Lt. Gov. Mario M. Cuomo, backed by solid labor support spearheaded by the most comprehensive political effort in CSEA history, swept to a stunning victory in yesterday's Democratic primary for the nomination for governor.

Cuomo defeated New York City Mayor Edward Koch in a race that most political observers thought Koch would win easily. Indeed, when CSEA became the first major labor union in the state to endorse Cuomo's candidacy last spring, the lieutenant governor was trailing in polls by a whopping 35 percent.

Led by CSEA's enthusiastic efforts early in the Cuomo campaign, most of the major labor organizations joined the Cuomo bandwagon through the summer months, resulting in a solid labor coalition effort for the lieutenant governor that helped pave the way to victory.

From the very beginning, CSEA put together a massive army of volunteers to work diligently on Cuomo's behalf. The most comprehensive political action effort in the union's history anchored the Cuomo campaign throughout every section of the state, and throughout the entire campaign CSEA was the most visible, and most active, organization backing the Cuomo campaign.

Cuomo will now face Republican candidate Lewis Lehrman in November's general election for New York State governor. Even as yesterday's stunning results were being announced, CSEA strategists were busy planning the union's leadership role in working to elect Mario Cuomo governor in November.
POUGHKEEPSIE — It was 1941 when Kay Olivo started working for this Hudson Valley city at $980 a year. Franklin Roosevelt was president, Tom Dewey was governor, and there was no CSEA unit in the city.

Now, 41 years later the CSEA member is retiring with a wealth of memories and some reflections on what all those years have meant to her.

"There were good times and bad, but I worked with delightful people and had a lot of fun, too," said the 85-year-old recently. "I came up (in the work world) when you were lucky to have a job. It's worth hanging on to a civil service job, especially for the retirement benefits."

Mrs. Olivo started as a secretary in Poughkeepsie's welfare department, where she experienced the joy of working with a caseworker to place a baby in adoption, and the poignancy of having youngsters taken away from their parents because of child abuse. "I'll never forget that no matter how badly they were treated, the children never wanted to leave," she recalled.

In 1952, Poughkeepsie went to a city manager form of government and, wanting "to go where the money is," Mrs. Olivo left her secretarial position to become a senior accounts clerk in City Hall.

"There were just four of us working on the second floor of old city hall, and the pace was hectic. Previously, each city department managed its own finances," said Mrs. Olivo.

"But I was experienced in the paperwork and really enjoyed the challenge." She was content, thereafter, in that position, and in time she acquired a reputation as one of the few city employees who really knew what was going on because she alone processed all the checks.

Known to her co-workers as an energetic worker — they recall her taking work home in a shopping bag — Mrs. Olivo also was recognized as an enthusiastic union booster. It was 1966 when a CSEA unit was organized in the city, and she was elected secretary. She remembers the formation as "sudden and spontaneous," and laughingly attributes the smooth sailing to the fact that she believes city officials thought the newly-adopted Taylor Law mandated a union.

She has more than her share of stories to tell about those first union days.

"There was the time, in the dead of winter, when city employees did their first informational picketing. It was in slush, up to our knees," she recalled. "The mayor came outside and ranted and raved and I knew that if I didn't get fired then I never would, especially since the picket signs were stored under my desk."

Her bookkeeping experience was always an asset at bargaining time, and for the past 12 years Mrs. Olivo served on every CSEA negotiating committee. She remembers that CSEA Collective Bargaining Specialist Manny Vitale was the unit's first negotiator, and asserts that, "I know whatever increases I got were due to the union."

Says she: "I couldn't impress upon people enough to hang in there with the union. It's the only way they can get anything."

AFL-CIO urges extension of jobless benefits to 65 weeks

NEW YORK — The AFL-CIO Executive Council meeting has called on Congress to enact a supplemental unemployment compensation program that would permit jobless benefits to be paid for a minimum of 65 weeks.

"The Reagan administration's policies as they affect unemployment compensation are pushing millions of unemployed workers to the brink of economic disaster," the Council warned in urging the extension.

At the Reagan administration's request, Congress restricted the extended unemployment compensation program, which provides jobless benefits to those who have exhausted the regular 26 weeks of benefits. It reduced to 39 weeks the maximum time an unemployed worker can receive benefits. The national trigger, which automatically provided funds for extended benefits to states with unemployment levels higher than the national average, was eliminated.

Also, states are no longer allowed to include recipients of extended benefits in the calculation of state triggers, which the council said forces depressed states such as Michigan to not pay extended benefits when long-term joblessness is epidemic.

The Council said that there currently are more than 3 million workers who have been out of work for more than 26 weeks and exhausted their regular benefits. It warned that more than 4 million workers were likely to run out of unemployment benefits by the end of the year.

Twenty-six states currently are paying extended benefits. The Council said that further restrictions on the availability of extended benefits, scheduled to go into effect Sept. 25, will automatically eliminate at least another seven to 12 states and possibly another several hundred thousand workers from the extended benefits program.
HAUPPGUE — A unique one-day training seminar for 18 people who help staff Local headquarters was conducted recently by personnel from CSEA Long Island Region I. Among the speakers was Region I President Danny Donohue, who discussed the interrelationship of the Local office with the Regional Headquarters and with the union’s statewide office in Albany. He stressed the wide range of service available to Locals through the chain of command.

Other speakers at the highly successful training seminar included Regional Director Bill Griffin; Long Island CSEA Region Office Manager Lily Gioia; Regional Communication Associate High O’Haire; Employee Assistance Program Coordinator Maureen Duggan, and Arthur Morales, regional director of the CSEA insurance program provided by Jardine, Ter Bush and Powell.

NEW YORK CITY — Metropolitan Region II President George Caloumeno has delivered a guest editorial on WNBC-TV, blasting the New York State Office of Mental Retardation and Developmental Disabilities for laying off workers at Staten Island Developmental Center. In his editorial, broadcast on Sept. 19, Caloumeno said:

“The name Willowbrook has become synonymous with maltreatment of the mentally retarded.

“The New York State Office of Mental Retardation and Developmental Disabilities is laying off one hundred and fifty workers at the institution, now called Staten Island Development Center, in total disregard of its promise to make Willowbrook a model for the nation and in flagrant violation of a federal court order.

“Recently, a federal judge found that the state, while having made progress, is in contempt of court for failing to comply with reforms agreed to in 1975.

“That cleaners and dietary workers along with staff who provide basic clinical care to the retarded are being laid off is a disgrace and a further violation of court orders.

“CSEA, representing workers at the facility, is pursuing legal action to stop the layoffs, but we believe that the public can stop the state from shunning its responsibility to the mentally retarded.

“Urge viewers to contact their legislators and the governor. Tell them you will not let Staten Island Developmental Center become Willowbrook again.”

CORTLAND — Cortland County CSEA Local 812 will honor 22 local retirees at a picnic open to all CSEA members and retirees Saturday, Sept. 25, at Dwyer County Park, Little York.

According to Peggy Coombs, chairperson, activities will begin at noon. Some refreshments will be provided by the local. Those attending are also asked to bring a covered dish.

The 22 retirees represent 353 years of service to Cortland County. Thirteen of them are from the CSEA county unit: Douglas G. Bloodgood, Alice G. Corey, Robert L. Crocker, George R. Crump, Joseph DiSanto, Flora S. French, Bernardine R. Leroux, Mary Jane Morgan, Flora E. Osborn, Adam Parnon, Vera M. Shaw, Dorothy E. Smith, and John D. Stevens.

There are eight city school retirees: Amy M. Barrett, Josephine E. Contento, Dorothy S. Corser, Herbert F. Fox, Roberta Lash, Erma Timmerman, Ernest R. Walker, and Lloyd T. Whiteford.

James D. Maxson, a former member of the Cortland County Sheriff’s Department, will also be honored.

For further information contact Peggy Coombs at (607) 835-3122.

SEPTEMBER
30—Western Region VI candidates night program for candidates for public offices, 8 p.m., Sheraton Inn East, Buffalo.

OCTOBER
1-2—Western Region VI fall conference, Holiday Inn, Painted Post.
1-3—Central Region V fall regional conference, Holiday Inn / Arena, Binghamton.
2—Capital Region IV school employees meeting, 9:30 a.m., Holiday Inn, Schenectady.
2—Regional III School Forum for officers and members of school district units, 10:30 a.m., regional office, Fishkill.
2—Regional III School Forum for officers and members of school district units, 10:30 a.m., Westchester Local 860 office, 196 Maple Ave., White Plains.
25—Cortland County Local 812, general membership and retiree picnic, noon, Dwyer County Park, Little York.
ALBANY — A special election has been scheduled to fill a Department of Labor seat on CSEA’s statewide Board of Directors. The vacancy resulted from the recent resignation of Shirley Brown.

