Budget bashing
see pages 5, 10 and 11
CSEA blasts Nassau County for contracting out at its medical center and possibly improperly paying the contractor.

CSEA agrees to a mediator in the impasse in state contract talks. The union also files a grievance over Office of Court Administration delays in those contract talks. Meanwhile, CSEA fights for aid restorations in the state budget.

New York needs fair taxes, according to the Fiscal Policy Institute.

The Office of Mental Health is at it again, this time trying to layoff permanent workers while employing temporary ones.

Shoddy asbestos removal threatens the health of workers at the Hudson River Psychiatric Center powerhouse.

CSEA will switch from a bi-weekly to a monthly publication effective with the May edition. This issue is the final bi-weekly edition to be published.

In addition to expanding the number of pages by as much as 40 percent, the monthly editions will be redesigned to provide the additional information in a more convenient, easier-to-read format.

CSEA members have joined efforts to establish a scholarship fund for 17-month-old Cassandra Renee Stone, whose father, Army Spec. Thomas Stone, was killed in a Scud missile attack in a Dharhan, Saudi Arabia U.S. Army barracks during Operation Desert Storm.

Stone was the son-in-law of Sandy Miller, a member of Chautauqua County CSEA Local 807 and the husband of Kelly Miller Stone. Stone had been in Saudi Arabia about a week before he was killed along with 27 others in the missile attack. Stone had enlisted in November 1989 and volunteered Jan. 13 for active duty as reservist from the Erie, Pa. Reserve Center.

Local 807 President Jim Kurtz said the local was urging fellow members to contribute to the fund for Cassandra, which was set up by the Downtown Jamestown Development Corp.

"Our hearts go out to the family," said Kurtz, "and we know there are those who would like to help out the young grandchild of a fellow union member."

Donations may be sent to the Cassandra Stone Health and Education Fund in care of Key Bank, 202 N. Main St., Jamestown, N.Y. 14701. Questions may be directed to DJDC director Mark Nelson at 101 W. Fifth St., Jamestown, 14701 or by calling 716-664-2477.
CSEA claims NCMC is a Supermarket for contracting out

By Sheryl C. Jenks
CSEA Communications Associate
EAST MEADOW — CSEA Nassau County Local 830 has filed a grievance and asked the Nassau County District Attorneys Office to investigate whether money was improperly paid to an outside contractor at the Nassau County Medical Center (NCMC).

According to CSEA Local 830 President Rita Wallace, the county reneged on its contract with CSEA and may have violated municipal law by allowing outside contractors to work in NCMC without a signed contract, approved funds or a review by the union, which is guaranteed in the contract.

"Contracting out has been like a plague here at NCMC," Wallace said. "We feel this is an outrage to pay contractors whose contracts have not been approved or signed. Where did the money come from to pay these people?"

The problem began in August 1990 when NCMC's director of human resources informed Wallace he had asked the Civil Service Commission to create pharmacy technician titles.

"He said that while he waited for that approval from Civil Service, he would hire an outside contractor to hire pharmacy techs who would be converted to the county payroll as soon as the civil service titles were created," Wallace said. He assured her the process would take six to 12 weeks.

The commission denied the request and instead agreed to classify 20 new pharmacy assistant positions, creating what the head of civil service called "a very decent promotional field."

Seven months later, NCMC is still contracting out the work, Wallace said. CSEA represents more than 3,600 NCMC employees.

"This classification was made for our county employees, but NCMC is still contracting out this work to an outside vendor," Wallace said.

Worse yet, although the vendor’s employees have been working since June of last year, the county didn’t have a signed contract by the end of January. Yet another major problem is that CSEA can find no evidence NCMC received the appropriate authorization from the county comptroller to pay the vendor.

"To this day, the money has not been approved by the comptroller," Wallace said. "We want to know how these people were paid."

The county has since signed the contract, but CSEA never got a chance to review it. The union’s right to review contracts with private vendors which will affect CSEA members is guaranteed in the county’s collective bargaining agreement with the union.

"We intend to fight this tooth and nail," Wallace said. "Our collective bargaining agreement gives us the right to review and discuss any outside contracts that affect our members."

When the county’s contract with the vendor expired just weeks after the county got the final copy, the vendor presented a new one.

CSEA filed a grievance over the county’s failure to allow union review of the outside contract and has asked the county district attorney to look into whether the $373,385 paid to the contractor was spent properly.

Wallace directed her anger at NCMC Executive Director Tracey Strevey. A military veteran known for his strong will, he is often referred to as "The General."

"The General thinks he’s running his own supermarket at NCMC," Wallace said. "Well, we won’t tolerate it."

CSEA NCMC Unit President George Walsh said the county regularly attempts to contract out work at the medical center.

"We are constantly fighting the contracting-out problem," he said, noting that had been the theme of several protests the union has held over the years.

CSEA Labor Relations Specialist Claude Ferrara said NCMC has been historically understaffed.

"The county often fails to offer competitive salaries and this sends them scrambling for help," he said. "But we don’t see contracting out as the quick-fix solution."

He pointed to the nearly $400,000 the county paid to the pharmacy contractor as an example.

"That is a huge sum of money," Ferrara said. "The administration at NCMC has a lot of questions to answer about how they paid it before the union ever got an opportunity to see the contract."

The General thinks he's running his own supermarket at NCMC. Well, we won't tolerate it.

Rita Wallace, CSEA Local 830 president

April 1, 1991
ALBANY — CSEA has agreed to the appointment of a mediator who will help CSEA and the state resolve their contract impasse.

The Public Employment Relations Board (PERB) appointed Tia Denenberg of Red Hook, a highly respected labor relations neutral.

