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State employees have organized intelligently and for a purpose. They have much to do. Their motto might well be: "We live in deeds not years". All about us there is intense eagerness to be first in achievement. The State of New York is holding its place as the Empire State. Its civil servants must be in the forefront of public workers. The gains made during the past few years have been but drops in the bucket as compared with what remains to be done.

As your Association reflects the view of State employees completely, we have no hesitancy in setting forth the important and pressing aims and aspirations.

First, this Association like each individual employee appreciates that the first loyalty is to upbuilding New York State service, and that means earnest, constant attention to self-improvement to the end that the work for which each is responsible shall be done better than any other person could possibly do it.

Second, the civil service laws under which civil employees work, must be developed along lines which will accord protection and stability for all who serve the State. Your Counsel, in an article in this issue, points out that there are vital shortcomings in the present statute not only as to the competitive class but to other classes in the present civil service plan.

A Front Line Position

The battle for the abolition of the long day in institutional service is not won. But the most important gain yet made has been registered. Your Association has advanced the proposal to a commanding position on the heights of public attention, and, fortified by Governor Lehman's promise of support, it cannot again be forced back. He has even indicated that the time may be very soon when he himself will lead this fair reform in State employment to complete victory.

We do not agree with the Governor's conclusion as to the need for a $10,000,000 building program. In fact, we do not subscribe to any building program along present lines; which are directly at variance with a decent regard for family life. The living standards imposed upon married people in some instances, are a disgrace to the State and a challenge to the Church. We do not agree with the Governor that the total annual cost of additional employees would exceed at present rates $5,000,000; we think it might be considerably less.

The abolition of the long day should not, however, be looked upon as a "cost" or "expense" or "tax burden". It is none of these. It is an investment in human welfare as truly as any public expenditure ever made. Its adoption would be in harmony with constructive public policy. It is sound because it elevates and

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Employee's Rights

Under Civil Service

By John T. DeGraff, Counsel to the
Association of State Civil
Service Employees

It is not surprising that few employees fully understand their rights and obligations under the Civil Service Law. Much of the undeniable complexity of the law is due to the special preferences accorded to various groups. There are preferences for disabled veterans, others for veterans and others for volunteer firemen; there are preferences in appointment and promotion, other preferences for transfer and still others with reference to suspension and reinstatement. Many of these preferences are difficult to interpret for some apply to the competitive class, some to the non-competitive class, some to the exempt class and some to all classes. Many of the complexities and ambiguities in the law are wholly unnecessary, and administration would undoubtedly be greatly facilitated by a thorough revision and simplification.

Despite its undeniable anachronisms and ambiguities, characteristic of its haphazard growth, the fundamental principles of the Civil Service Law are clear and capable of enforcement, and the "merit system" is still the best method that has been devised for choosing employees for public service.

The rights of employees apply particularly to positions in the competitive class. Employees in exempt, non-competitive and labor positions are appointed without competitive examination and have little protection from removal. Security of tenure distinguishes positions in the competitive class from all others and makes this class the heart of the merit system.

As employees well know, it is not easy to attain a permanent position in the competitive class. There are educational and experience qualifications to be met, a rigorous competitive examination to be passed, a three months probationary period to be survived, and it is only when all these hurdles have been successfully overcome that one becomes a permanent employee. After this status has been attained, however, the employee has the benefit of substantial safeguards, for the avowed purpose of the Civil Service Law is to protect permanent employees from political and preferential manipulation.

A permanent employee in the competitive class has a definite status in a specified salary grade. His salary cannot legally be reduced below the minimum of the grade unless others with less seniority are also reduced, nor can it be increased above the maximum of the grade until he passes a promotion examination. If there is lack of work, or lack of funds, the employee having the shortest period of service must be the first to be laid off. If laid off, he is put on a preferred list and must be restored to the same or a similar position when a vacancy occurs.

Much of the confusion with reference to the "seniority rule" is due to the failure to realize that seniority rights are limited by salary grades. To determine your seniority you must compare your length of service with others holding the same position in the same salary grade. If there are two stenographers, for example, one in Grade 3 and one in Grade 4, the head of the department has discretion to suspend either employee; if both are in the same grade the one having the longest service must be retained. "Length of service" is based on the date of "original appointment", the first appointment to a permanent position in the competitive class.

For example: A received an original appointment as Junior Stenographer, Grade 2, in 1932, and was promoted to Assistant Stenographer, Grade 3, in 1935,

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The Salary Question

So long as money is exchanged for goods and services, the question of sufficiency of salaries will be a vital one. To the person dependent upon a daily, weekly or monthly salary, the matter is not so much the size of the salary but the goods and services which that salary will buy.

