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The Association of State Civil Service Employees of the State of New York, Inc., Room 156, State Capitol, Albany 1, N. Y.

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Advertising Mgr. - - - Patrick P. DeMurio
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Editorial Board—Mr. Stowell, Chairman; Theodore Becker, John Daniels, Joseph J. Horan, Wayne W. Soper, A. Ranger Tyler.

This Month's Cover

“In the Spring —” the fancy of State Employees turns again to the out-of-doors. And trust New York State Employees to use a modern method of getting there! They seem happy about it all — probably thinking of the return this year to the pre-war four weeks' summer vacation. They're all members of the Association; the jeep was loaned for the purpose by Belt Line Motors, Inc., of Albany; photo by Ken Kennedy of our staff.

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THE STATE EMPLOYEE is published monthly except July and August. Publication office, 2 Norton St., Albany, N. Y. Editorial and executive offices, Room 156, State Capitol, Albany, N. Y. 10c a single copy, 1.00 per year. Entered as Second-class matter, July 19, 1934, at the Post Office at Albany, N. Y., under the Act of March 3, 1879. Letters to the Editor, contributions, news items, applications for memberships and application for advertising rates should be sent to Executive Headquarters, Room 156, State Capitol, Albany, N. Y.
The proposed Constitution and By-Laws will be presented by the Executive Committee to a special meeting of the Committee and all Delegates, called for June 25, in Albany. If approved at that meeting, they will then be presented to the next annual meeting of the Association for final action. It is the duty of each member of this Association to take this proposed Constitution and

Read It Carefully
Think About It
Discuss It With Other Members
Discuss It In Your Chapters
Ask Headquarters About Anything You Don’t Understand
Let your Delegates Know What You Think

ABOVE ALL
Give It Your Most Careful and Thoughtful Consideration

Don’t hurry through this important matter. Don’t arrive at any snap judgments, either favorable or otherwise. THINK!

The State Employee
Section 3. Nominations. A nominating committee shall be appointed by the board of directors at least ninety days before the annual meeting of the Association and such committee, after giving full consideration to all facts or petitions presented to it by individual members or groups of members, shall file with the secretary, at least sixty days before the annual meeting, nominations for officers of the association.

Section 4. Independent Nominations. Nominations for officers may be made, subscribed with the names of not less than five per cent of the members of the Association and the names of such candidates shall be printed on the official ballot, if such nominations are filed with the secretary at least thirty days before the annual meeting.

ARTICLE VIII
Meeting of Delegates

Section 1. Delegates. Members of each chapter shall select from their membership one or more delegates to represent the members of the chapter at all meetings of the Association. Such delegate or delegates shall have one vote for each one hundred members or fraction thereof in such chapter, based upon the paid membership in the Association on the first day of July preceding the meeting. No delegate or delegates shall be permitted to cast a fractional part of a vote. Prior to July first of each year, each chapter shall file with the secretary, the association an accurate list containing the names and addresses of its duly elected delegates for the ensuing year. The number of members of the Association and the number of votes each chapter or department is entitled to cast shall be determined by a board of canvassers appointed by the board of directors, based upon the paid membership in the Association on the first day of July preceding the year.

Members in the State Division who are not entitled to representation by chapter delegates, pursuant to this section, shall be represented at all meetings of the Association by members of the State Executive Committee as delegates representing each of the state departments, and each such delegate shall have one vote for each one hundred members, or fraction thereof, in the department from which he was elected, excluding those members who are represented by chapter delegates as provided in this section. Such delegates selected or appointed pursuant to this section shall have and may exercise all the powers, rights and privileges of members at any meeting of the Association.

ARTICLE IX
Funds

All disbursements of funds of the Association must be authorized by the board of directors or at a regularly assembled meeting of the Association. All bills for disbursements must be approved by the president before presentation to the treasurer for payment. The treasurer shall pay all bills so authorized and approved.

ARTICLE X
Amendments

This constitution may be amended, repealed or altered in whole or in part by two-thirds of the authorized votes cast by the delegates present at any duly organized meeting of the Association providing the proposed change is submitted in writing and ordered published at a meeting of the Association and thereafter published in the official magazine or mailed to each delegate not less than ten days before the time of the meeting which is to consider the change.

PROPOSED NEW BY-LAWS

ARTICLE I

Section 1. The order of business at all meetings shall be as follows:

1. Reading of Minutes
2. Reports of Officers
3. Reports of Committees
4. Unfinished Business
5. New Business

Section 2. Parliamentary proceedings shall be according to Robert's Rules of Order Revised, insofar as the same do not conflict with the constitution and By-Laws of the Association.

ARTICLE II
Duties of Officers

Section 1. President. The President shall preside at all meetings of the Association. He must sign all contracts and agreements, and all orders drawn upon the Treasurer that have been approved by the Association or the Board of Directors. He shall be a member of the state committees and shall initiate and make effective plans which in his discretion seem for the best interests of the Association and which are not inconsistent with the Constitution or By-Laws of the Association. He shall be responsible for the organization and conduct of the headquarters of the Association, the collection of dues and their transfer to the Treasurer, and shall direct and supervise the issuance of all publications of the Association. He shall appoint all necessary committees unless such selection is otherwise directed by the Constitution or By-Laws.

Section 2. Vice-Presidents. There shall be a First, Second, Third, Fourth and Fifth Vice-President. If the President is unable for any cause to act, one of the Vice-Presidents in the order above set forth, shall perform the duties of his office.

Section 3. Secretary. The Secretary shall be responsible for the custody of all official papers of the Association. He shall give notice of all meetings and shall keep a complete record of proceedings.

Section 4. Treasurer. The Treasurer shall receive and disburse the funds of the Association. He shall keep an accurate account of all receipts and disbursements, and of all moneys, securities and property owned by the Association, and submit a complete itemized report at each annual meeting of the Association. His accounts shall be open at all times to the inspection of the Board of Directors and the President. He shall give a Surety Bond at the expense of the Association in an amount to be fixed by the Board of Directors.

ARTICLE III
Meetings

Section 1. Annual Meeting. The annual meeting of the Association shall be held on the third Tuesday of each October. Officers of the Association and members
of the State Executive Committee shall be elected by ballot at this meeting which shall be deemed to continue from nine o'clock A.M. to eight o'clock P.M. If the meeting is not actually convened, the headquarters of the Association shall be open to receive properly prepared ballots either by mail or in person from any member of the Association. Ballots, with the names of all duly nominated candidates printed thereon, shall be distributed in the official magazine or otherwise made available to members, at all offices or locations designated by the Board of Directors, at least ten days prior to the date of the annual meeting. The ballots, or the envelopes in which ballots are enclosed by the member, shall be marked "Ballot" and such envelope or ballot shall also bear the signature of the member and the name of the department or unit of government in which he is employed.

The Board of Directors shall appoint a board of canvassers, of at least three members of the Association, to determine the validity of nominating petitions and to count the ballots. Persons receiving the greatest number of votes for the respective offices shall be duly elected for the ensuing year. Any person whose name is printed on the ballot may be present during the canvassing of the ballots. In case of a tie vote, a new ballot shall be taken under rules established by the Board of Directors.

Section 2. Board of Directors. Meetings of the Board of Directors shall be held upon call of the President. Upon the written request of five or more members of the Board of Directors, the President shall call a special meeting of the Board.

Section 3. State Executive Committee. Meetings of the State Executive Committee shall be held upon call of the President. Upon the written request of five or more members of the State Executive Committee, the President shall call a special meeting of the Committee.

Section 4. County Executive Committee. Meetings of the County Executive Committee shall be held upon call of the President. Upon the written request of five or more members of the County Executive Committee, the President shall call a special meeting of the Committee.

Section 5. Steering Committee. Meetings of the Steering Committee shall be held upon call of the President. Upon written request of one-third of the members of the Steering Committee, the President shall call a special meeting of the committee.

Section 6. Special Meetings. Special meetings of the Association shall be held upon call of the President. Upon the written request of one-third of the members of the Board of Directors, the President shall call a special meeting of the Association.

Section 7. Notice. Notice of a special meeting of the Association, the Board of Directors, the Steering Committee, the State Executive Committee or the County Executive Committee shall be given by publication in the official magazine or by mailing to each delegate or member thereof at least three days before the date of such meeting.

Section 8. Proxies. A member of the Board of Directors, the Steering Committee, the State Executive Committee, the County Executive Committee, or a delegate to any meeting of the Association who is unable to attend a meeting is empowered to appoint, by written designation filed with the Secretary, a member of the same chapter or department to act in his place.

ARTICLE IV
Dues
(The details as to dues, refunds to chapters and other related matters are still under consideration. Recommendations will be announced later.)

ARTICLE V
Expulsion of Members
Section 1. A member whose dues are in arrears for four months shall be notified in writing after which, if he fails to remit his dues within thirty days, he may be expelled from the Association upon the recommendation of the Board of Directors.

Section 2. Any officer or member may be suspended or expelled by a two-thirds vote of the Board of Directors for conduct prejudicial to the best interests of the Association after written charges have been preferred against him and he has been afforded a reasonable opportunity to be heard.

ARTICLE VI
Committees
The standing committees of the Association shall be as follows:
Legislative Committee
Auditing Committee
Grievance Committee
Social Committee
Education Committee
Membership Committee

ARTICLE VII
This Association adopts, as its policy, the principle that there shall be no strike action taken by government employees.

ARTICLE VIII
Amendments
These By-Laws may be amended by a majority vote at any meeting of the Association.

Suggestion -
Why not turn now and read the Editorials on pages 164 and 165? They have direct bearing on the preceding proposed Constitution and By-Laws.
This year the Association proposed its most ambitious legislative program, consisting of seventy-five separate bills. Thirty of these bills passed both houses, and fifteen were passed in only one house. Of the thirty bills that passed both houses of the legislature, eleven were vetoed by Governor Dewey, so that the net result of the session was nineteen new laws enacted.

