County case involving three new job titles the county sought to have made management confidential.

The issue began last September when Seneca County created the titles of associate employment specialist, director of social services, and staff development coordinator in the Department of Social Services.

Although the job titles were new, CSEA contended that based upon the work performed and the amount of authority involved, the three titles should be included in the CSEA bargaining unit. In October, the union filed a grievance and proceeded through the required steps.

A preliminary hearing was conducted by PERB in January, and a formal hearing was held March 1. At the hearing, the county asserted that the new positions formulated departmental policy and should be excluded from the CSEA bargaining unit because of their supervisory duties. CSEA Counsel John Mineaux argued, however, that the three share common interests with others in the unit and have substantially similar terms and conditions of employment that are not managerial.

PERB issued a decision May 29 that the three titles should be added to the existing unit.

Monterville explains that language in the most recent contract was negotiated to specify that a 65 percent membership would qualify the local for agency shop.

“...The officers and membership committee knew that agency shop was an obtainable goal if we really worked for it,” Monterville said.

After being appointed to the Regional Membership Committee by Region V President Jim Moore, Monterville met with Lee Frank, CSEA director of Organizing, and suggested that the Seneca County contract had a "trigger mechanism" to permit agency shop if the quota of new members could be reached.

Frank approved a drive immediately and within several weeks a team comprised of CSEA staff organizers Penny Bush and Tom Mullen was coordinating efforts with the local organizing committee.

For the next three months, the team went out to sign up new members to reach the required percentage,” Monterville said. The big day arrived June 3. We notified management that county employees had signed enough membership cards to qualify for agency shop. Management reviewed our cards and figures and agreed to begin payroll deductions June 14. It was a terrific accomplishment for the organizing committee.”

The membership committee included: Chairman Frank McDonald, Aldeene Smith, Ruth LaBelle, Patty Faiola, Martha Rogers, Tom LaBelle, Ed Callahan, Diane Pierie, Michelle Abbott and Sara Ryan.

Monterville noted that the locals next objective is to convert agency shoppers to full and active membership.

AGENCY SHOP TALK was the main topic of discussion when the Seneca County Local 850 Membership Committee met to exchange congratulations after reaching its goal to qualify for agency shop.

Pictured, from left, are: (first row) Tom Labelle, vice president; Janette Monterville, president, Local 850; Ed Callahan; Ruth LaBelle; (second row) Aldeene Smith, Martha Rogers and Patty Faiola.

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IT’S OFFICIAL—Flanked by Local 834 President Pat Callahan, left, and Sue Smith, chairwoman of the CSEA negotiating committee, Onondaga County Executive John Mulroy signs an agreement between the county and the union after months of negotiations.

Others on hand for the occasion were, from left: Ken Issacs, County Highway Department; Tom Murphy, Van Duyn Home and Hospital; Tad Fundalinski, Department of Social Services; Fred Baur Jr., County Probation Department; Beverly Corteville, Corrections Department; Len Foster, president, County Administrative Unit; Sarah Soule, County Health Department; Peter Troiano, Onondaga County Director of Employee Relations. Also serving on the negotiations committee, but not present for the signing ceremony, were: Jim Adsitt, Drainage and Sanitation Department; Helen Windhausen, County Parks Department; and John Kuhn, County Library Unit. The two-year agreement provides 10 percent salary hikes, plus increments and other benefits for more than 3,500 county employees. Members ratified the agreement in July by an overwhelming margin of nearly 3 to 1.
"The Public Sector" periodically publishes photographs and information about missing children registered with Child Find, Inc. of New Paltz. Child Find is a non-profit organization which works with a national network of teachers, social service groups and law enforcement agencies to help locate missing children.

Child Find maintains a toll-free number, 1-800-I AM LOST, which persons with any information about missing youngsters can call with complete confidence. According to Child Find, the organization becomes involved with mostly parental abduction cases, and that about 95 per cent of the children the organization is looking for were abducted by one of their parents.

If you believe you have information relative to the child below or any other missing child, immediately contact Child Find on the toll free number, 1-800-1 AM LOST.

Che' Khalil Elkeilani
Birthdate: 5/14/80
Abducted: 10/8/83
CF 2988

If you’re in the market for a wide variety of items, United Buying Service can help you

If you’re a CSEA member who is planning to buy furniture, jewelry, a major appliance or an automobile in the near future, your purchasing power has been substantially increased thanks to United Buying Service.

Through UBS, the oldest and largest discount buying service in the state, CSEA members can obtain large discounts on a wide variety of products and services.

This special discount buying service is being made available to CSEA members at no cost and no obligation of any kind to those members using the program.

CSEA President William L. McGowan said that while UBS has an excellent record for delivering high-quality products and service at substantial savings, members should continue to be smart shoppers by looking for the items they want at local stores and shopping for sales first to be sure that UBS is providing the best prices for those major purchases.

To use the service, call the numbers provided and give the make and model number of the item you wish to purchase. You will be quoted UBS's lowest price and, if you wish, your order can be placed by phone and delivered to your home.

Brochures explaining the service are available to members through your local or unit president.

The 1986 automobiles will be available in late September. Discounts are now available on purchasing and leasing of these 1986 models. For complete information, brochures will be available through your CSEA Local president during the last week of September.

If you avail yourself of United Buying Service discounts, call this number and identify yourself as a CSEA member:

LONG ISLAND (516) 488-3268
NEW YORK CITY (212) 889-6338 or 685-5252
WESTCHESTER and UPSTATE NEW YORK (800) 522-3131

September 20, 1985
THE PUBLIC SECTOR
ALBANY-State employees in the Capital District donate 17 percent of the northeastern New York blood supply and a remarkable 37 percent of all blood used in Albany County, according to New York State Employee Blood Program Administrator Joe O'Sullivan. That, he said, tops a list of reasons why the American Red Cross was honoring the efforts of four public sector blood drive coordinators, their respective public employee departments and union locals for “outstanding efforts” during the past year.

New York state employees donated 47,500 pints of blood statewide last year. They are truly an invaluable resource to all citizenry,” O’Sullivan noted.

Ann Kasson, CSEA Tax and Finance Local 690; Everett Ford, PEF; Karen Stenard, Ag and Markets; and Deborah VanDeCar, Environmental Conservation, were all honored for their efforts at coordinating blood drives and recruiting blood donors during the past year.