One of the most puzzling things in our economic situation is the resistance upon the part of economists, statesmen, churchmen, educators and citizens generally to the perfectly obvious fact that with the vast majority of the people dependent upon salaries, the fundamental need is to see to it that salaries are established and maintained upon a scale that will make possible the use of goods and services.

Recently, a notable gathering of medical authorities expressed themselves as opposed to socialized medical service, and there was plain recognition of the fact that unless this great majority of the people who work for others have sufficient salaries they cannot pay the doctor. And, they cannot pay the dentist, or the baker, or the butcher, or anyone else. They cannot buy homes, build churches or schools, educate their children, pay their taxes, or even live normal lives.

A leading weekly magazine warns, even though somewhat tardily, that "The laborer is worthy of his hire, and wages should be raised as high as possible and still maintain the financial integrity of the business that pays them. The old saying that if you give a calf enough rope he will hang himself applies with great emphasis at this time. In other words, those who are too greedy and try to absorb too much of the world's goods are liable in the end to lose everything they have gained."

Long ago a great Teacher taught that the way to overcome evil was by doing good. The way to overcome want is to create abundance. The way to stimulate production, transportation and distribution, is to make it possible for the mass of people to buy goods and services. No need to supply iron, meat, automobiles, engineers, doctors, teachers, unless they can be utilized by busy, well-paid customers. This is the economic side; the moral side is just as evident. Salaries are related to morals, to health, to happiness and to progress. It is no longer a question of how low a salary can be made; it is a question of stabilizing it at the highest possible point consistent with social welfare. The salary is the root of political, social and economic well-being. This fact has long been ignored by selfish, foolish leaders, and humanity has suffered accordingly. It takes more than a legal phrase to make labor more than a commodity. It takes a moral sense, a humane appreciation of the dignity of mankind and womankind, a spiritual wisdom that surpasses common savagery and ruthlessness.

What is the duty of the State in this matter of adequacy of salaries—of a sufficiency of salaries to permit maintenance of satisfactory living conditions? It is a pertinent question. New York State is not lagging as much as many jurisdictions in this matter. But it is lagging. It is not leading the way. It is appointing permanent employees at salaries that do not enable these workers to sustain themselves properly, to protect their health, to purchase needed goods or services, or to build community life. Very many State workers are employed at less than eight hundred dollars a year—even less than the minimum relief salary of $15 per week. Very many married men in State service are seeking to raise families and fill their places in society on salaries of a hundred dollars a month, yes, even less than that. Although State salaries have been abnormally low for years, and so recognized by all who have studied them honestly, no increases have come in basic scales even with living costs rising rapidly.

It is not the purpose of this Association to lament and complain and find fault with whoever may have been responsible throughout

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Cooperation

By Beulah Bailey, President

New York City has set up a chapter organization which it would seem well for other groups to consider. It is a set up which seems truly democratic, one which calls for the cooperation of all and yet, one which is not cumbersome.

The members of the Association in each Bureau or Division of a state department elect by ballot a membership delegate. This department group of membership delegates in turn elect one of their members as their department representative on the Executive Council of the chapter. This group of membership delegates act as an advisory committee for their representative. This Executive Committee together with the officers of the chapter form a governing board of the chapter and will furnish representation on the policy determining board of the state.

Cooperation is not easy, even in the chapters. It is difficult for everyone of us to submerge all our personal thoughts in what is for the good of the many if the many think contrary to ourselves. If you as an individual, if you as a chapter cannot see eye to eye as a majority, don't pull out. That is the time to cooperate; to either convince the majority that you are right or be converted by them. A good honest discussion or a good honest fight within the closed doors of an organization adds to its growth, but be sure when you are ready to face the public outside of those closed doors, that you face them as a united whole.

This winter we have had fine cooperation between the varied interests comprising our Association, and among the various committees working for these interests. In some of our endeavors we have been successful, in some we have failed, at least for the time being, but failure of accomplishment this year does not mean failure next year. It simply means renewed effort.

There are those who would break down that strength which is ours through cooperation, by trying through the printed page to...
Governor Lehman Promotes Civil Service

Following the highly commendable course of previous years, Governor Lehman, by his approval of the good and his disapproval of the bad in legislation presented to him, has maintained his place as the leading exponent of the merit system of this period in National history.

Civil Service employees were vitally interested in Senate Bill, Intro. No. 1477, which provided that civil service employees unlawfully removed and thereafter restored to their positions by court order should receive compensation during the period of their illegal removal. The Association was quick to propose legislative action when, about midway during the Legislative session, the courts held pay not proper, and filed a strong brief for the bill with the Governor. In approving the bill, Governor Lehman said:

"This bill is very essential to safeguard the rights of civil service employees and to protect them against improper removals. If a civil service employee is reinstated by order of the court, it seems to me just that he receive the salary he would have received less the amount of compensation received by him from any other employment or occupation during the period in which he was removed from his position. To deny a civil service employee his compensation would deprive him of his full remedy in bringing his dismissal to the courts for adjudication.

