What Attorney General Javits Said About Contract Workers

Below is the statement of Attorney General Jacob K. Javits referring to persons retained by the State, counties or other units of government on an individual contract basis. Last week, the LEADER reported that the retirement service credit of contract workers had been jeopardized by the Attorney General's opinion. Because of the wide response to that article, the LEADER is presenting several viewpoints on it. Below is Mr. Javits' opinion.

CIVIL SERVICE LAW §§ 50 (2) (11) (17), 51 (b) (c), 84 (a) (b),

Professional and specialists retained on independent contract basis not eligible for membership in State Employees' Retirement System and may not be given retirement service credit for period during which services were rendered on such basis. Former employees who have retired on superannuation retirement may be retained on independent contract basis without affecting their retirement status. Independent contract relationship may not be entered into by employee relationship without consideration with civil service procedures.

May 30, 1955

New York State Employees' Retirement System 214 Washington Avenue Albany

Attention William M. Girten, Esq.

Deputy Comptroller

Attorney General's Opinion Starts Leader revealed that the retirement service credit of contract workers is being presented several viewpoints on it. Below is Mr. Javits' opinion. Because of the wide response to that article, the LEADER is presenting several viewpoints on it. Below is Mr. Javits' opinion.

Statements About Contract Work

Are Challenged

How valid are the retainers held by "contract workers" in State or local service?

When, and under what circumstances, may the Superannuation Retirement System be challenged?

Or, may they not be members of the Retirement System at all?

Is what a contract worker and what is a worker hired through the provisions of civil service?

Can a man be hired under contract after he has retired from public service, and continue receiving his pension and his compensation?

A suit was raised by the opinion of Attorney General Jacob J. Javits, and subsequent actions by the State Retirement System, dealing with those questions. Independent contractors are employed by the State and by local units of government, and Independent Specialists are employed both by the State and by the Retirement System.

Attorney General Javits said, in an opinion rendered May 30, that a suit was not made until April through the opinion of Attorney General Jacob J. Javits, and subsequent actions by the State Retirement System, dealing with those questions. Independent contractors are employed by the State and by local units of government, and Independent Specialists are employed both by the State and by the Retirement System.

"Professionals and specialists retained on independent contract basis not eligible for membership in State Employees Retirement System and may not be given retirement service credit for period during which service was rendered on such basis. Former employees who have retired on superannuation retirement may be retained on independent contract basis without affecting their retirement status. Independent contract relationship may not be entered into by employee relationship without consideration with civil service procedures."

May 30, 1955

New York State Employees' Retirement System 214 Washington Avenue Albany

Attention William M. Girten, Esq.

Deputy Comptroller

CIVIL SERVICE LAW §§ 50 (2) (11) (17), 51 (b) (c), 84 (a) (b),

Professional and specialists retained on independent contract basis not eligible for membership in State Employees' Retirement System and may not be given retirement service credit for period during which services were rendered on such basis. Former employees who have retired on superannuation retirement may be retained on independent contract basis without affecting their retirement status. Independent contract relationship may not be entered into by employee relationship without consideration with civil service procedures.

May 30, 1955

New York State Employees' Retirement System 214 Washington Avenue Albany

Attention William M. Girten, Esq.

Deputy Comptroller

CIVIL SERVICE LAW §§ 50 (2) (11) (17), 51 (b) (c), 84 (a) (b),

Professional and specialists retained on independent contract basis not eligible for membership in State Employees' Retirement System and may not be given retirement service credit for period during which services were rendered on such basis. Former employees who have retired on superannuation retirement may be retained on independent contract basis without affecting their retirement status. Independent contract relationship may not be entered into by employee relationship without consideration with civil service procedures.

May 30, 1955

New York State Employees' Retirement System 214 Washington Avenue Albany

Attention William M. Girten, Esq.

Deputy Comptroller

CIVIL SERVICE LAW §§ 50 (2) (11) (17), 51 (b) (c), 84 (a) (b),

Professional and specialists retained on independent contract basis not eligible for membership in State Employees' Retirement System and may not be given retirement service credit for period during which services were rendered on such basis. Former employees who have retired on superannuation retirement may be retained on independent contract basis without affecting their retirement status. Independent contract relationship may not be entered into by employee relationship without consideration with civil service procedures.

May 30, 1955

New York State Employees' Retirement System 214 Washington Avenue Albany

Attention William M. Girten, Esq.

Deputy Comptroller

CIVIL SERVICE LAW §§ 50 (2) (11) (17), 51 (b) (c), 84 (a) (b),

Professional and specialists retained on independent contract basis not eligible for membership in State Employees' Retirement System and may not be given retirement service credit for period during which services were rendered on such basis. Former employees who have retired on superannuation retirement may be retained on independent contract basis without affecting their retirement status. Independent contract relationship may not be entered into by employee relationship without consideration with civil service procedures.

May 30, 1955

New York State Employees' Retirement System 214 Washington Avenue Albany

Attention William M. Girten, Esq.

Deputy Comptroller

CIVIL SERVICE LAW §§ 50 (2) (11) (17), 51 (b) (c), 84 (a) (b),

Professional and specialists retained on independent contract basis not eligible for membership in State Employees' Retirement System and may not be given retirement service credit for period during which services were rendered on such basis. Former employees who have retired on superannuation retirement may be retained on independent contract basis without affecting their retirement status. Independent contract relationship may not be entered into by employee relationship without consideration with civil service procedures.

May 30, 1955

New York State Employees' Retirement System 214 Washington Avenue Albany

Attention William M. Girten, Esq.

Deputy Comptroller

CIVIL SERVICE LAW §§ 50 (2) (11) (17), 51 (b) (c), 84 (a) (b),

Professional and specialists retained on independent contract basis not eligible for membership in State Employees' Retirement System and may not be given retirement service credit for period during which services were rendered on such basis. Former employees who have retired on superannuation retirement may be retained on independent contract basis without affecting their retirement status. Independent contract relationship may not be entered into by employee relationship without consideration with civil service procedures.

May 30, 1955

New York State Employees' Retirement System 214 Washington Avenue Albany

Attention William M. Girten, Esq.

Deputy Comptroller

CIVIL SERVICE LAW §§ 50 (2) (11) (17), 51 (b) (c), 84 (a) (b),

Professional and specialists retained on independent contract basis not eligible for membership in State Employees' Retirement System and may not be given retirement service credit for period during which services were rendered on such basis. Former employees who have retired on superannuation retirement may be retained on independent contract basis without affecting their retirement status. Independent contract relationship may not be entered into by employee relationship without consideration with civil service procedures.

May 30, 1955

New York State Employees' Retirement System 214 Washington Avenue Albany

Attention William M. Girten, Esq.

