The systematic destruction of

See pages 3, 4
PAGE 3
A CSEA White Paper blasts OMH indifference in its determination to close facilities while it fails to provide community care.

PAGE 4
CSEA is fighting to save Gowanda, a quality facility that serves its clients and is a vital part of the community.

PAGE 5
Editorial boards across the state are attacking Gov. Cuomo's proposed budget, often using the same arguments as CSEA.

PAGE 6
Division for Youth cutbacks could dismantle this important office.

PAGE 7
Gov. Cuomo's state budget proposal is getting flack from all directions, and much of it echoes CSEA's criticisms. The chair of the Assembly Corrections Committee criticizes unsupervised prisoners operating power plants, and the state Conference of Mayors calls for tax fairness.

PAGE 8
Important information on elections for CSEA statewide officers.

PAGE 9
One of the valuable services CSEA offers is the Union Privilege Legal Services Program. Here's a list of participating attorneys.

PAGE 10
CSEA comes through for union members in Clinton, Albany and Dutchess counties.

PAGE 11
Important Ethics Commission information for Office of Court Administration members!

PAGE 12
If you've been given a layoff notice, you should read this page.

PAGE 13
Summary of actions taken by CSEA statewide Board of Directors

PAGE 14
The fire in the Binghamton State Office Building 10 years ago is still a real problem — the toxics in the building still have not been cleaned up.

PAGE 15
Important training opportunities for CSEA-represented state employees.

PAGE 16
Time to apply for CSEA scholarships! And helpful information for state employees from the Joint Committee on Health Care Benefits.

PAGE 17
The United Buying Service offers great discounts for CSEA members.

PAGE 18
Find out how to protect yourself if in retirement your spouse needs long-term nursing home care.

PAGE 19
Important training opportunities for CSEA-represented state employees.

PAGE 20
The fire in the Binghamton State Office Building 10 years ago is still a real problem — the toxics in the building still have not been cleaned up.


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March 4, 1991
CSEA report slams OMH indifference

State plans to close Gowanda Psychiatric Center are about real flesh and blood people, not some bureaucrat’s numbers. That’s the finding of a CSEA White Paper on the future of the mental health system.

“Gowanda is the most pressing situation, but it’s symptomatic of everything that’s wrong with the administration of the Office of Mental Health (OMH),” said CSEA President Joe McDermott. “Decisions that affect people’s lives are made by bureaucrats with calculators instead of qualified medical personnel who understand the needs of the mentally ill.”

The details of the White Paper emphasize that OMH has effectively locked the front door of psychiatric centers while dumping patients through the back door. OMH admits a policy has created a form of “pre-admission dumping” by refusing to admit patients unless they have spent 30 days in an acute-care general hospital. Meanwhile, cases of patients inappropriately discharged as administrators seek to run down patient populations exist.

No Public Debate

OMH is trying to steamroll the Gowanda closing through the Legislature, claiming it’s necessary because of the state budget crisis. In fact, it won’t save the state much money in the short run but will help OMH accelerate other center closings.

OMH has plans to close five other psychiatric centers: Kings Park, Harlem Valley, Middletown, Mohawk Valley and Elmira.

Long-term savings will be achieved by shifting the burden of caring for the mentally ill to local governments and private providers, even though neither has the resources to handle it.

CSEA believes this is a major public policy decision that requires thorough consideration and approval by the state Legislature with input from the communities that will be affected.

But OMH has not presented a formal plan to the Legislature and has no plans at all for alternative state-operated residential facilities.

If OMH is allowed to get away with this approach, eventually the Legislature won’t have any choice but to close down the psychiatric centers because there will be so few patients in them that they won’t be able to justify continued operations,” McDermott said. “That will open a Pandora’s Box of more homelessness, social problems and soaring costs that local governments won’t be able to pay.”

Quality Care is the Issue

“CSEA is not committed to buildings themselves, we’re committed to quality care that goes on in those buildings but that’s the central issue in deciding to close a psychiatric center,” McDermott said. “You can’t deliver quality care if you dismantle your system and don’t have anything to replace it. That approach doesn’t make sense, especially when you already have highly skilled and motivated staff available.”

The point is clear at Gowanda. The facility serves a huge, four-county area with only two general hospitals that can evaluate and admit psychiatric patients. The closest psychiatric centers will be hours away if Gowanda closes.

Meanwhile, Gowanda has a skilled and effective workforce with few other employment options in the area. OMH has given no assurance that patients dumped from any center will receive adequate care.

What Happens to the Patients

OMH officials give no straight answers about what will happen to the center’s 300 patients — many of whom are frail and elderly — if the facility closes.

Many direct care staff worry that some patients might not survive a move to a distant and unfamiliar location.

For many of the younger patients no psychiatric center will mean discharge and a life of uncertainty with limited sources of help. Even now, many discharged Gowanda patients end up on the streets or, at best, in unsupervised, single-room occupancy apartments.

OMH has given no assurance that patients dumped from any center will receive adequate care.

CSEA’s vision of a more humane mental health system recommends the development of state-operated community residences for the mentally ill; development of state-operated skilled nursing facilities for alternative and less costly placement of geriatric patients; cutting and consolidating wasteful OMH administrative overhead, including the elimination of the five bureaucrat-intensive regional offices; and expansion of community-based follow-up care for former inpatients with appropriate federal reimbursements being sought, a practice that has been seriously lacking.
CSEA GOWANDA PSYCHIATRIC CENTER LOCAL 408 President Wayne Jones, right, uses a bullhorn to address several hundred people who participated in a rally in Gowanda organized by CSEA.

The systematic destruction of

GOWANDA — CSEA is intensifying its battle plan to keep Gowanda Psychiatric Center open in the face of the latest blow from the state.

Gov. Cuomo's proposed 1991-92 state budget, unveiled in January, contained plans to close down Gowanda's 30-bed forensic unit within three months, costing 46 employees their jobs, and to phase out the entire facility in 1992.