"The bill is approved."

The Governor approved Assembly Bill Intro. No. 2411, with the following message, which also explains the bill:

"This bill amends the civil service law to provide that a person in the civil service of the State, whose position has been abolished and whose name is placed upon a preferred list, may be eligible for appointment to any position in the State service for which the same or similar qualifications are required, notwithstanding the fact that entrance to the position abolished was limited to persons residing in a particular civil division of the State.

"The provisions of the bill are not mandatory. The State Civil Service Commission is given the discretion to determine the eligibility of any person, who held a position abolished, for appointment to a position in the state service."

"The bill is approved."

In vetoing the three obnoxious Alcoholic Beverage Control Bills, which would have established legislative precedent for completely setting aside the essential principles of civil service, the Governor showed his fine determination to permit no personal or political considerations to interfere with the sanctity of the merit system. There had been undue delay in civil service procedure in the matter of establishment of lists of eligible persons for the beverage control work, but this could not possibly be accepted as a reason for destroying the civil service system or setting aside constitutional provisions. In his veto messages on the several bills which follow, the Governor did not mince words in making it clear that the Constitution of the State and basic laws may not be repudiated.

The Governor's veto message relating to Assembly Bill, Intro. No. 1870:

"This bill seeks to amend the alcoholic beverage control law by placing in the competitive civil service without examination all inspectors of the State liquor authority and the executive officers and inspectors of all the local alcoholic beverage control boards, who were appointed provisionally to such positions between April 14, 1933 and July 1, 1934.

"A similar bill was vetoed by me last year. When the original alcoholic beverage control law was adopted, I strongly advocated and, in fact, insisted that the control of liquor traffic should be kept free from politics and that employees should be under the civil service law.

"After the provisional appointments were made the State Civil Service Commission held an open competitive examination for positions in which several thousand persons competed. Many of the provisional employees of the board took this examination. It is now sought to continue the provisional employees in-

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Salary Question
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the years. It is for this Association as the leader in State employment matters to point out the facts to the Governor and to citizens and to ask that economic and moral factors be recognized in personnel budgeting by the State. If the people themselves do not believe in paying fair and adequate salaries to the workers they employ to serve them in public positions, then they cannot expect that those who employ them in private enterprise will pay fair and adequate salaries.

The Constitution of the State of New York makes the Governor of the State responsible for the salaries paid to those who work for the State. Article Four-A of the Constitution states: "On or before the fifteenth day of October . . . each year . . . the head of each department . . . shall submit to the Governor itemized estimates of appropriations to meet the financial needs of such department . . . The Governor, after hearings thereon, . . . shall revise such estimates according to his judgment."

There is a State Division of the Budget. There is provision to study personnel needs. There is moral responsibility to consider the human side of governmental functioning first. According to the law of God and good men, the worker comes before his work; the man is more than a mile of road, or a bridge, or a park. Budgeting for personal service has never been given its proper place in State budgeting. This neglect has been wholly because of lack of intelligent appeals throughout many years on the part of the workers, and lack of appreciation on the part of the great majority of citizens who also work for salaries and of the effect upon private salaries of low scales in public employment.

This Association does not believe in piecemeal salary adjustment; it believes that every worker not properly compensated should be cared for.

With a chief executive of the capacity of Governor Lehman, with a well organized division of

Continued on Page 14

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Governor Lehman approved the Crawford bill, Intro. No. 1373, permitting an employee who had filed an election to retire at age fifty-five to withdraw such election and retire at the age of sixty, thus returning to the normal rate of contribution at age sixty. Some of those who had hoped to be able to contribute on the fifty-five year retirement base, found it too burdensome to maintain the payments.

To those who wish to contribute on the fifty-five year retirement base, such opportunity is granted until January 1, 1936, through approval of the Governor of Senate Bill Intro. 108.

A bill to permit membership in the State retirement system of those transferred from the jurisdiction of the State to the jurisdiction of an Authority of a quasi-pub (not nature (as Jones Beach employees), was approved.

A bill requiring an employee who suffers accidental injury to obtain an adjudication of his case by the Industrial Board before receiving the benefits under the retirement system, was approved.

A law was approved requiring employees to file claim for accidental disability within thirty days following the accident.

The Governor disapproved Senate Bill, Intro. No. 816, with the following explanatory message:

"This bill would permit the lending of fifty per cent of the amount of the contributions of a member of the New York State Employees Retirement System, providing that the amount is one which can be repaid prior to attaining the age of sixty-five. The law at present permits this privilege only where the amount can be repaid prior to attaining the age of sixty.