Deputy Comptroller

CIVIL SERVICE LAW §§ 50 (2) (11) (17), 51 (b) (c), 84 (a) (b),

Professional and specialists retained on independent contract basis not eligible for membership in State Employees' Retirement System and may not be given retirement service credit for period during which services were rendered on such basis. Former employees who have retired on superannuation retirement may be retained on independent contract basis without affecting their retirement status. Independent contract relationship may not be entered into by employee relationship without consideration with civil service procedures.
5% Pay Rise In Westchester

WHITE PLAINS, July 18 — The budget committee of Westchester County Board of Supervisors is studying a recommendation from County Executive James D. Harriman to raise the pay scales of all full-time employees, effective January 1, for the county's more than 3,500 employees. With the new pay scales, the county hopes to be able to compete with local business firms which have been offering high salaries and be granted pay raises averaging about 5 per cent.

Mr. Harriman and Personnel Director Denton Pecknall Jr. are writing a series of labor relations articles, effective January 1, for the county's more than 3,500 employees.

Present county salaries range from 4.6 per cent to 2.7 per cent below levels at comparable positions in private industry and other public offices.

The present top pay in each of the 20 job grades, and proposed top pay are:

<table>
<thead>
<tr>
<th>Present</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>$2,850</td>
<td>$3,090</td>
</tr>
<tr>
<td>$2,890</td>
<td>$3,120</td>
</tr>
<tr>
<td>$3,100</td>
<td>$3,320</td>
</tr>
<tr>
<td>$3,160</td>
<td>$3,400</td>
</tr>
<tr>
<td>$3,400</td>
<td>$3,740</td>
</tr>
<tr>
<td>$3,600</td>
<td>$3,900</td>
</tr>
<tr>
<td>$3,900</td>
<td>$4,200</td>
</tr>
<tr>
<td>$4,200</td>
<td>$4,500</td>
</tr>
<tr>
<td>$4,300</td>
<td>$4,600</td>
</tr>
<tr>
<td>$4,600</td>
<td>$5,000</td>
</tr>
<tr>
<td>$5,000</td>
<td>$5,500</td>
</tr>
<tr>
<td>$5,500</td>
<td>$6,000</td>
</tr>
<tr>
<td>$6,000</td>
<td>$6,500</td>
</tr>
</tbody>
</table>

Ulster Aides Press for 10% Pay Rise

KINGSTON, July 18 — Having supported raises for the office of mayor, for aldermen-at-large and for alderman, the Ulster County chapter of the Civil Service Employees Association now plans to ask for a 10 per cent raise for assistant clerks.

Speaking for the Ulster chapter at a hearing of the Kingston Common Council on July 12, Philip Keeler, CSEA public relations director, said the increased cost of living warranted the increases for the city officials. The Mayor's salary was raised from $7,500 to $10,000; the aldermen-at-large from $2,250 to $3,000; and the aldermen's, from $600 to $900.

"We agreed on the raises for our city officials," said Leon Studer, president of the CSEA Ulster County chapter. "Now we plan to ask at the fall meeting of the Common Council for a 10 per cent raise for the city employees of the city, and to pass on a 10 per cent increase for county workers."

Another issue on which the chapter plans action is the demand of the nurses at the Ulster County (Tuberculosis) Hospital for a 40-hour week. Mr. Studer reported. They now work a 36-hour week, he said.

Some Thoughts on the Day-to-Day Job

EVERY thought about public relations? Do you know what it means to John M. Perdue, an old-timer in the Hudson County, says to his fellow employees, in a Hudson chapter, CSEA publication?

"The day-to-day pursuit of the public employee is not particularly light in there pitching for them. You don't get in on the fight on the job—in their day-to-day tasks. You must be able to be ready to take a call any time. You have to be able to deliver in an instant. You must be able to be ready to give them the right answers. You have to call it as you see it, and you have to know what you're talking about. You have to know that if there were any further questions, to phone.

"The old lists expire August 16. Orin Kelly pointed out, he joined other New York City employees in writing to William D. McCallum, outgoing head of the CSEA, to ask him to set up the Preller Commission, at its hearing last week, to put that abolition in the new bill. It is going in for the next Legislative Session.

"You CAN Do Something About Those Pre-Exam Jitters"

KILL PROMOTION EXAM FEES, Preller Unit

The Civil Service Employees Association has been pressing for the abolition of Civil Service Department's examination fee in its new bill. The Preller Commission, at its hearing last week, to put that abolition in the new bill.

Mr. Kelly and the CSEA have been urging for the abolition of Civil Service Department's examination fee in its new bill. The Preller Commission, at its hearing last week, to put that abolition in the new bill. It is going in for the next Legislative Session.

He also requested the commission to eliminate probation periods for the employees who were terminated within the main department.

Mr. Kelly said that the CSEA was opposing the bill's provision to create suspension and demotion units in State departments in case of economy cuts. He said that the entire department is not a unit and that seniority should be determined for layout purposes.

Regarding classification and compensation of employees, Mr. Kelly objected to the provision which would empower the president of the State Civil Service Commission to make initial classification and to have an appeal from that action by the SCSC. He proposed that the most important initial classification be made by the director of the Classification Division, as the Preller Commission. The appeals be decided by the Commission, rather than the present Appeals Board.

CIVIL SERVICE LEADER

Tuesday, July 19, 1965

You CAN Do Something About Those Pre-Exam Jitters

Earnie Conlon, who for many years has worked hard as a public employee, is in City Hospital, Binghamton, under an oxygen tent. Earnie suffered a heart attack. First on the CSEA Board of Directors, later as a field representative, Earnie has done yeoman work for the employees. He's improving slowly, and we all are awaiting his return.
The call has gone out for delegates to convene on the question of the dues increase for the CSEA members.

Registration of delegates will take place from 9 A.M. to noon at the hotel where the meeting has been scheduled. The meeting will be concluded in the one afternoon session.

An opening prayer will be heard, then the delegates roll call. An opening address is then given and the floor is open to members present. Controllers is then at the available time is increased or, if not due to "next to 10 P.M."

The CSEA chapters have been holding special meetings to discuss the issue.

Among the issues in present services rendered, despite any momentary decline in membership which we may suffer, I firmly believe we shall grow in numbers. This has always been the case, and I feel that a great deal of our growth will be predicated upon the soundness and effectiveness of our programs. When we consider a dues increase, we must not overlook the fact that many of our programs and the development of our program will require more than a resolution to accomplish. They involve the use of men and machines.

We Must Justify Ourselves

Our organization is rapidly getting into a position where it must justify its existence and its claims to leadership. Both on the local and the State levels, our claims are now being questioned. Other organizations are becoming more and more inistent in offering their programs to the public.

It is my hope that this coming year will be a critical one for us. If we can substantially back our program with intelligent and progressive actions, I do not think we will be too much danger of losing our franchise. But we must justify ourselves, and I feel that the presentation of our claims to both the public and the public will be more effective.

It is just as hard to be too penurious as it is to be too wasteful.

The test of the workman's skill is as important as his health. I hope that we will not overlook these basic principles when we consider the 29th. It will be too bad if a too conservative approach to our fiscal problems now, will lessen our ability to successfully resolve our organizational problems in the future.