After the state declared impasse, CSEA pressed for and got an agreement that the union would have input into the selection of the mediator. In a move reflecting the union’s request, PERB announced that CSEA and the state would have the opportunity to mutually agree on a mediator.

CSEA still maintains that the state jumped the gun by declaring impasse in negotiations before the 1988-91 agreements had expired. The two negotiating teams had barely begun to consider major contract issues when the state decided more negotiations would be pointless and declared impasse.

“We are ready to work with the mediator to come up with a contract for our state members,” said CSEA President Joe McDermott. “I hope the state is also willing to do so.”

The mediation process will continue according to a schedule Denenberg will set. During the process, the CSEA negotiating team and the state team will each meet with her and she will act as a liaison in trying to bring the two sides to an agreement.

**Rights protected**

Although the CSEA/state contracts expired March 31, the terms and conditions set by those contracts will remain in effect until a new contract is negotiated, a protection provided by the 1982 Triborough Amendment.

If mediation fails to result in a contract, PERB will appoint a fact finder or a fact-finding team who will study the issues and issue a non-binding report.

If fact finding fails, the state Legislature can conduct a hearing and either order the two sides back to the table or impose a one-year settlement.

As long as CSEA does not consent to the legislative hearing, the Legislature cannot impose a settlement “which diminishes employees rights” under an expired contract. The only exceptions are for those items in the contract which have a ‘sunset’ or a specific time at which they expire.

---

**CSEA files IP but OCA talks continue**

ALBANY — Negotiations for a new contract for CSEA Office of Court Administration (OCA) members have been slowed by the Unified Court System but the talks have not gone to impasse.

CSEA has filed an improper practice (IP) charge with the Public Employment Relations Board (PERB) because court management failed to present any proposals for negotiations until two weeks before the existing contract expired.

We’ve been meeting, but it’s hard to negotiate without the state’s proposals,” said James Hennerty, CSEA deputy director of contract bargaining.”

Although the court system and CSEA have not negotiated a new contract, the terms of the expired contract remain in effect (see adjacent story.)

---

**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.

---

**CSEA fights for school transportation aid**

ALBANY — CSEA is stepping into the state budget fray once again to urge state legislators and the Governor to restore vital transportation aid to school districts.

The Governor’s proposed budget would cut 40 percent from transportation aid to school districts. That means fewer buses, less maintenance and more children walking longer distances and at more risk just getting to school.

The cuts are part of a $4.5 billion package of cuts that include thousands of layoffs, early retirements and job eliminations through attrition. Gov. Cuomo devised to close most of the state’s $6 billion budget gap. Another $1.5 billion will come from increases in regressive taxes and fees.

CSEA has protested that cuts in aid to localities, including school districts, will require them to raise the regressive property taxes, cut services or both in order to make up for lost aid. The transportation aid cut will be particularly unpalatable.

“CSEA can’t watch this happen without fighting. Children’s safety and well being are at stake here,” CSEA President Joe McDermott said. “The state must live up to its responsibilities to school districts and local governments.”

CSEA is also pressing for a law which would allow local governments and school districts to offer early retirement to its employees. The program would help alleviate the pain of substantial cuts in state aid proposed in the Governor’s budget.
ALBANY — The Fiscal Policy Institute (FPI) is calling for increased taxes for the wealthy, the closing of corporate loopholes and sales tax adjustment to put New York on sound fiscal footing.

FPI, a research and advocacy organization backed by labor, community, religious and social welfare groups, released its report, "The Right Choice for New York: A Fair Tax System for Fiscal Stability and Growth," to convince the state Legislature and the Governor to consider tax increases and changes.

“We believe the time is right to put progressivity and fairness back into New York’s tax system,” said FPI Director Michael Martin.

The state faces a deficit of at least $6 billion in the next fiscal year, with some estimates even higher. Meanwhile, Gov. Cuomo is apparently determined to slash state spending on services and aid to localities while raising regressive taxes that punish the working poor and the middle class.

The Governor is calling for 18,000 job eliminations through attrition, early retirement and more than 7,000 layoffs. He also wants to freeze state employee salaries and has declared impasse with three major state unions (see page 4).

FPI proposes restructuring the personal income tax by adding additional tax brackets for the wealthiest 5 percent of New Yorkers, while preserving current rates on the remaining 95 percent of taxpayers. This could raise $1 billion to $1.3 billion.

Reforming the corporate tax structure could bring in another $1 billion. Those reforms include repeal of the investment tax credit and employment incentive tax credit, requiring domestic unitary combined reporting, conforming to the federal alternative minimum law and enactment of a corporate reporting and disclosure law.

The sales tax in New York has not kept up with the changing economy. FPI recommends broadening the sales tax base by adding services such as accounting, engineering, legal services and management consulting. That would raise close to $900 million.
The Office of Mental Health (OMH) is juggling numbers to meet lay off goals by using temporary employees, so CSEA stepped in to be sure permanent employees facing layoffs get a crack at temporary jobs.

While OMH is laying off maintenance and other operational employees who paint, repair, refurbish and generally keep facilities in running order, the agency created temporary revitalization teams which will go into the very facilities which have laid off the operational employees to do the same type of work.

"This is just juggling numbers," said Mark Lawrence, CSEA deputy director for contract administration. "They want to be able to say they laid off a certain number of people, and meanwhile, they've got temporary employees doing the same work."

CSEA Director of Contract Administration Ross Hanna said temporary positions should be abolished before any permanent employees are laid off. But OMH officials insist the revitalization team jobs are not subject to layoffs because they are not among the groups targeted for layoffs.

"As a minor compromise, OMH agreed to allow permanent employees receiving layoff notices the option of temporarily accepting positions on the teams," Hanna said. "Accepting a temporary position will not affect an employee's status on the preferred list."