"When the loan feature was originally added to the Retirement System Law there was a definite reason for fixing the time limit of sixty for repayment. It was the age at which members may voluntarily retire, and it was purposely planned that a member could borrow only such an amount as he could repay, in not to exceed ten per cent of salary, by the time he reached the age of sixty. In this way a member would be precluded from depleting his retirement allowance which had been prepared for him by the contributions of the State and of the member.

"The sound purposes of the Retirement System when it was originally started were to produce a retirement allowance for employees of the State of New York and other municipalities which would endure and make it unnecessary for the member to ask any further relief or assistance. To permit employees arbitrarily to reduce their retirement allowance would in many instances thwart the very purposes of the establishment of the Retirement System.

"The bill is disapproved."

Executive veto was exercised in the case of Senate Bill Intro. No. 102 permitting individual employees who transferred to the Federal service to remain as members of the New York State Retirement System. The Governor quoted from Pension Commission recommendation as follows in vetoing the bill:

"The present bill would permit an individual, who may, to increase his income or for political reasons or for any reason, change his employment to federal service, to remain a member of the Retirement System. The contributions while he was rendering federal service would not be made by the federal government but rather would be a load on the Retirement System without service having been rendered to New York State.

"The bill is disapproved."

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State Civil Service employees were given a very good illustration in the proposal carried in the Falk bill, Assembly Intro. No. 1746, Print No. 2733, for the need of organized effort to safeguard their rights, and of the fact that their best interests are not always those of civil service employees in county or city service. The Civil Service Forum and the Association of city and county employees are reported in THE CHIEF to have urged the approval of this bill. This bill would have permitted certain county employees whose positions were abolished through no fault of their own to take their places on the preferred lists established for State employees. It is obvious that the bill intended a serious injury to State employees and that it would have resulted in endless court procedure. Those in county positions who favored it were frank in indicating that they feared abolition of many county positions under the talked of county reorganization plan which may be adopted, and they wished thereof to enter State employment through the preferred list route. There are few enough opportunities for dismissed State employees to place through preferred listing, and this would have made them very much fewer. With every sympathy for any city or county employee who loses his work and his income, it would be extremely unfair to displace State employees in similar need. This Association protested the bill. The Governor with his usual good judgment and sense of fairness, vetoed it.

This affair brings into bold relief the very important differences which may arise between the interests of the State civil service employees and the city-county civil service employees. The latter take different tests, have their own local civil service commissions, and have their salaries and working conditions fixed by their local city-county government. State civil service employees work for the State, are paid by the State, and are governed by the State Civil Service Commission, in accordance with the power vested in it by the Legislature. They must work unitedly for satisfactory employment conditions, and they must protect their civil service status from confusion with that of county-city groups. Organized State employees stand willing and ready to help city-county civil service organizations, but they respectfully ask that such groups do not seek to disrupt due protection of avenues of appointment or promotion which State employees have secured only after long years of effort.

The Governor sensed the wrong to the State workers and noted it in his veto message which follows:

"The primary purpose of this bill is to provide that where a county office within the City of New York is abolished, the Civil Service employee shall go on a preferred list and once on the preferred list shall be eligible to certification to any appropriate position in the service of the City of New York or to any State or county position within the City.

"The extension of the right of such county civil service employee to eligibility to any other position in the city service or to any other county positions within the City may be in principle not objectionable. But the wisdom of extending such privilege to any State position merely because the position is located within New York City, although not related in any sense to the functions of city or county government, is extremely doubtful in my mind. The provisions of the bill as applied to State positions would discriminate against persons on the State eligible list.

"Furthermore, this bill would create many administrative difficulties in its administration. Conflicts of jurisdiction between the State Civil Service Commission and the Municipal Commission would unavoidably arise. Litigation and misunderstanding would be engendered.

"The bill is disapproved."

A Front Line Position

Continued from Page 3

The Governor has pledged in his veto message covering the Lavery and Burke Bills his own leadership of the shorter day proposal:

"The Governor's veto statement follows:

"These two bills while amending different laws and affecting separate and distinct departments of government, must be considered together, as their purposes are similar. They provide for an eight-hour day for the guards and other employees in the uniformed service of the State prisons and state reformatories, and for the nurses and other employees in any state, county or city hospital or in any hospital supported in whole or in part by public funds.

"There is no doubt that many employees in the correctional institutions and hospitals are required to work unreasonably long hours. It is a situation that has always obtained, and should have been corrected many years ago, particularly during the period when the financial resources of the State would have readily permitted of change. The situation should be corrected as promptly as possible. Unfortunately, however, the finances of the State do not permit at this time of the additional commitments in these bills, which would be mandatory.

"Not only would several thousands of new employees be required, but since many of our correctional institutions and hospitals are situated in isolated localities where privately owned accommodations would not be available, new quarters for a large part of the necessary additional employees would have to be erected at State expense. It is estimated that in personal service and maintenance and for the housing facilities of only half of the new employees, the additional cost to the State, if these bills were now enacted, would be from $10,000,000 to $15,000,000 the first year and from $5,000,000 to $6,000,000 annually thereafter. Unfortunately, the financial condition of the State does not, in my opinion, justify the definite commitment at this time of so large an additional sum.