As compared with last year's session when, out of a program of sixty bills, thirty were passed in both houses of the legislature and thirty were signed by the Governor, this result was by no means outstanding. When compared with the record of other employee organizations however, the record of the Association was spectacular. Well over one hundred bills were introduced by other employee organizations but not a single one of these bills affecting state employees was enacted. One New York City organization was successful in having two bills affecting state employees passed by the legislature, but both were vetoed. It is becoming increasingly evident that, to paraphrase a well-known advertisement, "When better civil service laws are made, the Association will sponsor them."

As usual, many objectionable bills were introduced during the session. Most of them died in committee. A handful of objectionable bills of minor importance were passed, but these were all vetoed by Governor Dewey, with the net result that no bills destructive of civil service principles were enacted during the past session.

Although the session was relatively short, ending on March 26th, a record-breaking total of 1,327 bills were passed, of which 325 were vetoed, making a total of 1,002 laws enacted during the session. This is the first time in the history of the state that more than 1,000 laws were enacted in a single session.

Few people are aware of the extremely large volume of civil service legislation that is introduced at a session of the legislature. This year, over 700 bills, affecting civil service employees in one way or another, were introduced. It is obviously impracticable to record the action on all the bills that were before the legislature and this summary will therefore be limited to those bills which are of particular interest to state employees. Reference to introductory and print numbers is omitted because these numbers were carried in the April issue of "The State Employee."

**SALARY LEGISLATION**

Before the session commenced, the Association held several conferences with Governor Dewey and his staff in relation to the emergency bonus for the coming year. The result, announced by Governor Dewey in his message to the legislature at the opening of the session, was an increase in the emergency bonus to 30% in the lower brackets and 14% in the higher brackets. It is unnecessary to outline the terms of this bill at this time, because employees have been receiving the benefits of the higher rates since April 1.

Because the Governor traditionally makes recommendations only for departmental employees, the Budget Bill contained no provision for emergency compensation for employees of the Legislative and the Judiciary. This year, as was the case last year, the Association drafted and obtained the introduction of bills which granted to employees of the Judiciary and the Legislature the same emergency bonus provided for departmental employees in the executive budget.

One extremely important feature of the Emergency Compensation Bill was the provision that, commencing April 1, 1946, emergency compensation is in the same category as basic compensation for retirement purposes. Moreover, a special provision was included in the bill which permits employees to obtain retroactive pension credit for war emergency compensation received from 1943 to 1946. These provisions, which are the most liberal that could be drafted, should be noted especially at this time because the election to make additional contributions to the Retirement System to obtain retroactive annuity credit must be filed with the Retirement System before June 30, 1946.

To assist employees in determining whether or not to make this election, a word of explanation may be helpful, even though the announcement has previously appeared in "The State Employee" and the "Civil Service Leader." Every retirement allowance is made up of two parts—a pension which is paid from contributions made by the State, and an annuity which is paid from contributions made by the employee. Every employee will obtain pension credit for the additional war emergency compensation he has received subsequent to April 1, 1943, without making any election whatever. These benefits are retroactive, so that an employee who has retired since April 1, 1943, will have his retirement allowance recomputed, giving him the benefit of the additional compensation which results in an increased pension. A special staff has been engaged by the Comptroller to recompute all pensions that have been granted since that date.

The increased compensation will not be reflected in the annuity part of the retirement allowance, however, unless the employee files his election on or before June 30, 1946, to make the required additional contributions on his increased compensation. Once the election is filed, the employee can pay up his arrears in installments or in a lump sum if he so elects. The installments must be at least one dollar each pay day and may be spread over the same period of months that extra compensation was received. In other words, if an employee received war emergency compensation for three years before April 1, 1946, he has three years in which to pay up the additional contributions, but if he received such additional compensation for only one year, he must make up the required contributions within twelve months.
VETERANS’ PREFERENCE

The most significant bill of the session was the Ostertag bill to implement the constitutional amendment in relation to veterans’ preference. Our efforts were devoted to drafting an enabling act which would, so far as possible, remedy the defects and ambiguities in the text of the constitutional amendment. We were successful in remaking the defects and ambiguities in the bill in its final form contains a few new ambiguities, particularly in relation to the rather vague language relating to disqualification and in the provision that a violation of the terms of the bill shall constitute a misdemeanor.

The final draft of the bill is also silent as to the duration of the preference in retention and the courts will have to decide whether the preference in retention is for a five year period or whether it is unlimited. The courts will also have to decide whether the preference is applicable to preferred lists. The Attorney General has handed down an opinion which holds that veterans have a preference on preferred lists, but the reasoning on which this ruling is based is by no means convincing and there is a strong probability that this ruling may not be upheld by the courts.

Governor Dewey summarized the effects of the bill in his message of approval which read as follows:

"This bill provides the necessary legislation to implement the amendment to the Constitution which took effect January 1 of this year, and which provides for a temporary preference in the appointment and promotion for veterans and to continue the preference for disabled veterans. The bill is a product of careful study and deliberation by many groups interested in the Civil Service and in the privileges to be accorded to veterans. The work of these various groups was for the most part done in conjunction with one another and with agreement amongst them with regard to most of the provisions of the measure.

"The bill accomplishes, among other things, the following:

1. It clarifies the ambiguous language of the constitutional amendment to make it clear that the preference in appointment and promotion accorded to non-disabled veterans applies only for a five-year period.

2. It corrects the obvious error in the constitutional amendment with regard to the preference in retention that is granted to disabled and non-disabled veterans. If not corrected, disabled veterans would be laid off before non-disabled veterans regardless of seniority, where positions are abolished.

3. It fixes the time included by the phrase "time of war" in the Constitution. It provides that the date of termination of World War II, for the purpose of the amendment, shall be deemed September 2, 1945. This is in accordance with the bulk of the veteran legislation in this State.

4. It implements the manner of claiming a preference and the effects thereof upon the certification of lists. This will facilitate the making of claims, avoid litigation, and yet expedite the administration of government.

5. It makes appropriate provisions for the consideration of disability of a veteran disqualifying him for positions where the disability involves incapacity to perform the duties of the position.


"This bill is a necessary one and, in substantial measure, constitutes an excellent meeting of the problems arising in connection with the preference for veterans. The provision for a penalty for denial of preference seems an unnecessary one as well as undesirable. Moreover, the manner of its draftsman is such that it will unquestionably be a source of difficulty and trouble in the future for veterans as well as administrators. It will certainly be a fertile source of litigation."

For the benefit of those who keep "THE STATE EMPLOYEE" as a record of important legislation, it may be well to note that the bill repeals section 21 of the Civil Service Law and adds a new section 21 which provides:

"(1) that preference in appointment and promotion for non-disabled veterans shall continue until December 31, 1950 or for a period of five years from the date of honorable discharge or release where such discharge or release took place on and after January 1, 1946;

(2) that preference in retention in the event of abolition or elimination of positions in civil service for which eligible lists are established shall be granted first to disabled veterans and then to non-disabled veterans;

(3) that the term "time of war" shall include the following periods:

a. World War I; from April 6, 1917 to November 11, 1918, inclusive.

b. World War II; from December 7, 1941 to September 2, 1945, inclusive.

(4) that the term "disabled veteran" shall also mean:

a. A veteran who served in World War I, who continued to serve after November 11, 1918 and who has a disability which is certified by the U.S. Veterans' Administration to have been incurred in such service on or before July 2, 1921.

b. A veteran who served in World War II, who continued to serve after September 2, 1945, and who has a disability which is certified by the U.S. Veterans' Administration to have been incurred in such service on or before the date that World War II is declared terminated by Presidential Proclamation or by Act of Congress.

(5) that the names of all persons who have passed examinations for appointment or promotion shall be certified in the following order:

a. Disabled veterans in the order of their respective ratings.

b. Non-disabled veterans in the order of their respective ratings.

c. Non-veterans in the order of their respective ratings.

(6) that the names of all persons who have applied for appointment to positions in the labor class in cities required by law to establish lists for labor class positions shall appear on such lists and be certified in the following order:

a. Disabled veterans in the order of their respective dates of application.
b. Non-disabled veterans in the order of their respective dates of application.

c. Non-veterans in the order of their respective dates of application.

“(7) that disabled veterans shall be appointed or promoted before any non-disabled veterans or non-veterans; and that non-disabled veterans shall be appointed or promoted before non-veterans;

“(8) that a certification of a list of eligibles for appointment or promotion shall not be affected by any claim for preference filed after such certification has been issued or by a claim filed prior to the date that such certification is issued unless such claim is supported by facts and documents sufficient to establish such claim, provided, however, that no such certification of a list of eligibles shall be valid for more than thirty days after its issuance;

“(9) that a disabled veteran shall not be disqualified by reason of physical disability, provided such disability does not render him incompetent to perform the duties of the position.

“(10) that a disabled veteran and a non-disabled veteran shall not be disqualified on account of age except for positions for which age limitations are specifically authorized or prescribed by law, provided such age does not render such person incompetent to perform the duties of the position;

“(11) that preference in appointment and promotion is applicable to all lists in existence on or after January 1, 1946;

“(12) that a refusal to allow preference to any veteran or disabled veteran shall be deemed a misdemeanor and any such veteran or disabled veteran shall have a right of action in court for damages.

VACATIONS

Almost as important as the emergency compensation bill was the restoration of the four weeks vacation. This is more than a restoration. It is a recognition, for the first time, that institutional and field employees are entitled to the same vacation that is granted to departmental employees. Before the war, the departmental employees received only two-weeks vacation. The new rules announced by Governor Dewey increase the vacation period for institutional and field employees to four weeks, a step which has long been advocated by the Association, and which is extremely gratifying to its members. The Executive Committee of the Association, on April 3, 1946, adopted the following resolution which was immediately transmitted to Governor Dewey and the Civil Service Commission:

“WHEREAS, many State civil service employees prior to the exigencies of Word War II did enjoy a vacation period of twenty-two days and this arrangement prevailed for many years, and

“Whereas, the absence of many workers in the armed services during war years required them to work many hours beyond the regular hours previously in effect and did make it necessary to reduce the vacation period to sixteen and one-half days, and

“Whereas, the return of workers from the armed services and also the ability to recruit needed employees has now reached a point which permits a return to normal operation of practically all departments without sacrifice as to overtime or loss of vacation,

“Therefore, be it resolved, that the Executive Committee of the Association hereby urges upon the Civil Service Commission as the State agency now clothed with authority to establish permanent hours of work and leave periods to reestablish the permanent vacation period of twenty-two days per year for all civil service employees.”