"Joining the revitalization teams in this time of crisis is a way for our members to continue their public service careers and their state benefits," Hanna said. "CSEA will definitely be watching to ensure our members are given the opportunity to be hired."

Mark Lawrence,
CSEA deputy director for contract administration
By Anita Manley
CSEA Communications Associate

POUGHKEEPSIE — The health and lives of CSEA members who work in the powerhouse of the Hudson River Psychiatric Center have been endangered by poor asbestos removal, according to CSEA.

The asbestos removal was so poorly done that members of the CSEA Hudson River Psychiatric Center Local 410 may still be exposed to cancer-causing asbestos, charged Local 410 President Judy Watts.

The facility accepted bids for the job last year and approved a contract with a firm that from the beginning showed it was unable to do the job properly. CSEA Safety and Health Coordinator Wendy Hord said Stationary Engineer Michael Gray contacted the Asbestos Control Bureau after a piece of asbestos fell on his head while he was in the powerhouse.

Gray, who works part time as a certified asbestos remover, said he knew the contractor had not sealed off the area properly. An inspector later cited the contractor for 20 violations. The contractor supposedly resolved the violations and was to complete the job. But the contractor still didn’t do the job right, Gray said. In an attempt to remove old ash hoppers, the contractor opened a hole that led to an old boiler room that contained asbestos in its most dangerous condition. That asbestos fell into the powerhouse and the ventilation system blew the asbestos fibers throughout work areas.

As a result, asbestos and coal dust filled the plant.

Hord then contacted the Asbestos Control Bureau and the Department of Labor (DOL). The latest bureau report confirms that asbestos is in the work areas. The contractor still has not wiped down all of the powerhouse. Employees have continued working in the plant, at risk of exposure to the cancer-causing fibers.

CSEA is protesting the Department of Labor recommendations that the contractor be required to clean up only those areas where tests showed the presence of asbestos.

"They didn't test every single surface, but common sense tells us that if asbestos is in one area of a workplace, it's everywhere," Hord said. "We want the contractor to clean up the entire place."

Local President Watts is fighting for asbestos testing for the powerhouse workers.

The problem is that management labels those employees who want X-rays and tests for asbestos exposure troublemakers, Watts said. "That’s the kind of mentality we have here,” she said. “They’re looking at costs, not people. Safety has to come from the top. Management has to push for safety.”

Wendy Hord, CSEA Occupational Safety and Health coordinator

THIS IS IT — CSEA OSH Coordinator Wendy Hord points out asbestos and coal dust on the pipes in the Hudson River Psychiatric Center powerhouse. With her are, from left, Stationary Engineer Michael Gray, Local 410 President Judy Watts and Local 410 Vice President Laura Sleight-Legname.
GOWANDA — CSEA’s fight for the future of the state mental health system gained momentum and broad community support during a recent legislative hearing on Office of Mental Health (OMH) plans to close Gowanda Psychiatric center without developing state-operated alternative care.

The nearly 500 people who attended the hearing, including dozens of CSEA officials and activists, directed a firestorm of protest at OMH Commissioner Richard Surles, who walked out after his own testimony without hearing what the community had to say.

Shortly afterward, a key state senator announced that he will block the Gowanda closing and the closing of any psychiatric center until OMH provides a system-wide plan. While CSEA has applauded the statement by Senate Mental Hygiene Committee Chairperson Nicholas Spano, the union is seeking to ensure that it has input on any plan. CSEA insists that plans include the development of state-operated alternative residences to assure appropriate care for the seriously mentally ill and placement of the experienced state workforce.

CSEA’s report, “No Compassion, No Care: Abandoning the Mentally Ill,” documents the failings of current OMH policy and presents alternatives for humane, cost-effective care. CSEA charges that OMH is trying to steamroll the Gowanda closing as part of the state budget crisis to accelerate shutdown of other psychiatric centers.

The union has repeatedly said the issue is not the buildings; the issue is assuring access to the quality care that goes on in those buildings.

CSEA’s report was the centerpiece of the union’s testimony during the Gowanda hearing, co-chaired by Spano and Assembly Mental Health Committee Chairperson Elizabeth Connelly. State legislators from throughout western New York also participated.

But it was Commissioner Surles’ apparent indifference that sparked the most controversy. Surles not only had no answers for a number of questions raised by the legislators, his hasty departure with an entourage of deputy commissioners and aides also signaled a lack of interest in community concerns. It also reinforced the fact that no community input was sought before OMH began the closure process.

“It’s deplorable that the commissioner’s priorities don’t include listening to what the affected care providers, families of patients and community leaders have to say about the OMH plan to close Gowanda,” said CSEA Executive Vice President Danny Donohue who presented CSEA’s lead testimony during the hearing. Donohue also challenged the accuracy of Surles’ statements on the closing and charged that OMH is basing its plans on budget considerations instead of patient care.

CSEA Region VI President Robert Lattimer and Gowanda Psychiatric Center Local 408 President Wayne Jones also testified that OMH is abandoning people in need of psychiatric care in the Southern Tier and leaving the problem to the localities.

“Gowanda PC serves four counties in western New York and even after OMH locked the front door to the facility it still has 500 admissions a year,” Lattimer said. “What happens to those people and the 300 patients already in the facility if Gowanda closes? OMH’s only answer has been send them to Buffalo.”

Jones urged the legislators not to waste the experience and dedication of the Gowanda workforce, employees who have consistently demonstrated top-notch ability in providing care.
It's deplorable that the commissioner's priorities don't include listening to the community.