"I have no hesitation in saying that just as soon as possible the hours of State employees in such institutions should be reduced.

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The New York City Chapter
By ROBERT AXEL,
Chairman, Committee on Publicity

Much spirited action took place at the meeting of this Chapter held in the State Office Building on May 9, 1935. The By-Laws which were presented by Mr. Wiener, Chairman of the By-Laws and Constitutional Committee, were accepted by the members of the Association. A copy of the By-Laws has been submitted to the State Executive Council at Albany.

Nominations of officers were made from the floor, and the following were elected:

Mr. Edward A. Selle, Social Welfare Dept., Old Age Division, President.
Mr. Leo H. Fleischman, Sales Tax Bureau, Vice-President.
Mr. Joe Weiss, Bureau of Motor Vehicles, Second Vice-Pres.
Mr. Irving Siegel, Labor Dept., Treasurer.
Miss Mary J. Johnson, Social Welfare Dept., Cor. Sec.
Miss Vivian C. Quaforst, Taxation & Finance, Brooklyn, Financial Secretary.
Miss Betty Bakst, Corporation Tax Bureau, Rec. Secretary.
Mr. Alexander Myers, Alcoholic Beverage Control, Sergeant-at-Arms.

In his address to the members of the Chapter, Mr. J. Ferguson, the Temporary Chairman of the Advisory Committee on Organization, submitted a brief report of his work in behalf of the Chapter. The group unanimously expressed its appreciation for his splendid work during the process of organization.

Mr. Edward A. Selle, in an inspired acceptance speech, lauded the splendid achievements of Mr. Ferguson, Miss Hirsch, and other members of the Committee during the various stages of development of the New York City Chapter. He outlined some of the aims and aspirations of the group. Among these were included the continual striving for broader representation as well as increased membership, harmonious relationship and unity in the local Chapter, and full cooperation with the State Association of Civil Service Employees, other Chapters, Department heads and with the Legislature. Specifically, Mr. Selle indicated that cooperation with the State Association should be maintained in its desire to establish a scale of annual salary increments, and that promotion examinations be held regularly. Other objectives indicated in his Presidential address included the uniformity of commutation service for employees in the State Institutions, the keeping alive of the 55-year retirement plan, the strengthening of the present Civil Service Law, and group insurance. He also stressed the importance of formulating a varied program of social activities to intensify the already existing common interests.

At the meeting of the Executive Council on May 13, the following Standing Committees were appointed by the President with the approval of the Council:

Publicity Committee.
Legislative Committee.
Social Committee.
Athletic Committee.

A Constitutional Committee has also been appointed to draft a Constitution and make such revision of the By-Laws as is necessary in the light of the experience of this Chapter. It will also be the responsibility of this Committee to set forth rules and regulations for the conduct of meetings, and the duties of Committees and officers.

The Personnel Committee, when organized, will prove beneficial to State Civil Service Employees in the Metropolitan Area. This Committee will investigate the complaints and grievances referred to it by Civil Service Employees and will attempt to adjust difficulties and remedy unfavorable working conditions of employees. All the members are urged to cooperate with this Committee in carrying out its functions.

The Welfare Committee is a new feature in our group organization. It is the aim of this body to render a variety of welfare service to State employees.

Rightful Promotions
The Association has taken up with the Civil Service Commission and the State Department of Labor to seek to have promotion tests for present Labor Department employees for the filling of new positions which may be created by the job insurance plan.

It has received a communication from both that due consideration will be given to this obviously fair plan when the organization of the new work is started.

The Association has also protested vigorously against what it believes to be discrimination against present civil service workers, in the announcement of an open competitive examination for the position of Underwriting Supervisor, State Insurance Fund. The civil service law requires that all positions be filled by promotion as far as practicable. Wherever there is a group, large or small, which has worked up through the ranks by faithful endeavor, they should not be discouraged or disregarded by refusal to recognize the merit and fitness which they possess.

Civil service employees must be more watchful and more progressive in protecting their right to the opportunity to qualify for positions in the higher ranks.

New York University
Albany Center
So many of the members of the various classes in the Albany Center of New York University have sent in comment this past week on the value of the work offered this year that it is gratifying to know that such a feeling of enthusiasm and interest exists.

Many people emphasize the pleasure they had derived from the course; others, the assistance the work studied was to them in their daily occupations; several mentioned particularly the interesting and scholarly manner in which the instructor presented the subject.