CSEA Tax Local President Carmen Bagnoli praised Ann Kasson’s outstanding effort remarking that this was her first effort as blood drive coordinator for the CSEA Local. “In this instance, however, the initials CSEA or PEF or MC are secondary to A-positive and B-negative,” Bagnoli said. “They’re the initials that really count.”

JUDY SALISBURY (left), PRESIDENT OF ENVIRONMENTAL CONSERVATION LOCAL, views the letter of recognition and award of Deborah VanDeCar of EnCon. Employee support demonstrates the humanitarian nature of the public sector.

AGRICULTURE AND MARKETS LOCAL PRESIDENT RAY LeROSE DISPLAYS AWARD with Ag and Markets Blood Coordinator Karen Stenard, noting the supportive efforts of CSEA membership during the blood drive.

‘New York state employees donated 47,500 pints of blood statewide last year, . . . they are an invaluable resource.'

Joe O’Sullivan
A CUT ABOVE THE REST — CSEA President Bill McGowan holds the ribbon for Albany County Executive Jim Coyne during ribbon cutting ceremonies at CSEA’s new headquarters as Statewide Treasurer Barbara Fauser looks on. Albany Mayor Thomas Whalen congratulates McGowan and CSEA officers and staff who gathered in front of the 143 Washington Avenue location on Sept. 13.

NEW HOME

(Continued from Page 1)

Albany Mayor Thomas Whalen joined McGowan for a tour of the building, greeting staff members along the way. He was very complimentary regarding the decor and layout of the offices, and wished CSEA continued success in its new Albany-based headquarters.

The new headquarters at 143 Washington Avenue, is located in a four-story structure which was purchased last fall from the New York State Teacher’s Retirement System. The building has been fully renovated to house all officers and staff employees assigned to CSEA Headquarters.

Since 1968, CSEA’s statewide headquarters had been located at 33 Elk Street, Albany. The relocation was necessitated by the fact that CSEA outgrew the Elk Street facility, which forced several of the union’s departments to operate from leased office space.

Statewide Treasurer Barbara Fauser observed, “It’s a little nostalgic for me to move out of the 33 Elk Street building, because I was among those in 1967 who helped build it. Now we are in a huge building and we should be proud of the progress our union has made.”

The new headquarters will be able to better serve its six regional offices and nearly a quarter of a million public employees in New York state.

Washington decision won’t affect goals for pay equity

A study on comparable worth will be delivered to CSEA and GOER on Sept. 30, according to Audrey Seidman of the Center for Women in Government.

The now-famous State of Washington Comparable Worth Case has become an issue of great concern to CSEA members. The recent decision is based, in essence, on the fact that the court holds that a system which was developed by reliance on the free market system in terms of the rate of pay given to a particular job will not in and of itself constitute a violation of Title 7.

“We must keep in mind,” said Statewide Treasurer Irene Carr, “that the state of Washington has comparable worth legislation on the books. The Washington decision in no way diminishes our goals to obtain pay equity.” According to Mrs. Carr, AFSCME won a $41.6 million out-of-contract settlement in the state of Washington and is now negotiating how the money will be distributed.

“CSEA had the foresight to negotiate for pay equity and some people will be receiving “hard dollars” over the last two years of the contract,” Carr added. “Equal pay for equal work is very much alive and well in New York state.” she concluded.

The Public Sector will bring a comprehensive update on the issue of pay equity in future issues.
Volunteer agencies offer help

By Anita Menley, CSEA Communications Associate

While AIDS is a problem that needs to be addressed on many levels, the Department of Health Education has taken some steps to help prevent the spread of AIDS.

The Department recently took steps to help prevent AIDS by establishing a mandatory screening program for all employees who work with patients. This program requires employees to undergo testing for HIV antibodies.

In addition, the Department has also implemented a procedure for handling AIDS patients. Employees are instructed to wear gloves and other protective clothing when dealing with AIDS patients, and to wash their hands frequently.

The Department has also taken steps to educate the public about AIDS. They have distributed informational brochures and pamphlets to hospitals and clinics throughout the state.

The Department has also established a hotline for people who have questions about AIDS. The hotline is staffed by trained counselors who can answer questions and provide information about AIDS.

Overall, the Department has taken a proactive approach to dealing with AIDS, and has made significant progress in reducing the spread of the disease.
ON THE RIGGING — First mate Jackson Smith climbs down from the crow's nest of the Sea Lion.

Former CSEA member recreates ship from stem to stern

Ship lover set to sail on his dream

Photos and copy by Ron Wofford
CSEA Communications Associate

MAYVILLE—When the Sea Lion sets sail next summer with its first full complement of paid passengers, the authentic 16th century English merchant vessel will be sailing on the wings of a dream.

The accomplishment of re-creating a wooden ship from stem to stern might have been enough for many, but Ernie Cowan had a dream, since his boyhood visit to the Mayflower II, of sailing such a ship and carrying passengers.

After 14 years of research, building, and gaining the support of sea lovers and his entire community, Ernie Cowan’s Sea Lion has been officially commissioned, and is plying the waters of Lake Chautauqua.

The story of how Cowan, a former Chautauqua County Sheriff’s deputy and member of Local 807, decided to devote full time to his project by enlisting all the necessary people and ingredients to make the effort a success which has won a worldwide salute.

Liz Lasser, a member of Local 807, is one of hundreds who donated time, money, and energy to see the project reach fruition. Lasser, a public health nurse, spent her spare time helping out aboard the 90-ton vessel and cut, shaped, carved, fitted, positioned, fastened, and sealed pieces of the ship by hand.

“It’s a great experience,” declared Lasser. “Right now I am spending three nights a week on board learning to assist with riggings, and helping with the crew schedule.”