The systematic destruction of OMH

A UNITED FRONT AGAINST OMH IRRESPONSIBILITY — Gowanda Psychiatric Center employees showed up at the legislative hearing on the fate of the facility wearing their protest T-shirts. Employees wear the shirts, depicting OMH attempts to crush the facility, as a show of strength.

Voluntary sector wants to run state OMRDD residences

CSEA officials are angered by a voluntary sector organization's attempt to take over state-operated community residences for the mentally retarded.

In stark contrast to the state Office of Mental Health (OMH), which is running down the inpatient population of state psychiatric centers without developing alternative care, the Office of Mental Retardation and Developmental Disabilities (OMRDD) for the most part has pursued responsible care policies.

OMRDD has had a commitment to a system of care balanced between the public and voluntary sector providers. As the state has closed developmental centers and moved care into the community, OMRDD has taken pains to maintain continuity of care and responsibly transition clients and experienced staff.

Yet the voluntary sector also benefits from this complementary approach to the care of the mentally retarded. The voluntary agencies operate about 70 percent of all community residences statewide, while the experienced state workforce handles many of the system's most difficult clients — individuals the voluntary providers have had difficulty serving. The voluntary agencies operate about 70 percent of all community residences statewide, while the experienced state workforce handles many of the system's most difficult clients — individuals the voluntary providers have had difficulty serving.

Against this background, CSEA officials were shocked and disturbed when the union obtained copies of a memo sent by the head of a major voluntary sector care association to his members along with a letter he sent to OMRDD Commissioner Elin Howe. Both documents call for the state to turn over all control of community-based care, including existing state-operated facilities, to the voluntary agencies, a process called "turn-keying."

The memo states in part: "At this time it would be unrealistic and, given union sensitivities, imprudent to begin to discuss specific plans with anyone. Delicate negotiations are underway."

The letter goes further, stating "I believe the time has come to begin to shift from a dual state/voluntary system to a system which is exclusively voluntary operated."

OMRDD officials have not commented on the voluntary sector's overture for control of the system and CSEA has no reason to believe that there has been a shift in state policy.

But adding to CSEA's alarm, was the discovery of a provision in an obscure section of the state executive budget proposal that gives the OMRDD commissioner the authority to turn existing state facilities over to voluntary sector providers.

OMRDD officials have assured CSEA that this is not a new authority for the commissioner and that it also applies to turn-keying existing voluntary facilities over to state-operation.

CSEA has alerted its local officials about the situation and asked them to contact the CSEA Contract Administration Office if they hear about any discussion of turn-keying state facilities in their area.
Protests erupt across state against Cuomo budget

Large, angry demonstrations continue to erupt throughout New York state as opposition mounts against Gov. Mario Cuomo's proposed state budget.

Coalitions of labor unions, churches, community interest groups and others object to the Governor's plan to offset an estimated $6 billion budget gap by slashing aid to localities, cutting vital state services and programs, laying off thousands of state workers and instituting regressive taxes and fees.

A coalition of the state's public employee unions, CSEA, PEF, UUP and AFT/MEC Council 82, rallied more than 20,000 public employees for a march on Albany in early February.

Recently more than 20,000 protesters swarmed into Albany in a demonstration sponsored by the Black and Puerto Rican Caucus, labor unions and community action groups. A protest in Hauppauge, Long Island, sponsored by CSEA, PEF, UUP and Council 82, attracted more than 3,000 public employees.

More than 1,000 public workers marched in Utica during a rally sponsored by the four public employee unions.

A large protest rally was scheduled in New York City as this edition of The Public Sector went to press. That demonstration was also sponsored by CSEA, PEF, UUP and Council 82.

On the march in Utica

Many Long Island school employees, officials and parents protest

LONG ISLAND — If you were driving on Sunrise Highway on a recent weekend, you may have seen a very long line of cars driving single-file along the road with red balloons tied to their antennas.

It wasn't some kind of strange funeral procession. It was a motorcade of Long Island school district employees, officials and parents, taking to the streets to protest proposals to lower state educational funding.

A number of CSEA members took part in the rally. One of them was CSEA Connetquot School District Unit President Pat Kornely.

"We can't take any more cuts in state aid. We joined together under REFET to put together to call attention to our desperate situation," Kornely said.

REFET, Reform Educational Financing Equities Today, a statewide organization that has been fighting the way the state finances education for 20 years, coordinated the rally.

As the cars streamed down the main road, drivers had their lights on, signs hanging out of car windows and red balloons, a symbol of their anger, tied to their antennas.

"We want to put pressure on the legislature before they vote on Cuomo's budget," said Kornely.

On the march in Utica
New study finds no link between VDTs, miscarriage

But many questions left unanswered

A new study by the National Institute on Occupational Safety and Health (NIOSH) has concluded that women who work with video display terminals (VDTs) do not run an increased risk of losing a pregnancy through miscarriage. But while CSEA safety and health officials find the results of the study positive, they caution about interpreting the findings as the final word on the issue.

NIOSH undertook the study because of frequent miscarriage clusters — groups of women in the same work location suffering miscarriage — among VDT users. Questions about the safety of radiation emitted by VDTs has long been controversial. Part of the controversy has centered on whether the VDTs were responsible for miscarriages or whether other factors such as stress or musculoskeletal strain from the work are to blame. It has even been suggested that miscarriage clusters in particular work locations are purely coincidental.

In the NIOSH study, researchers studied 882 pregnancies among directory assistance operators who worked for AT&T and Bell South in Atlanta in the 1980s. At Bell South 307 operators worked with VDTs while at AT&T 430 operators performed similar work using different equipment.

The study found a 15.9 percent miscarriage rate among the VDT users and a comparable 14.8 percent rate among the other operators. Medical estimates on the number of pregnancies that end in miscarriage vary widely, from 10 to 30 percent of all pregnancies.