The "Important Question"

The 'Important Question' "Could Hartman be an independent contractor or regular employment like an employee?" His salary was found to be too bad if a too conservative approach to our fiscal problems now, will lessen our ability to successfully resolve our organizational problems in the future.

The "Important Question"

The 'Important Question' "Could Hartman be an independent contractor or regular employment like an employee?" His salary was found not to be too bad if a too conservative approach to our fiscal problems now, will lessen our ability to successfully resolve our organizational problems in the future.

The "Important Question"

The 'Important Question' "Could Hartman be an independent contractor or regular employment like an employee?" His salary was found to be too bad if a too conservative approach to our fiscal problems now, will lessen our ability to successfully resolve our organizational problems in the future.
State Begins Canvas
Of All 1,278 Eligibles
On Office Workers Lists

ALBANY, July 8 — The State Civil Service Department has taken first steps today in lining up account clerks and stenographers who passed the tests and are on the register for the office work.

Questionnaires have gone out to the 1,278 eligibles so far where they are willing to accept appointment. The "central canvas" must be made up of eligibles rated as high as possible, with eligibles rated according to their scores on the written test (plus veteran preference, if any), but the jobs are located in communities from Niagara Falls to Monticello Point. Will someone have his appointment accepted in Pittsford? The department wants to know.

Technically speaking, appointments may be made immediately from the two lists. Civil Service is awaiting eligibles' answers to the questionnaires.

First hiring from the new list is not expected to be made at the end of the summer or early fall.

Clerk, File Clerk Lists On Way
Candidates in the clerk and file clerk options of the beginning of office worker exam are still standing by for results of these two remaining options in the catch-all exam.

Brighter Job Prospects in NYC

The department estimated that 1,278 eligibles would be taken from the four lists. The exam announcement had indicated that some 1,278 eligibles would be taken in Albany, and in institutions, parks, schools, and offices throughout the State. Relatively few openings were expected in NYC, at that level, for a time, but considerably better

(Continued on Page 13)

Human Side
Of the Tax Dept.

A MAN came into a Tax Department office, asked for some information, chatted, chatted, and chatted. A clerk, who had been doing a reasonable job of giving him the material, which was public information. While she was working at it, the visitor began making snide remarks about those damn slow, lazy civil servants. Women of this got to Commissioner Bragalini.

"Look, pal, you don't want trouble, do you? We don't like trouble either. You are as much and so much. Pack it up, please?" Where he's acquainted with the individual on the other side of the phone, he is likely to add a few choice epithets. Apparently the technique works.

A few phone calls recently brought in $28,000.

ONLY Five Republican appointees remain in estate tax attorney posts with the department, this column learns. Two of the five are on a salary basis, while three are paid on a fee basis.

Critics wonder when the axe will fall. The exempt, salaried positions will be changed are for Essex, Schuyler and Tompkins counties. They were expected in NYC, but good.

The meeting wise guy first offered to fight Bragalini, really left, tail between legs, a hangdog look on his face.

BRAGALINI is nothing if not colorful. Tax collecting has become a personal thing with him. He often phones tax-delinquent businessmen personally. "Hey, what's the matter, huh?" he'll loyally ask. Or, "So what are you waiting for? Bring in the money. You owe it. We need it." Or, "Look, pal, you don't want trouble, do you? We don't like trouble either. You are as much and so much. Pack it up, please?" Where he's acquainted with the individual on the other side of the phone, he is likely to add a few choice epithets. Apparently the technique works.

A few phone calls recently brought in $28,000.

NEW YORK STATE will be well represented this week at the annual meeting of the National Association of Tax Administrators. The conference is being held at Edgewater Park, Miss., July 17-20.

Meet The New Mental Hygiene Commissioner

DR. PAUL H. HOCH has spent all of his 22 years in the United States in the service of the State Mental Hygiene Department of which he is now the head.

Arrived here in 1933 with a distinguished record in European universities and psychiatric clinics, Dr. Hoch, 53, became an employee of the State almost immediately. His first post was as assistant physician, Manhattan State Hospital, New York City, in charge of the treatment unit. Twenty-two years and six jobs later, during which time he completed more than 100 research programs and Clinical Memos in the field of psychiatric research, in the New York State Psychiatric Institute, he was appointed Mental Hygiene Commissioner by Governor Harriman.

An enthusiastic civil service career man, Dr. Hoch has been a member of the Civil Service Employees Association almost from its formation, and has been active, too, as a member of the Mental Hygiene Employees Association.

Sympathies With Civil Servants

"Having been in the State service almost for a quarter of a century," said Dr. Hoch in an interview with The LEADER last week, "I understand fully, and sympathize with, the aims of civil service employees. In the framework of imposed limitations, I am always expected to do full cooperation and support to them. And I will rely on them and would like to have the full cooperation of all the personnel in the Stale service.

--

The Budapest-born psychiatrist, who has authored or edited a dozen books on psychiatry and is on the editorial boards of several leading professional journals, is a noted humorist and literate speaker, which is an obvious asset in his main academic post as assistant professor of psychiatry at the College of Physicians and Surgeons, Columbia University.

Protocol requires that Dr. Hoch now be addressed as "Commissioner," but the title is so new — his appointment came on July 7 — that associates at the Psychiatric Institute up at 168th Street in New York are finding it hard to make the switch.

Maps Broad Programs

But the doctor has lost no time in becoming the Commissioner in demand. In an interview with The LEADER last week, he explained, "I understand fully, and sympathize with, the aims of civil service employees. In the framework of imposed limitations, I am always expected to do full cooperation and support to them. And I will rely on them and would like to have the full cooperation of all the personnel in the State service.

--

The Budapest-born psychiatrist, who has authored or edited a dozen books on psychiatry and is on the editorial boards of several leading professional journals, is a noted humorist and literate speaker, which is an obvious asset in his main academic post as assistant professor of psychiatry at the College of Physicians and Surgeons, Columbia University.

Protocol requires that Dr. Hoch now be addressed as "Commissioner," but the title is so new — his appointment came on July 7 — that associates at the Psychiatric Institute up at 168th Street in New York are finding it hard to make the switch.

Maps Broad Programs

But the doctor has lost no time in becoming the Commissioner in demand. In an interview with The LEADER last week, he explained, "I understand fully, and sympathize with, the aims of civil service employees. In the framework of imposed limitations, I am always expected to do full cooperation and support to them. And I will rely on them and would like to have the full cooperation of all the personnel in the State service.

--

The Budapest-born psychiatrist, who has authored or edited a dozen books on psychiatry and is on the editorial boards of several leading professional journals, is a noted humorist and literate speaker, which is an obvious asset in his main academic post as assistant professor of psychiatry at the College of Physicians and Surgeons, Columbia University.

Protocol requires that Dr. Hoch now be addressed as "Commissioner," but the title is so new — his appointment came on July 7 — that associates at the Psychiatric Institute up at 168th Street in New York are finding it hard to make the switch.