In order to be eligible, candidates must have been members of CSEA since June 1, 1981. Members seeking nomination must complete “Request to be a Candidate” forms, now available from local presidents or through the office of CSEA’s Executive Director, 33 Elk St., Albany, N.Y. 12224.

The election timetable is as follows:
- Oct. 7—“Request to be a Candidate” forms must be submitted to the Statewide Nominating Committee, which will meet to select nominees.
- Oct. 8—Independent nominating petitions available through the executive director’s office.
- Oct. 20—Deadline for receipt of independent nominating petitions.
- Oct. 28—Ballots mailed to eligible voters.
- Nov. 23—Ballots must be received at CSEA headquarters.
- Nov. 24—Ballots will be counted.

Members interested in seeking this office may contact the office of the executive director for additional information.

Timetable set for special election for Labor Department Board seat
Region II Coalition joins in Labor Day march protesting recession, unemployment

A CSEA METROPOLITAN Region II contingent, led by Region II President George Caloumeno (center), joined more than 400,000 union members in the New York City Central Labor Council parade on Labor Day.

From East to West, unions rally in solidarity

A strong current of solidarity and a determined attitude to use political action to reverse the damage done by the Reagan Administration spurred hundreds of thousands of union members to turn out for one of the largest rounds of Labor Day activities in recent years.

Parades, rallies and outings combined traditional family festivities with opportunities to speak out on the jobs crisis and the faltering economy. In many cities, state and local central labor bodies reported the largest turnouts ever for their Labor Day observances.

The Reagan Administration and its supporters in state and congressional offices were denounced at rally after rally for bringing on the crippling recession and the highest jobless rate since World War II.

Attendance at New York’s parade topped 400,000, including a contingent of CSEA members, nearly double the number that participated the year before. The march also marked the 100th anniversary of the first Labor Day parade, held in New York on September 5, 1882.

The parade’s grand marshal, AFL-CIO Region VII director Michael Mann, said marchers in the seven-hour parade up Fifth Avenue “were in a real fighting mood” brought on by the Reagan recession and unemployment as well as attacks on labor standards and critical social programs.

“We hope the message was heard all the way to the White House in Washington,” Mann said.

Hundreds of bands, colorful floats and marching contingents from some 250 area unions stepped off in the parade whose theme was “Jobs, Solidarity and March to the Polls Nov. 2.”

Lt. Gov. Mario Cuomo, the COPE endorsed candidate in New York’s Democratic gubernatorial primary, announced that the state had proclaimed the first week in September “Shop Stewards Week” in line with the AFL-CIO’s call for recognition of stewards during that period.

Huge crowds also turned out for Chicago’s first Labor Day parade in 40 years, in which bands, floats and marchers pointed to union members’ skills and services and the importance of buying union-made products.

AFL-CIO President Lane Kirkland was the keynote speaker in San Antonio, Tex., at a round of Labor Day festivities that included the dedication of a statue of Samuel Gompers in the heart of the city.

In Los Angeles, AFL-CIO Sec.-Treas. Thomas R. Donahue spoke at the 36th Labor Day breakfast of the Catholic Labor Institute and later at a COPE picnic.

Donahue charged that the Reagan Administration is deliberately using high unemployment as a “tool to restructure society to reward the rich and punish the poor,” and that labor must “organize, agitate and educate” for a better society.

The Wyoming AFL-CIO linked Labor Day with “Wyoming Solidarity Day” and staged a march and rally at the state capitol in Cheyenne followed by a picnic at a nearby park. The attendance of over 3,000 marked the largest labor demonstration in the state’s history, the federation said.

More than 5,000 people turned out for a picnic planned by the State AFL-CIO in Warwick, R.I., that included a support rally for 1,600 Machinists involved in an 11-month strike against Brown & Sharpe Mfg. Co.

Richard Groulx, secretary-treasurer of the Alamed County, Calif., AFL-CIO said the attendance of 7,500 at the council’s 25th annual picnic “was the largest since 1958 when we were fighting ‘right to work.’ ”

The Iowa AFL-CIO and many of the state’s central labor councils planned a round of parades, picnics and outings that included political rallies. The South Central council staged a three-day Solidarity Day/Labor Day Fest at the state fairgrounds that local organizers said was the biggest Labor Day celebration in Des Moines in recent times.

Crowds ignored bad weather to turn out for marches in cities across Indiana, including Indianapolis, which also held its first Labor Day parade in 40 years.
ALBANY — The Capital Region has reached agreement with the Office of General Services on a five-point program to help increase public employee security at the Empire State Plaza.

The union demanded the meeting after a CSEA member had been raped in a stairwell in a recent early morning incident near the Health Department's lab and research facility — an area that is supposedly off limits to the general public.

CSEA Capital Region First Vice President C. Allen Mead and Regional Director John D. Corcoran Jr. met with OGS Deputy Commissioner Richard VanZandt and Capital Police Chief Richard Hahn to discuss the union's concerns and suggestions. After a 90-minute session, the program was announced. It includes:

* The assignment of a Capital Police officer to the main control console in the Tower Building lobby, a high traffic area;
* The filling of 14 vacancies in the OGS security assistant (building guard) title;
* The publicizing of the new uniforms of the OGS security assistants — bright gold jackets with OGS insignia attached — to the workforce and the general public;
* The publicizing of two existing Capital Police programs — self-awareness and criminal prevention methods, and self-defense — to the plaza area workforce; and
* The reviewing by OGS of security staffing and assignments at the plaza, the concourse and agency buildings, to be reported back to CSEA in the near future.

Also discussed at the meeting was a procedure between Capital Police and the state Health Department which CSEA believes further adds to security problems for employees. At present, the Capital Police must have the approval of Health Department officials before entering the underground lab areas of the Health Department.

The purported reason for this is a concern by the Health Department for the safety of the Capital Police officers, who may not be totally aware of any chemical contamination they may be exposing themselves to when responding to an emergency in the lab area.

The union suggested that management correct this situation, with either the Capital Police being trained to handle such situations or health department management personnel being trained to handle criminal situations.

"The response of both OGS and the Capital Police to this situation has been well received by CSEA," said Regional Director Corcoran. "However, one incident like this (rape) is one too many and CSEA will be constantly monitoring plaza security."
Reducing heart attack risks

Heart attacks take the lives of more than 670,000 people in the U.S. each year. Many thousands of these victims are in the prime of their lives — men and women who had "never been sick a day in their lives."

What does medical science know about this killer? What can you do to reduce your chances of heart attack?

By studying the medical records and living habits of thousands of middle-age people, scientists have been able to pinpoint certain risk factors that were present in those who had heart attacks.

Following are those factors. It appears that any one of them increases the risk of a heart attack. Two or more multiplies that risk.

- high blood pressure
- high levels of cholesterol or other fatty substances in the blood
- overweight
- diabetes
- lack of exercise

In stressing the importance of political action involvement by public employees, Ms. Gallagher also outlined a course of action for the Madison coalition.

"Potentially, you have the power to elect any candidate in the Madison County area," Gallagher said.

"If you set goals, this group can grow and make every candidate aware of your views and needs as public employees who perform vital services to taxpayers in this area. If you join forces and speak out, they (politicians) will get the message...loud and clear," she said.

James Moore, president of CSEA Region V, praised the initial efforts of the coalition and pledged the total support of the state and regional political action committees.

Moore also took the opportunity to underscore the union's statewide endorsement of Mario Cuomo for governor in the Sept. 23 primary.

"There is no question that Mario Cuomo is the superior candidate. He is more aware of the needs of public employees from every aspect. We (CSEA) must do everything in our power to elect him," Moore said.

The newly formed Madison coalition was spearheaded by Carol Riggall, president of Local 827; Art Collins, president, Oneida City Unit; Steve Zarod, president, Local 669 at SONY Morrisville; as well as supporting officers from both locals.

Future plans call for several group meetings and a possible 'Meet The Candidates Night' to interview and evaluate office seekers.

MADISON PAC BACKS MARIO — The newly formed Madison County political action coalition showed its support for gubernatorial candidate Cuomo at a recent PAC meeting. Shown with a variety of campaign literature are, seated left to right, Carol Riggall, president, Local 827; Ramona Gallagher, CSEA statewide political action training specialist and guest speaker; Kathy Collins, Region V PAC chairperson. Standing, left to right, Art Collins, president, City of Oneida unit and co-leader of the coalition effort; James Moore, president, CSEA Region V.