The revelation that the state plans to close Gowanda much sooner than expected was bad news, but CSEA and its embattled Gowanda Psychiatric Center Local 408 are far from calling it quits. CSEA, with Local 408 spearheading the campaign, mobilized months ago to fight previous plans by OMH to close the facility. Local activists believe the state may have moved up the closing date to try to head off a massive opposition drive organized by CSEA.

"Of course our members are depressed and frustrated that the state finally came out publicly and said what they had been denying for months," Local 408 President Wayne Jones said.

"But we will continue to fight and marshal all our resources to turn this around."

"We're needed here, and our community has been very supportive in demonstrating with us to show the state how important that need is."

In recent weeks the feisty Local has packed two buses to travel to Rochester for an OMH hearing on the agency's budget and operational plans; joined with Council 82 corrections officers in informational picketing at the adjacent Collins Correctional Facility; organized and marched in a demonstration in Gowanda that drew a wide array of civic support, including state Assemblywoman Pat McGee, county Legislator Richard Gowan, Collins Supervisor Robert Gaylord and the village chief of police, and filled several buses to travel to Albany to participate in the huge Feb. 5 CSEA-coalition rally against layoffs and cutbacks announced for 1991-92.

"We join in solidarity with business men and women, citizens, political officeholders, other unions, brother and sister locals and members to tell Gov. Cuomo we won't let him do this to our community, to Gowanda Psychiatric Center or the people we serve, without one hell of a fight," Jones said at the local rally. "The irresponsible actions he has taken to balance the budget on the backs of the less fortunate must end now, right here at Gowanda."

Last week the Local arranged a tour by CSEA officials, led by CSEA Region VI President Robert L. Lattimer, to study the physical condition of all the assets at the Gowanda facility.

"The tour helped refute the notion being put forth by the state that the facility is too old and too costly to maintain," Jones said.

Following the tour the union officials held a luncheon meeting with local civic and business leaders, the president of the Gowanda Chamber of Commerce and PEF representatives.

"We advised civic and business leaders of our plans to urge the state and OMH to begin a community-based alternative program to serve clients, similar to what OMRDD has done," Jones said.
Voices from all over criticize Gov. Cuomo’s budget

CSEA is not alone in criticizing Gov. Cuomo's $5.19 billion state budget proposal. While other unions, organizations and special interest groups have added to the clamor, perhaps the most important could be newspaper editorials.

The Utica Observer-Dispatch blasted the Governor’s plan to cut education aid and to ‘sell’ prisons to state authorities for quick cash — and nearly a billion dollars in interest payments.

In Syracuse, the Herald American recommended cutting at the heart of excessive spending — in the Capitol, with perks for elected officials and patronage jobs.

The Albany Times Union blasted the layoffs which are disproportionately hitting lower-paid frontline workers while the well-paid bureaucrats are keeping their jobs or getting generous early retirement deals.

The Daily Gazette in Schenectady criticizes the Governor’s tendency toward regressive taxes rather than calling for a more progressive — and fair — tax structure.

Let our elected leaders suffer along with the rest of us. Let them prove their sincerity, their worthiness to serve us, by taking the first hits personally.

But let us not vulture in the posterity of legislators on their retirement deals. Every son, daughter, every former friend, every relative. Let’s save printing costs and put in for mileage — let them prove their sincerity and raise taxes next year for all New Yorkers. Bui before the new budget means anything for New Yorkers. The pain will be severe and widespread. Let it begin in Albany. Let our elected leaders suffer along with the rest of us. Let them prove their sincerity, their worthiness to serve us, by taking the first hits personally.

In revealing his budget proposal Thursday, the governor assured $1.5 billion in spending cuts and $320 million in new taxes and fees. Hardship hit by the taxes would be people who drive cars. A-8

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CSEA members help point out more waste

As Gov. Cuomo continues to threaten the layoff of thousands of state employees and severe cutbacks in aid to schools and localities, it’s clear to CSEA members that misguided policies and bad management is wasting millions of taxpayer dollars.

Despite the governor’s claim that the pain of layoffs will be shared fairly by all levels of workers, virtually all of those targeted to date are frontline workers. A recent report in the Albany Times-Union confirmed that only a fraction of the workers targeted earn more than $50,000.

Top level managers, deputy commissioners and other political appointees have been practically unaffected by state cutbacks so far. Many of these bureaucrats earn salaries in excess of $80,000 per year and do little to ensure the delivery of services. Cut them out, not the bottom has become a familiar CSEA refrain.

Meanwhile, CSEA continues to review hundreds of wasteful practices and extravagances pointed out by its members. While some of the items submitted are unique, others appear to be symptomatic of larger issues.

Here’s a sampling.

* New York paid an out-of-state private contractor $871,000 for road painting in the Hornell area. The state already has the equipment to do the job and DOT road crews could have completed the job at a lower cost.

* In the Capital District the bill for a series of DOT maintenance projects contracted to the private sector was more than $300,000 — but DOT work crews were required to deliver supplies and materials and carry out the clean up work.

* At Willard Psychiatric Center taxpayers apparently foot the bill for the natural gas heat to keep alive the director’s Bird of Paradise tree in an otherwise unused greenhouse.

* Many administrative employees pointed out that money could be saved by cutting back on superfluous memos, notices and printed materials. Others pointed out that simple “Xerox” copies would be far more cost-effective than individually printed copies on bond paper which are used in many offices. Keep those examples coming.

DFY cutbacks are a dangerous direction

ALBANY — After branding as absurd a private advocacy group’s recent proposal to dismantle the state Division for Youth (DFY), CSEA is discovering that Gov. Cuomo’s proposed cutbacks for the agency could have the same effect.

CSEA has long charged that frontline DFY workers do not have the tools to do the job properly and mismanagement has hampered attempts to make improvements.

But the governor’s cutbacks, including layoffs and lack of funds for facility development, will make a bad situation worse. Ironically, the proposed cutbacks come at a time when a new management team at DFY is attempting to improve labor-management cooperation and make progress on long-standing deficiencies.

“When the Statewide Youth Advocacy proposed eliminating DFY and turning the clients over to private operators we said the idea was dangerous and irresponsible,” said CSEA Deputy Director for Contract Administration Mark Lawrence. “But based on the Governor’s budget for the agency, it appears that’s the direction he’s heading and it’s a bad move.”