"This is an important study," said CSEA Director of Occupational Safety and Health James Corcoran. "But it does have limitations that leave questions unanswered."

Corcoran pointed out that the study originally had a much broader objective but federal officials scaled it back considerably. Additionally, the study reviewed pregnancies that occurred between 1983 and 1986, while measurements of VDT radiation were made in 1990.

"The study concludes that VDTs are not responsible for the miscarriages," Corcoran said. "That still doesn't explain what is responsible for the miscarriage clusters."

U.S. Supreme Court rules sex bias is not a safety and health issue

A recent United States Supreme Court ruling that's been hailed as a major victory over sex discrimination also has important worker safety and health implications. In a unanimous ruling, the Supreme Court ruled that employers may not bar women of child-bearing age from certain jobs because of potential risk to their unborn children.

In the case, a coalition of labor and other groups challenged a "fetal protection policy" instituted by Johnson Controls, the nation's largest manufacturer of automobile batteries. The policy barred women of all ages from jobs which had potential exposure to lead, unless those women could provide medical proof of sterility.

Labor groups feared that if the company policy had been upheld it would have given employers the go-ahead to exclude women from numerous jobs on the basis of potential risk. The court clearly ruled, however, that the policy amounted to overt discrimination against women.

But the decision is also a victory for worker safety and health because it reaffirms the employer's responsibility to provide and maintain a safe workplace. "Lead and other toxic material exposure poses a serious health threat to men as well as women, but excluding women from certain jobs wouldn't have any effect on workplace safety," said CSEA Director of Occupational Safety and Health James Corcoran. "The Supreme Court recognized that and reinforced that the employer has an obligation to inform employees about the dangers of their work and to conscientiously follow all guidelines for a safe workplace."

Especially with lead, the OSHA standards are lengthy and comprehensive; they require continuous monitoring and health screening of the workforce.

"In effect, the court is saying that an employer can't take shortcuts around those requirements whether the employees are women or men," Corcoran said.

While some critics of the decision have charged that the ruling will leave employers open to liability lawsuits, the Supreme Court pointed out that employers that comply with federal job safety standards and warn of job hazards only run a risk of liability if they are negligent.
CSEA lawsuit wipes out a ‘good ol’ boy system’ flourishing in Schoharie

By Daniel X. Campbell
CSEA Communications Associate
SCHOHARIE — It shouldn’t have been a surprise to Schoharie County officials that the county must follow state civil service law. But they skirted the law for years until CSEA took them to court.

For untold years the Schoharie County administration got away with doing things just about any way they wanted. But finally, after nearly two years of litigating a lawsuit filed by CSEA, management has been forced to recognize and acknowledge that New York state civil service laws, rules and regulations do apply to Schoharie County government.

‘CSEA began the attack on Schoharie County’s “good ol’ boy system” nearly two years ago on behalf of CSEA members Jane Becker, Hollie Vitola and Kay Yanson.

The trio had the three highest scores on the county’s civil service exam for motor vehicle representative. But according to a lawsuit filed on their behalf by CSEA, the manner in which the county handled the job interviews of the three employees violated their right to “fair treatment.”

CSEA’s lawsuit alleged that the county coerced the three into declining the civil service positions so that the county could hire other candidates who scored lower on the civil service test. High-level county officials were even quoted in the news media saying that if the wrong workers were selected “they would be fired.”

“We felt there was a clear violation of civil service law,” said CSEA attorney Paul Bamberger, who handled the union’s lawsuit. “CSEA and the workers could not stand by silently and allow that type of situation to continue.”

CSEA’s challenge to the county administration would take the union and the workers through a series of legal confrontations in State Supreme and Appellate Division courts. After a CSEA victory at the Appellate Division level, the county agreed to several union demands rather than face a full trial on the issue of coercion.

A stipulation resolving the lawsuit includes an acknowledgement by the county that they must conduct civil service interviews “fairly.”

“The settlement provides that Schoharie County officials must comply with civil service requirements,” Bamberger said. “The county acknowledged an obligation to fairly conduct the process of selecting employees for appointment without undue pressure. That means the county cannot play favorites or ignore qualified employees in filling classified positions.”

The settlement also did away with an arbitration decision which had allowed the county to decrease an employee’s salary when promoted, transferred or reassigned.

“Previously the county required an employee to start a new job at the lowest step of the salary grade, even if it meant a temporary decrease in salary,” Bamberger said. “Now the possibility of a salary decrease has been eliminated.”

Becker, Vitola and Yanson accepted $500 each in the settlement. Each said at this point they are mainly interested in the county’s acknowledgement that it must conduct interviews fairly.

“Hopefully now management recognizes that it’s important to treat workers fairly,” the three said in a joint statement. “One lesson we all learned is that CSEA will stick by you all the way, so don’t be afraid to speak up for your rights.”
YOUR GIFT AFTER DEATH CAN BE A GIFT OF LIFE

Don't take your organs to heaven—heaven knows we need them here!

People needing new organs to replace their own damaged or malfunctioning organs usually must wait months, sometimes years. Many die while waiting. A lucky few are able to get transplanted organs from a living family member but most donated organs come from deceased persons who made their wishes known that they would like to donate organs after death.

Former CSEA member Diane Morehouse was one of the lucky few; her illness forced her to retire from her job but she got her transplanted kidney from a living family member and she expects to live a long life.

Don't take your organs to heaven—heaven knows we need them here!

Articles by Anita Manley
CSEA Communications Associate

Diane Morehouse has a new lease on life

PORT JERVIS — Diane Morehouse once expected to die young. Now she’s making plans for her long future, thanks to a kidney transplant.