- cigarette smoking
- a family history of heart attacks in middle age

Do one or more of those warning signs hit home? Don't panic. The American Heart Association says that with the advice of a doctor, "most people can regulate the habits and physical conditions that may be endangering their hearts."

For instance, although the cause of the most common type of hypertension (high blood pressure) is unknown, it's a controllable disease. Drugs can lower the pressure. A sensible diet can bring the weight down. You can cut out smoking cigarettes, and modify living habits that are causing stress.

Americans tend to eat a lot of meat and dairy products — foods that are high in saturated fats. We eat a lot of eggs and some organ meats — all of which are high in cholesterol as well as high-calorie foods. A diet rich in these types of foods tends to raise the level of cholesterol and fatty substances in the blood. And these blood levels of fats, in turn, contribute to the development of atherosclerosis which raises the risk of a heart attack.

It would be impossible to cut out all saturated fats in the diet. There are some in foods you need. The goal is to raise the proportion of polyunsaturated fats to saturated fats, which can be achieved by eating more fish and poultry instead of meat, using skimmed (fat-free) or low-fat milk, and cooking with vegetable oils instead of butter or lard.

As for smoking cigarettes — DON'T!

Will it help to quit now even though you've been a heavy smoker for years? Yes! Studies show people who gave up smoking have a lower death rate from heart attack than people who kept on smoking. After a period of years, the death rate for those who stopped was nearly as low as that of people who had never smoked. Also, some abnormally changed lung tissue gradually reverts to normal after smoking is eliminated.

There is no brass-bound guarantee that reducing the known risks will prevent heart attacks. But most of the scientific evidence today points in that way.
MINOLEA — The presence of extra security guards in the Nassau County Department of Social Services building — added after CSEA protests over the near-fatal slashing of a caseworker last month — prevented serious injury to another caseworker in an assault incident this month.

Extra security guards rescued within seconds caseworker Abby Rubin, who stands five feet, one and three-quarters inches tall, when she was grabbed on both arms by a 200-pound woman applicant for welfare.

Extra guards had been added by Social Services Commissioner Joseph D’Elia within 24 hours after the slashing attack last month on caseworker James Capozzi. The attack on Capozzi was the most serious case of violence against employees experienced by staffers at the busy Mineola headquarters of the welfare agency.

Rubin suffered bruises on her arm, but was freed from the grip of her attacker within seconds by security guards. By chance, D’Elia himself arrived on the scene within seconds.

The commissioner was credited by Nassau Local 830 President Jerry Donahue and Social Services Unit President Stephen Goldberg with “making a sincere effort” to provide employees with adequate protections. D’Elia also had met weekly since the Capozzi attack with a special committee of labor and management representatives, which includes three CSEA shop stewards.

Donahue and Goldberg said that the commissioner’s earlier action in adding extra security guards was the reason that more serious injury to Rubin was averted.

Rubin had advised the applicant that she was not eligible for public assistance, triggering the applicant’s violent response. The applicant reportedly attempted to close the door of the caseworker’s office, which had been chained open as a security measure in response to earlier CSEA protests. The angry applicant then grabbed Rubin’s both arms tightly.

Rubin filed charges of assault and had the attacker arrested, as Capozzi had done last month. “I was reluctant to press charges, and the police said it was a waste of time and nothing would come of it,” Rubin said. “But as a union person, I felt I had to go ahead with it.”

The arrest on the department’s premises added to the pressures on the commissioner to come up with additional security measures.

CSEA had presented recommendations within hours after the attack on Capozzi. Donahue said the committee of labor and management representatives had made progress on a program incorporating the CSEA recommendations.

In addition, a security survey of the building commissioned by Nassau Local 830 was completed and the independent consultant’s recommendations were being prepared for submission to the committee.

The CSEA officials said that significant progress can be made when management confers in good faith with representatives of the union. “We will give management our constructive cooperation,” Donahue declared.

“We trust that these unfortunate incidents provide labor and management with a basis for mutual cooperation in resolving problems affecting the safety and well-being of the employees.”

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**Competitive Promotional Exams (State Employees only)**

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**State Job Calendar**

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NEW MACHINE — Ralph Spagnolo, Nassau County local second vice president, is pictured at left with advanced equipment used to monitor noise and carbon monoxide levels in the workplace. Above, Nassau County members are shown with the machine. From left to right are Tony Falco, labor foreman at Cedar Creek Sewer; Neil Zito and Pete Dato, Department of Public Works local vice presidents; Joe Corr, DPW board member; and Spagnolo.

By Bill Butler
Staff Writer

MINEOLA — Nassau Local 830 is checking health conditions at job sites with the most advanced testing equipment currently available.

Initial results have proven that excessive noise levels existed on the job for some arborists, sewer plant engine-room operators and heavy equipment operators, according to Ralph Spagnolo, second vice president of the local and the man behind the testing program.

The equipment, which cost $7,000, includes an attache-case-size computer plus sensing devices for sound and carbon monoxide, all produced by the Metrosonics company of Rochester. The cost was more than justified by the power the investment put into the hands of the union.

Explained Spagnolo: “For many jobs, it had long been obvious that employees were being subjected to noise levels in excess of the Occupational Health & Safety Administration guidelines. But, the problem was that no one had scientific proof.

“Now we can show employers the proof. And, the employers never have any comparable scientific evidence to refute ours. Even the people from OSHA admit that their equipment is not as good as ours.”

Spagnolo said employers have been fully cooperative, and even appreciative to get some hard evidence to go by.

For example, an early test of noise levels experienced by Town of Hempstead Parks Department employees operating stump-cutting machinery showed that the noise peaked at 100 to 105 decibels, and in some tests averaged 94.4 decibels as the maximum average sustained exposure.

The town immediately ordered ear-protectors for the workers.

OSHA says that hearing damage can result from eight hours exposure to noise of 90 decibels or more.

Tests showed no violations at the police garage, computer room and print shop operated by the county, among a score of work sites of county and political subdivision employees that have been surveyed.

This carbon-monoxide sensing equipment is being prepared for tests of the conditions of work for bridges, toll-booth attendants, vehicle mechanics and vehicle operators, Spagnolo said.

Spagnolo said employees are very pleased to have the union respond to their complaints in a way that provided unassailable evidence. He noted that the computer evidence also may be crucial to an employee’s Worker’s Compensation claim.

In addition, in negotiations for job-site improvements, the CSEA evidence can cinch the case because no scientific evidence is in the hands of the employer. The evidence may also stimulate action by OSHA.

In the tests, a selected employee wears a sensing device the size of a package of cigarettes attached to his belt during a full working shift. The sensing device takes a reading once every four seconds, and registers an average every minute. Later, the device is attached to the computer unit, which translates the readings into figures and prints out a tape with readings in the form of a graph.

As co-chairman of the local Occupational Safety and Health Committee, Spagnolo had reported on the need for firm, scientific proof and secured the backing of the Local 830 Board of Directors. The committee, which has also been active in securing correction of more obvious job-site hazards, includes Gus Nielsen, co-chairman, and Paul Casella, Bob Tarsitano, Alex Bozza, Tom Holdner, Richard K. Baker, Raymond Shelton, Tom Finlay and Daniel O’Neill.

The same testing equipment was purchased by CSEA’s statewide safety and health office about a year-and-a-half ago, and is available to locals based on need, says Nels Carlson, head of the office.
ORGANIZING IN THE PRIVATE SECTOR

Questions and answers about an important issue to be decided by delegates

At a Special Delegates Meeting in August, CSEA Delegates approved a "first reading" of a proposed amendment to the union's Constitution that would allow certain private sector workers to be organized by CSEA for the first time in the union's history. To become part of the Constitution, the same amendment must be approved again by Delegates at the October Delegates meeting.

In an effort to help rank and file members understand the issues involved in this proposal, The Public Sector is publishing answers to commonly asked questions concerning this proposal.

Q. Why does CSEA want to organize private sector workers?
A. There has been a growing interest among public employers in recent years to "contract-out" with private sector business to obtain services traditionally provided by regular public employees. This practice has been growing in state mental health services, school districts, and even in more fundamental jobs like public works and data processing.

Under CSEA's present Constitutional language, an employer can actually be encouraged to "contract-out" for services because, if successful, the employer knows our union will be unable to present the contracted-out workers. The proposed amendment would allow CSEA to "follow" the contracted-out workers into the private sector.