CSEA points out that there is clearly a need for the Division for Youth and it makes no sense to trash an entire system. DFY facilities are bursting at the seams and there is a long waiting list to place clients. In fact the demand for placement is so great that clients are moved through the system faster than is appropriate just to free up space.

Frontline workers have also explained that their work gets harder all the time because they are handling tougher and tougher clients — young people convicted of murder, rape and robbery — even in the least secure DFY facilities.

“The clients in DFY are there because they’ve exhausted all alternative sentencing options and are deemed by the courts as a threat to public safety,” Lawrence said.

“Without the alternative of a Division for Youth placement, the choice is to send these kids to the care of a private agency with a less than restrictive environment or into the prison system. We don’t think either of those choices is right.”

CSEA contends that the Division for Youth provides an appropriate middle ground that offers secure settings and structure for the clients while protecting public safety. At the same time it offers a chance that some of the clients can avoid becoming career criminals — a chance that would be lost if the young people were thrown into the prison system. We don’t think either of those choices is right.”

Lawrence said.

Yet budget cuts preclude improvements.

“The state should focus on finding ways to improve DFY,” Lawrence said, “because in the long run that’s not only going to save a lot more money than their current budget slashing, it’s also going to prevent lives from being wasted.”
NY's budget squeeze

NY mayors back CSEA tax position

ALBANY — Two hundred mayors from across the state have come around to CSEA's position, formally adopting a proposal that calls for making New York's personal income tax more progressive.

The annual winter meeting of the state Conference of Mayors (NYCOM) met in Albany recently, and Gov. Cuomo's state budget proposal was high on the agenda.

Under the Governor's $51.9 billion plan, revenue sharing aid to local governments would be cut in half, and eliminated entirely for towns and villages. That would cost New York's cities $468 million. Highway aid also would be cut by 60 percent. These cuts are part of the Governor's $4.5 billion in cuts he wants to make to close a predicted $6 billion gap in the budget year that begins April 1.

CSEA has protested that such cuts will put an unfair burden on local governments and force them to raise regressive property taxes. Those taxes carry an unfair burden for middle income wage earners.

Instead, CSEA is urging the state to restructure the personal income tax so that the wealthy pay their fair share. Under the 1987 tax cut plan, the wealthiest state residents have gotten a huge tax break, while the working poor and middle-income wage earners have had to shoulder more taxes, including a slew of regressive taxes and fees.

The NYCOM members, after bitterly discussing how the cuts will force property tax increases, proposed a higher tax rate for those earning more than $200,000 a year. Their proposal also calls for other revenue raisers.

"Once again, CSEA's position has been strengthened by a respected, knowledgeable group," McDermott said. "Just as we have been saying all along, the Mayors Conference is saying that we don't want more taxes, just fair taxes."

Richard Rezucha dies from injuries received in on-the-job accident

BINGHAMTON — A tragic New Year's eve on-the-job accident at SUNY Binghamton turned fatal recently when CSEA member Richard Rezucha lost his fight for life at a Syracuse hospital burn unit.

As reported in a previous edition of The Public Sector, the accident that cost Rezucha his life occurred when a steam generator gasket ruptured, scalding him over 64 percent of his body. Rezucha, a 42-year-old Principal Stationary Engineer at SUNY Binghamton, was working with others to test the newly-installed gasket when it exploded. No one else was injured in the incident.

CSEA Occupational Safety and Health Specialist John Bieger said that the union is continuing its investigation into the cause of the accident. Bieger said he believes the university procedure was at fault and will meet with the state Department of Labor to push for a citation in the incident.
Nomination and election of CSEA statewide officers

The offices of CSEA statewide President, Executive Vice President, Secretary and Treasurer are up for election this year.

CSEA members will be electing candidates for three-year terms to the union’s four highest elected offices. The election process begins March 4 when nominations open.

Under CSEA’s open election procedures, any member in good standing can have his or her name placed on a ballot by obtaining 1,000 CSEA member signatures on official petition forms.

The election process will be overseen by the union’s standing Election Committee. Balloting will be conducted by the Independent Election Corporation of America, Lake Success, N.Y.

CSEA’s Board of Directors adopted the following election schedule:

MARCH 4 Nominations open. Nominating Petition Request Forms are available from Local presidents, CSEA Region offices and CSEA Headquarters, Albany. Forms must be submitted to CSEA Region offices or CSEA Headquarters to receive official Nominating Petitions. Nominating Petitions are available from CSEA Region offices and CSEA Headquarters, Albany.

APRIL 5 Deadline for nominating petitions to be received at CSEA Headquarters, Albany (5 p.m.)

APRIL 16 Drawing for positions on the ballot (12 noon), CSEA Headquarters conference room, Albany. Candidates (or proxies) may attend as observers.

APRIL 29 Campaign articles by candidates and reminder of Ballot Mailing printed in The Public Sector. REMARKS ARE THE PERSONAL STATEMENT OF THE CANDIDATE AND ARE NOT TO BE CONSTRUED AS REFLECTING THE OPINIONS OR BELIEFS OF THE PUBLIC SECTOR OR CSEA, INC.

MAY 15 Ballots mailed.

MAY 23 Replacement ballots available from the Independent Election Corporation of America if original ballot was not received.

JUNE 5 Deadline for return of ballots (9 a.m.). Ballots will be counted and results announced.

JUNE 15 Protest period ends (10 days after official results are announced).

JULY 1 Election results published in The Public Sector.

Candidate qualifications

In order to run for office a candidate must be at least 18 years of age, have been a member in good standing of CSEA since June 1, 1990, and must have continuously paid membership dues since then. In addition, the candidate cannot be a member of a competing labor organization and must not be prohibited from holding office because of a penalty imposed by the CSEA statewide Judicial Board.

Becoming a candidate by petition

A candidate must first obtain a Nominating Petition Request Form, available beginning March 4. Request forms may be obtained from Local presidents, CSEA Region offices and CSEA Headquarters, 143 Washington Avenue, Albany, NY 12210.