Governor Dewey, in granting this request, made the following statement on April 14th:

“I have today advised the heads of all State departments and agencies that the vacation allowance for State employees in 1946 is restored to four weeks.

“During the war, employees of the State accepted without complaint a reduction in the usual four-week vacation allowance. Many of them loyally worked long hours overtime without compensating time off in order to continue government service to all the people of the State, while many of their fellow workers served in the armed forces.

“Now many veterans have returned to their old jobs in the State service. The manpower situation is steadily improving in the various State agencies. As a result I find that essential services can be maintained on the full vacation schedule, and it is with a sincere expression of thanks from the grateful people of New York State that I make this order.”

MERIT AWARDS

Another extremely important step forward is the enactment of the Halfpenny-VanDuzer bill which creates a merit award board to encourage and reward unusual suggestions and accomplishments promoting efficiency or economy in the State service. This law, which was drafted and sponsored by the Association, provides, in substance, as follows:

“(1) that there shall be established in the Department of Civil Service a board known as the “New York State Employees’ Merit Award Board,” to consist of three persons who may be State officers or employees to be appointed by the Governor and the members shall serve without compensation but be reimbursed for expenses;

“(2) that the Board shall have power — (a) to formulate, establish and maintain plans to encourage and reward unusual and meritorious suggestions and accomplishments by State employees promoting efficiency and economy; (b) to appoint departmental or divisional boards to analyze and review suggestions and accomplishments and to make recommendations thereon; (c) to render merit awards to the State employees nominated to receive them;

“(3) that the Board may determine the nature and extent of the merit awards which may include but shall not be limited to the following: (a) certificates, medals or other appropriate insignia; (b) cash awards as the Board may fix and determine; (c) in lieu of or in addition to a cash award, the Board may increase the compensation of the State employee nominated for the award, provided that such increase shall not go beyond the maximum salary of the salary grades;

“(4) that the Board may adopt (Continued on page 172)
FIRST THRUWAY JOBS UP FOR BID

ONTARIO THRUWAY
NORTH OF SYRACUSE

SAUGERTIES TO CATSKILL

ERIE THRUWAY
NEAR SILVER CREEK

LEGEND
- THRUWAY LOCATION
- STATE HIGHWAYS
- COUNTY HIGHWAYS
- TOWN ROADS

1 MILE
S.M.Y.G.P.W.
DIRT TO FLY ON THRUWAY AND TACONIC PARKWAY

Heralding one of the most momentous highway contract lettings since the close of the war, the New York State Department of Public Works will advertise soon for bids calling for 45.11 miles of highway construction estimated at $7,858,000 including four projects constituting the first construction work on the Thruway System. The four Thruway projects to be offered are located south of Albany, north of Syracuse and southwest of Buffalo. They provide for 16.83 miles of grading and structures and are estimated at $5,853,000. Other highway projects included in the letting total 28.28 miles of construction estimated at $2,005,000 will also be offered to contractors in the same letting to further progress the $840,000,000 public works construction program so urgently needed. Funds are available from accumulated war-time surpluses to provide New York State with the finest highway system in the world of which the Thruway will be the most noteworthy element.

The Taconic State Parkway is striding onward after several years of delay caused by depression and war. From its temporary terminal at its intersection with Route 55, east of Poughkeepsie, northward for 21 miles to Lafayetteville, this popular and beautiful parkway is rapidly taking shape in the rugged countryside through which it is being extended. Work now in progress under three contracts, awarded since the end of hostilities last fall, will complete the grading of this 21-mile extension, as well as construction of six major bridge and grade separation structures, fully preparing the route for final paving and landscaping which can then be completed next season under other contracts. Plans provide for two arteries, each with 24-foot concrete pavement, separated by a center mall.

The State Department of Public Works, acting for and working in close cooperation with the Taconic State Park Commission, prepared the plans and will supervise the construction activities.

By the end of this year 20.96 miles of the Taconic State Parkway will therefore be prepared for the final paving and landscaping operations at a total cost of $2,994,265.80. The project is being financed entirely out of the State's postwar reconstruction fund. Rock and dirt will fly all summer and autumn before the concerted efforts of contractors whose modern equipment is being skillfully applied to produce a long awaited and valuable facility for the region in the extension of the Parkway.
Dear Member:

In his budget message the Governor recommended that the War Emergency Compensation paid to state employees since May 1, 1943 be regarded as salary or compensation for all the purposes of the Retirement System.

This recommendation has now become Chapter 222 of the Laws of 1946.

Under this act:

(a) Effective April 1, 1946 regular retirement contributions will be deducted on the member's gross salary including "War Emergency Compensation."

(b) In the calculation of any benefits payable from the System, "War Emergency Compensation" received after May 1, 1943 will be considered in determining "Final Average Salary." This will be done WHETHER OR NOT the member elects to pay contributions on the "War Emergency Compensation" received prior to April 1, 1946.

(c) The member MAY elect to deposit in his contribution account the contributions on the "War Emergency Compensation" received between May 1, 1943 and April 1, 1946. This additional contribution will increase the amount available for the purchase of annuity at the time of retirement.

The pension portion of any retirement allowance will be based, in any event, on the increased salary.

If you desire to deposit these additional moneys in your contribution account, it is necessary that you file a notice of election before June 30, 1946, and the form for this purpose may be procured from your payroll clerk.

Very truly yours,

[Signature]

State Comptroller
To: The State Comptroller

I hereby elect to pay retirement contributions on the War Emergency Compensation received by me (prior to April 1, 1946), and not previously treated as salary for retirement purposes, in accordance with the following schedule.

<table>
<thead>
<tr>
<th>Period</th>
<th>Base Salary</th>
<th>War Emergency Compensation</th>
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<tbody>
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<tr>
<td>TOTAL</td>
<td></td>
<td>x x x x x x x x x x x x</td>
</tr>
</tbody>
</table>

My Rate of Contribution

Amount of Contributions Due
(Rate x Total of War Emergency Compensation)

TO BE EXECUTED BY MEMBER'S PAYROLL OFFICER

Compared with Official Payroll Records

Payroll Officer

Dept. or Agency

Employer

I desire to pay such contributions in the manner checked below.

CHECK □ in a lump sum (check or money order enclosed)

ONE □ in .......... payments by payroll deduction*

(number)

Signature

Registration

Name. (Print or Type)

Dept. or Agency

Employer (Print or Type)

THIS ELECTION MUST BE FILED ON OR BEFORE JUNE 30, 1946.

*Installment payments shall not be less than $1.00 and the maximum number of payments shall not exceed the number of payroll periods during which emergency compensation was received.

By permission of the Employees' Retirement System, this page may be used as official form on which to make your election. You may tear this page out and, after filling it out, take it to your payroll officer.
Membership in the Association of State Civil Service Employees is an outstanding privilege of every New York State Civil Service worker.

In 1910, the civil service employees of this State recognized the need for worker organization. At that time — 36 years ago — New York State civil service employees were among the few worker groups in the United States who realized the value of employee organization to State welfare and to employee welfare. They were pioneers in the labor-management relations field.

Today the Association of State Civil Service Employees, by reason of its historic action 36 years ago, by reason of its great success in bringing to New York State civil service a very high level of sound employment practices, and by reason of its large membership and prestige and influence throughout the State, stands forth as one of the leading independent worker organizations in America.

In February of this year, Governor Thomas E. Dewey expressed publicly a sound and fair policy of dealing with the civil service workers of the State of New York through their own organization. This is in line with the common thought that there is no proper place for industrial unions among employees of civil government on any level. It is also generally recognized, however, that there is need for sound worker organization in associations of civil service employees, led and officered by working civil service men and women. Governor Dewey has pointed out very clearly that he wishes civil service employees to organize and to meet with him whenever, in his capacity as Governor, he must make decisions relating to matters affecting State civil service workers.

Representatives of the Association of State Civil Service Employees have met with Governor Dewey and with members of his staff and with members of the Legislature and with administrative officers of government to point out the employees' needs and desires, on very many occasions. Governor Dewey has observed the full rights of State employees organized in the Association of their own choosing, and has shown complete respect for sound labor organization principles in dealing with organized State employees, as well as in dealing with organized industrial workers.

In recognizing the Association of State Civil Service Employees, with its 36 years of experience as to State employee needs and aspirations, and with its 30,000 State civil service employee members, Governor Dewey has taken a like stand with former governors, including Alfred E. Smith, Franklin Delano Roosevelt and Herbert H. Lehman.

GOVERNOR SMITH, during his years of office, recognized the Association on every occasion and during his last year as Governor, in an address to the members of the Association in Albany, urged them to support their organization loyally and to build it up to 100% membership.

GOVERNOR ROOSEVELT, on a number of occasions, expressed his high regard for the Association, and on December 31, 1931, in a special letter to the then President of the Association, wrote: "THE ASSOCIATION HAS RENDERED A DISTINCT SERVICE TO THE STATE AS WELL AS TO ITS OWN MEMBERSHIP AND I WISH YOU TO KNOW THAT I APPRECIATE THOROUGHLY THE CONSTRUCTIVE AND HELPFUL ATTITUDE TAKEN BY THE ASSOCIATION."