Q. What's so important about representing contracted-out workers?
A. Aside from the fundamental labor belief that all workers should be unionized, a private contractor with unrepresented workers can use substandard wages and benefits to unfairly compete with organized workers. Knowing that CSEA will be organizing workers, public employers will know substandard wages won't last and another "advantage" to contracting-out will be eliminated.

Q. Where will these private sector workers "fit" into CSEA?
A. Depending upon the total number of workers to be organized, the type of bargaining unit involved, and a variety of other factors that help determine how any CSEA members are placed into the union's structure, the private sector workers could become part of an already existing local or a separate local or unit. This would be determined by the same "chartering" process that is presently used when public sector workers are organized.

In all other respects, the private sector CSEA members would have all of the rights and privileges of other CSEA members.

Q. Who will decide which workers are to be organized?
A. Both the President and the Board of Directors must approve the organizing of any group of employees. This will provide a "check and balance" on which employees are to be organized by CSEA but, in any event, they must perform jobs traditionally done by the public sector.

Q. Does the AFSCME Constitution provide membership for this category of employees?
A. Yes.
Q. Will these members be able to hold union office and vote in union elections?
A. Yes.
Q. How will the private sector members receive services from CSEA?
A. Depending upon how they are structured, these would receive services in the same manner as all other members — through their own local and/or unit officers and stewards and CSEA staff which could be increased depending upon the number of workers organized.
Q. Will legal services and other member benefits be available to these members?
A. Yes, they would have all the rights and benefits of other CSEA members.

Q. What about dues?
A. The CSEA Constitution and By-Laws provides for the payment of dues by all CSEA members equally. All CSEA members will pay the same amount of dues.

Q. If a public employer enters into a contract with a private firm to build a road, for example, would CSEA try to organize that firm's workers?
A. No. The intent is to organize private sector workers who are in effect permanently replacing public employees. CSEA would not seek to organize any firm doing normal, temporary work for a municipality.

Q. What would CSEA public sector members do if they encounter a picket line during a strike by CSEA private sector workers?
A. What do they do now when they encounter a picket line during a CSEA or any other union's strike? Nothing would be any different as a result of CSEA representing the striking employees.

Q. Would CSEA members in the private sector be subject to the Taylor Law?
A. No. In fact, the labor laws affecting organized workers are determined by the type of workers organized. In the case of private sector workers, applicable state and federal laws would regulate the labor relations process between CSEA and the private sector employer, not the Taylor Law.

Q. Would this have any effect on the rest of CSEA?
A. Yes. Under present federal laws, any labor union representing private sector workers is subject to requirements for financial disclosures and other reporting requirements. CSEA would become subject to those requirements. But there is already a case pending in federal court to make CSEA subject to these requirements because of the union's historic representation of public authority employees. The court could rule CSEA is subject to federal disclosure requirements regardless of the proposed constitutional amendment.

Delegates will also be considering action on several other major proposed changes to Constitution, By-Laws
Changes in the Constitution and By-Laws of the Civil Service Employee Association have a direct effect upon the day-to-day operation of the union, and therefore upon the membership. Often, changes involving the largest block of time devoted to such changes are proposed, along with explanations and recommendations for action by the union’s Constitution and By-Laws Committee. The recommendations will be considered at the Annual Delegates Meeting October 10-15 in Buffalo.

KEY: BOLDFACE TYPE = NEW MATERIAL
BRACKETS = REMOVAL OF OLD MATERIAL

The Constitution and By-Laws Committee has met twice since the Annual Delegates Meeting in October, 1981. The meeting dates were March 9, 1982 and June 8, 1982. The Constitution and By-Laws Committee has as its function the recommendations to the delegates of amendments to the CSEA Constitution by By-Laws. The Committee reviews suggestions made from individuals and locals on the subject of amendments to the Constitution and By-Laws. As well as other information received from the Statewide Retirees Committee and developed by our Committee, the Committee can initiate proposals which they determine to be in the best interest of the Association. All recommendations made by this Committee are made to the delegates together with the reasons for the recommendations.

The following items are presented to the delegates for a second reading and if passed, will become part of the CSEA Constitution.

(1) The following amendment to Article III, which would add a new Section 4, is the result of a motion made by Sue Buczinski from the Board of the Delegates Meeting in August, 1982.

ARTICLE III
MEMBERSHIP
Section 4. The President, subject to the approval of the Board of Directors, may issue local charters or authorize the enlargement of the jurisdiction of existing local charters to include other appropriate groups of workers not specifically enumerated in this Article, whose employment while not in the public sector is of such a type and nature that it is the same or similar to work traditionally performed by public sector workers.

With regard to the amendment to Article III, the Constitution and By-Laws Committee has as its function the recommendations to the delegates of amendments to the CSEA Constitution by By-Laws. The Committee reviews suggestions made from individuals and locals on the subject of amendments to the Constitution and By-Laws. As well as other information received from the Statewide Retirees Committee and developed by our Committee, the Committee can initiate proposals which they determine to be in the best interest of the Association. All recommendations made by this Committee are made to the delegates together with the reasons for the recommendations.

The following amendments are submitted by the Committee to implement a Retirees Section within the CSEA structure as recommended by the Statewide Retirees Committee of the CSEA.

ARTICLE XI
MEMBERSHIP
Section 4. DELEGATES. The members of the Retiree Executive Committee shall consist of one representative from each CSEA Region as elected by the presidents of the Retiree Locals in that Region and the retired member appointed by the President of CSEA to serve on the Statewide Political and Legislative Action Committee. The Retiree Executive Committee shall elect from its membership one member to be known as the Chairperson of the Retiree Executive Committee, and a vice chairperson and secretary. The Retiree Executive Committee may create one or more subcommittees to perform such duties as the Retiree Executive Committee shall designate. Terms of office of Retiree Executive Committee members shall be coincidental with the terms of office of members of the Board of Directors.

Section 2. DUTIES AND FUNCTIONS. The Chairperson of the Retiree Section Executive Committee shall be the chief spokesperson of the Section, the Executive Committee, and the retired members. He/She shall be the liaison between the Retiree Section and the Statewide Officers of the Association. The Chairperson or the Vice Chairperson of the Retiree Section Executive Committee, by virtue of his or her office, shall be a non-voting member of the Board of Directors of the Association, and in said capacity shall represent the interests and concerns of the retiree locals and their members. The Chairperson, and in his or her absence, the vice chairperson, shall preside at all meetings of the Executive Committee of the Section and shall perform all duties and functions consistent with the purposes of the office and as prescribed by the Board of Directors. The secretary of the Retiree Executive Committee shall be responsible for the official minutes of meetings.

Section 3. LOCALS. A local may be formed by CSEA retiree members in any county or in any contiguous group of counties in New York State or any other State of the U.S.A. upon approval by the Retiree Executive Committee and the Board of Directors of the Association. The Board of Directors shall approve the Constitution and By-Laws of such local. Each such local shall make available to a duly authorized representative of the Association at regular intervals all local records for inspection by the Association. A local may be placed in trusteeship by the President of the Association with the consent of the Board of Directors. The Board of Directors shall have the option of enforcing the Constitution and By-Laws for failure to comply with a request for an inspection of the books and records of the local within ten days of such request. A local may be placed in trusteeship for any reason deemed good and sufficient by the President of the Association provided a hearing is afforded before the Board of Directors and written charges are served within ten days of placing the local in trusteeship. The Board of Directors by a two-thirds vote may dissolve a local or suspend it for a period of time to be determined after such charges have been served upon the local and it has been given an opportunity to be heard.

Section 4. DELEGATES. The members of the Retiree Executive Committee shall be delegates to the annual delegates meeting of CSEA. They shall meet separately for the purpose of discussing matters of concern to the Retiree Section and any motions which they pass shall be presented to the retired body for informational purposes by the Chairperson of the Retiree Executive Committee.

Section 5. The President of the Association shall appoint a retired member to the Statewide Political and Legislative Action Committee who shall represent the retired members’ interests on that committee and shall be a voting member thereof.

Explanation: The proposed amendments are recommendations from the Statewide Retirees Committee and the Statewide Officers. With regard to the amendment to Article III, the Constitution and By-Laws Committee is unanimously opposed to the recommendation.

(Continued on Page 12)

THE PUBLIC SECTOR, Friday, September 24, 1982
(Continued from Page 11)

ation to open membership to any retired public employee since this would allow management/confidential employees, the Governor, etc. to become retired members. The Committee believes that only former members of CSEA should be allowed retiree membership. In support of the amendment to Article XI, Section 2 "or the Vice Chairperson," this was an insertion requested by Melba Binn, Chairperson of the Retirees Committee, from the floor of the Delegates Meeting in October, 1981. At that time, discussion centered on the importance of maintaining a more open membership structure. The Committee recommends defeat of the amendment from the floor to insert the words "or Vice Chairperson" since no precedent exists for such a provision and no other committee is afforded this arrangement on an official basis. No member has been a member in other proposed amendments, the Committee recommends adoption.