A member must complete the request form before Nominating Petitions will be given out. Official petitions may be picked up in person at, or obtained by mail through, the six CSEA Region offices or CSEA Headquarters, Albany.

To qualify, a candidate must obtain the signatures of at least 1,000 CSEA members eligible to vote in the election. Signatures must be of members who are currently paying dues, who are not serving a suspension, or do not have any outstanding dues delinquent. Signatures must be on official nominating petition forms. Petitions will be verified on a first-come, first-served basis.

The petition period extends from March 4 through April 5. Petitions must arrive at CSEA Headquarters by 5 p.m. on April 5, 1991.
The AFSCME Advantage Union Privilege Legal Services Program for CSEA members makes it possible to easily obtain high quality, affordable legal services for many personal legal matters. Now whenever you need a lawyer you can obtain one easily, and at a lower than normal cost. Qualified lawyers across the state are ready to handle your personal legal matters at a substantial discount off their normal fees.

Under the AFSCME Advantage Union Privilege Legal Services Program, you simply call the participating lawyer in your area that you want to represent you and identify yourself as a CSEA member. That’s all there is to it. Be sure you discuss and agree to the lawyer’s fee before you agree to anything else.

Some routine legal services are provided free under the Union Privilege Legal Services Program, and many more complex legal matters are handled by participating attorneys at a 30 percent discount off the normal fee.

A panel of qualified lawyers, conveniently located throughout the state, has been selected to service CSEA/AFSCME members under this program. A listing of participating lawyers is printed on pages 9 to 12 of this edition of The Public Sector.

When you need to use the program, simply call the Union Privilege Legal Services lawyer of your choice. Identify yourself as a CSEA member; it’s as simple as that.

Remember, fees can vary from attorney to attorney, even within a geographic area, for similar legal services. You are encouraged to discuss fees with the attorney you select. Participating attorneys have agreed to provide written fee schedules to all clients under this program.

**PARTICIPATING ATTORNEYS**

**AKRON**
Friedman & Friedman
74 Main St.
P. O. Box 31 14001
contact: Robert Friedman
716-542-5444

**ALBANY**
Gross & Scagnelli
90 State Street, Suite 530
contact: Peter J. Scagnelli
518/432-7947

**ALBANY**
Tocci, Dominick
112 State St.
contact: Dominick Tocci
518-436-0717

**ALBANY**
Toomey, William A. Jr.
11 N. Pearl St.
contact: William A. Toomey, Jr.
518-434-1197

**AMHERST**
Friedman & Friedman P.C.
5136 Sheridan Drive
contact: Robert Friedman
716-542-5444

**ANGOLA**
Hurst, Brothman & Yusick
11 Maple St.
P. O. Box 192 14006
contact: Andrew D. Yusick, Jr.
716-549-0810

**BATAVIA**
Noonan, Mahoney & Yunker
Corner Main & Court Streets
P. O. Box 611 14020
contact: Lawrence Friedman
716-343-0924

List of participating attorneys continues on pages 10-12
CSEA/AFSCME UNION PRIVILEGE LEGAL PLAN
Participating Attorneys

PARISH
Seiter & Genant
7457 Main St.
contact: Norman W. Seiter, Jr.
315-625-7261

PLATTSBURGH
Lavorando, Joseph
30 Clinton St.
contact: Joseph Lavorando
518-561-8657

POUGHKEEPSIE
Levine & Hofstetter
316 Main Mall
contact: Bruce Hofstetter
914-473-2040

QUEENS VILLAGE
Mascolo, Anthony L.
216-22 Jamaica Ave.
contact: Anthony L. Mascolo
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80 St. Paul St.
Suite 512
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716-423-9800

ROME
Faga & Eisehut Law Offices
225 N. Washington St.
contact: Antonio Faga
315-339-5240

SCHENECTADY
Bendall, James W.
836 Plymouth Ave.
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518-370-2211

SCHENECTADY
Capasso, Burns & Massaroni
215 State St.
contact: John R. Massaroni
518-374-2216

SCHENECTADY
Paris, De Lorenzo, Gordon, Pasquariello
Weiskopf, P.C.
201 Nott Terrace
contact: Frank N. Parisi
518-374-8494

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contact: Mitchell P. Schechter
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718-948-2100

SYRACUSE
Boyle & Cantone
731 University Bldg.
contact: Daniel Cantone
315-422-2208
315-422-2289 (FAX #)

UTICA
Faga & Eisehut Law Offices
One Hopper St.
contact: Antonio Faga
315-797-6990
315-339-5240

VALLEY STREAM
Schlissel, Elliot S.
480 Rockaway Ave.
contact: Elliot S. Schlissel
516-561-6645
800-344-6431

WARSAW
Noonan, Mahoney & Yunker
14 West Buffalo St.
contact: Lawrence Friedman
716-786-2880

WHITE PLAINS
Busman Law Office
175 Main St.
contact: Kenneth Busman
914-946-6555

WHITE PLAINS
Gould, Richard A.
199 Main St.
contact: Richard A. Gould
914-946-6969

WHITE PLAINS
Rose, James M.
11 Martine Ave.
contact: James M. Rose
914-948-8100
CSEA proves itself

A tough union for tough times

Perserverence in the face of difficult negotiating climates has always been a hallmark of CSEA. In Albany, Clinton and Dutchess counties, CSEA members have ratified new contracts that the union achieved through long, drawn-out and difficult bargaining sessions.

In Albany and Dutchess counties, the new contracts were ratified 13 months after the previous agreements expired. In Clinton County, the union won what’s being called the best contract in Clinton County history by preparing for months for the difficult negotiations.

PLATTSBURGH — “It’s probably the best contract in the history of Clinton County,” said Joe Musso, president of CSEA Clinton County Unit.

He was talking about the first four-year contract negotiated in the bargaining unit’s history.

Recently ratified, the contract provides 4 percent salary increases in each of the four years for the county’s 500 union members, plus a series of 2.44 percent increment increases. The raises, the increment increases and extra pay scale steps will total 6.4 percent increases in the first two years of the contract and 6.9 percent in the last two.