GOVERNOR LEHMAN kept in constant touch with Association officers relative to personnel administration and said, on the occasion of the Annual Dinner of the Association in 1935: "I HOPE THIS ORGANIZATION WILL GO ON TO EVER GREATER STRENGTH, EVER GREATER NUMBERS. I WOULD LIKE TO SEE THIS ORGANIZATION INCLUDE IN ITS MEMBERSHIP ALL OF THE CIVIL SERVICE EMPLOYEES OF THE STATE — YOU WOULD HELP YOURSELVES AND THE EFFICIENCY AND EFFECTIVENESS OF STATE SERVICE WOULD BE ENHANCED."

The following statement of GOVERNOR DEWEY, in February of this year, is a straightforward declaration of high appreciation of worker organization and of confidence in the New York State employees' present organization—The Association of State Civil Service Employees.

Said Governor Dewey: "IT HAS BEEN MY PRIVILEGE TO TALK AND LISTEN TO YOUR REPRESENTATIVES AND I BELIEVE YOUR ORGANIZATION IS IN THE PUBLIC INTEREST. ON BEHALF OF THE PEOPLE OF THE STATE, I THANK YOU, AND MAY THE ASSOCIATION LIVE LONG, GROW STRONGER AND HAVE AN EVER HAPPIER RELATIONSHIP WITH THE EXECUTIVE DEPARTMENT."

These are grave times. They are times of tremendous responsibility for organized workers everywhere. Such workers have tremendous power and it must be used constructively for the common good. Especially in the services that have to do with civil government, the leaders must be completely free from selfishness and independent of direction from or tribute to any leadership outside of their own civil government jurisdiction.

State employees are intelligent and progressive and fearless enough to understand their own problems as to security, salaries, hours of work (Continued on page 170)
What Makes Our Chapters "Tick"

Next to your family, loved ones, home, and church, the most important thing to you is your job. The salary you receive, the retirement plan provided, the hours you work and related conditions of employment determine the standard of living, the social, recreational and educational opportunities of yourself and your family. If your job is important to you—then the organization which endeavors to improve salaries, retirement, etc., is equally important to you. You should support that organization, take an active part in its work, and strive to make it as efficient and as effective as possible.

To make our organization more efficient and effective the leaders of the Association throughout the State organized local chapters. In the last issue of this magazine the advantages and formation of chapters were discussed. In this article various subjects relative to the efficient functioning of chapters will be considered.

Through discussions with chapter officials, questionnaires, field visits to chapters, attendance at chapter meetings, and correspondence, the Association staff has over a period of years gathered much information as to chapter functioning which is presented herewith under several topic headings. Association members throughout the State would do well to loyally support their local chapter in every way possible and make their chapter an efficient instrument of constructive service to the State and to themselves.

Leadership

A major factor determining the success or failure of any organization is leadership. In selecting chapter leaders members should search for persons with the following qualities:

1. Ability—to plan chapter activities; to secure member interest and participation; to conduct orderly meetings; to coordinate committee work and to understand the problems of employees and devise the best method of solving them.

2. Tact—to handle all difficult situations in a diplomatic manner and at the same time command the respect of both the members and the administration.

3. Progressiveness—The imagination and initiative to develop worthwhile programs for mutual improvement of members of the chapter and see them through to a successful conclusion; also to contribute valuable suggestions for state-wide advances.

4. Fairmindedness—The leaders of large and small groups must be able to see both sides of each question and to weigh all factors carefully.

5. Unselfishness—to assume the responsibilities of leadership and give unstintingly of time and effort for the welfare of fellow employees, is a prime requisite of anyone who essays to lead or direct others.

Chapter leaders must have the gift of assigning duties and responsibilities for chapter activity to fellow officers and committees and to inspire cheerful cooperation in seeing to it that such work is done. It isn't fair or efficient to expect one man to do everything.

The selection of leaders is a matter deserving serious consideration. In one term of office a disinterested or unqualified leader can nullify the progress and development accomplished by several hardworking successful predecessors. It is the duty of chapter members to lay aside all considerations of a personal or selfish nature and to select the right persons to chapter offices, and once elected, to give them loyal, whole-hearted support.

Meetings

There are certain steps some chapters have taken to increase attendance at meetings. One or more of these procedures may assist your chapter.

When calling the meeting:

1. Select a date well in advance so that members can arrange their personal appointments and attend, and fix a time convenient to most members.

2. Hold the meeting in the place most convenient to members.

3. Publicize the meeting well:
   a. Post bulletins conspicuously and as widely as possible.
   b. Have the word passed around by members of chapter committees.
   c. Send notice of the meeting to the "Civil Service Leader."
   d. Insert notice of meeting in local press, and if possible notify members by mail.

These are some precautions to be taken to assure that chapter meetings are properly conducted:

1. Conduct orderly meetings. (Copies of "Roberts Rules of Order Revised" if not available in your local library may be secured from Association Headquarters at a small cost.)

2. Prepare in advance an agenda for each meeting to assure that all important matters are brought up, with the most important given first place.

3. Have full and frank discussions but do not allow profitless wrangling, or filibustering.

4. Don't allow one or two members to keep the floor for the entire meeting—courtesy in debate should be observed and failure to cooperate should be controlled by a fair time limit for each speaker.

5. Only chapter members should be recognized at chapter meetings, except where non-members are expressly invited to give their views.

6. Members should speak their minds frankly and honestly at meetings.

By JOSEPH D. LOCHNER
Executive Secretary
and abide by the decisions adopted by the majority. Each member should be encouraged to participate in the discussions—don’t save criticism or suggestion for after the meetings.

Some chapters have increased attendance at the meetings by:
1. Holding brief social affairs after the meeting.
2. Inviting well-known and qualified guest speakers.
3. Serving refreshments after meeting.
4. Arranging for educational movies or other type of instruction after meeting where necessary facilities exist.
5. Award door prizes.

Chapters should take advantage of the services of the Field and Executive Representatives of the Association and invite their attendance at the more important chapter meetings and affairs. All such requests will be filled as far as possible.

Chapter officials should keep themselves fully informed as to the details of the services, accomplishments and program of the Association, as well as the laws, rules and regulations affecting employees so as to be in a position to impart such knowledge to members at meetings.

Every chapter member should be made to feel that he has an interest and part in the conduct of the chapter. The most democratic method possible should be used to nominate and elect chapter officers. In institutions and other groups, where it is impossible for some members on duty to attend meetings at which elections take place, all such should be given the opportunity to vote by ballot or proxy. Widespread publicity should be given to meetings at which officers are nominated and elected.

Promoting the Program

In public employment the tasks of aiding in the improvement of personnel administration and of securing relief from unsatisfactory or unfair working conditions are difficult and complicated. The more important improvements in State service must be obtained indirectly from the citizens themselves through their elected representatives in the legislature, with the approval of the Governor. We must convince the people and the Executive, Legislative and Administrative branches of State government by logical argument, and clear-cut presentation of the justice of each project.

Our many chapters, located as they are throughout the State, constitute a great force to correctly inform the public and gain support to the Association’s reasonable program of improvements. The Association’s program represents the best thinking of chapter delegates meeting in assembly, at the annual meeting each year in October and at special meetings when necessary. These delegates as you know are regular State workers selected by their fellow employees to represent their wishes.

The following suggestions are worthy of consideration by chapter leaders, delegates and members:
1. Delegates should keep informed of the exact desires of members on all important questions affecting employees so as to adequately represent their views at Association meetings.
2. Officers should call meetings of chapter members and explain thoroughly proposed legislation affecting workers, and amendments to rules and regulations governing employees.
3. Delegates from chapters should call upon the local State Assemblyman and Senator to advise them of the desires of employees and secure their endorsement and support. Nominees of political parties should be approached before election to ascertain their views on matters of vital interest to employees.
4. The approval of local civic, fraternal, professional and social organizations to the program should be sought.
5. The local press should be kept informed as to current happenings and the details of desired improvements, and supplied with copy to correctly inform the public concerning the Association’s activities and program.
6. Individual members, their families and friends, should directly by letters, telegrams and personal request, advise their representatives in government as to the need of desired reforms in State service.

Handling Grievances

It is difficult to outline any hard and set procedure for the handling of employee grievances. The success of efforts along this line depends upon the tact, thoroughness and finesse of the chapter officer or committee representing the aggrieved employee, and how sympathetic, understanding, humane and just the representative of the administration is. However, there are several precautions to be kept in mind:
1. Consider the facts of the grievance carefully.
2. Investigate the accuracy of the facts of the grievance to avoid misrepresentation.
3. Determine if any law, rule or regulation governing the employee has been violated.
4. Prepare the appeal carefully and present it tactfully and accurately to the proper local official.
5. Put the facts in writing in every case, and for the record and possible future use, send a copy to the state-wide Grievance Committee at Association Headquarters.
6. If an adequate adjustment cannot be secured in a reasonable period of time—forward the full details of the grievance and action thereon to Association Headquarters for further attention.

It is important that grievance be presented at the institutional and district level, or department level, before it is presented to the Association, unless it involves a necessary change in or interpretation of existing law, rules or regulations. It is proper that institution directors, or division or department heads be informed that the grievance exists and be given an opportunity to adjust it before it is forwarded to the Association.

Records

Officers of the chapter should make certain that the accurate and complete records provided by the constitution and by-laws of the chapter are maintained. In addition chapters have found it advisable to maintain the following:

Complete files of:
1. The State Employee magazine.
2. The Civil Service Leader weekly newspaper.
3. Bulletins, special reports, notices, (Continued on page 171)
The Halfway Mark

One half of the Association year of 1945-6 is history. The coming half year is full of promise which will be realized only by hard thinking and intelligent action.

As to the six months that are history, there are some failures and some significant advances. Some of our members seem to be satisfied if we venture nothing and lose nothing. I prefer to venture much and work hard to earn essential gains.