Morehouse had a kidney disease and she knew it was serious. Her mother died from the same disease a few years earlier.

When the doctor informed the family 12 years ago that the disease was hereditary, her father advised Diane and her two sisters and brother to go for tests to see if they, too, had the disease. Morehouse discovered she not only had the disease, one of her kidneys had already failed and the other was functioning poorly.

Soon her illness forced the therapy aide and member of CSEA Letchworth Developmental Center Local 412 to retire. Dialysis treatments three times a week dominated her life.

During a visit to the Dialysis Center she saw a notice about a lecture on kidney disease and kidney transplants to be given at the Westchester County Medical Center by Dr. Khalid Butt, director of transplant services at the center. She attended that lecture and it changed her life.

“That’s when I decided to go for a transplant,” Morehouse said.

Her father, Reuben Levinton, offered his daughter his kidney.

“I was ambivalent,” Morehouse admitted. “I was afraid he would need it later and I was worried about his age.” But she accepted her father’s offer.

“Because of my dad’s sincerity, I accepted,” she said. “I think he’s a special kind of person to have done this.”

An exhausting series of tests of both the patient and the donor followed before they were declared compatible for the transplant.

After a week of taking anti-rejection drugs, Morehouse was operated on on Oct. 25, 1989. By the next day her body was rejecting the new kidney and she went back on dialysis. Combinations of new drugs were introduced and after weeks of treatments Morehouse’s new kidney began to function properly.

Nearly two months after surgery she returned home.

Morehouse has nothing but praise for the transplant team and support staff, many of them CSEA members, at the Westchester County Medical Center.

Today, Morehouse is home and still recuperating. She hopes to go back to work eventually and is thinking about taking data processing training sponsored by the Office of Vocational Rehabilitation.

Transplant patients must take numerous drugs to help keep the body from rejecting the transplanted organ. The drugs are not without side-effects and Morehouse notes with dismay that she has added a few pounds as a side-effect of one particular drug. Still, she says she feels better and better as drug dosages are adjusted and re-adjusted.

Thank you, CSEA

“My membership in CSEA was the best investment I ever made,” Morehouse said, noting that she would be paying nearly $1,000 a month for her medication if it were not for her CSEA-negotiated insurance coverage through her past state employment.

Morehouse said the cost of medication is a major concern for all transplant patients.

“There are organizations that can help,” she said. “Unfortunately, the Medicaid and Medicare systems are difficult and many people don’t know who to talk to or where to go.”

Morehouse participates in a support group for transplant patients and said anyone interested in support groups can call her at (914) 856-6897. Information on the transplant program can be obtained by calling the Westchester County Medical Center at (914) 285-7000.

DIANE MOREHOUSE collects dolls and works with her support group for transplant patients while looking forward to the possibility of returning to work eventually.

14 April 1, 1991
Members fight back in print

Taking director to task over MHTA importance

ROCHESTER — When Gwen Randall saw a newspaper article that quoted the director of the Rochester Psychiatric Center (RPC), where she works, she took pen in hand to respond to a statement that surprised and disappointed her.

“I take exception to the statement by Dr. Martin Von Holden that RPC could afford to lay off therapy aides because it has more than 400 of them,” she wrote. “While it is true that therapy aides make up the largest group of employees at the hospital, it is also true that they are the ones that spend the bulk of their time in direct patient care.”

The state budget deficit and the fallout from budget cutbacks were the reason for the interview and story which quoted the center’s director. At the time about 27 therapy aides at the facility had been targeted for layoffs, but that figure may increase, according to local CSEA 420 president, Geraldine Wiggins. Randall’s letter went a long way toward explaining for those who read the letters to the editor column of the Rochester Democrat & Chronicle. A 20-year employee, Randall works on a ward where the most common diagnosis is schizophrenia or manic depression, and stress is an everyday companion.

“We are the ones that hold hands, dry away tears and talk for hours on end with patients,” Randall wrote. “We are the ones who teach them the activities of daily living, including such basic things as washing their faces, brushing their teeth and combing their hair — things that somewhere along the line they either forgot or failed to learn. “We teach them how to dress, how to wash and much more,” Randall continued. “And when they get angry, we are the ones they strike out at, and curse at and frequently injure, especially when there is insufficient staffing, causing those still here to suffer from overwork and burnout.”

Randall said she has not heard from Dr. Von Holden since her letter appeared in the paper but she has been interviewed by a reporter, along with Wiggins and therapy aide Karen Spotford about their day-to-day worklife and the impact of the layoffs from a direct-care worker’s point of view.

“I just thought it was ludicrous that he (Von Holden) was suggesting that therapy aides, the front-line workers, are expendable,” said Randall. “The treatment of these patients depend on the MHTA. We’re the source of the information that the psychiatrists use to determine the treatment plans they prescribe. It’s all in the observation notes that we write. You know the powers that be hardly expect the psychiatrists to spend their time in dayrooms, just observing the patients, before deciding their treatment.”

The 20-year veteran of providing direct patient care said she is aware that the state is having serious budget problems, but feels the priorities are out of line.

“If cuts have to come,” she said, “just give preference to what is in the patients’ best interest. And what is in the patients’ best interest is more direct-care staff.”

Frustrated at lagging behind

Janet Jackson of Syracuse is another CSEA member who took her frustration with state mismanagement and insensitivity toward its front line workers to the newspaper editorial pages.

In a letter to the Syracuse Herald Journal, Jackson expressed the feelings of many state employees who have been hit with a five-day payroll lag followed by the Governor’s declaration of impasse in contract negotiations.