“We spent six months preparing for these negotiations,” Musso said, praising the negotiating team. The team members were: Linda Sears, Gordon Duprey, Viola Lucia, Bernadette Manion, Donna West and Howard Kent. CSEA Collective Bargaining Specialist Charlie Scott worked with the team.

The multi-year contract will allow the county to concentrate on providing services to citizens rather than on sporadic contract bargaining and other labor problems, Scott said.

Clinton County Legislature Chair Bob Bruno said the county’s employees rank among the best in the state and should be compensated fairly. Legislator Candis Luch praised the agreement.

“They’re facing difficult times,” she said. “This contract represents our dedication to the county and our county employees. I hope it will help to retain our outstanding employees.”

The CSEA unit members approved the contract 367 to 25, while the county legislature passed it 8 votes to 1.

ALBANY — CSEA’s four Albany County bargaining units recently ratified new three-year contracts with the county — 13 months after the old contracts expired.

The units — Health, Highway, Social Services and Jail Civilians — agreed to salary increases of 6 percent, 5 percent and 5 percent, retroactive to Jan. 1, 1990, in all four pacts.

The negotiations bogged down on two major issues: a controversial health insurance proposal which would have increased HMO members’ costs by 100 percent; and agency shop, which the county opposed.

After a series of large demonstrations and picketing at most county worksites, CSEA launched a series of newspaper advertisements pointing out the inefficiencies in county operations. The ads also generated more pressure and top county officials got involved in the stalled negotiations.

The health insurance issue was settled when management backed down from its demand for 100 percent increases to a more acceptable 75 percent cost share.

The county also accepted 65 percent membership triggers in the health, highway and jail units and a modified agency shop in social services where all new employees must pay union dues or the equivalent agency shop fee.

POUGHKEEPSIE — Dutchess County employees who are members of CSEA, Local 814 have overwhelmingly approved a four-year contract 13 months after the previous contract expired.

The vote was 849 to 127 in favor of the new contract.

Employees have been working without a contract since Jan. 1, 1990. Negotiations began in December 1989 but went to impasse in September 1990. The Public Employment Relations Board (PERB) appointed a mediator to help in the process.

The new contract, retroactive to Jan. 1, 1990, provides 4 percent salary increases in the first year, 5.4 percent in the second, 5.85 percent in the third and 6 percent in the last year.

The contract also clarifies language for vacation and sick leave, overtime and holiday pay and work schedules.

Effective July 1, the county will replace its current dental plan with the CSEA Employee Benefit Fund plan.

The contract also calls for the county and the union to form a joint committee to investigate the feasibility of providing child care for county employees.
The Office of Court Administration (OCA) Ethics Commission has issued its decision on a number of titles CSEA had asked be exempted from financial disclosure requirements. Under the state ethics law, OCA employees whose jobs involve policy-making or who have a salary of $53,171 or more are required to file financial disclosure. The union applied for exemption by title for more than 100 titles. Anyone whose job title has been exempted does not have to file financial disclosure forms.

CSEA has also filed for other by-title exemptions which have not been ruled on yet. Employees in jobs whose titles have been denied by-title exemption or whose titles have not been ruled on should file for individual exemptions. All those whose titles have been denied exemptions have been mailed information packets which include disclosure forms and information on filing for individual exemptions.

"CSEA is working on the by-title denials, but we encourage everyone who has a title which has been denied exemption or hasn't been decided on to file for individual exemption," said Lou DalPorto, CSEA assistant contract administrator. "Meanwhile, we are questioning the rationale behind the denials."

The financial disclosure requirement under the state ethics law applies to OCA employees who make at least $53,171 a year or who are considered policymakers.

Lists of exempted titles, those for which exemptions have been denied, and those which have not been decided are also on this page. Titles with asterisks refer only to a few employees whose titles and salary grades resulted from court merger.

If you have questions about whether you must file a financial disclosure form by the May 15 deadline, contact:

New York State Ethics Commission
P.O. Box 3744
New York, New York 10007-3744
(212)417-4665

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<th>Titles pending:</th>
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The financial disclosure requirement under the state ethics law applies to OCA employees who make at least $53,171 a year or who are considered policymakers. Lists of exempted titles, those for which exemptions have been denied, and those which have not been decided are also on this page. Titles with asterisks refer only to a few employees whose titles and salary grades resulted from court merger.

If you have questions about whether you must file a financial disclosure form by the May 15 deadline, contact:

New York State Ethics Commission
P.O. Box 3744
New York, New York 10007-3744
(212)417-4665

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court reporter part-time
law assistant — trial part (part-time)
law assistant — trial part (split)
law clerk to judge (split)
senior court reporter (part-time)
principal law clerk to judge (part-time)
supervisor intake
Information to help ease job uncertainty

RETAINING INSURANCE PROGRAMS
Among many concerns for anyone facing layoff is the status of insurance coverage and other benefits.
CSEA members who are laid off may continue to participate in CSEA-sponsored insurance programs by arranging to pay premiums directly to the insurance carrier. A member who is laid off must first apply to CSEA for dues-free membership in the union before arrangements can be made for direct payment of insurance premiums.

Questions concerning continuation of Basic Group Life Insurance should be directed to CSEA’s Insurance Department at 1-800-342-4146 or (518) 434-0191. For information concerning direct payment of premiums for Supplemental Life Insurance, Accident and Sickness Insurance, Family Protection Plan and Home and Auto Insurance, call Jardine Group Services Inc. toll-free 1-800-366-5273 or (518) 361-1600. Ask for Customer Services.

HEALTH INSURANCE
Civil Service law and regulations, along with provisions of contracts negotiated by CSEA with the state, provide certain laid-off employees the right to continue health insurance coverage under specific circumstances by paying the required employee contribution, if any.
Questions concerning continuation of health insurance coverage should be directed to your agency personnel officer or the Department of Civil Service, Employee Insurance Section, Division of Employee Benefits, State Office Building Campus, Albany, NY 12239.

EBF BENEFITS
An agreement between the state of New York and CSEA provides for continued Employee Benefit Fund (EBF) coverage for up to one year for certain state employees who are laid off. The EBF administers dental care, vision care and prescription drug plans for CSEA-represented employees.