Maps Broad Programs

But the doctor has lost no time in becoming the Commissioner in demand. In an interview with The LEADER last week, he explained, "I understand fully, and sympathize with, the aims of civil service employees. In the framework of imposed limitations, I am always expected to do full cooperation and support to them. And I will rely on them and would like to have the full cooperation of all the personnel in the State service.

--

The Budapest-born psychiatrist, who has authored or edited a dozen books on psychiatry and is on the editorial boards of several leading professional journals, is a noted humorist and literate speaker, which is an obvious asset in his main academic post as assistant professor of psychiatry at the College of Physicians and Surgeons, Columbia University.

Protocol requires that Dr. Hoch now be addressed as "Commissioner," but the title is so new — his appointment came on July 7 — that associates at the Psychiatric Institute up at 168th Street in New York are finding it hard to make the switch.

Maps Broad Programs

But the doctor has lost no time in becoming the Commissioner in demand. In an interview with The LEADER last week, he explained, "I understand fully, and sympathize with, the aims of civil service employees. In the framework of imposed limitations, I am always expected to do full cooperation and support to them. And I will rely on them and would like to have the full cooperation of all the personnel in the State service.

--

The Budapest-born psychiatrist, who has authored or edited a dozen books on psychiatry and is on the editorial boards of several leading professional journals, is a noted humorist and literate speaker, which is an obvious asset in his main academic post as assistant professor of psychiatry at the College of Physicians and Surgeons, Columbia University.

Protocol requires that Dr. Hoch now be addressed as "Commissioner," but the title is so new — his appointment came on July 7 — that associates at the Psychiatric Institute up at 168th Street in New York are finding it hard to make the switch.

Maps Broad Programs

But the doctor has lost no time in becoming the Commissioner in demand. In an interview with The LEADER last week, he explained, "I understand fully, and sympathize with, the aims of civil service employees. In the framework of imposed limitations, I am always expected to do full cooperation and support to them. And I will rely on them and would like to have the full cooperation of all the personnel in the State service.

--

The Budapest-born psychiatrist, who has authored or edited a dozen books on psychiatry and is on the editorial boards of several leading professional journals, is a noted humorist and literate speaker, which is an obvious asset in his main academic post as assistant professor of psychiatry at the College of Physicians and Surgeons, Columbia University.

Protocol requires that Dr. Hoch now be addressed as "Commissioner," but the title is so new — his appointment came on July 7 — that associates at the Psychiatric Institute up at 168th Street in New York are finding it hard to make the switch.

Maps Broad Programs

But the doctor has lost no time in becoming the Commissioner in demand. In an interview with The LEADER last week, he explained, "I understand fully, and sympathize with, the aims of civil service employees. In the framework of imposed limitations, I am always expected to do full cooperation and support to them. And I will rely on them and would like to have the full cooperation of all the personnel in the State service.

--

The Budapest-born psychiatrist, who has authored or edited a dozen books on psychiatry and is on the editorial boards of several leading professional journals, is a noted humorist and literate speaker, which is an obvious asset in his main academic post as assistant professor of psychiatry at the College of Physicians and Surgeons, Columbia University.

Protocol requires that Dr. Hoch now be addressed as "Commissioner," but the title is so new — his appointment came on July 7 — that associates at the Psychiatric Institute up at 168th Street in New York are finding it hard to make the switch.

Maps Broad Programs

But the doctor has lost no time in becoming the Commissioner in demand. In an interview with The LEADER last week, he explained, "I understand fully, and sympathize with, the aims of civil service employees. In the framework of imposed limitations, I am always expected to do full cooperation and support to them. And I will rely on them and would like to have the full cooperation of all the personnel in the State service.

--

The Budapest-born psychiatrist, who has authored or edited a dozen books on psychiatry and is on the editorial boards of several leading professional journals, is a noted humorist and literate speaker, which is an obvious asset in his main academic post as assistant professor of psychiatry at the College of Physicians and Surgeons, Columbia University.

Protocol requires that Dr. Hoch now be addressed as "Commissioner," but the title is so new — his appointment came on July 7 — that associates at the Psychiatric Institute up at 168th Street in New York are finding it hard to make the switch.

Maps Broad Programs

But the doctor has lost no time in becoming the Commissioner in demand. In an interview with The LEADER last week, he explained, "I understand fully, and sympathize with, the aims of civil service employees. In the framework of imposed limitations, I am always expected to do full cooperation and support to them. And I will rely on them and would like to have the full cooperation of all the personnel in the State service.
Warning to a Few Civil Servants

Sometimes an editorial writer feels sad about what he has to say.

This is one of those times.

With all the recurrent attacks on public workers for all sorts of phony reasons, the men and women who work for government must be doubly wary against creating conditions that will give fuel to the fires of criticism.

You know what happens when it is discovered that a public employee becomes involved in a case of graft or bribery. The blaring, booming headlines crash down indiscriminately on everybody in a public office.

Imagine what would happen if it were revealed that civil servants are failing to file income tax returns?

The State Tax Department, carefully doing its work of investigating returns, is finding such cases among employees of the State, of cities, counties, and of towns. In several NYC departments, failure of employees to file returns is already assuming proportions that must be considered grave.

A few employees were called in to explain their failure to make returns. They didn't come in. Subpoenas were issued. Now they're in bad trouble. Strong weapons are available to compel the payment of tax, inclusive of heavy penalties.

You can't get away with it. And when you're caught, you hurt not only yourself, but all civil service.

For all sorts of phony reasons, the men and women who work for government must be doubly wary against creating conditions that will give fuel to the fires of criticism.

The secret: reduce the high cost of living. You can't afford it. And when you're caught, you hurt not only yourself, but all civil service.

So do the right thing—now!
**CORRECTION CORNER**

This column is for employees of the State Correction Department. It is written by Jack Solod, himself a member of the correction department who would like Mr. Solod to discuss matters of especial importance to them or are urged to write him in care of the Civil Service LEADER, 9 Duane Street, New York City 7.

---

**Letter from a Typical Prison Guard**

The following letter from a Correction aide was received by Mr. Solod:

I HAVE been employed by the Department of Correction eight years, having been appointed June 1, 1941. I am married and the father of two boys, one 13 years old, the other 8 years old. As a parent, my chief concern is for their welfare, to assure them a good education, and see they are adequately prepared for the future.

In 1947 I accepted an appointment to Napanoch Institution as a prison guard. I was assigned to the twelve to eighteen A. M. shift and remained on that duty for approximately five and a half years. During the first year of my employment it was necessary for me to maintain my family in New York City while I worked at Napanoch. During that first year the only suitable housing near the vicinity of the institution were apartments rented for $75 a month and heater. Through necessity, and the high rentals home owners have demanded, it was economical and practical to purchase my own home and also a car for commuting to and from work. What money my wife and I had saved to save for several years disappeared, but fast!