THE FOLLOWING ITEMS ARE PRESENTED TO THE DELEGATES BY THE COMMITTEE AS PROPOSED AMENDMENTS TO THE CONSTITUTION AND BY-LAWS. ADEQUACY OF THE DETAIL IN THIS MEETING CONSTITUTES A FIRST READING OF THESE AMENDMENTS.

(1) The following amendments to Article IV and Article V of the Constitution were recommended by the Methods and Procedures Committee and referred to our Committee by the Delegates at the October, 1981 meeting. Although two different Articles are affected, they shall be read and voted on together.

"ARTICLE IV

ORGANIZATION OF THE ASSOCIATION

Section 2. BOARD OF DIRECTORS.

(a) Voting Members — The voting members of the Board of Directors shall be the Officers of the Association, members of the Executive Committee of the State Division, members of the Executive Committee of the County Division who represent locals having 100 or more members as of the preceding January 1st, one additional member of the County Executive Committee, to be elected by the members of the County Executive Committee, representing County Divisions which have membership of less than 100 on the preceding January 1st, the immediate past president of the Association during the term or terms of the immediate past president's successor provided that such past president shall be a member of the Association and not a paid employee of the Association."

"ARTICLE V

REGIONS

(b) Each region shall have a regional executive board which shall consist of the elected officers, immediate past president, the local presidents, and shall reflect, where applicable, representation of the state departments, county division, school districts, judiciary, authorities and community of interest which may be deemed necessary within the region.

(c) A President who has not sought re-election has apparently declared a desire to be relieved of the leadership responsibility associated with the governing structure.

(d) Assuming a past president remains within the active membership, the succeeding president may, if desired, still seek the availability of this individual through other means.

(e) With the staggered election process, stability is retained through the provisions of CSEA. Inc. sufficient to provide any necessary assistance to new administrations.

(2) The following amendment to Article IV, Section 5(b) of the Constitution is submitted by the Constitution and By-Laws Committee. (Continued on Page 13)

"ARTICLE IV

ORGANIZATION OF THE ASSOCIATION

Section 5. OFFICERS

(b) NOMINATIONS.

8. The Statewide Nominating Committee shall select at least two (2) nominees for each position on the State Executive Committee. In all cases an incumbent, upon consent and if otherwise eligible, shall be one of said nominees.

Any person shall be eligible for nomination unless that person shall have been an incumbent in good standing of the Association (in or before) since June 1st of the year preceding the year in which the election is held. "REST OF SECTION REMAINS THE SAME."

Explanation: This amendment clarifies the intent of the current language as it has been interpreted for many years. A person must be a member on June 1st of the year preceding the election and continuously thereafter. The Committee recommends adoption of the amendment.

(3) The following amendment to Article VII, Section 1 of the Constitution was submitted by Nicholas Abbatiello, as 1st Vice President of Region I, by letter dated August 24, 1981, as passed by the County Division at the June, 1981 County Division Workshop.

"ARTICLE VII

COUNTY DIVISION

Section 1. COUNTY EXECUTIVE COMMITTEE. The power and authority to transact business relating to employees of the political subdivisions of the state shall, except as otherwise provided herein, be vested in a County Executive Committee which shall consist of the officers of the Association and one representative from each County Division Local, and one County Educational Local representative from each CSEA Region elected by the County Educational Local members within each region. In addition to the foregoing, each County Division Local with more than 10,000 members as of January 1 in the year of an election shall, for the term of office beginning the following July, be entitled to one additional representative for each 3,000 members."

"REST OF SECTION REMAINS THE SAME."

Explanation: The apparent justification for the amendment is to provide additional members on the Board of Directors from the County Division. As pointed out in the reorganization plan submitted to the Department of Public Personnel and one year ago, the County Division currently has an excess of members on the Board of Directors in relation to the total number of members it has in the Association. This amendment would only further the inequities which currently exist. The Committee recommends defeat of the amendment.

THE FOLLOWING ITEMS ARE PRESENTED TO THE DELEGATES BY THE COMMITTEE AS PROPOSED AMENDMENTS TO THE BY-LAWS. IF PASSED AT THIS MEETING, THE AMENDMENTS WILL BECOME EFFECTIVE IMMEDIATELY.

The following amendment to Article I, Section 4 of the By-Laws is submitted by the Constitution and By-Laws Committee pursuant to a recommendation submitted by Ms. McTygue. Special Committee to Study Honorariums for Statewide Officers, at the December 29, 1981 Board of Directors Meeting, directing our Committee to review the language in Article I, Section 4, said Section to be updated and further defined.

"ARTICLE I

OFFICERS

Section 4. TREASURER. The Treasurer shall serve on a full-time basis. If the Treasurer is unable to obtain a paid leave of absence from the employer, the Association shall, pursuant to law, obtain a paid leave of absence for the Treasurer and the Association shall reimburse the employer for the cost of such leave. The Treasurer shall be responsible for the custody of all funds of the Association. The Treasurer shall be responsible for the implementation of the adopted budget and the periodic reporting thereon. The Treasurer shall keep an accurate account of all receipts and disbursements and of all moneys, securities and other property owned by the Association, and shall submit an itemized report at each annual meeting of the Association and such other reports as the President may require. The Treasurer's account shall be open at all times to the inspection of members of the Board of Directors. The Treasurer shall be responsible for the implementation of the "Financial Standards Code" and for the training of the treasurers of the Regions, Local and Units. The Treasurer shall give a surety bond, at the expense of the Association, in an amount fixed by the Board of Directors. Each local shall be required to submit an annual report to the Treasurer. The Treasurer shall be responsible for obtaining and maintaining the annual fiscal report of each local.

Explanation: This language expands on the duties of the Treasurer and updates the position to that of a full-time officer. The Committee recommends adoption of the amendment.

The following amendment to Article I, Section 5 of the By-Laws is submitted by the Constitution and By-Laws Committee pursuant to a recommendation submitted by Ms. McTygue. Special Committee to Study Honorariums for Statewide Officers, at the December 29, 1981 Board of Directors Meeting, directing our Committee to review the language in Article I, Section 5, said Section to be updated and further defined.

"ARTICLE I

OFFICERS

(Continued on Page 13)
Section 5. SECRETARY. The Secretary shall serve on a full-time basis. The Secretary shall, pursuant to law, obtain a paid leave of absence from the employer, the Association shall, pursuant to law, obtain a paid leave of absence for the Secretary and the Association shall reimburse the employer for the cost of such leave. The Secretary shall be responsible for the custody of all official papers of the Association and the record of its proceedings and shall give notice of meetings as directed by the President.

The Executive Vice President shall serve on a full-time basis. If the Executive Vice President is unable to obtain a paid leave of absence from the employer, the Association shall, pursuant to law, obtain a paid leave of absence for the Executive Vice President and the Association shall reimburse the employer for the cost of such leave. The Executive Vice President shall perform those other duties as assigned by the President or the Board of Directors of the Association.

The Executive Vice President shall give a surety bond, at the expense of the Association, in an amount fixed by the Board of Directors.

Section 3. VICE PRESIDENTS. There shall be six (6) Vice Presidents who shall be the regional presidents elected by the six (6) regions. The Vice Presidents shall serve on a full-time basis. If the Vice President is unable to obtain a paid leave of absence from the employer, the Association shall, pursuant to law, obtain a paid leave of absence for the Vice President and the Association shall reimburse the employer for the cost of such leave. Each region shall be under the direction of the Regional President who shall perform such other duties as assigned by the President of the Association or the Board of Directors of the Association.

The Executive Vice President shall give a surety bond, at the expense of the Association, in an amount fixed by the Board of Directors.

Section 5. SECRETARY. The Secretary shall be responsible for the custody of all official papers of the Association and the record of its proceedings and shall give notice of meetings as directed by the President.

The Secretary shall give a surety bond, at the expense of the Association, in an amount fixed by the Board of Directors.

Judicial Board within ten days after receipt of the charges. If no answer is received, the charges shall be deemed admitted.

(2) The President of the Association or Board of Directors of the Association shall appoint one or more trustees to act in all matters concerning the Region, Local and/or Unit pending a hearing and determination by the Judicial Board of the charges.

The Judicial Board shall hold a hearing within thirty days after receiving an answer from the Region, Local and/or individual officers. The hearing shall be conducted as stated above under paragraph (a).