Employees who immediately prior to lay-off held a position in a CSEA-represented unit by permanent appointment are eligible for this benefit until March 31, 1991, contingent upon the availability of funds allocated for this purpose. Continuation of this benefit beyond March 31, 1991, will be determined by the parties.

CSEA-represented employees who are eligible for this benefit will be contacted by the NYS/CSEA Labor-Management Committees.

DUES FREE MEMBERSHIP
CSEA members in good standing who are laid off and placed on a preferred list for rehire are eligible for free union membership for one year. The individual member must notify CSEA of their situation by completing an application form to become eligible for dues-free membership. Dues-free membership status, if approved, does not entitle a person to benefits under the CSEA Employee Benefit Fund.

Application forms and additional information about dues-free membership are available by contacting: Civil Service Employees Association, Membership Records Department, 143 Washington Avenue, Albany, NY 12210 1-800-342-4146 or (518) 434-0191.

ADDITIONAL INFORMATION
Distribution of a wide variety of additional information for CSEA members being laid off is being coordinated by an Ad Hoc CSEA Layoff Information Committee.

The ad hoc committee will send eligible members who apply for dues-free union membership a packet of information on re-employment programs and other material of interest to laid off workers. Included will be a publication entitled "When the Paychecks Stop" and information on eligibility to participate in the NYS/CSEA-sponsored Employee Assistance Program (EAP), Labor Education Action Program (LEAP) and other training programs. Other information will include how to contact your Agency Re-Employment Representatives and Employee Services Office Coordinators. Employee Services Offices and Agency Re-employment Representatives will provide services on how to find out about jobs in state service, information on general employment opportunities and referral assistance to job seeking services and resources.

"All employees affected by layoffs should use all the outplacement and re-employment services available to them," said Paul Burch, special assistant to CSEA President Joe McDermott. Burch is a member of the CSEA ad hoc committee and CSEA liaison with the State Employment Security Committee as well.

"We want to be sure laid off employees receive all information available to ease their situation," Burch said. "They need to be reminded to check their personnel file to be sure information is current and accurate, for instance, and understand how important it is that they complete the Preferred List/Re-employment Roster Eligible Card to be placed on preferred lists and/or re-employment rosters."

"The key to receiving all this material is to apply for free union membership," Burch said.

Don’t rely on rumors. Keep informed, call CSEA’s toll-free current issues update 1-800-342-4146

Press 5 on a touch tone telephone. Available 24 hours a day, it is easier to reach the program before or after regular business hours.

March 4, 1991
Everyday CSEA headquarters receives telephone calls and letters from CSEA-represented state employees about claims disputes, enrollment problems and health benefit explanations.

Working your way through the NYS Health Insurance Program can sometimes be confusing and intimidating. If you have a question or problem and don’t know where to get help, call the CSEA Joint Committee on Health Benefits at 1-800-342-4146 or (518) 434-0191. The committee’s job is to help you understand your health insurance rights and benefits, assist you with your claims problems and either provide you with the answers you need or put you in touch with the appropriate contact that can help you solve your problem.

The CSEA Joint Committee on Health Benefits (JCHB) has listed 10 reminders that can help to reduce many of the more common claims and enrollment problems.

* In most cases, Metropolitan requires that original bills, not photocopies, be submitted to them; always keep photocopies or some type of record of provider bills and corresponding forms for your file in case the original is lost or damaged in the mail.

* When submitting claims under the Major Medical portion of the Empire Plan, wait until the amount of charges meets your annual deductible before sending the claim to Metropolitan. The insured employee must meet a $130 annual deductible each year, a covered spouse must meet a $130 annual deductible each year and all covered dependent children must meet a single $130 annual deductible each year.

* Remember all Major Medical claims incurred during 1990 must be submitted to Metropolitan no later than March 31, 1991.

  * If you have a problem or question about your health insurance premium deductions, if you lose your Empire Plan ID card or if you need to add or delete a dependent, contact your benefits administrator located in your personnel office.

  * CSEA Employee Benefit Fund Prescription Drug cards can be obtained by contacting the Fund directly at 1-800-323-2732 or (518) 463-4555.

  * Remember, if you acquire a new dependent, whether a child or spouse, contact your health benefits administrator within seven days to avoid a waiting period. If a dependent loses his or her eligibility to be covered under your policy, you must have the ineligible dependent deleted from the enrollment file by contacting your agency Health Benefits Administrator.

  * When seeing a specialist while enrolled in an HMO, remember that a referral from your primary care physician is required and is valid only for the time frames specified.

  * When inpatient hospitalization is needed, a surgical procedure that appears on the Prospective Procedure Review list is recommended, you must call the following Empire Plan Health Call which is listed on the ID card jacket or in your benefits certificate: 1-800-992-1213.

  * When ongoing or an uncommon treatment or procedure is prescribed by your doctor, it may be wise to check with your HMO and to obtain a Metropolitan Predetermination of Benefits under the Empire Plan in order to certify the extent of benefits available prior to the actual receipt of the prescribed services.

  * Obtaining covered services from an Empire Plan participating practitioner requires that you pay the appropriate co-pay(s). However, if you should receive a balance bill for covered services provided by an Empire Plan provider, you should contact the CSEA JCHB or the Metropolitan Provider Relations Unit at 1-800-537-0010 so the provider can be contacted to resolve any inappropriate billing.

  * Never ignore a notice from a hospital or doctor that an unpaid medical bill will be referred to a collection agency. Billing errors do occur and collection proceedings can seriously harm your credit rating. If you receive a bill you believe is erroneous, do not ignore it; take steps to resolve the mistake, even if the error is not your fault. Contact the hospital or doctor’s billing office immediately. If you need assistance, contact the CSEA JCHB, your HMO or appropriate Empire Plan insurance carrier.

It's time for the sons and daughters of CSEA members to apply for the Irving Flaumenbaum Memorial Scholarship.

The deadline for applying is April 15. CSEA awards three $500 scholarships in each of the union’s six regions to eligible high school seniors. You can get scholarship applications from your CSEA Local president or the region office.