Active in Community Work

My wife and I have become active citizens in a community we are proud to live in. My wife has become a qualified nurse's aide in civilian defense and is active in the Parent Teachers Association. She is a regular counter donor to the community blood bank. I was also instrumental in organizing the Club Scouts of America in Kerhonkson, and am a member of the American Legion, the Izaak Walton League, the Wawarsing Sportsman Club, and a delegate for Napanoch chapter of the Civil Service Employees Association.

Our oldest boy is entering high school this fall. Our expenses have been increasing as our boys grow older; naturally their needs have become greater with advancing age. The salary I am currently receiving for 48 hours is barely enough for my family to exist on, and we do maintain a sound economical budget. Because I only have one day off a week my wife recently asked me to leave State service while I still have the opportunity to do other work. I wouldn't like to discord the eight years I have worked in the department.

I believe there is a future in penology for anyone who is interested in the rehabilitation of the criminals and has the qualifications, but you know as well as I do, Jack, this type of employment is no bed of roses. The work is thankless and the hours long. Why are we being discriminated against? All we ask is that we be treated as other State employees, especially when we request a 40-hour work week with the same take-home pay?

Efficiency — But At What Price?

New York State Prisons are the most efficient in the United States. We have successfully integrated inmates, security and control with rehabilitative services. We maintain the highest standards for custody, security and control. New York State rehabilitative services have proven the need for expansion in these services. We have had no rioting and a minimum of escapes.

New York State employs the highest caliber personnel in the country, yet, we are compelled to work Saturdays, Sundays and holidays. We do not get time-and-a-half for overtime. We work 48 hours a week. No one can deny the fact that we need and should be working only 40 hours a week. Jack, do you really even so simple a request for a change in title was denied us? What incentive is there for anyone to become a prison guard under conditions as they now exist? It’s about time someone did something for those employees who have been and are continually being discriminated against. Not only are we treated as second class citizens, we become second class citizens. We only expect fair consideration in our requests for shorter hours and better working conditions. We have been pacified and been given lip service long enough, let’s get some action and soon!

Napanoch, N. Y.

WARREN L. CAIRO

---

**Shopping for the best Refrigerator Buy?**

**Remember this...**

**ONLy FRIGIDAIRE can give you LIFETIME PORCELAIN on the OUTSIDE of your Refrigerator, too!**

**PLUS-the ONLY shelves that roll**

**PLUS-the ONLY Picture Window Hydrator!**

**PLUS-a completely separate, sealed Food Freezer!**

**PLUS-exclusive Flowing Cold**

FRIGIDAIRE COLD-PANTRY

Come in for our Porcelain Trade-in SPECIAL BONUS!

**3 YEARS TO PAY NO MONEY DOWN**

---

**OLINVILLE APPLIANCE CO. APPROVED**

3629 WHITE PLAINS AVENUE

Near East 214th Street 4  Bronx, New York

Telephone: Ol. 5-9494 — Kl. 7-6204

---

**PROBLEM FOR COMMITTEE ON PROBLEMS FOR AGING**

ALBANY, July 13 — Governor Harriman's Citizens Advisory Committee on Problems of the Aging is going to get a specific problem thrown into its lap when it meets in State-wide conference October 13-20. The problem is this: Find ways to help retired civil service employees, and consider improving public retirement systems.

---

**Letter to a Typical Prison Guard**

To report that our penal institutions are trouble free would be entirely false. Escapes and riots are always brewing within the walls of a prison, unrest is prevalent and fights occur daily but New York State has always been fortunate in having guards available who work as acting sergeants, teaching school and maintaining order, who work as acting sergeants, teaching school and maintaining order, who work as acting sergeants, teaching school and maintaining order. We have had no rioting and a minimum of escapes. The work is strenuous and the hours long. Why are we being discriminated against? All we ask is that we be treated as other State employees, especially when we request a 40-hour work week with the same take-home pay?

Efficiency — But At What Price?

New York State Prisons are the most efficient in the United States. We have successfully integrated inmates, security and control with rehabilitative services. We maintain the highest standards for custody, security and control. New York State rehabilitative services have proven the need for expansion in these services. We have had no rioting and a minimum of escapes.

New York State employs the highest caliber personnel in the country, yet, we are compelled to work Saturdays, Sundays and holidays. We do not get time-and-a-half for overtime. We work 48 hours a week. No one can deny the fact that we need and should be working only 40 hours a week. Jack, do you really even so simple a request for a change in title was denied us? What incentive is there for anyone to become a prison guard under conditions as they now exist? It’s about time someone did something for those employees who have been and are continually being discriminated against. Not only are we treated as second class citizens, we become second class citizens. We only expect fair consideration in our requests for shorter hours and better working conditions. We have been pacified and been given lip service long enough, let’s get some action and soon!

Napanoch, N. Y.

WARREN L. CAIRO

---

**ONLy FRIGIDAIRE can give you LIFETIME PORCELAIN on the OUTSIDE of your Refrigerator, too!**

**PLUS-the ONLY shelves that roll**

**PLUS-the ONLY Picture Window Hydrator!**

**PLUS-a completely separate, sealed Food Freezer!**

**PLUS-exclusive Flowing Cold**

FRIGIDAIRE COLD-PANTRY

Come in for our Porcelain Trade-in SPECIAL BONUS!

**3 YEARS TO PAY NO MONEY DOWN**

---

**OLINVILLE APPLIANCE CO. APPROVED**

3629 WHITE PLAINS AVENUE

Near East 214th Street 4  Bronx, New York

Telephone: Ol. 5-9494 — Kl. 7-6204

---

**PROBLEM FOR COMMITTEE ON PROBLEMS FOR AGING**

ALBANY, July 13 — Governor Harriman's Citizens Advisory Committee on Problems of the Aging is going to get a specific problem thrown into its lap when it meets in State-wide conference October 13-20. The problem is this: Find ways to help retired civil service employees, and consider improving public retirement systems.
control, aerial flight surveys, topographic mapping and chart construction, or as an instructor in navigation, meteorology, piloting, or flight REC-110 to $5,940