Explanation: The intent of this amendment is to provide constitutional authority for placing Regions in trusteeship for the same reasons that Locals and Units may currently be placed in trusteeship. The Committee recommends adoption of the amendment.

(5) The following amendment to Article V, Section 3(c)(1) and (3) was proposed by the County Delegates and submitted by John Mauro, Local 844, from the floor of the Delegates Meeting in October, 1981.

"ARTICLE V
JUDICIAL BOARD
Section 3. PROCEDURE.
(c) Contract ratification procedures.
(1) Any member of a Local or Unit bargaining unit may file a request for review of the procedures utilized in conducting a ratification vote of a duly negotiated collective bargaining agreement covering that member's Local or Unit bargaining unit. Such request for review must be received within five days after the ratification vote has been made public.

(2) The Judicial Board may make such investigation as it deems necessary and shall issue a written report and decision within thirty days after receiving the request for review.

(3) Such determination of the Judicial Board shall be final and binding on the members of the Local or Unit bargaining unit affected by the ratification vote.

Explanation: The application of this Section should only apply to members of an affected bargaining unit. The Committee recommends adoption of the amendment.

(6) Upon reviewing Article V, Section 3 of the By-Laws, the Constitution and By-Laws Committee determined that Section 3(a)(7) was structurally incorrect. The following language does not contain any add-ons or deletions to said subsection; merely restructures the current language. The Committee recommends adoption of the change.

"ARTICLE V
JUDICIAL BOARD
Section 3. PROCEDURE.
(a) Charges against individual members.
(1) Any member or officer may be suspended from elected office by the President of CSEA or by the Executive Board of any Region, Local or Unit of CSEA, pending a hearing and determination by the Judicial Board.

MISCELLANEOUS ITEMS:
The following are open items on the Committee's agenda and require further investigation and consideration:

(1) Amendment to Article V, Section 5 of the By-Laws as proposed by the County Delegates and submitted by John Mauro, Local 844, from the floor of the Delegates Meeting in October, 1981.

(2) Amendment submitted by the Methods and Procedures Committee to include the Civil Service Committee under Standing Committees rather than Special and Ad Hoc Committees and to delete the Human Rights Committee from Special and Ad Hoc Committees.

(3) Amendment to Article IV, Section 2(a) (1) of the By-Laws as submitted by John Gully, Local 690.

Submitted by

REVISION OF THE CONSTITUTION AND BY-LAWS COMMITTEE
Carmen Bagnoli, Chairman
Nick Dellisanti
Madeline Keohan
Jerry Barbour
John Cangiano
Charlotte Murray
Ronald Stanton
Serious fire safety violations uncovered at state psychiatric centers, residences

“Do we have to have a tragedy before the State lives up to its responsibilities to provide a safe environment for its employees and its mentally handicapped patients?”

CSEA PRESIDENT William L. McGowan calls serious fire safety violations at some of the state’s psychiatric centers “intolerable.”

ALBANY — Flagrant and serious fire safety violations have been uncovered by the State Comptroller’s Office at four psychiatric centers — Manhattan, Rockland, Buffalo and Hutchings — and at a number of community-based residences.

As a result of the auditors’ report on potentially hazardous conditions, four community-based homes of the Manhattan Psychiatric Center were closed and 19 others cited for safety violations.

“However, we still have thousands of OMH employees and clients working and living in unsafe settings,” commented CSEA President William L. McGowan. “In some instances, we’re talking about the kind of firetrap conditions that lead to needless loss of life and tragic headlines.”

Although violations were discovered at all four centers, the most serious were found at Manhattan P.C. and its community residences. Of 33 community homes, 23 had never passed a fire safety inspection. At ten that were visited by Comptroller Regan’s auditors, conditions posed a serious threat to personal safety.

“It’s intolerable that OMH officials allow such conditions to exist, especially since some of these violations were cited in previous reports yet never corrected,” President McGowan noted.

“It’s intolerable that OMH officials allow such conditions to exist, especially since some of these violations were cited in previous reports yet never corrected,” President McGowan noted.

“Do we have to have a tragedy before the State lives up to its responsibilities to provide a safe environment for its employees and its mentally handicapped patients?”

Last minute push to get out the vote

CSEA volunteers work up until Primary Day

ROCHESTER — Even as the polls were open in yesterday’s primary elections across New York State, CSEA volunteers were busy encouraging voters to cast ballots. The election day effort culminated a union campaign begun months ago designed to bring out a high percentage of eligible voters to the voting places in support of union-backed candidates.

Among dozens of locations around the state designated as volunteer nerve centers was a multi-union supported campaign office in Rochester. Here, CSEA volunteers joined with members from several other Rochester-area labor unions to operate a phone bank in support of union-endorsed candidates. The adjoining photos are typical of activities conducted over several weeks, right up through election day itself.
Thruway workers ratify 2-year agreement

ALBANY — Members of the Thruway Professional, Technical and Supervisory Unit voted 191 to 16 to ratify their new two-year collective bargaining agreement.

According to Local President John Callahan, the contract calls for an 8.2 percent across the board salary increase plus a structural salary adjustment of nine-tenths of 1 percent for the first year. Second-year increases will be 6 percent July 1 and 4 percent January 1.

The agreement also provides improvements in night shift differential pay, increase in overtime meal unit payments, and an increased safety shoe allowance. All current employees will retain fully-paid family health insurance coverage for the term of the contract, and will be covered through the CSEA Employee Benefit Fund (EBF) for dental and prescription drug insurance.

Members of the negotiating team were: Local President John Callahan, John Holmke, Gus Leschen, Howard Meineker, Michael Jim, John Pollock and Bill Allen.
Regional Conferences slated

BINGHAMTON — More than 300 CSEA officials from throughout the 29-county Central Region V are expected to attend the Fall Regional Conference, October 1-3, at the Holiday Inn/Arena in the downtown here.

According to James J. Moore, regional president, the conference will take on special significance because it precedes by one week the statewide delegates convention in Buffalo, and it marks the first regional gathering where state, county and other subdivisions will conduct meetings in one unified group.

"In recent years, state, county and educational locals met separately. The new format will bring together our entire regional leadership and motivate them to think and act as CSEA members with a unified purpose, regardless of their employer or geographic location," Moore said.

The three-day event will begin at 8 p.m. Friday with Peg Wilson, education and training specialist, introducing and presenting an overview of the new CSEA Labor Institute. The Friday evening session will also include a history of CSEA presented by Moore.

Saturday morning and afternoon sessions will feature a "sounding board" type of program to allow delegates the opportunity to discuss current problems and concerns at all union levels.

"It is our strong intention to openly discuss all aspects of union business dealing with regional committees, communications, local and unit internal business, financial matters, education and training programs, our proposed region wide membership drive, and other matters considered important to the function and growth of the union," Moore said.

The conference will conclude with a business meeting Sunday morning.

BUFFALO — Anti-labor organizations and what the AFL-CIO is doing about them will be the topic when guest speaker Humphrey Donahue takes the podium at 8 p.m. Friday, at the Region VI Fall Conference in Painted Post.

Region VI President Robert L. Lattimer said Donahue, a national field representative of the AFL-CIO, will speak at 8 p.m., Saturday, Oct. 2.

The conference will begin Friday, Oct. 1 at 8 p.m. with state and county workshops at the Painted Post Holiday Inn, 304 Hamilton St.

Region VI Director Lee Frank will make a presentation on contract negotiations at the county workshop. He will be assisted by field representatives Ray Ducharme and Tom Mullen.

The state workshop will hear a presentation on "CWEP and what it's all about" from Thomas Coyle, CWEP Director.

A Saturday noon luncheon will honor former Region Treasurer Barbara Fauser, who is now Statewide Treasurer, and a 1:30 p.m. general business meeting will conclude the region conference.

Central Islip job transfer totals in error

HAUPPAUGE — A story in the Sept. 10 edition of the Public Sector on Page 17 under the headline "All Central Islip jobs secured in transfers" was incorrect in stating that additional transfers might be made in the spring to Pilgrim Psychiatric Center.

Long Island Region 1 President Danny Donohue said that CSEA knows of no plans to shift employees to Pilgrim Psychiatric Center.

CSEA had secured legislation and negotiated agreements assuring all Central Islip employees of the security of their jobs if their units were to be involved in the transfer of several acute-care units to Kings Park Psychiatric Center. Two-hundred and eighty-seven Central Islip employees are being shifted to Kings Park Psychiatric Center starting in November.

CSEA and the city agreed that three eligible candidates for the second shift were qualified and were asked twice to volunteer for the shift assignment at two separate meetings.