Salaries were increased by a larger war emergency bonus. More important it was agreed by the Governor that the bonus would be incorporated in the base pay scales next year and that a study would be undertaken by the Salary Board of other needed salary adjustments. Judge Conway has issued a directive to the Salary Board to proceed immediately with these two big jobs. The Association also agreed many times before the Salary Board to advocate salary increases for various deserving applicants. These hearings, we believe, have a direct bearing on the salary study as indicating the sore spots in the salary structure.

The legislative program of the Association was large, probably too large. The administration policy this year was to be critical of all proposed bills, except those carrying out definite administration policies. Much that got by the gauntlet of the legislature fell by the knife of the veto. The only fair measure of our legislative success is by comparison with the legislative record of other groups and agencies. Judged by this standard, the Association did well. I shall not go into details as the report of our able Counsel, John T. DeGraff on Legislation for 1946 appears in this issue.

Our annual dinner is still fresh in the memory of those fortunate enough to attend. No Governor, in my recollection, has ever spoken to his great army of public employees so frankly and constructively. The Association, in the feeling of the Governor, is not a necessary evil but a necessary good. It has a real and vital place in the machinery of government. It is an important instrument in increased efficiency in the service of the State to each citizen. It is recognized by the Governor as the spokesman for the state employee.

Vacations have been restored to the pre-war level by action of the Governor. The five day week is a definite objective of the Association and progress is being made in overcoming the strong prejudice and oppositions to the proposals. We have not entirely forgotten the plight of the retired state employee who receives no bonus, no social security and only a very meager pension. Congressman William T. Byrne has introduced a bill in Congress to exempt from federal income tax the first $2000 of the state pension. Members should press for the passage of this bill with their congressional representatives and others.

One of the most irritating things in any employment is unfair discrimination or special favoritism. Even little irregularities in the treatment of employees in different departments rankle. In the state service there are many separate and different rules and regulations governing hours of work, vacations, sick leave, etc., that vary widely between departments and between institutions. New institution rules have been put into effect, which are far from perfect, but which represent a real advance to every institution employee.

The Association is now in conference with the Civil Service Commission in reference to proposed rules for department employees. We have only the powers of persuasion and of suggestion, but we hope for a real advance here as in the rules for institutional employees.

Committees of the Association have been unusually active. They are too many to mention individually but I wish to express to each and all of them my thanks and deep appreciation.

What of the unfinished business of the year?

Salary matters, including particularly proposed new salary schedules and adjustment of disparities and inequalities will need constant vigilance from the employees and from the Association in behalf of the employees. The able Salary Committee is charged with responsibility in this area.

Pension legislation was deferred pending a further study of the pension proposals of the Association by the Retirement System. We expect to hold many conferences with the officials of our Retirement System during the year. In my opinion, some real measures of social security must eventually be written into the retirement law or some other law. The Pension Committee has chief responsibility here.

There has been much discussion during the year of what I called a "revolutionary proposal for the Atomic Age" in our Association affairs. It is the pending constitutional amendment to admit to membership civil service employees in the various cities, counties, towns and school districts.

After full consideration the executive committee has recommended a plan which is embodied in a new proposed constitution. That plan is presented in this issue of the State Employee. I urge every member of the Association to study this proposal and I urge every delegate to come to the special meeting June 25, prepared to vote intelligently on this momentous issue.

No more important decision has ever confronted this Association. Only the entire membership can make this final determination. In chapter meetings the issue should be presented and fully and intelligently discussed. Then every delegate can vote the sense of the membership he represents.

In the life of every association, as in the life of each individual comes the hour when a great decision must be made. That hour of decision has struck for the Association. We must decide on the hard way of progress with all its difficulties or the easy way of being satisfied with what we have and what we can get without much effort or real work.

The decision is up to you.

FRANK L. TOLMAN, President.

The State Employee
The Pensioner Needs Relief

The Association has taken the initiative in another worthwhile movement, namely, to secure exemption from Federal Income taxation of all or at least a substantial part of pensions paid to public employees.

To bring this about, action by Congress is necessary. Congressman William T. Byrne of Albany has introduced a measure to relieve pensions of state, county and municipal employees from Federal income taxation up to an amount not exceeding $2000. The bill is H.R. 6140, introduced April 15.

Congressman Eugene J. Keogh of Kings County also introduced a measure, H.R. 456, to exclude from Federal income tax up to $1440 of pensions received by persons from public or private pension plans.

In a resolution proposed by the Association and introduced in the New York State Legislature by Senator Seymour Halpern and Assemblyman Samuel Rabin on February 18, 1946, the reasons for action by Congress to relieve pensions from Federal income taxation were cited as the threat to the physical well-being of thousands of persons dependent upon pensions for their every need, the tremendous reduction in the purchasing power of the present dollar, the fact that New York State employees have contributed to their pension system and in dollars worth much more than those now being returned to them, that pensioners have not enjoyed and cannot enjoy, because of their inability to work, any of the permanent or emergency cost-of-living increases which have come to other citizens and that exemption from the heavy Federal income tax was the only possible form of relief for pensioners. The Association has also pointed out that Congress has already recognized the fairness of such exemptions in its treatment of pensions paid under the Railroad Retirement Act and the Social Security Act.

We trust that all Association members have read the excellent statement entitled "The Injustice of Taxing Pensions" by Ralph L. Van Name, Secretary of New York City Retirement System, in the Civil Service Leader of May 14, 1946. We quote only a part of Mr. Van Name's article, but it will convince of the fairness of the Association's plea:

"The Federal Taxation of public employee pensions is so discriminatory as to be punitive, and so violative of the integrity of pensions as to offend the basic principle of full security on which pensions are founded.

"The discrimination consists in taxing public employee pensions while full exemption of social security pensions is granted, up to their very ceiling of $1,020 a year for 60,000,000 present or potential pensioners, and exemption up to $1,440 for 700,000 railroad workers, under the Railroad Retirement Law.

"Excluded public service employees constitute only 10 per cent of the total gainfully employed throughout the nation. They justly feel that they are being victimized because they are such a meager minority.

"The integrity of a pension consists of its guaranteed fixed amount. Under public employee systems, the total received is generally known as the retirement allowance composed of the annuity, which the employee finances by his contributions, and the pension, the part which the government provides. The total benefit is as much entitled to tax exemption as social security and railroad pensions, which also are based partly on employee contributions.

"Under a Treasury Department ruling and theory, the pension is taxed as soon as an amount equal to the employee's own money has been repaid, his annual taxable income meanwhile being rated at 3 per cent of that amount. The total allowance is normally scarcely half the average income on which it was based, so he has to live on less than half of former average income and frequently on the third, suffering the whittling away because of taxation of what should be fixed income.

"Remember, too, that annuity or pension income is unproductive income.

"Both arguments — fixed nature and unproductive nature of pension income — apply as well to insurance company annuities."

The Association urges every member to address a personal letter to Congressman Byrne at the House of Representatives, Washington, D.C., and also to write to your own Representative in Congress, telling them of your interest in the proposed legislation and of the justice of the proposal.

Why We Are Late

This issue of The State Employee is very late. The reason is simple — we delayed going to press until we could get copy concerning two extremely important subjects:

The proposed new Association Constitution and By-Laws.

The final Legislative Report for the 1946 session.

Probably we have never published anything more vitally important to the entire membership than the proposed new Constitution and By-Laws. Furthermore, this proposal had to be in the hands of the members in its entirety sufficiently in advance of a special meeting of Executive Committee and Delegates called for June 25 so that it could be studied and analyzed carefully. The meeting of the Executive Committee which voted to recommend the proposed Constitution did not take place until May 9, several days after our established "deadline" for this issue.

Remember, publication of the proposed Constitution and By-Laws in this issue is the official notice required by our present Constitution. It behooves every member to study this material thoughtfully and carefully.

Then there was Counsel DeGraff's annual Legislative Report, always important and this year possibly more so than usual because of especially significant accomplishments. This Report, a great task splendidly performed each year, was not completed until May 15. Those who realize the intricacies of publishing a magazine of the character we are trying to make The State Employee and the troubles connected with any printing work in these days will know that it is only with intensive work and the wholehearted cooperation of our printer that we are able to "hit the mail" now.

In addition to the June 25 meeting, President Tolman is inviting groups of municipal employees to send representatives to a conference on June 11 to discuss the whole matter of joining with our Association. Both meetings will be in Albany at the DeWitt Clinton Hotel.

(Continued on page 168)
Albany, N.Y.
April 6, 1946

Dear Sir:

Employees of the Albany Office of the New York State Department of Correction assembled recently to consider the organization of a Department Chapter. Subsequently, on April 2, 1946, the first annual meeting was held. The Chapter is to be known as the CAPITAL DISTRICT, CORRECTION DEPARTMENT CHAPTER of The Association of State Civil Service Employees of the State of New York, Inc. The following officers and delegates were elected:

President Paul D. McCann
Vice President Price Chenault
Secretary Helen A. Thau
Treasurer Marie Loughlin
Delegates William E. Cashin
J. Stewart Burton

Very truly yours,
Paul D. McCann,
President

By Helen A. Thau, Secretary

Binghamton State Hospital
March 21st, 1946.

Dear Sir:

Enclosed please find a “poem-letter” written by Elizabeth Ross, for the employees of Wagner Hall Binghamton State Hospital, to their Superintendent, Dr. Hugh S. Gregory. It gave us all a bit of fun and is a humorous slant on what, for us, in this particular part of New York State, is becoming a serious white duty-hose shortage. It is one of those situations of which we say, “It is no laughing matter, no matter if you laugh!”

We do not know how other State Hospital employees are affected in different sections of the State by these “hose troubles” but if you can use this to bring a smile to others in similar straits we will be glad to have submitted it!

Let us say, in closing, that Dr. Gregory answered our plea in similar vein which ended;

“If—after inquiry, stockings there aint—
You may have to compromise for a jar of leg paint!”

The “State Employee” is religiously and enthusiastically read each issue, and we take this opportunity to extend our good wishes to all who make this “our own magazine” such a worth while piece of literature.

“A long life—and a merry one!”

Very sincerely,
Wagner Hall Employees.