AIRCRAFT POWER PLANT AND...
LABORATORY ELECTRONIC MECHANIC, $2,530 to $3,400.—Requires a combination of experience and education in electronics. Age limits for jobs paying $2,530 and over are 18 to 35. For jobs in places and at salaries shown, send applications as indicated below: Md. ($4,035 to $5,060): Address 5; Mo., Kan., Ark., Iowa, Minn., Neb., S. Dak., Wis.: ($4,580 to $5,940): Address 6; S. C. ($4,035 to $5,060): Address 7; Mo., Kan., Ark., Iowa, Minn., Neb., S. Dak., Wis.: ($4,580 to $5,940): Address 8; Mo., Kan., Ark., Iowa, Minn., Neb., S. Dak., Wis.: ($4,580 to $5,940): Address 9; Calif.: ($4,035 to $5,060): Address 10; Ind.: ($4,580 to $5,940): Address 11; Ohio: ($4,580 to $5,940): Address 12; Ariz. (Electronics, $4,035 to $9,600): Address 13; Utah: ($5,060 to $7,040): Address 14; Mo., Kan., Ark., Iowa, Minn., Neb., S. Dak., Wis.: ($4,580 to $5,940): Address 15; Ariz. (Electronics, $4,035 to $9,600): Address 16; Wyo., Idaho, Mont.: ($4,035 to $5,060): Address 17; Cal.: ($4,035 to $5,060): Address 18; Wash.: ($4,035 to $5,060): Address 19; Tex.: ($4,035 to $5,060): Address 20; N. Y.: ($4,580 to $5,940): Address 21; Pa.: ($4,580 to $5,940): Address 22; New England States: ($4,035 to $5,060): Address 23; Calif.: ($4,035 to $5,060): Address 24; Wash.: ($4,035 to $5,060): Address 25; Ariz.: ($4,035 to $5,060): Address 26; Ariz. (Electronics, $4,035 to $9,600): Address 27; Ind.: ($4,580 to $5,940): Address 28; Wash.: ($4,035 to $5,060): Address 29; Ark.: ($4,035 to $5,060): Address 30; Ariz. (Electronics, $4,035 to $9,600): Address 31; Ariz.: ($4,035 to $5,060): Address 32; N. Mex.: ($4,035 and $4,580): Address 33; Del.: ($4,035 to $5,060): Address 34.
REAL ESTATE
HOUSES - HOMES - PROPERTIES
THE BEST GIFT OF ALL - YOUR OWN HOME

ST. ALBANS ESTATES
Only 8 Minutes to Subway
$9,990 MAGNIFICENT
COLONIAL
COTTAGE

INTER-RACIAL
No Cash Needed
By Rightie G. L.
ONLY $59 PER MONTH
- Furnishing chairs, expensive from top to bottom
- Fully equipped kitchen
- Electric ironing board
- Automatic front and double doors
- Miami silver-wire windows
- Fully finished attic
- Fully finished basement
- Walk in clothes closet
- Fenced concrete drive with separate driveway
- Sundeck and gazebo

ST. ALBANS
$16,000

SOLD BICK BUNGALOW, 4 ½ ROOMS
ST. ALBANS

ST. ALBANS
$11,500

SPECIAL 2 FAMILY, 4 ½ and 3 ½ ROOMS
ST. ALBANS

REALLY CASH DOWN FOR CIVILIANS
WE SPECIALIZE IN G. I. & F. H. MORTGAGES
ARTHUR WATTS, Jr.
112-52 175 Place, St. Albans
J.A. 4-8697
8 A.M. to 7 P.M. - SUn. 11-6 P.M.

G. L.'S SMALL CASH
BARGAINS
S. OZONE PK. $9,500
Bungalow 4 ½ room. 40 x 100 plot, oil, modern! newly painted and carpeted.

HOLLIS
$15,900

FOR SALE BY OWNER
STANDARD BUNGALOW, 3 ROOMS
BROOMALL PK. $12,500

MERRICK PK $12,500

Bayside Park
Civilian or G. I.
$590 DOWN
Beuatiful brick from bungalow, 5 bed rooms, 3 bath, modern kitchen, fireplace, wall carpeting. Carn★re view. Owner
Motivated - $11,999

ST. ALBANS EST. $10,990
A STEAL!
(EXCLUSIVE BORGAN'S BARGAINS)
- Detached
- Semi-Attached
- Slack Room
- 3 Bedrooms
- 4 Bedrooms
- 5 Bedrooms
- 6 Bedrooms

GOOD HOMES
HOLLIS
BRICK
2 FAMILY
Beautiful modern 4 family. All rooms spacious. Hollywood type bath; oak floor, modern kitchen, all brick, large plot, 90 x 100. "F"-No. 041. $8,900

ST. ALBANS
$11,990

SPECIAL OF THE WEEK
FULLY DETACHED
- 7 ROOMS
- 6 BEDROOMS
AUTOMATIC OIL HEAT
BEAUTIFULLY LANDSCAPED
Located in finest residential section, convenient to shopping centers, sub-way, bus.

Queens Home Sales
143-01 Hillside Ave.
JAMAICA, L. I.

LAURELTON
2 bedroom house, detached 2 story, full basement, wall to wall carpeting, refrigerator, washing machine, gas heat...

LAURELTON
SPECIAL
CALL LAURELTON 8-4724
LAURELTON

E-S-S-E-N
143-01 Hillside Ave.
JAMAICA, L. I.
Call for Detal Driving Directions - Open Every Day
AX. 7-7900

LONG ISLAND
LONG ISLAND
LONG ISLAND
LONG ISLAND

EXCLUSIVE HOMES IN NASSAU & QUEENS
S. OZONE PARK: 6 room house; large plot; oil-steam; newly decorated; 2 car garage. Only...

ST. ALBANS: 5 bedrooms; spacious liv. rem., din-

ST. NEGRON'S
$10,990

RE 6-1349

SPECIAL OF THE WEEK
FULLY DETACHED
- 7 ROOMS
- 6 BEDROOMS
AUTOMATIC OIL HEAT
BEAUTIFULLY LANDSCAPED
Located in finest residential section, convenient to shopping centers, sub-way, bus.

Queens Home Sales
143-01 Hillside Ave.
JAMAICA, L. I.

ALLEN & EDWARDS
Prompt Personal Service - Open Sundays and Evenings
Olympia 1-2041 - 5-2015
Lois J. Allen Licensed Real Estate Andrew Edwards Brokers
Jamaica, N. Y.

RENTAL FUNDING CO.
181-14 Hillside Ave.
JAMAICA 0L 7-2300

EXCLUSIVE INTER-RACIAL
SO. OZONE PK
$990 Cash
Anyone
$400

Cash Anyone
Ranch 5 room. 60x100 plot, completely redecorated. Low carrying charges. Convenient to shopping, transportation.

REALTY FUNDING CO.
181-14 Hillside Ave.
JAMAICA 0L 7-2300

ST. ALBANS
$17,890 2 Yrs. Old
2-FAMILY BRICK COMB.
Situated on large plot in nice residential section. Both 4½

Move Right In
MANY OTHER GOOD BUYS IN 1 & 2 FAMILY HOMES
TOWN REALTY
186-11 Merrick Blvd.
Springfield Gardens, L. I.
Laurelton 7-2590 - 2581

REAL ESTATE \n
Tuesday, July 19, 1955
State Canvasses Clerk—Eligibles

(Continued from Page 1)

prospects now are in store for eligibles in the metropolitan area.

The written tests were held March 20.

The courts for account clerk and statistics clerk are identical, with the same names appearing in the same order.

Some of those who applied for the beginning elevens will be required to try for a place on one or more positions. A candidate who applied for the account clerk and statistics clerk, and who passed the test, went on both rolls.

The order of the above, the names will be published in the next week's issue.

Louis E. Earle

[Formerly at Hearns]

OPTOMETRIST

Serving the Village

... NOW LOCATED AT...