“My husband and I both work for the state and we lost two week’s pay. We have two babies (17 months and 4 months) and bills that are piled to the ceiling. Included in these bills are Niagara Mohawk which is getting a 10 percent rate hike and New York Telephone and its 4 percent rate increase,” she wrote.

“The saddest thing is, I’m doing better than some of my fellow state workers whose kids are not eating, becoming latch-key kids because they can’t afford a babysitter and thank God it’s winter and Niagara Mohawk can’t shut them off,” she added.

“I hope someone finds help for this state before the last rites are performed.”
CSEA’s Education and Training Department is conducting workshops for union activists.

CSEA’s Education and Training Department is continuing its series of workshops for CSEA activists, officers and members.

Individuals interested in attending one or more of the workshops can obtain details by contacting your CSEA local or unit president, labor relations specialist or the CSEA Education and Training Department 1-800-342-4146 or (518) 434-0191.

The workshops schedule for April through June is listed below.

<table>
<thead>
<tr>
<th>Date</th>
<th>Workshop</th>
<th>Location</th>
<th>Region</th>
</tr>
</thead>
<tbody>
<tr>
<td>April 2</td>
<td>L.G. Negotiations</td>
<td>Ronkonkoma</td>
<td>1</td>
</tr>
<tr>
<td>April 3</td>
<td>Investigating and Writing a Grievance</td>
<td>Newburgh</td>
<td>3</td>
</tr>
<tr>
<td>April 3</td>
<td>L.G. Negotiations</td>
<td>Plainview</td>
<td>1</td>
</tr>
<tr>
<td>April 9</td>
<td>L.G. Negotiations</td>
<td>Poughkeepsie</td>
<td>3</td>
</tr>
<tr>
<td>April 9</td>
<td>Article 33</td>
<td>Rochester</td>
<td>2</td>
</tr>
<tr>
<td>April 10</td>
<td>Investigating and Writing a Grievance</td>
<td>Rochester</td>
<td>6</td>
</tr>
<tr>
<td>April 11</td>
<td>Investigating and Writing a Grievance</td>
<td>Saratoga</td>
<td>4</td>
</tr>
<tr>
<td>April 13</td>
<td>Investigating and Writing a Grievance</td>
<td>Watertown</td>
<td>5</td>
</tr>
<tr>
<td>April 16</td>
<td>Effective Grievance/Investigating and Writing a Grievance</td>
<td>Tarrytown</td>
<td>3</td>
</tr>
<tr>
<td>April 17</td>
<td>L.G. Disciplinary and Section 75</td>
<td>Ronkonkoma</td>
<td>1</td>
</tr>
<tr>
<td>April 18</td>
<td>L.G. Disciplinary and Section 75</td>
<td>Westbury</td>
<td>1</td>
</tr>
<tr>
<td>April 23</td>
<td>Effective Grievance Representation</td>
<td>Olean</td>
<td>6</td>
</tr>
<tr>
<td>April 24</td>
<td>L.G. Disciplinary and Section 75</td>
<td>Poughkeepsie</td>
<td>3</td>
</tr>
<tr>
<td>May 7</td>
<td>Investigating and Writing a Grievance</td>
<td>Lake Placid</td>
<td>4</td>
</tr>
<tr>
<td>May 8</td>
<td>Article 34</td>
<td>Potsdam</td>
<td>5</td>
</tr>
<tr>
<td>May 15</td>
<td>Investigating and Writing a Grievance</td>
<td>Olean</td>
<td>6</td>
</tr>
<tr>
<td>May 22</td>
<td>Investigating and Writing a Grievance</td>
<td>Ronkonkoma</td>
<td>1</td>
</tr>
<tr>
<td>May 23</td>
<td>Investigating and Writing a Grievance</td>
<td>Plainview</td>
<td>1</td>
</tr>
<tr>
<td>May 29</td>
<td>L.G. Negotiations</td>
<td>Ithaca</td>
<td>5</td>
</tr>
<tr>
<td>May 29</td>
<td>Civil Service Law</td>
<td></td>
<td>6</td>
</tr>
<tr>
<td>June 4</td>
<td>Investigating and Writing a Grievance</td>
<td>East Syracuse</td>
<td>5</td>
</tr>
<tr>
<td>June 5</td>
<td>L.G. Disciplinary and Section 75</td>
<td>Buffalo</td>
<td>6</td>
</tr>
<tr>
<td>June 6</td>
<td>Effective Grievance Representation</td>
<td>Riverhead</td>
<td>1</td>
</tr>
<tr>
<td>June 6</td>
<td>L.G. Disciplinary and Section 75</td>
<td>Fredonia</td>
<td>6</td>
</tr>
<tr>
<td>June 11</td>
<td>L.G. Disciplinary and Section 75</td>
<td>Middletown</td>
<td>3</td>
</tr>
<tr>
<td>June 12</td>
<td>L.G. Disciplinary and Section 75</td>
<td>Albany</td>
<td>4</td>
</tr>
<tr>
<td>June 27</td>
<td>Article 34</td>
<td>Rochester</td>
<td>6</td>
</tr>
</tbody>
</table>

---

**Article 34 Grievance Procedure**

This workshop provides union representatives with an overview of the Article 34 Grievance Procedure and examines time limits, investigation techniques, writing grievance statements, proper filing of grievances and developing the theory of the case. Completion of this workshop certifies individuals to process grievances provided they are officially appointed by their CSEA local or unit president.

**Local Government Negotiations**

This workshop explores the collective bargaining process, identifies the steps involved in the preparation and negotiation of a contract and identifies the roles of the local negotiating committee/team, the CSEA collective bargaining specialist and the membership.