The classes are concluded now for the year. Plans for the fall are not yet formulated but it is expected that the curriculum will include all courses for which sufficient interest is expressed.
Employee's Credit Union New York City

For the purposes of promoting thrift and providing a source of credit for provident and productive purposes, employees of the State Government at 80 Centre Street, New York City, recently launched the New York State Employee Federal Credit Union which is chartered and supervised by the Federal Government.

Since its inception a few weeks ago, the organization has made remarkable progress having enrolled 125 members who have invested $1,000 in paid-in capital and $500 in additional subscriptions. Steady growth from this encouraging beginning is anticipated.

The administration of the credit union's affairs is handled by committees composed of the following State department representatives:

BOARD OF DIRECTORS
Hugh T. Reilly, Jr., President
Charles J. Scheib, Vice-President
Joseph Gruber, Secretary-Treasurer
Kenneth B. Wibecan, Sr.
James G. Carlin

CREDIT COMMITTEE
William R. Wiener
Mabel N. Parrell
Helen F. Slutsky
Jacob Cooper
Richard Cadbury

SUPERVISORY COMMITTEE
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A. Charles Ruocco
Evelyn Halpern
Patrick J. Honan
James D. Burt
Gilbert Weaver
Joseph F. Hanrahan

To secure the funds which are necessary for the operation of the credit union, shares are being sold at $5.00 each to State employees at the 80 Centre Street Building. A shareholder may withdraw his investment at any time or may leave it in the credit union and participate in the annual dividends which are expected to be from 5 to 6 per cent.

Loans ranging from $25 to $100 are then made to members of the credit union, to be repaid in ten monthly installments with interest at one per cent on the unpaid balance. Security is required on all loans in the form of an assignment of shares equal to the amount of the loan or the endorsement of at least one permanent State civil service employee. Loans aggregating $750 have already been issued by the credit union.

The business of the credit union is transacted at an office on the Main Floor of the State Building at 80 Centre Street, Monday, Wednesday and Friday from 12:30 to 1:30, and Tuesday and Thursday from 5 to 6 P. M.

This Association is glad to encourage and to give information as to the establishment of credit unions, which are a help in financial need, a source of saving and thrift, and a demonstration of capacity to work together for mutual benefit.

Extension of Veterans' Preference Condemned

This Association has on every occasion urged upon the Legislature and the Governor that the civil service system cannot survive special privilege of any kind. Nevertheless, each year certain groups seek to place in the law preferences which would strike at the best interests of every boy and girl born or coming of age since the World War. Governor Lehman, while keeping step with every fair veteran advancement measure has refused to menace the freedom of entry into or promotion in public service of all citizens, and has rightfully disapproved of additional veteran preferences in civil service.

Under existing provisions of the law disabled veterans are preferred in appointment and promotion (Sec. 21); veterans are preferred with reference to training and experience qualifications (16-b); they are preferred in retirement (21-a, 21-b); they have preference in transfer and removal (22); they have preference requiring the establishment of separate eligible lists (22-a); they have preference respecting the continuity of service (22-b); preference in physical examinations (22-c); and preference under the pension system (22-d). Continued extensions of these preferences would make the Civil Service Law a Cretan labyrinth where employees and officers alike could not be certain of the intent of the law.

In vetoing Senator Berg's bill, Senate Intro. No. 1942, which would accord special preferences in addition to the above to disabled veterans, the Governor said:

"This bill would amend the civil service law by granting to disabled veterans who now enjoy preference in appointment and promotion in all civil service positions, state, county and city, preference in retention in such positions over all other persons.

"Under Section 31 of the civil service law where positions are abolished for reasons of economy or otherwise and suspensions must be made, employees are laid off on a basis of length of service for the state or city, so that the person longest in service is retained and those of least service are first to go. Such persons are placed on a preferred list and are eligible for reinstatement to any similar or corresponding position.

"Under this bill it is conceivable that a disabled veteran who has served but a short period of time, let us say six months or a year, might be retained as against another veteran or non-veteran who has served anywhere from ten to twenty-five years.

"Those who have served the State long and faithfully deserve some consideration. This bill might seriously jeopardize the rights of such civil service employees in favor of the disabled veterans.

"The bill is disapproved."

With reference to Senator Hanley's bill, Senate Intro. No. 378, which would grant other preferences to veterans, Governor Lehman said in disapproving:

"This bill makes several changes in the law governing the removal, transfer and reinstatement of honorably discharged soldiers, sailors, marines and volunteer firemen.

"The provisions of the bill as presently drafted would seriously interfere with and handicap governmental administration.

"The bill is disapproved."
Employee’s Rights Under Civil Service

Continued from Page 4

and B was originally appointed Assistant Stenographer, Grade 3, in 1933: A has seniority over B, even though B had served longer in the particular position from which a suspension is to be made.