41 East 14th St.

★ Eyes Examined
★ Glasses Fitted
★ Authorized Zenith
Hearing Aid Dealer

WA. 9-1718

IBM AT BMI

KEY PUNCH AND TAB

Prepare For Civil Service Positions with High Pay
Part Time Jobs 40 Capacity
LOW TUITION

Call or Visit

BUSINESS MACHINE

Incorporated

Hotel Woodard, 55 St., B'way.

IBM/RACINE

State Canvasses Clerk—Eligibles

For those who want to get into Civil Service

Have you a relative or a friend who would like to work for the State, the Federal government, or some local unit of government?

Why not enter a subscription to the Civil Service Leader for him or her? Our Civil Service Leader will guide him or her, and earn you money, too.

The price is $3.00. That brings him $3.00 greater when the Civil Service Leader, filled with the government job news he wants. You'll want to sweep the covers off the entire volume, and eat the contents, too.

I enclose $3.00 (check or money order) for a year's subscription to the Civil Service Leader. Please enter the name listed below:

NAME

ADDRESS

CITY

STATE

HOUSE HUNTING? SEE PAGE 11

For those who want to get into Civil Service

You aren't looking for a Civil Service Job, are you?

You may not. You could be in a Civil Service position now—"in the know"—and not know it.

You could be in a Civil Service job, and not know it, too.

We have the inside track for you.

We have the Civil Service openings that are not advertised, that are not even available to other people.

They're available to you, through the Civil Service Leader.

You can get one at HOME in your own home, and be able to type or write for interesting odd jobs—a Civil Service High School Diploma.

You can get one at HOME in your own home, and be able to type or write for interesting odd jobs—Civil Service Openings are available, too.

You can see them all in the Civil Service Leader.

It's the one and only Civil Service Leader.

A YOU-

STATE HIGH SCHOOL DIPLOMA

You can get one at HOME in your own home, and be able to type or write for interesting odd jobs.

If you want to get into Civil Service, you've got to know the Civil Service openings.

You can get one at HOME in your own home, and be able to type or write for interesting odd jobs.

It's the Civil Service Leader.

It's your key to the Civil Service openings.

You can get one at HOME in your own home, and be able to type or write for interesting odd jobs.

You can get one at HOME in your own home, and be able to type or write for interesting odd jobs.

It's the Civil Service Leader.

It's your key to the Civil Service openings.

You can get one at HOME in your own home, and be able to type or write for interesting odd jobs.
Kings Park Unit
Keeps News Coming
KING PAK, July 13 — Francis Casey,
vice-president of the Kings Park
Unit, recently related to its mem-
bers the latest news from the
Membership Meeting. He also
announced that the Meety will be
held on July 22. The meeting was
expected to last from 8:30 to 10:00.

The president of the Kings Park
Unit is James M.00, and the secre-
tary is Mrs. Mereyce Reynolds.

Kings Park, July 13 — An offi-
cial meeting of the Kings Park
Unit was held on July 13. The
meeting was attended by mem-
bers from several chapters across
the state. The president of the
Kings Park Unit is James M.00, and
the secretary is Mrs. Mereyce
Reynolds.

The president announced that
the next meeting would be held on
July 22. The agenda included dis-
cussion of the upcoming elections
and updates on the social work-
er's progress. The meeting con-
cluded with a review of the
Kings Park Unit's accomplishments
and plans for the future.

Kings Park, July 13 — The
Kings Park Unit is planning to
hold a meeting on July 22. The
meeting will be attended by
members from several chapters
across the state. The president of
the Kings Park Unit is James M.00,
and the secretary is Mrs. Mereyce
Reynolds.

The president announced that
the next meeting would be held on
July 22. The agenda included dis-
cussion of the upcoming elections
and updates on the social work-
er's progress. The meeting con-
cluded with a review of the
Kings Park Unit's accomplishments
and plans for the future.

Kings Park, July 13 — The
Kings Park Unit is planning to
hold a meeting on July 22. The
meeting will be attended by
members from several chapters
across the state. The president of
the Kings Park Unit is James M.00,
and the secretary is Mrs. Mereyce
Reynolds.

The president announced that
the next meeting would be held on
July 22. The agenda included dis-
cussion of the upcoming elections
and updates on the social work-
er's progress. The meeting con-
cluded with a review of the
Kings Park Unit's accomplishments
and plans for the future.

Kings Park, July 13 — The
Kings Park Unit is planning to
hold a meeting on July 22. The
meeting will be attended by
members from several chapters
across the state. The president of
the Kings Park Unit is James M.00,
and the secretary is Mrs. Mereyce
Reynolds.

The president announced that
the next meeting would be held on
July 22. The agenda included dis-
cussion of the upcoming elections
and updates on the social work-
er's progress. The meeting con-
cluded with a review of the
Kings Park Unit's accomplishments
and plans for the future.

Kings Park, July 13 — The
Kings Park Unit is planning to
hold a meeting on July 22. The
meeting will be attended by
members from several chapters
across the state. The president of
the Kings Park Unit is James M.00,
and the secretary is Mrs. Mereyce
Reynolds.

The president announced that
the next meeting would be held on
July 22. The agenda included dis-
cussion of the upcoming elections
and updates on the social work-
er's progress. The meeting con-
cluded with a review of the
Kings Park Unit's accomplishments
and plans for the future.

Kings Park, July 13 — The
Kings Park Unit is planning to
hold a meeting on July 22. The
meeting will be attended by
members from several chapters
across the state. The president of
the Kings Park Unit is James M.00,
and the secretary is Mrs. Mereyce
Reynolds.

The president announced that
the next meeting would be held on
July 22. The agenda included dis-
cussion of the upcoming elections
and updates on the social work-
er's progress. The meeting con-
cluded with a review of the
Kings Park Unit's accomplishments
and plans for the future.
Refusal to Waive Immunity
For Acts of Former Job
No Basis for Removal

This is the meaning of a decision handed down on July 7 by the Appellate Division, Attorney General James M. Javits sought to remove John F. Doyle, presenter of Saratoga County, for his refusal to waive immunity concerning an earlier period in which he was district attorney.

When he was called before the grand jury on July 2, 1952 and in November, 1954, Mr. Doyle had agreed to sign waivers making specific reference to the disclosure of certain information from the years 1941 to 1949. The Attorney General then began removal proceedings.

The Question
In the court's favorable decision on Mr. Doyle's motion, the court decided that there was no basis for removal of the defendant to sign a waiver of immunity relating to the office of district attorney which he no longer held, at the risk of removal from the office of surrogate.

commenting on the State constitutional provision that public officers refusing to sign waivers shall be disqualified from holding any public office for a period of five years, Justice Benjamin said:

"We read the constitutional words as applying to the office presently held, and we think that the words do not mean that an officer can be removed from one public office for refusing to sign a waiver of immunity relating to an office previously but not necessarily to the one presently occupied."