The “poem-letter”:

DR. GREGORY:

To you, at last, in desperation
We go for help in this situation.
For aid we're making application,
And it must come—but fast.
The hose we're wearing will not last
AND WHERE CAN WE GET MORE?
The hose we have gets tender care
We darn runs and holes with stitches rare
Darns strange and wonderful to behold
Hose washed as if 'twer virgin gold,
BUT NOW—OF OUR TROUBLES—COMES THE CORE.

We've searched the town with eyes intent
Purse tightly clutched and fingers bent
To grab a last pair with strength 'most spent
Then with tears and moans the air is rent
FOR “GONE WITH THE WIND” IS WHITE DUTY HOSE!

Please, Dr. Gregory, hear our plea
Or when next you “trip” bare legs you'll see.
Or if, in trying the situation to ease,
We could apply shoe-white clear up to—our knees!
Through war and strife we've done our work,
We bore our trials and did not shirk
But this hose shortage has us all in the dump
In fact, we're practically up a stump!

So, to you at last in desperation
We go for help in this situation.
For aid we're making application
AND IT MUST COME—BUT FAST.

Albany, N.Y.
March 22, 1946.

Dear Sir:

I want to thank you very much for the sketch of Mr. Gavit published in The State Employee. Our entire staff was gratified by this deserving recognition of an outstanding public servant.

Your photograph of me, looking at the Washington relics, printed on the front cover, was most flattering, and a very pleasant surprise. As a result, we have had a number of visitors come to see the exhibition. We are certainly grateful to you for bringing our services to the attention of all state employees.

Sincerely yours,
Charles F. Gosnell,
State Librarian.

The State Employee
New York, N. Y.
March 16, 1946.

Dear Sir:
The clerks, typists and stenographers in the institutions of Mental Hygiene are looking forward to a work week equal to office employees in all other depts.

At present these office employees in Mental Hygiene work anywhere from 45 to 48 hrs. per week. This is an outrage.

Go to it Dr. Tolman. You are the man that can straighten out this injustice.

Member of the Association.

State Office Building
Buffalo, New York
March 20, 1946

Dear Sir:
I'd favor cutting out all extraneous matter not directly pertaining to civil service association or governmental activities.

Gardening, How's Your Health are unworthy items.

If we want such, we'll get it elsewhere.

Otherwise the Mag has perked up in recent months.

Yours,
Homer Kempfer.

Queens Village, N. Y.
April 25, 1946

Dear Sir:
Re: Cancer Prevent.

Having before me the interesting write-up (by Isabel Beardsley) "How's Your Health," in the April '46 issue of "State Employee" (v. 15, pg. 119) and being myself a medical doctor and a N. Y. State employee,* I would be grateful if you would be so good as to mail the pamphlet issued by the Health Department on Cancer prevention (as mentioned in that write-up). I think I could use more than one copy (up to 6, or so) but, of course, I'll be content with whatever you will send me.

Yours sincerely,
Joseph Meiers, M.D.

* and member A. S. C. S. E.

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HOWARD CURTIS  MABEL CURTIS KING
507 BROADWAY  507 BROADWAY
ALBANY, N. Y.  ALBANY, N. Y.

A report on the six agricultural and technical institutes of New York State with recommendations on their future usefulness. Additional personnel, higher salaries, more adequate library and laboratory facilities and modernization of buildings were recommended. Address Bureau of Publications, State Education Department, Albany.


A most informative—and entertaining—exposition of the conservation of natural resources in New York State written in nontechnical, easily-understood language. The bulletin is profusely illustrated in a charming and effective way with sketches and charts. Address State College of Agriculture at Cornell University, Ithaca.

Home Pasteurization of Milk and Cream, New York State Department of Health. 4 p. No charge.


A colored, illustrated publication covering the trade, economic and business aspects and relationships of the territory contributory to Rochester, New York. Covers such topics as business centers, transportation, labor supply, manufacturing, agriculture, trade, wealth, income, living standards and education. Carries statistical tables on population, number of stores, volume of sales, products sold and the like. Address New York State Department of Commerce, Albany.

Purchasing and Inventory Control for a Small Business. New York State Department of Commerce. Small Business Series No. 5. 19 p. No charge.

This number covers elements of purchasing, elements of inventory control, overstocks and markdowns, pricing definitions, tools for inventory control and inventory valuation. Address New York State Department of Commerce, Albany.


In this number of the series are selected lists of trade magazines, books and pamphlets useful to operators of a small business. The lists give the price of the publication and the publisher.


This number of the series is designed to assist the small business operator or prospective operator in understanding the laws and regulations relating to:

1) forms of business organization
2) licensing,
3) protection of employees and
4) competition and trade practices. Address New York State Department of Commerce, Albany.

Streptococcal Sore Throat Including Scarlet Fever... New York State Department of Health. 4 p. No charge.

This four page leaflet describes the cause and symptoms of scarlet fever and gives precautions to prevent infection. Address New York State Department of Health, Albany.

Incidentally, be sure to read carefully Comptroller Moore’s letter reproduced on page 158. If you have not received from your payroll officer the form for electing disposition of war emergency compensation, or have mislaid it, notice that the form printed on page 159 can be used as the official election declaration. You must file this by June 30.
## COST OF LIVING

### CONSUMERS' PRICE INDEXES (1935-1939=100) IN LARGE CITIES COMBINED, NEW YORK AND BUFFALO

**JANUARY 1944 - MARCH 1946**

<table>
<thead>
<tr>
<th>Month</th>
<th>Large Cities Combined</th>
<th>New York</th>
<th>Buffalo</th>
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<tr>
<td>1940</td>
<td>100.2</td>
<td>100.8</td>
<td>101.0</td>
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<tr>
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## PRICE INDEXES (1935-39=100) IN LARGE CITIES COMBINED, NEW YORK AND BUFFALO

**FEBRUARY 1946**

<table>
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<th>New York Feb., 1946</th>
<th>Buffalo Feb., 1946</th>
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**Editor's Note** — Here is real increase in the cost of living, as reported in Life Magazine:

"Using 1936, Shanghai’s last pre-war year, as a base, one finds that by the end of February of this year food costs have risen roughly 1,900 times, housing costs 543 times and clothing costs 3,461 times. Despite the recent government gesture to achieve stabilization, the kite strings of inflation are still unslacked. The general cost-of-living index increased 40% more during the first ten days of March.

"Thus far wages have inched up about 500%, which makes it obvious that Shanghailanders have to starve a little, operate a “squeeze” or do a little speculating to bring both ends within meeting distance. Americans, who in past years have reaped the benefits of foreign exchange, are no exceptions to the new lack of rules. That good old stand-by, the American dollar, is buying only 20% as much as it did before the war in Shanghai."

---

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100 PERCENT MEMBERSHIP
(Continued from page 160)
and other employment matters, and to function successfully in representing their fellow workers and themselves.

In New York State they are free to organize and to bargain collectively with the heads of government. They have been eminently successful and, through the Association of State Civil Service Employees, have brought to New York State workers substantial and worthwhile employment practices, many of which are still being sought by industrial unions. The Association of State Civil Service Employees, as the well-fitted and well-organized representative of State workers, is active every day of the year, and its officers and committees are composed of able and conscientious men and women — all with broad social and economic concepts — as are to be found in any labor, professional, industrial or political group in the world.

Again we say — 100% loyalty to the State employees' own independent workers' group — The Association of State Civil Service Employees of the State of New York, Inc. is more than a privilege, it is a duty!

HOW'S YOUR HEALTH
By Isabel Beardsley
Poison Ivy is one of the most common of poisonous plants. It is known by various names in different parts of the country, such as poison oak, poison vine, three-leaved ivy and poison creeper. A memory line for those who plan to walk or camp in the country might be — "Leaflets three, let it be." The blossoms of the ivy plant are green, or nearly so, and its fruit, about the size of a small pea, is pale green and poisonous when immature, but ivory-white and non-poisonous when ripe.

The poison is contained in the sap that flows through every part of the plant. This is particularly poisonous during the spring and summer months, and may be a factor even in the fall and winter when the branches are dry if these are broken. When stalks, roots or leaves are crushed or broken, even gently as in brushing against them, the sap that exudes will cause poisoning if it comes in contact with the skin. Ivy poisoning is a peculiar inflammation of the skin. The symptoms range from slight redness and itching to enormous swelling with extensive blisters, accompanied by severe burning sensations. In mild cases the skin is covered with numerous small blisters which remain for from ten days to three weeks as an unpleasant reminder of a careless jaunt through the country. If, after all, you do get ivy poisoning, and no doctor is available, treat the skin to a generous lathering of laundry soap as soon as possible after being exposed to the plant. Then use plenty of water to rinse the soap from the skin.

The Health Department has a pamphlet on ivy poisoning. It is free on request.

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Name
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The State Employee
WHAT MAKES OUR CHAPTERS “TICK”  
(Continued from page 163)  
and other informative material issued by the chapter and the Association.
4. Information on group insurance, credit unions, and other services supplied by the Association.
5. Association and Chapter Constitutions and By-Laws with adopted amendments thereto.
6. Complete, up-to-date record of members, paid and unpaid, as well as a record of employees who are not members.
7. Minutes of meetings of the Chapter.
8. All other pertinent information received from the Association or other sources which might be available as a supply of information for chapter members.

Publicity

Association members at present receive two publications, The State Employee, our monthly magazine, and the Civil Service Leader, a weekly newspaper. These publications constitute the direct contact between the Association and its members.

They contain every bit of factual information pertinent to all State workers. Members should read these publications thoroughly and take an interest that they reach members regularly. Much effort and expense is involved in preparing and making these publications available for members. It is hoped that members take full advantage of them.