Lasser, a five-year county employee, said she was inspired to join the Sea Lion project when she spotted a newspaper ad that promised
"hard work-no pay." Said Lasser, "The ad lived up to its promise."
The honor roll of the many others who also gave of their time would not be complete without the name of Carl Lyon, a local lumber mill owner and family friend, who personally selected the 400 year old virgin oak trees and donated the use of his mill to cut the timber for the ship. The vessel—Sea Lion—is named from his first initial and last name, C. Lyon. The white oaks, said to contain a natural fiber that seals wood pores to prevent leaking, were donated by the Cheney family of Bemus Point. At the recent commissioning of the Sea Lion, messages of congratulations were sent by New York Senators Daniel P. Moynihan and Alfonse D’Amato.
Chautauqua County Executive John Glenzer termed the formal commissioning "A proud day for everyone in the county." He also proclaimed Cowan "The county's official dreamer."
The Sea Lion joins two other craft that make up a floating museum on Lake Chautauqua. Chautauqua Belle, an authentic paddle wheel steamship, and the 174 year old Bemus Point Stow Ferry.
All three are operated by Sea Lion Project Ltd., a non-profit corporation formed to promote the enjoyment of the lake's scenic beauty.
Those interested in helping support the operation can write to Sea Lion Project Ltd., R.D. One Sea Lion Drive, Mayville, N.Y. 14757. Or call: (716) 753-2403.
The address and phone number can also be used to find out about available space on the Sea Lion. The three masted vessel sails into the 16th century of dreams in the spring of 1986.
The Constitution and By-Laws Committee met three times since the Annual Delegates Meeting in October, 1984. The meeting dates were Jan. 31, 1985; April 18, 1985; and June 27, 1985. The Constitution and By-Laws Committee has as its function the recommendations to the Delegates of amendments to the CSEA Constitution and By-Laws. The Committee reviews suggestions made from individuals and accepts referrals from the delegates and Board of Directors. Additionally, the Committee can initiate proposals which it deems to be in the best interests of the Association. All recommendations made by this Committee are made to the delegates together with the reasons for the recommendations.

**KEY: BOLD FACE = New Material**

**BRACKETS = Removal of Old Material**

**THE FOLLOWING ITEMS ARE PRESENTED TO THE DELEGATES FOR A SECOND READING. IF PASSED, THE AMENDMENTS WILL BECOME PART OF THE CSEA CONSTITUTION.**

1. **ORGANIZATION OF THE ASSOCIATION**
   Section 5, OFFICERS
   
   c. INDEPENDENT NOMINATIONS. Nomination for President, Executive Vice President, Secretary and Treasurer may also be made by official petition provided by the Executive Director of the Association upon written request of any member. Such petitions shall be signed by not less than two percent (2%) of the 1,000 members of any one Local. The number of such signatures shall be printed on the official ballot if such nominations are filed with the Secretary and the Executive Director of the Association on or before October 1st. Explanation: The first reading of this proposed amendment provided for petitions containing not less than 1,500 signatures. Since the last Delegates Meeting, the U.S. Court of Appeals for the Second Circuit has upheld a requirement of 1,000 signatures for nomination by petition in statewide elections. The Committee recommends, therefore, that the original number of 1,500 be reduced to 1,000 in order to be absolutely certain that the nominating procedure has the sanction of the Courts and, therefore, the U.S. Department of Labor. The Committee has been advised by Counsel that a modification of the amendment from 1,500 to 1,000 signatures does not substantially change the intent of the amendment. The Committee recommends adoption of the revised amendment.

2. **AMENDMENTS**
   
   Delete entire Article; insert the following new language:

   This Constitution may be amended as follows:
   
   a. A proposed amendment must be submitted in writing to the Secretary of the Association at least 90 days prior to the opening of the delegate meeting at which it is to be presented, and
   b. A majority of the delegates present and voting shall approve the proposed amendment or a substantially similar amendment and order that it be published in the official newspaper of CSEA at least ten (10) days prior to the next meeting of the Association, and
   c. The proposed amendment as published is approved by a two-thirds vote of the delegates at the next meeting of the Association.

   Explanation: The Committee concurs with Secretary Carr that amendments must be submitted at least 90 days prior to the opening of the Delegates Meeting in order to provide enough time for the Committee to meet and make a recommendation to the Delegates within 30 days submit its report within the required 60 days. The remaining language contained in this amendment is merely a more orderly and logical rewording of the current language of the Constitution plus many additional items which the Constitution and By-Laws Committee has requested. Given the fact that the new Retirees Constitution, it is no longer necessary and is perhaps confusing to continue the “County Division” within CSEA encompasses significantly more than the political entity known as a County and over time the County Division has been referred to more and more as the Local Government Division. It is time that CSEA make this essentially cosmetic change in order to more accurately reflect the correct makeup of the “County Division.” The Committee unanimously recommends the adoption of this change and proposes that it be done in one motion by the Delegates approving the change.

3. **ARTICLE IV LOCAL GOVERNMENT DIVISION**
   Section 1, [COUNTY] LOCAL GOVERNMENT EXECUTIVE COMMITTEE.

   The power and authority to transact business relating to employees of the political subdivisions of the state shall, except as otherwise provided herein, be vested in a [County] Local Government Executive Committee which shall consist of the Officers of the Association and one representative from each [County] Local Government Division County having 100 or more members as of the preceding January 1st, and one [County] Local Government Division County having 100 or more members as of the preceding January 1st. In addition to the foregoing, each [County Division] Local Government Division County Local having 10,000 or more members as of January 1 in the year of an election shall, for the term of office beginning the following July, be entitled to one additional representative. REST OF SECTION REMAINS THE SAME.

   Explanation: This proposal seeks to clarify what is now ambiguous or confusing language in the Constitution. This amendment simply states that for purposes of determining members of the Board of Directors, members of the Local Government Executive Committee shall be elected by the members of the Local Government Executive Committee to represent Local Government County Locals which have more than 100 members as of the preceding January 1st. In addition to the foregoing, each [County Division] Local Government Division County Local with more than 10,000 members as of January 1 in the year of an election shall, for the term of office beginning the following July, be entitled to one additional representative. REST OF SECTION REMAINS THE SAME.

   http://www.charitywashere.com
“ARTICLE IV
ORGANIZATION OF THE ASSOCIATION
Section 2. BOARD OF DIRECTORS. The power and authority to transact all business of the Association shall, subject to the power and authority of the Delegates at meetings of the Association, be vested in a Board of Directors which shall consist of the following:
(a) Voting Members — The voting members of the Board of Directors shall be the Officers of the Association, members of the Executive Committee of the State Division, members of the Executive Committee of the County Division who represent Locals, members of the Executive Committee of the Local Government Division, and members of the Waterfront Commission and state public institutions. The Judiciary, the State University, and the Department of Education shall each be entitled to one vote for each 100 members or major fraction thereof that he or she represents. Where there is more than one representative on the Board of Directors for a department, those members shall be entitled to a pro rata share of the votes from their respective constituencies. The Officers of the Association shall each be entitled to one vote. REST OF SECTION REMAINS THE SAME.