**Investigating and Writing a Grievance**

Activists in this workshop learn how to plan and conduct an effective grievance investigation, how to gather information for the grievance file, how to analyze the grievance and how to write the grievance accurately. Completion of this workshop certifies individuals to process grievances provided they are officially appointed by the CSEA Local or Unit president.

**Local Government Disciplinary and Section 75**

This three-hour workshop focuses on the disciplinary procedures in local government collective bargaining agreements. Participants learn what type of conduct leads to discipline, review specific contract disciplinary procedures and identify the roles and responsibilities of union representatives in disciplinary action.

**Effective Grievance Representation**

This basic workshop is an opportunity for union representatives to learn how to work with their contract, to examine the grievance procedure and understand their roles and responsibility as a grievance representative in protecting the rights of members in the workplace. Completion of this workshop certifies individuals to process grievances provided they are officially appointed by the CSEA Local or Unit president.
The Clerical and Secretarial Employee Advancement Program (CSEAP) was established in 1979 by agreement between the State of New York and the Administrative Services Unit (ASU) of CSEA. As part of CSEAP, the Transition Training Program offers courses to employees appointed to titles created by the ASU and state employees represented by CSEA in the Administrative Services Unit. These job-related courses are designed to help ASU members acquire general knowledge and skills in a wide variety of areas, including communications; mathematics; office automation; secretarial practices and work management. The course deadlines for the immediate future are listed below.

### Applications and course descriptions can be found in CSEAP course catalogs sent to your Personnel Office, Affirmative Action Office, Training Office and your CSEA Local president. For additional information on CSEAP courses, call (518) 457-6306.

### These CSEAP courses were negotiated for ASU members by CSEA. There is no charge to the employee.
20,000 MARCHED AS ONE

An exciting color video of the day when 20,000 public employees came to Albany to tell their elected officials that NEW YORK WORKS BECAUSE WE WORK!

HOT DAY IN FEBRUARY

RALLY

YES, send me the "20,000 MARCHED AS ONE" video. Enclosed is a check or money order for $5 made payable to CSEA.

Name

Address

City

State

ZIP

Mail to: CSEA Communications Department 143 Washington Avenue Albany, New York 12210

(Please allow 4-6 weeks for delivery)

IMPORTANT REMINDER!

Election of CSEA statewide officers now in progress

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 began March 4 when nominations opened. 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. April 5 is the deadline for nominating petitions to be received at CSEA Headquarters.

Statements by candidates nominated for each of the four statewide offices will be published in the next edition of The Public Sector. CSEA’s Board of Directors adopted the adjacent 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 (8 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.
Outrage in Elmira

By Mark M. Ketzin
CSEA Communications Associate

ELMIRA — Despite a massive demonstration organized by CSEA and public pleas from CSEA officers, the City of Elmira Common Council recently voted to pass a budget that calls for the elimination of one-third of the city's CSEA-represented employees.

CSEA Central Region President Jim Moore said he was "horrified" by the impact that the 24 layoffs will have upon this small city. More than 100 marchers from the area CSEA locals protested the plan in their informational picket and rally held immediately before the Council meeting. Moore said the city administration's budget hurt both CSEA members and other taxpayers, and that both would suffer as a result of the budget cuts. Moore called the cuts "unnecessary and presumptuous."

"The city is cutting their budget based on a possible loss of state aid. They don't know what the state budget will do," he said. "It is very poor policy to make decisions that will definitely hurt people based on what could happen down the line."

CSEA Chemung County Local 808 President and City Employees Unit President Jack Wood agreed with Moore, and said that the city was actively union-busting by refusing to work cooperatively with the union to reduce layoffs and by targeting one third of the CSEA workforce, almost all of whom work for the Department of Public Works. Wood said that more than half of those employees have more than 15 years of city service and that many have more than 20 years service.

Not only is the layoff severe, but Wood and his unit Vice President Jim Menechella have both been targeted for layoff. Moore said that this is "proof positive" that the city is trying to bust the union, and that the union is considering an improper practice charge against the city for targeting union activists.

Moore said city officials should be "ashamed of their actions" and that the union would continue to push for other means of budget cutting rather than layoffs.

The city is cutting its budget based on a possible loss of state aid

MAKING A POINT — CSEA Chemung County Local 808 and city of Elmira Unit President Jack Wood urges city council members not to eliminate the jobs of 24 CSEA-represented employees. Wood and Unit Vice President Jim Menechella were among the employees targeted.
Too many public employees have lost their lives on the job. Too many public employees have suffered on-the-job injuries. This plaque reminds us of their sacrifices and commits the CIVIL SERVICE EMPLOYEES ASSOCIATION to

**Fight for the Living!**

**WORKER MEMORIAL DAY**

- **APRIL 28, 1991** -

President Joseph E. McDermott

Danny Donohue
Executive Vice President

Irene Carr
Secretary

Mary E. Sullivan
Treasurer

LOCAL 1000, AFSCME, AFL-CIO

A bronze plaque in memory of public employees who lost their lives on the job will be dedicated and permanently installed on the exterior of CSEA Headquarters in Albany in observance of Workers Memorial Day.

Workers Memorial Day is observed annually by AFL-CIO unions in memory of the thousands of workers who are killed and permanently disabled each year in on-the-job accidents in the United States. Two CSEA members were killed in occupational accidents in the past 12 months. Last year four members lost their lives and eight died on the job the year before that.

In addition to the plaque dedication ceremony in Albany, CSEA members will be observing Workers Memorial Day around the state in a variety of ways, including participating in local memorial services and activities, moments of silence and the wearing of black armbands at work.

A BRONZE PLAQUE similar to this will be permanently affixed to CSEA Headquarters in Albany in observance of Workers Memorial Day.