The chapter, through its publicity committee, or an officer charged with the responsibility of publicity should:
1. From the information contained in the State Employee, the Civil Service Leader, special bulletins and reports, and other material received from the Association, prepare copy for use of the local press.
2. Prepare publicity on chapter meetings and activities and send to the Association for use in its publications. Photographs should accompany the copy when possible.
3. See to it that notices of all special bulletins are posted conspicuously, that the activities of the Association and the chapter are publicized throughout the eligible membership.
4. Using all possible means publicize the work, accomplishments, program and services of the chapter and the Association amongst chapter members.

Social, Recreational and Educational Activities

During the past our chapters have sponsored hundreds of social and recreational affairs, including picnics, card parties, formal dinners, dances, bazaars, clam bakes, luncheons, field days, movies, etc. Most of these activities were suspended for the war duration, but are now being again successfully conducted. A few chapters have never sponsored such affairs. However, if chapter members are to work in harmony, it is recommended that they know one another better, and social and recreational events serve this purpose.

Some chapters hold these affairs following regular meetings and have found this procedure satisfactory. They have planned and conducted by permanent social committees in some cases, and by special committees appointed for each separate affair in others.

Several chapters conduct bowling leagues, basketball leagues and other recreational activities.

A few chapters hold card parties, socials, and other activities in conjunction with meetings.

Chapters, through appointed education committees, should establish educational programs if they are desired by members. Arrangements might be made with nearby education institutions, if they exist, to provide the instructional staff necessary to the educational courses desired. Possibly a lecture series on subjects related to employees’ line of work might be arranged. There are many opportunities in this line. If the chapter is interested in instituting educational activities the Association and the Education Committee will give all aid at its disposal to assist in making necessary arrangements.

No chapter should be satisfied with what it has already accomplished. It should be alert to new needs, new opportunities. Hobbies, clubs, arts and crafts, movies, musical affairs, reading, poetry clubs, debates, forums, discussion groups, oratory contests, dramas, represent a few typical activities now widely promoted. Some of these may have a place within the program of your chapter. Others may be community activities in which you can join.
and promulgate rules and regulations governing the operation of any plans established;"

The plan is patterned after similar plans now in effect in many private industries, and in federal agencies. Experience has shown that such plans have not only improved morale and efficiency, but have resulted in tremendous savings as well. One suggestion, rewarded by the Navy Department, resulted in a savings of $240,000 in one navy yard alone.

This bill is a challenge, both to the administration and to the employees of the State. If it is properly administered, it can lead to a substantial improvement in the public service and furnish worthwhile incentives to State employees. If it is poorly administered, it will be nothing but a headache. The Association has, therefore, urged that the state officers or employees appointed to the board, be of the highest ability, — men who will inspire confidence and respect and who will have the initiative and understanding to make this plan a success.

We believe that the employees of the State will respond wholeheartedly and that the public will benefit immeasurably from the adoption of this bill, which creates the machinery to make possible the objectives Governor Dewey outlined in his address at the annual meeting of the Association.

VETERANS' SENIORITY

Another important bill was the Campbell-Manning bill, which gives retroactive seniority credit to veterans who were passed on Civil Service lists because of their absence in military service. Many returning veterans would be foreclosed from promotion opportunities if this bill had not been adopted, because they would not otherwise have held their new positions long enough to be eligible for promotion. Governor Dewey, in signing this, and two other bills affecting veterans, said:

"Each of these measures is important in strengthening the privileges and rights of veterans who are in the Civil Service or who contemplate entering the Civil Service.

"The first of these bills (which was drafted by the Association in cooperation with the Civil Service Commission and introduced at the request of the Association) amends the Military Law to provide:

1. that one who is ultimately promoted in the Civil Service shall not lose seniority for certain purposes because of the period of time prior to his promotion during which he was a member of the armed forces;

2. that one who is ultimately appointed, as distinguished from being promoted, shall not lose seniority for certain purposes because of the period of time prior to his appointment during which he was a member of the armed forces;

3. that one who is ultimately appointed or promoted from lists affecting the uniformed forces of a police, fire or correction department shall not lose seniority for certain purposes because of the period of time prior to his appointment or promotion during which he was a member of the armed forces.

"The second bill provides that where maximum age requirements are established with respect to civil service positions, the period of time during which the applicant was engaged in military duty shall not be included in computing the applicant's age.

"The third bill relates to a special situation arising where an applicant for entrance into the Civil Service has taken a competitive examination but has been prevented from taking or completing the physical examination because of service in military duty. The bill provides that under those circumstances the applicant will be entitled to take the physical examination within a period of ninety days after termination of military duty and provides further for the placing of his name upon an appropriate list.

"Last year I had occasion to disapprove a number of bills that dealt with some of the matters involved in these bills. I disapproved them because of defects in draftsmanship, inconsistencies among their provisions and because sufficient study had not yet been given to the problems involved. The present bills are the product of study, consultation between the State department of Civil Service and the State Division of Veterans' Affairs, as well as with agencies outside government interested in the veterans and interested in the Civil Service.

"The bills I am today approving mark an important step in providing the veterans of the State with privileges and rights that in some measure offset the consequences suffered because of their absence in the armed forces during the period of war. Although the benefits conferred are major, they will not endanger the fundamental principles of the merit system embraced in our Constitution and they do provide a fur-
the practical implementation of the preference for veterans in the Civil Service which was incorporated into the Constitution at the last general election by action of the people of the State.”

The Campbell-Manning bill also contains another important provision which the Governor does not mention in his message. The present law provides that if the name of any person is reached for certification during his military service, his name shall be placed upon a special eligible list which remains effective for two years after the expiration of the original list, providing he makes request within ninety days after his discharge from service. This bill eliminates the ninety-day restriction and provides that he can make this application at any time during the life of the special eligible list.

RETIREMENT LOANS

Three years ago, the Association inaugurated a campaign to reduce the interest rate on loans from the State Retirement System. We pointed out that there was no justification for charging 6% on such loans when life insurance companies were required to charge not more than 5%. The Erway-McBain bill to accomplish this purpose, passed the Senate that year, but died in the Assembly. The widespread discussion of this bill indicated that there was considerable confusion in the minds of many state officers and employees as to the rate of interest that is actually charged on retirement loans, some contending that the employee pays as high as 10% interest, while others were convinced that the rate is as low as 2%. The fact is that employees now pay 6% for the privilege of borrowing up to one-half of their funds on deposit in the Retirement System.

Along with the bill to reduce the interest rate, the Association also sponsored special legislation to insure retirement loans against the death of members, pointing out that for several years it has been common practice to insure loans made by credit unions, Morris Plan Banks and other lending institutions. Although neither bill passed in the first year of introduction, the merit of the idea won support and, for the past two years, the Association has been working with Retirement System officials to accomplish the objectives of these two bills.

During the course of these discussions, it developed that considerable administrative expense would be saved if the interest rate were cut to the same rate credited to depositors and this year the Association, in cooperation with Retirement System officials drafted two bills to reduce the interest rate to 4% for old members and 3% for new members, and, at the same time to insure all loans so that if the member dies while the loan is outstanding, the amount of the loan would be repaid to the System.

Both bills were introduced by Senator Hults and Assemblyman Selmayer, and both become effective on October 1, 1946. On that date, all outstanding loans, as well as all new loans, will bear a reduced interest rate and will be insured. The present rate of 6% for uninsured loans will be reduced so that members who joined the Retirement System before April 1, 1943, will have an insured loan for a total interest rate of 5%, and members who joined the System after April 1, 1943, will have insured loans for a total interest rate of 4%.

To prevent “deathbed loans” there are certain restrictive provisions in the act, viz: the maximum amount of insurance is $2000 and there is no insurance for the first 30 days after the loan is made. After 30 days have elapsed, one-fourth of the loan is insured; after 60 days have elapsed, one-half of the loan is insured, and after 90 days have elapsed, the full amount of the allowable insurance is effective. All these provisions are tentative, and subject to modification in the light of further experience. If the mortality rate is low and sufficient reserves are built up, it is possible that the restrictive provisions may be liberalized or the rate reduced.

These bills will not only permit loans to be made at low interest rates, but they will also relieve the hardship now occasioned when an employee dies and his beneficiaries find that his savings in the Retirement System have been depleted by a substantial loan. It will also relieve the hardship which is caused by a death during the 30-day waiting period when an employee would be entitled to a disability retirement allowance if he had lived 30 days after filing his application.

New York State now has the first public retirement system to provide insured loans for its members, and we are confident that the benefits that will arise from this plan will in time lead to its adoption by other retirement systems.

FIELD-HAMILTON AMENDMENTS

Section 41 of the Civil Service Law, relating to the payment of increments, has been liberalized by the Erwin-Lupton bill, sponsored by the Association, in three important respects. The bill

(1) Amends subdivision 2 of Section 41 of the Civil Service law to provide that if an employee is appointed or promoted to a position in a higher overlapping salary grade, from a position in which he was earning the maximum rate, or less than two increments above the maximum rate, for at least a year, he shall be entitled to be paid the salary which corresponds with the rate of compensation immediately above the
salary he was earning in his previous position.

(2) Amends subdivision 6 to provide that an employee appointed or promoted to a position in a higher salary grade on or after the first day of October in any fiscal year, who received a partial increment upon such appointment or promotion, shall, on the first day of the next succeeding fiscal year, be eligible to receive the salary which he would have received in his former permanent position on such date, if such salary is higher than the salary of the position to which he is appointed or promoted.

(3) Amends subdivision 7 to provide that an employee who has been continuously employed under a Rule VIII-A or Rule VIII-12, or Rule VIII-C appointment in a Feld-Hamilton position and who is appointed on a permanent basis to the same or similar position, or to a position in the same occupational service and salary grade, shall be paid the salary which he would have received in his temporary employment on the date of such permanent appointment.

These amendments will correct the unfortunate situation that has arisen in a limited number of cases when an employee received a partial increment upon promotion, although he would have received a full increment if he had remained in his former position. It also liberalizes the existing law in relation to the salary to be paid to temporary employees when they receive a permanent appointment. Under the present law, if an employee serves for three years as an Assistant Clerk, he is entitled to credit for that service when he receives a permanent appointment as Assistant Clerk, but would have to start over again at the minimum of the grade if he receives a permanent appointment to a different title, such as Assistant Stenographer. Under the amendment all employees will receive increment credit for their temporary service if they receive permanent appointments to a position in the same occupational service and salary grade.