(b) a. LOCALS. REMAINS THE SAME

b. Section 2(c) LOCALS. REMAINS THE SAME

“ARTICLE VI
STATE DIVISION
Section 1. STATE EXECUTIVE COMMITTEE. The power and authority to transact business relating to state employees shall, except as provided herein, be vested in a State Executive Committee. The State Executive Committee shall consist of the officers of the Association, and one representative from each State Department. The members of the State Waterfront Commission and state public institutions as units, shall be deemed State Departments. The Faculty and Teachers Retirement System which shall be deemed a State Department with more than 3,000 members as of January 1 of the election year shall, for the term of office beginning the following July, be entitled to one representative on the State Executive Committee for each 3,000 members or major fraction thereof. The members of the Department of Mental Hygiene shall be elected by Region. In all other departments entitled to more than one representative on the Board of Directors, members shall be elected from the departments on an at-large basis. Each member of the State Executive Committee shall be entitled to one vote and shall be entitled to a pro rata share of the votes from the respective constituencies. The Officers of the Association shall each be entitled to one vote. REST OF SECTION REMAINS THE SAME.

Section 2. LOCALS. REMAINS THE SAME

“ARTICLE VII
COUNTY DIVISION
Section 1. COUNTY EXECUTIVE COMMITTEE. The power and authority to transact business relating to employees of the political subdivisions of the state shall, except as otherwise provided herein, be vested in a County Executive Committee. The officers of the Association and one representative from each County Division Local, and one County Educational Local representative from each CSEA Region elected by the County Educational Local members shall be a member of the County Executive Committee. In addition to the foregoing, each County Division Local with more than 10,000 members as of January 1 in the year of an election shall, for the term of office beginning the following July, be entitled to one additional representative. Each member of the County Executive Committee shall be entitled to one vote for each 100 members or major fraction thereof in the Local which he or she represents. Where there is more than one representative on the Board of Directors for a local government division similar to the current ability to create new Locals in the State Division. The Committee believes, as supported by the input from Ms. Sullivan, Mr. Donahue and Mr. McDermott, that it is imperative to have an assurance of the ability to create additional Locals if CSEA is to continue to deliver high quality services to Local Government employees. Under our current procedures, the Joint Board can create Locals in the State Division but the Board’s hands are tied if a Unit of 2,000 members in the Local Government Division can justify the creation of a Local. The Committee believes that the adoption of these proposed amendments is critical if CSEA is to continue as a progressive, democratic union.

(3) The following amendments are submitted to the Delegates by the Constitution and By-Laws Committee. The amendments delete all references to “registered” mail contained in both the Constitution and in the By-Laws, leaving or reading and the Committee recommends that the By-Laws changes not be physically made until such time as the second reading to amend the Constitution has passed.

“ARTICLE IV
ORGANIZATION OF THE ASSOCIATION
Section 6. OFFICERS.
(b) b. The Statewide Nominating Committee shall make a good faith effort to select at least two (2) nominees for each position on the State Executive Committee.

No person shall be eligible for nomination unless that person shall have been a member in good standing of CSEA since June 1 of the year preceding the election. The Statewide Nominating Committee shall file with the Secretary and Executive Director of the Association no later than March 1 of the election year and shall simultaneously notify all candidates of their nomination by certified mail, return receipt requested. Nominees who desire to decline shall do so by notifying the Secretary and the Executive Director of the Association by registered or certified mail, return receipt requested, no later than the date published in the election schedule. The Statewide Nominating Committee, in the event of a vacancy created by a declination or otherwise, shall reconvene and make a good faith effort to select another qualified candidate if necessary, and shall file the names of those nominees to the Secretary and the Executive Director no later than April 15 of the election year.

Changes to the By-Laws:

“ARTICLE III
STATEWIDE ELECTIONS
Section 3. ELECTION PROTEST. Any member of a Local may file a protest with the Statewide Election Procedures Committee by (registered or) certified mail, return receipt requested. Such written protest must be postmarked within ten (10) calendar days after the member first knew or should have known of the act or omission complained of. Notice of such protest must also be sent by (registered or) certified mail, return receipt requested, to all other candidates. The protest must include the member’s signed statement, supported by documentary evidence, containing a short and plain statement of the facts upon which the member relies to show that he or she has been aggrieved. Each election protest must contain the name, address and telephone number of the member making the protest and a statement that all other candidates have been notified of the protest.

“ARTICLE IV
FINANCE
Section 2. DUES AND AGENCY SHOP FEE.
(a)(5) Any person paying an agency shop fee who asserts that the Association is exceeding more than the amount referred to in paragraph (a)(4) for political or ideological purposes may...
file a claim for such additional sum with the State Treasurer. [Filed registered or] certified mail. The Treasurer will present the claim and substantiation therefor to the Board of Directors at its next regularly scheduled meeting. Based upon the substantiation presented by the claimant, the Board of Directors shall notify the claimant of the determination of the Board of Directors within ten (10) days of said determination by [registered or] certified mail.”

**ARTICLE V**

**JUDICIAL BOARD**

**Section 3. PROCEDURE.**

(a) Charges against individual members.

(2) Each charge must be filed with the Judicial Board, 143 Washington Avenue, Albany, New York 12210, by [registered or] certified mail, return receipt requested, and a copy of the charge must be served on any person against whom the charge is made by certified mail, return receipt requested.

(6) Upon receiving a charge, the Judicial Board may dismiss the charge or any part thereof if it appears to be frivolous in nature, totally lacking in substantiation or alleging conduct for which penalty is not appropriate. If the Judicial Board determines that there is probable cause to believe that the charge, if proven, will result in finding of misconduct, the Judicial Board shall then issue formal Judicial Board charges against the member or officer setting forth the specific acts of misconduct and the penalties which may be imposed. These formal Judicial Board charges shall be accompanied by a written statement that the individual charged has a right to object by filing an answer by certified mail to the Judicial Board, with a copy to all other parties, within ten (10) days of receipt of the formal Judicial Board charges. REST OF SECTION REMAINS THE SAME.