In the court's favorable decision on Mr. Doyle's motion, the court decided that there was no basis for removal of the defendant to sign a waiver of immunity relating to the office of district attorney which he no longer held, at the risk of removal from the office of surrogate.

Saratoga County Grand Jury in
recent salary and fringe benefits afforded employees in State jobs in private industry, Mr. Lamb set as a basis for public employee action.

"Salary hoax" was Mr. Lamb's denunciation of the new State pay plan, which has far-reaching consequences. The State finds it hard to recruit employees, and it hard to keep those it has. The workers suffer, and do so their employers. "The general morale of those many employees employed either inadequate mental hygiene and public welfare programs, and other State agencies, Mr. Lamb recommended that the legal and political aspects of the creation of the CSEA be expanded, that frequent conferences be held with the retirement system."

The Southern Conference of CSEA officers were urged to have his rights of appointment to his present office.

Mr. Lamb, Conference president, said:

"We do not find justification before anything detrimentally to the merit system, and a determination that a proper grievance machinery be established at once.

"Illegal Advice"
Mr. Hopkinson, speaking of cooperation from CSEA chapters which has expanded, that frequent conferences be held with the retirement system. Mr. Lamb explained the problems facing CSEA and the need for a dedicated staff.

"Start Early, Fight Hard!
"The Southern Conference should begin planning now for a salary increase," said Maxell C. Bishop, President of the Conference. "Any employee who has been laid off, can be rehired in line with progressive standards applying to all citizens; and his rights of appointment to his present office."

"Salary hoax" was Mr. Lamb's denunciation of the new State pay plan, which has far-reaching consequences. The State finds it hard to recruit employees, and it hard to keep those it has. The workers suffer, and do so their employers. "The general morale of those many employees employed either inadequate mental hygiene and public welfare programs, and other State agencies, Mr. Lamb recommended that the legal and political aspects of the creation of the CSEA be expanded, that frequent conferences be held with the retirement system."

The Southern Conference of CSEA officers were urged to have his rights of appointment to his present office.
Pros and Cons on Dues Raise

Below, the LEADER prints excerpts from letters that have been coming in concerning the proposed dues increase of the Civil Service Employees Association.

Editor, The LEADER:

We are his boys now, not kids. We've got an organization of over 40,000 members spread over the whole State. We want the things that a strong aggressive organization can get for us. Let's face it. If we want those things, we have to pay for them. Now that we pay, it will be a bargain.

Sure of one thing—we aren't going to sit by and watch anything. My name's William Allen, executive assistant to the PSC chairman; Grace O'Brien, chapter vice president; Charles F. Calyer, field representative, who installed the officers; Edith Fruchtkendler, chapter president; Alton G. Marshall, PSC secretary; Kenneth Valentine, outgoing chapter president, and Henry Shenkin, president of the Metropolitan Conference. To Mr. Shenkin's right is Harold L. Herzstein, CSEA regional attorney.

Javits on Contract Work

The courts have recognized the power of agencies of government to employ professionals and specialists to perform specified services on an independent contract basis. (Conwell v. Farrell, 203 N. Y. 61 (1911); Civil Service Technical Counsel v. LaGuardia, 119 Misc. 892 (1930); app. to 205 App. Div. 699, aff'd 292 N. Y. 580; Matter of Handel v. Board of Education, 130 Misc. 1908, aff'd, 346 App. Div. 590, aff'd 292 N. Y. D'Boom, chapter president, 156 Misc. 695 (1946), provided the civil service department does not constitute a device to circumvent the Civil Service Law (Conwin v. Farrell, supra; Matter of Frost v. Delaware, 293 N. Y. 15 (1941); Schaeder v. City of Long Beach, 271 N. Y. 81, 89 (1930).)

It has also been held that a person so retained on an independent contract basis is not entitled to service credits for retirement purposes for a period when he rendered services on such a basis (Matter of Hartmann v. Tremont, 255 App. Div. 149 (1937)). It was on the basis of the Hartman case that the above-mentioned letters of January 14, 1949, and July 13, 1942, advised the then Compensations that contributions should not be deducted from pay and that for a period of employment, no credits were allowed for a retirement or retirement, as the aforementioned retirement, was retained on an independent contract basis. This means that these retired officers or employees were entitled to no retirement benefits afforded retired employees under an independent contract basis.

The above discussion clearly indicates the answer to your question. A person retained on an independent contract basis does not thereby become a public officer or employee. The payments he receives are not salary or wages. Hence, he is not eligible for membership in the Retirement System Civil Service Law § 6, subd. 2, 11 and 17; § 34, subd. b and c), nor may a member be given service credit for a period during which he rendered services under an independent contract (Matter of Hartmann v. Tremont, supra). It follows from these conclusions that former public officers or employees who after retirement or retirement, were retained on an independent contract basis would retain their retirement status as the provisions of Civil Service Law section 64, subdivisions a and b, would be inapplicable to them.

Finally, I do not believe it is possible for the contracting parties to convert or recall an independent contract into an employee-employees-rentable relationship without formal authorization (Matter of Pearl, board, CSEA, of the Civil Service Law and other laws which relate to employment of officers and employees).

JACOB K. JAVITS

Attorney General

6 State, County Chapters Hold 'Notable' CSEA Picnic

BABYLON, July 15 — A joint picnic of six Civil Service Employees Association chapters in Suffolk County was a notable success. State and county chapter officers participated. About 300 adults and 50 children from the participating chapters—Suffolk County, Public Works District 10, Central Islip State Hospital, Kings Park State Hospital, Pilgrim State Hospital, and Long Island Inter-County Employees Association—came together to enjoy the meeting association under the impression that the Association stood for protecting the rights of the competitive class of civil servants and fighting for the cause of the merit system. However, for the past four months the Association has been struggling for and criticizing the layoffs of over 10,000 civil servants.

Under point 8, Section III of the FACTS is listed Educational Program. This calls for training field and headquarters staffs in the terms, rules, laws and procedures of civil service. It would seem to me that a booklet giving the ABC's of such rules and laws, offered to the membership at a nominal fee, would obviate the need of training staff. It is not possible to render valuable services to the Association for ten months out of the year, fees for past presidents without any new rules and amendments as we now appear to have. And we do not feel that it is necessary to educate the public service workers. In their view, the Association is more interested in the welfare of its members and increase the membership. Now when a raise in dues is called for, the Association drives and asks the members to "admit the Association to State service credit for a period during which he rendered services under an independent contract basis.

The betting is 2 to 1 don't publish this letter. MARSHALL H. COLEMAN, Newcomer, N. Y.

STATE PARKS—Rammed in the sun from noon until dusk, at Heckscher Park.

The softball game between the girls and fellows resulted in a 21 to 16 victory for the men. There were no scheduled hard-core pitching contests, but considerable activity on the pitching mound.

The children participated in a variety of races.

Refreshments included hot dogs, hamburgers and the usual picnic fare. William A. Greenauer of District 10 Public Works chapter, was chairman of the picnic committee.