Rittinger argued that since a supervisor had asked the three employees to volunteer, he must have felt they were equally qualified to perform the diesel bus maintenance required. It was further established by testimony that the least senior employee felt competent to perform the required work.

Citing violation of the contract, PERB directed the city to reassign Richard Ellis to the day shift.

In a following comment, Unit President Livingstone said, "Naturally we are pleased with the decision. It shows our seniority clause means exactly what it says, and that an employee's years of service do count. It's an important win for Richard Ellis, Local 855, and CSEA."

CEA wins arbitration for DPW employee

ITHACA — In the first test of the seniority clause in the current Ithaca Department of Public Works unit contract, CSEA has won an important victory for grievant Richard D. Ellis.

According to David Livingstone, unit president, in September 1981 the City of Ithaca transferred Ellis, an automotive mechanic, from the day shift to the 3 to 11 p.m. second shift. Ellis immediately filed a grievance claiming a violation of the seniority clause in the contract.

At the PERB arbitration July 8 between the city and the DPW Unit of Tompkins County Local 855, the city argued that it had a basic managerial right to assign employees, citing Article VII, paragraph 2, of the contract as not clearly defining the procedure to follow for shift reassignment.

Rittinger argued that since a supervisor had asked the three employees to volunteer, he must have felt they were equally qualified to perform the diesel bus maintenance required. It was further established by testimony that the least senior employee felt competent to perform the required work.

In its decision, PERB stated that the city did not justify its assignment decision on grounds of operating efficiency or on significant differences in skill or ability among the candidates.

Citing violation of the contract, PERB directed the city to reassign Richard Ellis to the day shift.

In a following comment, Unit President Livingstone said, "Naturally we are pleased with the decision. It shows our seniority clause means exactly what it says, and that an employee's years of service do count. It's an important win for Richard Ellis, Local 855, and CSEA."

THE PUBLIC SECTOR, Friday, September 24, 1982
Reagan and the Social Security System

Distinguishing Fact from Fiction

Administration 'cried wolf,' public cried justice. System survives another year

The Social Security program came under heavy attack by the Reagan Administration during the past year, but managed to survive most of the drastic cuts originally proposed. In the following article, Calvin Zon, a staff writer with Washington-based Press Associates, Inc., looks at the program, and concludes the Reagan campaign against Social Security was "cry-wolf rhetoric" in an effort to get a program he never liked much to begin with. And, Zon warns, expect more of the same in 1983.

WASHINGTON — Back in May 1981, days after proclaiming "Older Americans" Month, President Reagan proposed to slash a staggering $82 billion over a five-year period from the Social Security benefits of future retirees, disabled workers, surviving spouses and children.

The cuts were needed, according to Administration propaganda, to save a program that was "screwing on the edge of bankruptcy."

With this kind of scurrilous language, parroted uncritically by much of the news media, the Administration hoped to railroad its Social Security cuts through Congress with its other program cutbacks.

But the public, viewing Social Security benefits as an earned right, was outraged. Congress and the White House were flooded with angry letters and phone calls. Protest rallies drew thousands to the steps of the Capitol.

The Senate quickly passed a resolution on a 96-0 vote against the Administration's proposal to cut early retirees' benefits by 40 percent and against cuts which were unnecessary to keep the program solvent.

Despite his campaign pledges that "one presently dependent on Social Security is going to have the rug pulled out from under them," Reagan's proposals included elimination of the $122 monthly minimum payment received by some 1.3 million early retirees, mostly elderly widows.

Congress first went along with the minimum benefit elimination as part of Reagan's total budget cut package, but later restored the benefit for current recipients.

In fact, Social Security was about the only program which survived the Reagan-Stockman meat-ax basically intact.

While rejecting the most drastic of the proposed cuts, including those for early retirees and those in disability benefits, Congress did make less visible cuts totaling nearly $5 billion over a five-year period beginning last October.

Aside from the minimum benefit for future retirees, these cuts included elimination of the lump sum death benefit in many cases, of parents' benefits for survivors when the youngest child reaches 16, and of benefits for college students.

The Administration backed off — for the time being. Reagan appointed a 15-member "bipartisan" Commission on Social Security Reform to make recommendations after the 1982 Congressional elections. The commission was weighted with conservatives by about 2 to 1.

So in 1983 we can expect another big push for Social Security cutbacks. As before, they will be proposed in the name of saving the program from insolvency.

But the main motive for cutbacks will be the same — to try to balance the federal budget, with its widening deficits, on the backs of the elderly, sick and children.

This has been pointed out by friends of Social Security, including Robert M. Ball, who was Social Security Administrator under Presidents Kennedy, Johnson and Nixon.

Ball told a House committee last year that while the Administration was seeking the $82 billion in Social Security cuts over the 1982-86 period, the program's expenditures exceeded its income by only $11 billion according to the Administration's own forecasts.

After rejecting the Administration's attempt to emasculate the program, Congress approved interfund borrowing among its three trust funds — old age, disability and Medicare — during 1982 to avoid a possible shortfall in the old age fund.

On taking this step, which Ball and others had advocated, the dire warnings about "bankruptcy" were suddenly stilled.

Even so, the 47-year-old program faces major financial problems over the next few years, and those who support the program should be informed in order to be able to distinguish fact from fiction.

A weak economy and high unemployment since early 1980 has meant less than expected payroll revenues flowing into the program's trust funds. Meanwhile, double-digit inflation beginning in the late 1970s has meant higher than expected payouts due to cost-of-living benefit increases.

Ball, in a recent detailed analysis of Social Security's funding needs, said Congress should extend interfund borrowing, which now is sufficient to carry the old age fund at least through the first half of 1983.

As a backup, Ball said, Congress should authorize the program to borrow from general revenues, which might be needed if the economy remains sluggish over a long period.

Ball said that any borrowing could be paid back into general revenues with interest as the program's funding level improves.

Ball emphasized in his report that the program's funding problems are relatively short-term and that after the 1980s a comfortable surplus can be expected to accumulate even under pessimistic economic projections.

Ball said, "the excess of income over outgo beginning in 1990 is so large that taking the next 25 years as a whole, 1982-2006, the program is considerably over-financed." And if the economy performs well, he said, the surpluses would be much larger.

Ball added that some of the scheduled increase in Social Security payroll taxes in future years wouldn't be necessary to finance the program even under the pessimistic assumptions.

But he cautioned that ways must be found to hold down escalating hospital costs to keep the Medicare fund solvent without reducing patient care.

Ball concluded that there is no basis for permanently cutting back on protection to meet a possible temporary shortfall over the next 50 years because changes in the labor force and other variables are uncertain.

Ball's analysis confronted the myth, which Social Security's detractors help to perpetuate, that a growing elderly population and a shrinking labor force will eventually bankrupt it.

Ball said "the ratio of covered workers to beneficiaries is remarkably stable between now and 2010, remaining at roughly 3 workers per beneficiary."

While the post-World War II baby boom population retires, the ratio could drop to 2 1/2 by 2030 under pessimistic forecasts and remain at that level into the foreseeable future.

As for other long-term solutions, Ball and other defenders of Social Security note that in almost all other industrial nations, social insurance is partly financed by general revenues, which are less regressive than payroll taxes. Another proposal is to offset any increase in payroll taxes with income tax deductions.

Ball strongly urged that Social Security funds be separated in bookkeeping from the general federal budget, "to protect it against short-term policy swings of elected officials and political appointees and against usage for budget purposes." This would return it to its status before 1961, when it was lumped into the unified federal budget.

Social Security is a solemn contract between the people and their government.

It should not be a political plaything, as suggested by the GOP's recent TV commercial crediting Reagan with protecting the July 1, 1982, cost-of-living increase. The fact is, Reagan tried repeatedly to get Congress to reduce or delay that increase until October 1.

That same President may return soon to the same cry-wolf rhetoric about Social Security in another push to gut a program he never liked much to begin with.

Those who support Social Security should arm themselves with the facts on its soundness to protect it in coming years from would-be wreckers.
Heavy union pressure forces settlement of Montgomery contract dispute

By Daniel X. Campbell
CSEA Communications Associate

FONDA — "Every public employee in Montgomery County is paid less than the worst paid employee doing the same work in any other county," William L. McGowan, CSEA statewide president charged in an emotional speech before the stoic Montgomery County Board of Supervisors this week. For emphasis, he called Montgomery County the "worst public employer around."

And within 24 hours of McGowan's unusual personal appearance at the legislative session, a negotiated contract, providing $2,400 in across the board salary increases, was ratified by CSEA Local 829 members. The three-year pact passed by a four-to-one margin.