(b) Trusteeships

(1) Any Local or Unit may be placed in trusteeship for any reason deemed good and sufficient by the President or by the Board of Directors of the statewide Association. A Local or Unit may be placed in trusteeship against any Local or Unit may also be deemed charges against the individual officers of the Local or Unit. In such case, all charges will be heard together before the Judicial Board. The President or the Board of Directors of the statewide Association must serve the Local, Unit and/or officers thereof with charges by [registered or] certified mail, return receipt requested, with a copy to the Judicial Board. Such charges must contain a clear and concise statement of facts constituting the basis for placing the Local or Unit in trusteeship and must be accompanied by a written statement that the Local, Unit or individual officers charged have a right to object by filing an answer by [registered or] certified mail to the Judicial Board within ten (10) days after receipt of the charges. If no answer is received, the charges shall be deemed admitted. Section 5. APPEALS

(a) Any person or entity believing himself/herself aggrieved by a formal decision of the Judicial Board may appeal the formal decision by filing an objection with the Appeals Committee of the Judicial Board within ten (10) days of the decision of the Judicial Board. The objections must be sent [registered or] certified mail, return receipt requested, to the Board of Directors of the statewide Association at 143 Washington Avenue, Albany, New York 12210.” REST OF SECTION REMAINS THE SAME.

Explanation. Information received from the U.S. Post Office indicates the following: Registered mail is a service for value. Whatever is sent registered mail literally goes under lock and key. It is also a slowed down process due to the special handling and delivery required. The cost for registered mail is approximately three times the cost of certified mail. Certified mail is acknowledged the last proof of delivery to whom and when. The post office also indicated that ten or fifteen years ago there was no certified mail and everything was sent registered mail. Now, most mail is sent certified and does not require an individual to go to the post office for mailing as does registered mail. The Committee recommends adoption of these amendments.

The following amendment is submitted to the Delegates by the Constitution and By-Laws Committee.

**ARTICLE IV**

**ORGANIZATION OF THE ASSOCIATION**

**Section 1. OATH.** All officers of the Association and the Board of Directors shall be required to take an oath of office as prescribed by the Constitution and By-Laws. The Judicial Oath of Office is as follows:

“I, (blank), do solemnly swear to uphold the Constitution of The Civil Service Employees Association, Inc., and to perform faithfully and impartially the duties of the office that I hereby assume. I further swear that I shall not engage in a policy of overloading General Civil Service or in any other way for the attainment of our Association’s objectives.”

The installing officer then asks the officers to stand, and proceeds to take the oath of office and the grandchildren of the oath. After the installation of the officers, he then asks the officers to fill out a form of Oath of Office, that the President of the Association shall sign and file with the Secretary of the State of New York. The oath of office is then taken, and the installing officer returns the form to the Secretary. The Secretary then returns the form to the President of the Association. The President of the Association then signs the form and returns it to the Secretary.

**Section 2. LOCALS.**

(a) LOCALS. A Local may be formed by members of the Constitution and By-Laws Committee. The reason for submitting the amendments at that time was that there is a new procedure which is the only procedure being followed and is contained in By-Laws Article V, Judicial Board. It was the Committee’s intent to remove language which is no longer utilized by the Association. There was some discussion at the last Delegates meeting to amend the language which the Committee wished to remove and that led to confusion on the convention floor and the Delegates referred the matter back to Committee. The Committee is now presenting the following amendments. Although two different Articles are affected, they shall be read and voted on together.

**ARTICLE VI**

**COUNTY DIVISION**

**Section 2. LOCALS.**

(a) LOCALS. A Local may be formed by members of the County Division in any department or locality upon the approval by the Board of Directors. (of the Constitution and By-Laws Committee) REST OF SECTION REMAINS THE SAME. **ARTICLE VII**

**STATE DIVISION**

**Section 2. LOCALS.**

(a) LOCALS. A Local may be formed by members of the County Division in any department or locality upon the approval by the Board of Directors. [of the Constitution and By-Laws Committee] REST OF SECTION REMAINS THE SAME. **ARTICLE VIII**

**LOCALS.**

Section 2. LOCALS. A Local may be formed by the members of the State Division in any department or locality upon the approval by the Board of Directors. [of the Constitution and By-Laws Committee]. REST OF SECTION REMAINS THE SAME. **SECTION 1**

**CSEA’S CONSTITUTION AND BY-LAWS**

**Organizational Structure**

**LOCAL DIVISION**

**Section 2. LOCALS.**

(a) LOCALS. A Local may be formed by members of the County Division in any department or locality upon the approval by the Board of Directors. [of the Constitution and By-Laws Committee] REST OF SECTION REMAINS THE SAME.
CSEA'S CONSTITUTION AND BY-LAWS

request. A Local may be placed in trusteeship for any reason deemed good and sufficient by the President of the Association provided a hearing is afforded before the Board of Directors. Written charges are served within ten days of placing the Local in trusteeship. The Board of Directors by a two-thirds vote may dissolve the Local or suspend it for a period not to exceed ninety days if it is determined that the Local has been placed in trusteeship.

• ARTICLE VII - COUNTY DIVISION

Section 2. LOCALS.

(a) LOCALS. A Local may be formed by members in the County Division in any county, or in any region containing one or more counties, upon the approval by the Board of Directors of the Constitution and By-Laws of such Local. One Local may be formed by members of any school district in one county, but in no event less than 200 school district members, shall request formulation thereof. Each such Local shall make available the authorized funds, and the President of the Association shall report on the request of the President or the Board of Directors to the Board of Directors. All Local records for inspection by the Association, unless such Local is formed by members of the County Division. All Local records shall be provided in a timely manner.

The Board of Directors or the Board of Directors' Committee shall review the request for a proposal forwarded to the Board of Directors. If the President or the Board of Directors determines that the request is not in the best interest of the Association, written charges are served within ten days of placing the Local in trusteeship. The Board of Directors by a two-thirds vote may dissolve the Local or suspend it for a period not to exceed ninety days if it is determined that the Local has been placed in trusteeship.

Explanation: The Committee believes that the language contained in these two Articles concerning the placing of a Local into trusteeship is no longer necessary or desired in view of the language contained in Article V.t The Committee recommends the adoption of these amendments.

The following items are presented to the delegates as proposed amendments to the By-Laws. If adopted at this meeting, the amendments will become effective immediately.