Members of the Scholarship Committee are: Diane Lucchesi, chair; Willie A. Allen; Nevada F. Solano; E. "Sam" Rockefeller; William Fetterling; Sandra Delia; and Arthur Howell.

Remember, the application deadline for the Irving Flaumenbaum Memorial Scholarships is April 15.
United Buying Service (UBS) is batting .1000 as the official discount shopping service of CSEA. In 1990, 2,251 CSEA members shopped with UBS to purchase major consumer items at discount prices. During the 12-month period, CSEA received no unresolved complaints.

Remember, there is absolutely no charge for access to your discount shopping club. Accessing UBS is a free benefit from your union.

UBS is CSEA’s official discount shopping service, offering the lowest prices on automobiles, major appliances, video, stereo, furniture, carpeting, jewelry, china, crystal, flatware, luggage and a host of consumer electronics. Shop around for any of these items and then call UBS for our price. You’ll be glad you did. VISA and MasterCard accepted.

**Electronic and Major Appliances**

Use the following steps to purchase items such as refrigerators, washers, dryers, TVs, video cameras and recorders, stereo systems, CD players, phones, etc.

- *Shop around for the item of your choice.*
- *Find out the model number and call the UBS Toll-free Order Line at 1-800-336-4UBS.*
- *Our courteous representative will quote you the lowest price on the item of your choice.*
- *Orders will be taken right on the phone. All merchandise will be delivered in factory-sealed cartons with the full manufacturer’s warranty in effect.*

**Jewelry, Furs, Furniture, Carpeting, Crystal, China, Silver, Flatware, Luggage & Pianos**

Simply tell the UBS operator what you want to purchase and you will be referred to a wholesale distributor of that product. The prices quoted will be substantially below retail.

**UBS Auto Hotline Service**

With more than 572 new car models on the market, it is imperative to know the dealer’s cost of the car you are interested in before negotiating price! Experts recommend that it is always best to negotiate up from the dealer’s cost rather than down from suggested retail, which can be up to $3,000 higher. With UBS it is quick and easy to:

- Learn the actual dealer’s cost on the car you’re interested in.
- Get an evaluation on the used car you may wish to trade in.

For price quotes and car evaluations right over the phone, simply call the **UBS AUTO HOTLINE at 1-900-446-8400** ($1.95 per minute).

UBS has also pre-negotiated special discounts at more than 150 car dealers in New York State and will direct you to a conveniently located dealer near your home for a special CSEA discount. Discounts are also available on long term leasing for qualified customers.

**ST. LAWRENCE PSYCHIATRIC CENTER** employees participated in a rally recently to protest the impact of the state budget on the facility’s patients, programs and staff. In photo at left, CSEA St. Lawrence Retirees Local 923 President Joe Cosentino, left, speaks with state Sen. John McHugh. In above photo, CSEA St. Lawrence Psychiatric Center Local 423 President Jack Fisher, right, address local members during the rally.
Medicaid now provides spouse protections

In the previous issue we discussed long-term care insurance designed to help pay for the cost of a nursing home stay and how you can get help to evaluate the various policies currently sold in New York state. In this issue we’ll highlight how Medicaid protects the spouse when the other is in a nursing home and has to go on Medicaid.

As of January 1989, Medicaid law provides a number of new protections for the person left at home when the spouse enters the nursing home and applies for Medicaid. Medicaid refers to the person at home as the “community spouse” and the person in the nursing home as the “institutionalized spouse.”

After five months in a nursing home in New York state most people (90%) have used up their own savings and have to apply for Medicaid to cover the costs. Most people have only enough money saved to buy a few months in a nursing home.

If you can pay for the first few months yourself you will possibly get into a nursing home faster and be able to choose which one you would like to go to. When your funds run out and you have to apply for Medicaid the nursing home cannot make you move out or change your care.

We have all heard stories of community spouses left destitute, their savings gone paying the nursing home costs for the institutionalized spouse.

That no longer is the case. As of January 1989 community spouses can set aside a portion of the combined assets for their own use; only the remainder gets spent on the institutionalized spouse. As of January 1991 that amount is $66,480. Assets include savings and checking accounts, stocks, bonds, the vacation home, the second car, the boat, etc. The first car is an exempt asset, as is the first car.

The income for many older couples consists primarily of two Social Security checks with the husband’s name on them, since the wife often never worked. In the past those checks with the husband’s name on them went to pay his nursing home expenses and wives were left in poverty and applying for welfare. This is no longer the case either. Now the community spouse has a monthly income set-aside as well. As of January 1989 it is $1,662, and only money above that amount goes to the nursing home.

Some wonder if there is any way to protect assets above the $66,480 amount. There are a variety of Medicaid Trusts that can be set up to protect assets but this is a very complicated area of law and you should talk with a lawyer who specializes in it.

It is best to establish a Medicaid Trust at least two and one-half years before Medicaid is applied for and is not something you want to do until after the person becomes ill. If you desire to protect someone other than a spouse, see a lawyer who specializes in Medicaid planning.

There is federal legislation covering all states’ behavior and government gave each state the right to choose their own set-aside amounts. New York chose the top amounts possible. If the person you’re concerned about lives in New York, find out what amounts that state chose.

Applying for admission to a nursing home or for Medicaid is a complex process, but you don’t have to go it alone. New York state Offices for the Aging have free, experienced counselors who will help you through the process. Each county in the United States, including every county in New York state, has the services of an Office for the Aging. To locate an OFA in New York state check your phone book or call the Aging Hotline 1-800-342-9871.

What is the retirement advantage of saving my sick leave? When will my first pension check arrive? What are the seven reasons employers prefer to hire retirees? Find out the answers to all your questions concerning retirement by attending a free two and one-half day DIRECTIONS Pre-Retirement Planning seminar, funded by CSEA and designed for employees of New York state over the age of 50. For more information contact your union representative or call (518) 486-1918.

How to request political, ideological rebate on dues

CSEA members 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 3 percent of the dues collected in 1990.