The agreement provides no economic increase in the remaining months of 1982, but in the next two years the 477 employees will receive yearly increases of $1,200 across the board. In 1983 mileage will increase from $.20 per mile to $.22; mechanics will be included in a uniform allowance program, and public health nurses will receive call-out pay.

New hires in the county will not be entitled to increments or longevity payments and in 1983 will have to contribute 5 percent of their health insurance costs. But union officials note that no current employee is harmed by these changes and expressed belief that these benefit items could be negotiated again at a future date.

McGowan became involved in the Montgomery County situation after reading Norman Brand's 17-page fact finding report on the contract dispute. "In all my years in unions, I have never read such an indictment against management. It is as if the fact-finder wanted to personally file an improper practice charge of failure to negotiate in good faith against Montgomery County," McGowan said.

TAKING MATTERS INTO HIS OWN HANDS, CSEA Statewide President William L. McGowan made a whirlwind and effective trip into Montgomery county earlier this week to personally represent CSEA members there in a difficult contract dispute. At upper left, a visibly angry McGowan addresses the county legislature. At upper right, McGowan addresses a meeting of Local 829 members the same evening. At lower left, the statewide union leader discusses the situation with a Local member, and at lower right, McGowan and other union staffers debate the situation with a Montgomery County legislator, center.
NEW YORK CITY — “Colman’s got to go” was the chant as nearly 300 members of Manhattan Psychiatric Center (MPC) Local 413 rallied recently to demonstrate their anger over the latest abuse of employee rights by MPC Deputy Director Mark Colman.

And Colman did go, resigning two weeks after the demonstration amid charges that he sexually harassed a female employee, a member of MPC Local 413.

Colman, who according to MPC Local 413 President Floyd Payne had “abused his power in terms of hiring practices, terminations and intimidations,” was charged with sexually harassing a female probationary employee. The employee brought a formal complaint to the institution’s human rights committee.

Colman was placed on two weeks administrative leave pending formal investigation of the charges. He resigned for “personal reasons” before a formal investigation could be started.

Metropolitan Region II President George Caloumeno also called for Colman’s resignation. In a letter to Office of Mental Health Commissioner Dr. James Prevost, Caloumeno wrote, “Colman has worked incessantly and insidiously to divide the unionized work force, destroyed employee morale, destroyed career ladder educational programs and misrepresented the intentions of his superiors in an effort to seize even greater power than his position commands.

“Colman’s departure,” he concluded, “is a necessity.”

Before leaving MPC, Colman was the target of an Improper Practice (IP) charge and a grievance filed by MPC Local 413 to stop the downgrading of four Grade 7 laundry workers at the facility as a result of an administrative transfer of the MPC laundry service from the Office of Mental Health to the Office of General Services.

Colman and the local agreed at a labor/management meeting that employees of the laundry service who so desired could remain at MPC without any loss in pay or grade.

When the administrative transfer of the laundry was made, four laundry service workers were reduced in grade and pay in violation of the agreement made at the labor/management meeting.

Payne charged that the reductions were typical of Colman’s behavior. “He regularly violated good faith agreements he made with us,” Payne said.
Suffolk negotiations hit new snag

Union declares second impasse; Novo charges county 'deliberately stalling'

By Hugh O'Haire
CSEA Communications Associate

HOLTSVILLE — Negotiations between Local 852 and Suffolk County collapsed last week after a bizarre series of events which included second declaration of impasse by CSEA as a result of the firing of Suffolk Mini-PERB Administrator George Meyer by County Executive Peter Cohalan, allegedly for Meyer's part in getting PERB to appoint a fact-finder rather than a mediator, which the county wanted.

The latest step in what Local 852 President Charles Novo has termed "voodoo negotiations" came when the fact finder, citing membership in a CSEA retirees chapter, withdrew, leaving the possibility that Suffolk Mini-PERB could now name a mediator to replace him.

"The county is deliberately stalling negotiations. Earlier this summer during our first impasse, a mediator was unable to get the county to attend a single mediation session. The county didn't want a fact finder because he has subpoena power and can force them to the table. George Meyer had the courage to grant our request because he knew that to do otherwise would be to continue a sham. That's why the county fired him," Novo charged.

"What is worse," Novo added, "is that it is now obvious that the Taylor Law allows a cynical and ruthless employer such as Suffolk County to flat get away without bargaining in good faith, while trying to provoke employees into a job action or strike so they can invoke fines and penalties against them."

Novo lead an aroused contingent of Suffolk rank and file in protest demonstrations on Sept. 23 at Suffolk government centers in Hauppauge and Riverhead. He also called for, and got, the Suffolk County Legislature to launch an investigation into the firing of Meyer.

The strange negotiations scenario began in late August when Local 852 and the county, which were at impasse and had not met in a bargaining session since June 30, agreed to sit down at the bargaining table once more. CSEA withdrew their declaration of impasse which it had declared on June 30.

However, on Sept. 10, Jack Farneti, chief spokesman for the county's negotiation team, made a final money offer — including a 2.5 per cent salary increase — to the union that was unacceptable. On Sept. 14, CSEA once again declared impasse and asked the Suffolk Mini-PERB to name a fact finder.

What happened after the CSEA impasse declaration was delivered to George Meyer has not been confirmed, but widely-circulated rumors in the county have it that Meyer was called to the county executive's office and told that he was to recommend to the Mini-PERB that they appoint a mediator rather than a fact finder. Mini-PERB met at 11 a.m. on Sept. 16 and by approximately 1:30 p.m., named a mediator/fact finder in accordance with the CSEA request. At 4 p.m., Meyer, who is also commissioner of labor, was summoned to Cohalan's office and fired. Cohalan gave out a statement that he had "lost confidence in him." Meyer, who was allegedly escorted from Cohalan's office out of the building by two detectives, later told reporters that Cohalan "told me I was double-dealing him." But a variety of county sources said that it was Meyer's decision to recommend to PERB that they appoint a fact finder that caused him to be fired.

On Sept. 20, Novo appeared before the Suffolk County Legislature's committee on personnel and finance and asked them to launch a formal investigation into the circumstances surrounding Meyer's firing. After the committee voted to investigate, Cohalan said he would not honor their subpoena. The county executive said, "Any resolution they pass is simply natare puctura — a vain act. The executive is not answerable to the Legislature."

Novo countered that CSEA is not questioning the county executive's right to fire a commissioner, but rather questioning if Meyer was fired because of his actions as a Mini-PERB administrator.

"Because we cannot strike, the Taylor Law set up PERB to mediate disputes between public employees and employers. PERB is, in effect, our court, to which we look for justice and redress of grievances. If Cohalan or his henchmen are interfering with the deliberations of members of PERB, that is an entirely different matter than firing a commissioner of labor. That is what we want investigated," Novo said.

As a final shock in several weeks of turmoil, Novo had no sooner received the notice that Mario Procopio, a veteran mediator and labor specialist with the State Mediation Board, has been appointed as fact finder, than he proceeded to withdraw, saying he was "still a member of the CSEA retirees pension and benefit plan." Several years ago, however, Procopio served as fact finder in negotiations between Local 830 and Nassau County. Before he withdrew, Procopio said he made several unsuccessful attempts to discuss his affiliation with the union by phone to Jack Farneti.

Trying to find Farneti is a difficult process at any time, say CSEA staff negotiators. But when Farneti is available, "Farneti makes you an offer and then tells you he won't move off it," said Irwin Scharfeld, CSEA field representative. "It's either his way or nothing. That type of negotiating went out in the '30s and this negotiating team won't stand for it."

At week's end, both sides were waiting for action by PERB, which is being convened for a Sept. 28 meeting to either appoint another fact finder or to appoint a mediator. Acting as PERB administrator is William Richards, the former presiding supervisor of the Suffolk County Legislature, who resigned his post in the Legislature and was appointed by Cohalan as deputy labor commissioner only two weeks before Meyer was fired, leading one labor leader to comment that the Meyer firing was "the smoothest hatchet job I ever heard of."

Novo said that it would be "inconceivable that Mini-PERB would now reverse itself and appoint a mediator instead of a fact finder. But if they do, we will immediately appeal to state PERB."

Novo urged all members to remain firm in their demand for negotiations. "It is obvious that the county wants to wear us down and then dictate a contract to a dispirited membership. I think they are in for a surprise. As long as we remain united in opposition to this type of crude bullying, eventually we will win. We're going to take our case to the public through advertisements and to the Legislature through political action. We will fight back as long as we have to in order to get a just and equitable contract."