(1) The following amendments to Article I, Section 2 and Section 3 were submitted by Irene Carr, Statewide Secretary, by letter dated December 3, 1984.

• ARTICLE I - OFFICERS

Section 4. TREASURER. The Treasurer shall serve on a full-time basis. If the Treasurer is unable to obtain a paid leave of absence, the employer, the Association shall, pursuant to law, obtain a paid leave of absence for the Treasurer, and the Association shall reimburse the employer for the cost of such leave. The Treasurer shall be responsible for the custody of all funds of the Association. The Treasurer shall be responsible for the proper implementation of the duly adopted budget and the periodic reporting hereon. The Treasurer shall keep a true and accurate record of all receipts and disbursements, all moneys, accounts, vouchers and other legal documents received by the Association, and shall submit an itemized report at each annual meeting of the Association and such other reports as the President may require. The Treasurer's accounts shall be open at all times to the inspection of members of the Board of Directors. The Treasurer shall be responsible for the proper implementation of the 'Financial Standards Code' and the training of the treasurer of the Regions, Local, and Units. The Treasurer shall perform those duties as assigned by the President or the Board of Directors of the Association.

The Treasurer shall be responsible for the proper implementation of the 'Financial Standards Code' and the training of the treasurer of the Regions, Local, and Units. The Treasurer shall perform those duties as assigned by the President or the Board of Directors of the Association. The Treasurer shall serve on a full-time basis. If the Secretary is unable to obtain a paid leave of absence, the employer, the Association shall, pursuant to law, obtain a paid leave of absence for the Secretary, and the Association shall reimburse the employer for the cost of such leave. The Secretary shall be the custodian of all official papers of the Association and shall be responsible for the proper implementation of the 'Financial Standards Code' and the training of the secretary of the Regions, Local, and Unit secretaries.

The Secretary shall perform those duties as assigned by the President or the Board of Directors of the Association. The Secretary shall serve on a full-time basis.

(2) Each Local shall be responsible for the proper implementation of the 'Financial Standards Code' and the training of the treasurer of the Regions, Local, and Units. The Treasurer shall serve on a full-time basis. If the Secretary is unable to obtain a paid leave of absence, the employer, the Association shall, pursuant to law, obtain a paid leave of absence for the Secretary, and the Association shall reimburse the employer for the cost of such leave. The Secretary shall be the custodian of all official papers of the Association and shall be responsible for the proper implementation of the 'Financial Standards Code' and the training of the secretary of the Regions, Local, and Unit secretaries.

The Secretary shall perform those duties as assigned by the President or the Board of Directors of the Association. The Secretary shall serve on a full-time basis.

(3) The following amendment to Article IV, Section 3 of the By-Laws is submitted by the Committee as a result of a recommendation made by the Judicial Board. The Committee recommends the adoption of these amendments.

(a) REFUNDS TO LOCALS. REMAINS THE SAME.

(b) Where, as a result of reorganizing an existing Local, a new Local is created, the new Local shall be entitled to a payment from the reorganized Local or Locals. Such payment shall be in amount equal to six (6) months' refund as provided in subdivision (a) except that each member and agency fee payer reorganized from the reorganized Local or the new Local.

(c) Referred to (c).

(d) Referred to (d).

Explanation: The general consensus of the Officers is that a fair share of the dues provided to the already existing Local should be automatically reassigned to the new Local by a "spin off." Unless financial assistance of this nature is given, the new Local is without sufficient funds when it needs them the most, at its inception. It is highly unlikely that the parent Local would have exhausted the funds which it had received on behalf of the "spin off." Local and therefore, this provision does not create a hardship for the parent Local. The Committee recommends adoption of the amendment.

(4) The following amendment to Article V, Section 1(a) is submitted by the Constitution and By-Laws Committee as a result of motions submitted at the Constitutional Convention of 1985, dated April 24, 1985, and Margaret Robinson, Local 446, dated June 13, 1985.

• ARTICLE V - JUDICIAL BOARD

Section 2. MEMBERS.

(a) The Judicial Board shall be comprised of [eight] fourteen members. Each Region President shall appoint one (2) members and the President of the statewide Association shall appoint eight (8) members. For each of these eight (8) fourteen members, the President of the statewide Association shall appoint the Chairperson and the Vice Chairperson of the Judicial Board.

Explanation: Under Article V, Section 6(a)(9), it is required that all determinations of the Judicial Board shall be made by a majority vote of at least five voting members present. In the past, the Board has experienced difficulties meeting this provision due to illness, inclement weather conditions, etc. The amendment would increase the Board from eight to fourteen members which would virtually guarantee that the Board could be able to meet the requirements for a quorum.

(5) The following amendments to Article V, Section 3 of the By-Laws are submitted by the Constitution and By-Laws Committee as a result of a recommendation made by the Judicial Board by letter dated June 21, 1985.

• ARTICLE V - JUDICIAL BOARD

Section 2. JURISDICTION.

(a) The Judicial Board herein created shall have the power to hear, investigate, determine, and all powers incident thereto, as well as the power to promulgate procedures concerning:

(1) all complaints and charges against members;

(2) the processing of complaints and charges against the Officers of the Association, the President, Executive Vice President, six Vice Presidents who are Regional Presidents, and the Secretary and Treasurer. The powers of the Officers of the Association and the President, Executive Vice President, six Vice Presidents who are Regional Presidents, and the Secretary and Treasurer shall be in accordance with the duties of the Executive Vice President, six Vice Presidents who are Regional Presidents, and the Secretary and Treasurer of the Association.

(b) Referred to (c).

(c) Referred to (d).

(d) Referred to (e).

Explanation: The Committee recommends adoption of the amendment.

(6) The following amendment to Article V, Section 3 of the By-Laws is submitted by the Constitution and By-Laws Committee as a result of a recommendation made by the Judicial Board by letter dated June 21, 1985.

• ARTICLE V - JUDICIAL BOARD

Section 3. PROCEDURE.

(a) Charges against individual members.

(1) Any member may file a (charge) complaint against any member or officer of CSEA. Any Executive Board of a Unit, Local or Region may file a (charge) complaint against any member or officer of the local/CSEA.

(b) Each (charge) complaint must be filed with the Judicial Board, 143 Washington Avenue, Albany, New York 12210, registered or certified mail, return receipt requested, and a copy thereof mailed to the President of the unit/Region/CSEA. A copy of the complaint shall be served on any person against whom the (charge)
plaint is made by certified mail, return receipt requested.