The union’s procedures call for individual rebate requests to be submitted in writing by certified or registered mail addressed to CSEA’s statewide treasurer. Rebate requests will be accepted during the month of March. Individual requests must be submitted. Lists of members 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 percentage of payments that had been used for partisan political or ideological purposes during the fiscal year and rebates that amount upon proper application.

Members who object to AFSCME expending a portion of their dues for partisan political or ideological purposes must request a rebate individually in writing between April 1 and April 16. The request must contain the member’s name, Social Security number, home address, AFSCME local and council number. This information must be typed or legibly printed.

The individual request must be signed by the member and sent by the individual member to the International secretary-treasurer at AFSCME International Headquarters, 1625 L St., N.W., Washington, DC 20036, by registered or certified mail. Requests must be renewed in writing every year the member wishes a rebate.
These career enhancement opportunities negotiated by CSEA for state employees

Career and skills enhancement opportunities that will help participants reach and perform at higher skill levels are being offered to CSEA-represented state employees through a series of seminars and workshops across the state this spring. The career and skills enhancement seminars are sponsored by the NYS/CSEA Labor-Management Committees and are made possible through funding negotiated by CSEA in the current CSEA state contracts. Many of the programs are administered by the Continuing Education and Public Service Department of SUNY’s Empire State College.

Safety and Health Seminars
Safety and Health Seminars are designed to provide CSEA-represented employees, their supervisors and members of agency and facility safety and health labor-management committees with the skills and information necessary to ensure full implementation of various occupational safety and health regulations and the maintenance of a safe work environment. Safety and Health Seminars will be held during April, May and June at several state facilities. Registration deadline is March 26.

Operations and Maintenance Seminars
Operations and Maintenance Seminars are designed for CSEA members who operate and maintain the state’s physical plants and equipment. Seminars covering 10 different topics will be offered at various state facilities across the state during April, May and June.

Registration deadline is March 15.

Career and Skills Enhancement Workshops
Career and Skills Enhancement Workshops are designed for CSEA members in the Institutional and Administrative Services bargaining units. These workshops are for non-direct care institutional workers, employees charged with inventory control and staff who deal extensively with the public. Registration deadline is March 15.

Introduction to the Skilled Trades
Introduction to the Skilled Trades workshops will be available only to members in CSEA Regions I, II and III. The two-day workshops are primarily for CSEA members in grades 3 through 9 in the Operational Services Unit. Employees in higher grade levels, with little practical experience in the subject matter, may also participate.

Workshops are held at SUNY Maritime College in the Bronx. Workshops will be held during March, April and May.

The deadline for registration is three weeks prior to the seminar selected.

Details, application forms
Brochures describing each seminar or workshop series, including times, dates, locations and course descriptions, are available from your CSEA Local president or your state agency personnel and/or training and education offices. Information is also available by contacting: NYS/CSEA Labor-Management Committees, One Commerce Plaza, Suite 1117, Albany, NY 12260 (518) 473-3416.

A number of course deadlines were published in the previous edition of The Public Sector. Following are additional course deadlines for the immediate future. Application and course descriptions can be found in CSEA course catalogs sent to your Personnel Office, Affirmative Action Office, Training Office and your CSEA Local president. For additional information on CSEA courses, call (518) 457-6306.

These CSEAP courses were negotiated for ASU members by CSEA. There is no charge to the employee.
Not ready
to reopen

Binghamton — Ten years ago last month, a transformer explosion and fire in the mechanical room of the Binghamton State Office Building spewed forth cancer-causing polychlorinated biphenyls (PCBs). The toxic material circulated throughout the building via the ventilation system.

The contaminated building was shut down leaving equipment and files inaccessible, displacing hundreds of employees and inconveniencing the general public.

Today, after years of clean-up at a cost of more than $40 million, the building is no closer to re-opening.

The state now claims the building may be ready for re-occupation in a year, but as one CSEA official put it, “we’ve heard this story before.”

The contradiction is apparent when touring the building: the upper floors are completely renovated and furnished and appear ready to welcome back state employees. Meanwhile, the mechanical room, where the fire began, remains sealed and contaminated. While the floors above sparkle, barrels of toxic waste sit in the sub-basement waiting for disposal.

“It’s not for lack of trying that the facility isn’t ready,” said CSEA Director of Occupational Safety and Health James Corcoran. “But parts of the building may be like a giant toxic sponge. They clean the contamination from the surface but after a while more repermeates.”

“Whether they’re ever going to get it clean enough is questionable,” said CSEA Binghamton State Employees Local 002 member Susan Kresge, a 30-year state employee with the Department of Motor Vehicles (DMV).

Kresge remembers reporting for work on that fateful day in February 1981 and being turned away. “We were barred from the building and sent home to wait for a call from our supervisors,” she said.

When that call came the next day, the entire DMV staff was relocated temporarily to the county DMV office, without equipment or furniture. Kresge said they used a shoe box for a cash register.

For two months the state employees shared the county office until they were relocated to a former elementary school. Kresge and her co-workers are still working under less than optimal working conditions that include poor lighting and restrooms in disrepair.

But Kresge said she’d rather stay put even in less than desireable conditions than return to the Binghamton State Office Building.

“Until they certify that the building is safe and free of poison, I’d rather stay here than have to deal with the uncertainty. I don’t think it’s ever going to be safe,” she added.

Her feelings were echoed by fellow DMV employee Garry Verhoeven, a 17-year state employee.

Verhoeven added that he felt the clean-up was a waste of tax dollars and that “it should have been given up long ago.”

“Now they’ve spent three or four times more than what it cost to build it and it’s still not done,” he said.

Another employee who did not wish to be identified said he played a direct role in the initial clean-up and believed he had been exposed to safety hazards as a result.

“The cleaning was very disorganized,” he said. “Our job was to clean everything up and they told us we’d be back to work in the building a week after mopping it up.”

The employee said clean-up workers were given protective equipment to wear but were not trained to use it properly. He said OSHA guidelines were violated in the early going and after several weeks state employees were replaced in the effort by private contractors who were adequately trained in the hazard abatement.

He was unsure about whether the building can be made safe for re-occupancy and asked “Who ever thought it would take more than 10 years?”

March 4, 1991