The law also limits the power of a department head to transfer an employee from one position to another. An employee is prohibited from performing the duties of a position for which he has not qualified by competitive examination. There is a specific provision that no person “shall be transferred or assigned to perform the duties of a position” unless he has passed a competitive examination “equivalent” to the examination for the position to which he is transferred. This requirement, though often liberally construed, is essential in order to prohibit preferential transfers and manipulations. The test is not whether the head of the department believes an employee is actually capable of performing the duties of a given position; the law requires him to demonstrate his qualifications by competitive examination.

There is a constant conflict between the desire of a department head to assign an individual to any position he may choose, as a private employer would, and the unequivocal legislative command that an employee cannot perform the duties of a position unless he is qualified by examination. Much of the present confusion with reference to the status of employees has been caused by the fact that this rule has not been uniformly enforced. The so-called “reclassification” was undertaken in an attempt to outline general principles only and many of the statements herein are subject to qualification.

The Civil Service Law is, for the most part, honestly and fairly administered and the violations and subterfuges which occasionally occur can be summarily stopped by alert and prompt action on the part of the employees concerned. We are all familiar with the more common violations—preferential transfers, extension of temporary or provisional appointments beyond the four months period permitted by law, discriminatory salary reductions and other similar evasions. Politicians repeatedly attempt to exempt new agencies from the operation of the Civil Service Law, on one pretext or another in order to fill newly created positions by patronage rather than from Civil Service lists. Recent legislation with reference to the A. B. C. Board employees is a typical example.

Such attempts to violate the letter and the spirit of the Civil Service Law can be combated most effectively by a strong organization of employees. Your Association has effectively and vigorously opposed all attempts to weaken or evade the Civil Service Law, and is performing an essential function of incalculable benefit to State employees generally.

Organized efforts are not limited in value to the competitive class because all classes are interested alike in salaries, hours of work, the retirement system and many other matters.

Civil Service employees are fortunate in having a chief executive like Governor Lehman who has promptly condemned destructive legislation of the type mentioned and has consistently vetoed legislation which would impair the merit system.

An efficient Civil Service system can be maintained only at the price of eternal vigilance on the part of employees, both individually and collectively, through their Association. Employees should promptly protest illegal evasions and subterfuges. In many cases a proper disposition may be made if the facts are called to the attention of the Civil Service Commission. The Commission is doing its best to administer the Civil Service Law fairly, but with limited funds and a limited personnel, the Commission cannot investigate every situation and must of necessity make many decisions upon the basis of representations made to it. If employees feel that a determination of the Commission is not in accord with proper Civil Service principles, it is their duty to call the facts to the attention of the Commission directly or through their Association and, if this is promptly done, it will be found that the Commission will conscientiously act to uphold the requirements of the law.

Employees are too often prone to sit by without complaint and then to criticize or protest a determination that has been made a year or two years before. I cannot emphasize too strongly the necessity for prompt action. If an employee’s salary has been illegally reduced, or if he has been illegally dismissed from the service, he should act immediately. The courts will refuse to hear a case that is instituted more than four months after the illegality took place unless there is a very substantial excuse for the delay. An employee cannot reasonably expect the courts to hear his complaint if he has acquiesced by remaining silent for a long period.

If employees make a conscientious effort to understand and insist upon the enforcement of the fundamental principles of the Civil Service Law, it will be found that their diligence will be rewarded by a more efficient personnel administration which will inevitably inure to the benefit of the public as well as the employees themselves.

JOIN TODAY!
**Governor Lehman Promotes Civil Service**

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respectively of the results of the examination. Such an amendment would constitute a breakdown of the original intention of the Legislature as expressed in the original law, making these employees subject to competitive examination. It violates the constitutional provision that appointments and promotions in the civil service of the State and all of its civil divisions shall be made according to merit and fitness to be ascertained, so far as practicable, by competitive examination.

"The bill is unfair and discriminatory to those who have taken the examination and approval of this bill would be detrimental to the morale of the Civil Service and would seriously affect the integrity of the entire merit system which has been built up in this State.

"The bill is disapproved."

Governor Lehman's veto message on Senate Intro. No. 2057:

"This bill would give the State Liquor Authority discretion to appoint to positions in the competitive class of the civil service, regardless of their standing on the lists, inspectors who were appointed by the Authority from April 14, 1933 to July 1, 1934, who have taken and passed the civil service examination for the position of inspector.

"Similar power is given to all the local boards with respect to executive officers, deputies and inspectors of the local boards.

"This bill intends to permit appointment to the competitive class of the civil service of provision employees who failed in the competitive examination to attain a standing sufficiently high to render them eligible for appointment.

"There is no justifiable reason for disregarding the clear constitutional mandate. Nor are the provisions of this bill equitable to the hundreds of other persons who have passed the same civil service examination and who stand higher on the eligible list.

"The bill is disapproved."