(3) The [charge] complaint must contain the name, address, social security number, and Local of the member making the [charge] complaint and the name, address, and Local of any party against whom the [charge] complaint is made. A [charge] complaint must set forth a clear, concise statement of the alleged wrongful conduct together with the dates and places where the conduct took place, and the names, addresses and telephone numbers of any witnesses to the alleged wrongful conduct. If a violation of a CSEA constitution is alleged, the specific article and section of that constitution must be included; if the [charge] complaint alleges a violation of a mandate of the Board or Directors of the statewide Association, the specific mandate must be stated. The [charge] complaint shall be accompanied by documentation and/or a statement signed by the member which supports the [charge] complaint and must also contain a statement by the member making the [charge] complaint that the person against whom the [charge] complaint is made has been given a copy of the [charge] complaint.

(4) The following shall constitute the basis for [charges] complaints against any member or officials of CSEA: REST OF SUBSECTION REMAINS THE SAME.

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

(6) Upon receiving a [charge] complaint, the Judicial Board may dismiss the [charge] complaint or, if it appears to be frivolous in nature, totally lacking in substantia-

lity or alleging conduct for which penalty is not appropriate. If the Judicial Board determines that there is probable cause to believe that the [charge] complaint, if proven, would sustain a finding of misconduct, the Judicial Board shall then issue formal Judicial Board charges against the member or officer setting forth the specific acts of misconduct and the penalties which may be imposed. REST OF SUBSECTION REMAINS THE SAME.

(7) No change

(8) No change

(9) No change

(10) Nothing herein shall preclude settlement of the [charge] complaint or charges at any stage of this procedure.

(11) Any member or officer may be suspended from elected office, pending a hearing and determination by the Judicial Board, by the President of the statewide Association or by the Executive Board of any Region, Local or Unit of CSEA provided that a written [charge] complaint is filed with the Judicial Board within seven (7) days of the suspension. If such [charge] complaint is not filed with the Judicial Board in conformity with the procedures set forth under this section, the Judicial Board may revoke the suspension.

(12) No change

(b) Trusteeships.

(1) No change

(2) No change

(3) No change

Explanation: The Judicial Board believes that many people are confused as to the difference between the terms "charges" and "formal charges" as currently used in this Article. In order to dispel this confusion, the Committee has proposed that the term "complaint" be used for all those allegations submitted by charging parties against a member and the term "charges" be used for those drafted by the Judicial Board as a result of the filing of the com-

plaint. This change will eliminate the allegations that currently are made that the mere filing of a complaint by a member against another member is tantamount to "charges." The amendment would simply characterize this portion of the procedure as the filing of a "complaint" which is less stigmatizing and reflects more accurately the overall Judicial Board procedure. The Committee recommends adoption of these amendments.

(6) The following amendment to Article V, Section 6, is hereby amended by striking the words "JUDICIAL BOARD" and substituting the words "the Judicial Board by letter dated January 25, 1985.

ARTICLE V
JUDICIAL BOARD
Section 6. CONTRACT RATIFICATIONS.
(a) Any member of a bargaining unit may file a request for a review of the procedures utilized in conducting a ratification vote of a duly negotiated collective bargaining agreement covering that member's bargaining unit. All preregistration or ratification procedures must be sent with the protest to the Judicial Board, including, but not limited to, a copy of the procedures of the bargaining unit's by-laws or elections committee, a copy of the ballot and a statement of the facts and circumstances concerning the conduct of the ratification procedures. The Judicial Board, upon its own initiative must seek to obtain this basic information before it can even begin to examine the complaint. Contract ratification complaints must be resolved quickly given the ramifications of such a complaint. Requiring the complainant to file additional information with the complaint will not only aid the Judicial Board in the disposition of the complaint but will also provide the complainant with a timely determination.

(b) No change

(7) The following amendment to Article VI, Section 6, is hereby amended by striking the words "in the County Executive Committee" and substituting the words "in the Executive Committee":

"ARTICLE VI
COMMITTEES
Section 1. STANDING COMMITTEES.
(a) The names of the standing committee shall not be less than seven nor more than eleven and the makeup of such committee shall include representation from each Region [and at least one member of the County Division] with representation from the Local Government and State Divisions."

"ARTICLE VI
COMMITTEES
Section 1. STANDING COMMITTEES.
(a) The names of the standing committee shall not be less than seven nor more than eleven and the makeup of such committee shall include representation from each Region [and at least one member of the County Division] with representation from the Local Government and State Divisions."

Explanation: Since the current Standing Committees address issues which concern all union members and their purposes are not exclusive to either Division, it is not appropriate to single out Local Government for "at least one member" that would be for the State. The Committee recommends adoption of the amendment.

(8) The following are proposals which would implement the recommendations of the Methods and Procedures Committee. The justification for these is as follows: a) add a Standing Committees Report, and the Constitution and By-Laws Committee merely sets forth the proposed language to implement the changes without taking a position relative to the changes.

Constitution Changes
"ARTICLE IV
ORGANIZATION OF THE ASSOCIATION
Section 2. BOARD OF DIRECTORS. REMAINS THE SAME.

(a) Voting Members — The voting members of the Board of Directors of any Region, Local or Unit of the Association are members of the Executive Committee of the State Division, members of the Executive Committee of the County Division, [who represent Locals having 100 or more members in the first case and other members of the Regional, [one additional member of the County Executive Committee, to be elected by the members of the County Executive Committee, representing County Divisions Local with less than 100 on the preceding January 1st.]

Note: This amendment is also contained in item #1 on page 4 of this report.

(b) Non-Voting Members — The non-voting members of the Board of Directors shall be the Chairpersons of all Standing Committees as established in Article VI, Section 1 of the By-Laws and the Chairpersons of the Retirees Section Executive Committee.

Non-Voting Members of the Board of Directors shall not introduce, second, or debate any action before the Board except affecting the non-voting member's own Committee.

"ARTICLE VI
STATE DIVISION
Section 1. STATE EXECUTIVE COMMITTEE.
The power and authority to transact business relating to state employees shall, except as provided otherwise in this Article, be vested in the State Executive Committee. REMOVE EXISTING LANGUAGE RELATIVE TO COMPOSITION OF THE STATE EXECUTIVE COMMITTEE AND SUBSTITUTE WITH THE FOLLOWING LANGUAGE. The State Executive Committee shall consist of the Officers of the Association plus twenty-five additional members organized as follows. From within each of the six CSEA regions: one member from each Administrative Services Bargaining Unit to be elected by members from that bargaining unit within the Region; one representative from the Institutional Services Bargaining Unit to be elected by members of that bargaining unit within the Region; one representative from the Operations Services Bargaining Unit to be elected by members of that bargaining unit within the Region; and one representative for all other State employees within the region (authorities, commissions, Division of Military, and Naval Affairs, etc.) to be elected by such employees to represent CSEA within the Region. Additionally, there shall be elected on a Statewide basis one representative of the Judiciary, the State Executive Committee shall elect from its membership one member to be known as the Chairperson of the State Executive Committee. REST REMAINS SAME.

"ARTICLE VII
COUNTY DIVISION
Section 1. COUNTY EXECUTIVE COMMITTEE.
The power and authority to transact business relating to employees of the political subdivisions of the State shall, except as otherwise provided herein, be vested in a County Executive Committee. REMOVE EXISTING LANGUAGE RELATIVE TO COMPOSITION OF THE COUNTY EXECUTIVE COMMITTEE AND SUBSTITUTE WITH THE FOLLOWING LANGUAGE. The County Executive Committee shall consist of the Officers of the Association plus 25 additional members as follows: for each of the five CSEA regions (excluding Region 2 which has no local government employee representation) one member who is employed by a county government employee and to be elected by all county employees represented by CSEA within the Region; one member, who is employed by a city, to represent city employees and to be elected by all ci-
ty employees represented by CSEA within the Region; one member, who is employed by a school district, to represent school district employees and to be elected by all school district employees represented by CSEA within the Region; one member, who is employed by a town, to represent town employees and to be elected by all town employees represented by CSEA within the Region; and one member, who is an employee of any other type of local government jurisdiction, to represent employees of all other local government jurisdictions and to be elected by such employees represented by CSEA within the Region (villages, authorities, libraries, etc.). The County Executive Committee may create one or more subcommittees to perform such duties as the County Executive Committee shall delegate." REST OF SECTION REMAINS THE SAME.

"ARTICLE IV
ORGANIZATION OF THE ASSOCIATION
Section 5. OFFICERS. The officers of the Association shall be a President, [an Executive Vice President,] a Secretary-Treasurer, six Vice Presidents to be the six Region Presidents. [the Secretary and Treasurer.]

(a) ELECTION. The [four] two statewide officers of the Association shall be elected by secret ballot tri-annually (every three years). The six Vice Presidents of the Association shall be elected for a term of three years, such elections to be conducted concurrent with Region elections. All officers of the Association shall hold office for a term of three years, commencing on July 1 of the year in which they were elected, or until their successors shall have qualified. Vacancy in the office of President shall be filled by the [Executive Vice President] Secretary-Treasurer on a temporary basis or for the remainder of an unexpired term. Vacancy in the office of [Executive Vice President] Secretary-Treasurer shall be filled by the Board of Directors by electing any one of the six Vice Presidents,[ the Secretary or the Treasurer.] A vacancy in the term of any of the Vice Presidents shall be filled according to the Constitution and By-Laws of the respective Regions. [Vacancies in the office of Secretary and Treasurer may be filled for the remainder of the term by the Board of Directors.] No statewide officer shall be an officer of a Local or Unit.
(b) NOMINATIONS.
1. For those election years in which the [four] two statewide officers are elected, each Region shall nominate for the Statewide Nominating Committee at least seven (7) members who have been members in good standing of CSEA for at least two (2) years prior to January 1 of the election year." REST OF SECTION REMAINS THE SAME.

All correspondence with resolutions and/or proposed amendments received by the Committee as of the date of its last meeting (June 27, 1985) have been reviewed. Appropriate responses have been directed to the individuals involved.

Submitted by,
REVISION OF THE CONSTITUTION AND BY-LAWS COMMITTEE
CARMEN BAGNOLI, Chair
Rita Wallace
Fred Daniels
Jerry Barbour
Bruce Larsen
Charlotte Murray
Terrence Melvin

DON'T DRINK AND DRIVE—Westchester County employees are concerned about drunk drivers and recently helped kick off a new STOP DWI campaign in White Plains. CSEA Region III President Pat Mascioli and Westchester County Executive Andrew O'Rourke are pictured here pointing out a warning to residents.
Region II

NEW YORK—When the polls were closed, the votes counted and the rhetoric died down, CSEA members in Region II were big winners in the Sept. 10 New York City primary election.

"This was our first time out in city politics," says Regional President George Boncoraglio, "and now have a strong base to grow from the next time around. CSEA is no longer an unknown quantity down here."

"Region IV Political Action Chairman John Francisco worked closely to weeks of phone banking, distributing campaign literature and providing other campaign assistance, hundreds of CSEA activists turned out on election day to help endorsed candidates "get out the vote" in all five boroughs.

The results were impressive: 11 of 16 endorsed were winners; four out of five non-winning campaigns pitted CSEA challengers against popular incumbents; two of the non-winning campaigns came extremely close to victory, with one outcome still contested at publication time.

CSEA scored its greatest success in the race for Manhattan Borough President, where City Clerk David Dinkins won an impressive victory, CSEA volunteer made up one of the largest labor contingents in the Dinkins effort.

Among other bright spots, CSEA helped secure the margin of victory for City Council incumbents Miriam Friedlander, Ruth Messinger, Carolyn Maloney and Michael DeMarco; provided substantial support for maverick Council candidate Steve Dibernenza, who will fill the seat of retiring Council Majority Leader Tom Cutle; created the backbone of Civil Rights Attorney C. Vernon Mason's challenge to Manhattan District Attorney Robert Morgenthau (Mason received one-third of the votes while running with almost no campaign funds against a political institution); backed David Rothenberg, who came close to defeating a 16-year City Council incumbent.

"This was a learning experience all around," claims Regional Political Action Coordinator Lauri Cohen. "Our members were involved from start to finish and saw that there's a lot more to a campaign than just deciding to run and expecting voters to turn out.

The bottom line is that we were able to provide volunteers for the campaigns when they were needed," adds Regional President Boncoraglio. "That's going to make our endorsements even more important to candidates from here on."