The Governor's veto message on Senate Intro. No. 1462:

"This bill provides that the executive officer, the deputy executive officer, the assistant deputy executive officer and the secretary of the New York State Alcohol Beverage Control Board who are now in office, who have held their positions for one year or more and who have passed the civil service examination shall continue to hold their offices without further examination or appointment.

"The provisions of this bill are ill-advised. They constitute an attempt to repudiate the constitutional requirement that positions be filled from eligible lists established after competitive examination, in accordance with the grades received upon the examinations.

"The bill is disapproved."

**Cooperation**

continued from page 5

plant the seeds of discontent and distrust. With active chapters throughout the state, with all members interested in the Association as a whole, all members aware of its accomplishments, there will we no fertile ground for such seeds to take root. The greatest obstacle to achievement by an association or a group lies in human nature itself. This danger, lack of cooperation, was well stated by President Roosevelt in his Green Bay speech of last summer. He said, "It is just as hard to achieve harmonious and cooperative action among human beings as it is to conquer the forces of nature. Only through the submerging of individual desires into unselfish and practical cooperation can civilization grow." A known danger ceases to be a formidable danger. May we always have "unselfish and practical cooperation."

**Albany Credit Union is Growing**

The growth of the New York State Albany Employees Federal Credit Union is most encouraging. From its inception in January to the present writing, the membership has increased to 247 with a paid in capital of $3,000.00. Of this amount the legal limit is in constant circulation.

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Some Eight Hour History

To Assemblyman Burke, author of the shorter day for State hospital workers bill which was approved by the Legislature, and to your Association goes entire credit for approval by the Legislature of the Hospital employees eight-hour bill. When it became apparent that the Ostertag bill would not be reported out of the Rules Committee of the Assembly, the chairman of your Legislative Committee, together with Assemblyman Burke, secured the necessary message from the Governor and the assent of Speaker Steingut to the reporting of the bill. Its passage was forecast by an earnest desire on the part of Democrats and Republicans to abolish the long day in State service. Your representative had arranged for certainty of prompt transmissal of the bill from the Assembly to the Senate following the vote in the Assembly. The bill was acted upon among the last in the Assembly, and was the next to the last bill passed in the Senate. It was only through the energetic and earnest efforts of Assemblyman Burke that action was secured. Speaker Steingut was sympathetic, but on account of the rules of the Assembly could not report out of Committee, on account of the time factor, any bill without a message from the Executive Chamber. The Governor's Counsel, Charles Poletti, always alert, helpful and conscientious, aided as to the message, and thus permitted an expression by the Legislature on this important matter.

There was no misunderstanding at any time as to the Lavery bill for prison guards. The Ostertag bill, backed by the Association, covered all State institution groups. Your Association simply insisted that all institution workers were entitled to the shorter day. Your legislative representative, following the report in "The Chief" containing a statement by Assemblyman Lavery, conferred with Mr. Lavery and found that he understood the situation perfectly. Mr. Lavery was assured of the loyal support of his bill. The Association made no distinction in its appeal to the Governor for the Burke and Lavery bills. This Association having begun the battle for abolition of the long day for all State workers could not well overlook any possible slip that would deny the reform to the hospital group. There was no question but that in the passage of the Lavery bill without the Ostertag or other bill covering hospital workers that an injustice would be done to the thousands of hospital employees. The Association took prompt action and conferences with Legislative and Executive leaders brought about the recognition of the claims of the hospital twelve-hour workers.

It was Counsel Carter and the Legislative Committee of this Association working with Senator Desmond who drew up the Desmond shorter day bill for all workers in 1930; it was Counsel Tobin and the Legislative Committee of this Association working with Senator Kiernan of Utica, who wrote the Legislative resolution calling for the study of hours of work in State institutions last year, and which study actually resulted in the passage of these bills this year; and it was Counsel DeGraff of this Association who assisted Assemblyman Ostertag in preparation of his general forty-eight-hour bill which was later approved, through the efforts of the Association, by the State Federation of Labor. Assemblyman Harold Ostertag will not be forgotten in any history of the eight-hour bills. He was and is a true friend of all institution employees.

Ridiculous statements claiming credit for promoting the eight-hour day proposals by other groups are laughable in face of the facts. When the twelve-hour day is abolished the credit will go rightfully to this Association. Always when a group is successful in advancing a major improvement to certain early accomplishment, fair weather friends start blowing their horns. They fool no one. However, no credit is sought by this Association; it is interested only in serving State employees.

Salary Question

Continued from Page 7

the budget, with an intelligent, reasonable program for honest adjustment of State salaries, and with loyal support on the part of all State workers, this Association will begin at once to urge that the October budget making take into consideration the economic, social and moral issues involved in the question of salaries. Do you as a State Employee agree with this plan? State employees must rise or fall together. Unity and loyalty of all workers is essential to successful progress of this and other parts of your Association's program.
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