EXTENSION OF THE FELD-HAMILTON LAW

When the Feld-Hamilton Law, drafted and sponsored by the Association in 1937, was first enacted, it was applicable only to the departmental service. Each year it has gradually been extended to other groups. This year the Association has continued its longstanding policy of attempting to extend the benefits of this law to employees who are still excluded from its provisions. The Mahoney-Ostertag bill extending the Feld-Hamilton Law to employees in the Division of Parole, passed the legislature and was signed by Governor Dewey. The Stokes-Lawrence bill making a similar extension to Forest Rangers in the Conservation Department, passed the legislature but was vetoed by Governor Dewey in a memorandum which reads, in part, as follows:

"WHEREAS, the rapid increase in the cost of the necessities of life has seriously threatened the physical wellbeing of thousands of citizens who subsist upon fixed pensions paid to them by various public retirement systems, and

"WHEREAS, such retired employees, by reason of their advanced age and long periods of service are particularly subject to illness and frequently require medical or surgical treatment in addition to their living expenses, and

"WHEREAS, workers throughout industry have received increases in income to offset the increased cost of living, while retired public employees on pension have had and will receive no income adjustment of any kind to assist them to meet the ever increasing rise in the cost of living, and

"WHEREAS, the Congress has..."
years in the public service, now there­

The Railroad Retirement Act and

come taxation is only form

maintain the purchasing power

public employees to

relief that can be given to retired

resented to enact ap­

Federal income taxation, all income,

up to two thousand dollars ($2,000)

system.”

As a result of the introduction of

representatives urging the passage of this

Albany Phones 5-4574 and 5-4575

May

175
payments for overtime that was accumulated in the past. Some progress in reducing the total accumulation may be made if the fiscal authorities can be persuaded to make payment for unused vacations, and to allow time off to be credited against accumulated overtime. This can be done, however, only with the approval of the administrative authorities.

The Stephens-Bennett bill providing for the payment of overtime in State Parks in the Conservation Department on the same basis now allowed in institutions, passed both houses but was vetoed without comment by the Governor. All other bills for the payment of overtime to departmental and institutional employees, including the Condon-Foy bill, providing for payment of overtime at time and one-half rates for all State employees, and the Anderson-Knauf bill changing the present overtime law from straight time to time and one-half, died in Committee.

PENSION CREDIT FOR WAR WORK

In 1942 the Association obtained the passage of a bill which permitted the granting of retirement credit to employees who obtained a leave of absence to engage in War Work or defense industries. To obtain the benefit of this credit, employees were required to notify the Comptroller of their intention to claim credit, within one year after the leave of absence was granted. Many employees who have since returned to State service, neglected to file this notice within the time specified in the law. The Association therefore sponsored the Hults-Sellmayer bill which extends, until July 1, 1947, the time within which this notice may be filed with the comptroller. Employees who wish to obtain retirement credit while they are on leave of absence engaged in war work or defense industries should therefore make certain that they file the appropriate notice with the Comptroller before July 1, 1947. After filing this notice they may pay the required contributions in a lump sum or spread them out in installments within a period not greater than the number of months during which they were on leave of absence.

CIVIL SERVICE LAW

Governor Dewey signed the Rudd bill, which amends section 16 of the Civil Service Law to provide that a civil service employee shall not be granted credit for time served as a provisional appointee in a position to which promotion is sought or in any similar position, but such provisional service shall be credited in the position from which promotion is sought.

This amendment is in the nature of a clarification of the existing law. It ensures that the employee will get increment credit in his permanent position while serving as a provisional employee in a higher position.

The Erwin-Lupton bill, extending to December 1, 1947 the period within which the Classification Board may reclassify positions with non-standard titles, without examination, was also approved by the Governor.

The Wicks-Furey bill, creating a two-year statute of limitations for the bringing of removal charges, was passed by the legislature, but vetoed by the Governor without comment. This bill was sponsored jointly by the Association and the Police Conference to prevent appointing officers from instituting removal proceedings on stale charges. A number of cases have arisen where employees were removed on the basis of incidents which occurred five or six years before the charges were preferred. Since prosecution for a misdemeanor is barred after a lapse of two years, it would seem only fair that removal proceedings should likewise be barred after a similar time has elapsed.

Two other bills to strengthen the law to prevent arbitrary removals, the Mahoney-Fine bill, providing for a hearing and a court review in all cases, and the Cullen-Dillon bill, which would empower the Civil Service Commission to hear all appeals in disciplinary proceedings and to order the reinstatement of dismissed employees, both died in committee.

The Brainbridge-Austin bill, eliminating the present fee which is required to enter a promotion examination, passed the Senate but died in committee in the Assembly.

VETERANS' LEGISLATION

A number of amendments to the Military Law were adopted, including the Hammond-Oster tag bill, which extends, until July 1, 1947, the definition of "military duty" to include service with the American Red Cross while with the armed forces of the United States on foreign service, and the Manning bill which excludes from the definition of "military service" employees who voluntarily enter military service after January 1, 1947.

By the Campbell bill, a public employee is entitled to reinstatement to his former position within ninety days following the termination of his military duty or at any time during his terminal leave. This amendment seemed to be necessary because a question had been raised as to whether employees could be reinstated during their terminal leave.

Another Campbell bill provides that eligibility on military reemployment lists shall extend for a period of four years. Military reemployment lists contain the names of employees in the non-competitive and labor classes and, under this law the period of eligibility is the same as that provided for positions in the competitive class.

Under the McGowan bill, a new section (246-c) was added to the Military Law to provide that veterans shall be granted leaves of absence to take courses under the G.I. Bill of Rights. The leave of absence shall not exceed four years and application for reinstatement must be made within sixty days after termination of course of study.

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The Wicks bill amends section 63 of the Public Officers Law to extend to veterans of World War II the same rights to time off on Memorial Day and Armistice Day now allowed to veterans of World War I.

The Campbell-Manning bill liberalizing the Military Law to permit the reinstatement of employees who resigned before entering military service, passed the Senate but died in the Assembly Rules Committee.

U.S.E.S. TRANSFER

A serious problem was presented in preparing legislation to establish the rights and status of Federal employees in the U.S. Employment Service in the event these functions are returned to State control. The Association has been engaged in conferences for the past two years with representatives of the Federal agencies involved, the DPUI and the Civil Service Commission. As a result of these extended conferences, two bills were drafted which handled this extremely complex situation in a manner that is generally satisfactory to the diverse interests involved. One of these bills contains provisions for retirement credit during the period that the employment functions were under the jurisdiction of the Federal government.

SALARY ADJUSTMENTS

The Association's cost of living bill, introduced by Senator Condon and Assemblyman Barrett, providing for automatic future salary increases whenever the cost of living rises five percent above the 1945 level, failed to come out of committee in either house. The bill to create a new grade at the top of the present salary scale in the Professional and General Administrative Service, likewise died in committee.

The Association's longstanding efforts to obtain Prison Guard's pay for employees at Dannemora, Matteawan, Westfield and Albion were vigorously continued, with considerable support. The Bontecou-Ryan bill, which would have reclassified Attendants at Dannemora and Matteawan to the competitive class, with the same salary rates now paid to Prison Guards, passed the Assembly, but all efforts to get it reported out of the Senate Finance Committee were unavailing. Our efforts are still being continued and joint consideration of this problem by the Salary Board, Civil Service Commission and the Classification Division has been requested.

The Halpern-Archinal bill, which would have increased the pay of armory employees from $6 to $7 a day, died in committee. The Erwin-Lupton bill, which would have increased salaries in the Unemployment Insurance Division by creating increases in the Accounting and Fiscal Administration Group, passed the Senate, but died in the Assembly Rules Committee.

NURSES

The Anderson-VanDuzer bill, to transfer hospital nurses to the Professional Service at a basic salary of $1800-2300, died in committee. Another bill, introduced by Senator Anderson and Assemblyman VanDuzer, which merely changed the definition in the Professional Service to include "professional" instead of "graduate" nurses, passed both houses but was vetoed by Governor Dewey without explanation.

INCREMENTS

The Macy-Barrett bill, which would have given one additional increment to employees who have been at the maximum of their Field-Hamilton salary grade for five years, another increment after ten years, and a third increment after fifteen years, passed the Assembly but was killed by the Senate Finance Committee.

The Hallowell-Finch bill, which provided that all employees who have served in Feld-Hamilton positions for five years, shall be raised to the maximum salary for the grade, passed the Senate, but died in the Assembly Rules Committee.

RETIREMENT BILLS

This year the Association sponsored an extremely ambitious long-range program to liberalize the Retirement System. It was realized that there was little prospect of passing a substantial part of this legislation this year, but it was important to have these proposals submitted in concrete form to lay a foundation for later action. The need for liberalization of the Retirement System is becoming increasingly apparent, but there are many difficulties to be overcome. Any amendment will affect not only state employees but the employees of cities, counties, villages and other units of government and many complex problems of financing and policy are involved.

The Association's program has focused attention upon these problems and we have pointed out practicable plans which are receiving increasing support throughout the state. Among our proposals are the Halpern-Rapp bill, providing for a minimum pension of $30 per year, which, together with normal contributions would insure a minimum retirement allowance of $1200 per annum after 30 years of service; the Wachtel-Knauf bill, providing for the vesting of retirement benefits to insure a deferred retirement allowance if services are discontinued after five years; the Hults-Sellmayer bill, increasing the death benefit from six to twelve months' salary, and the Bainbridge-Hatfield bill, authorizing optional retirement at age 55, the additional cost to be divided equally between the employee and the State. All of these bills died in committee.

The Condon-Ryan bill, providing that the uniformed prison personnel in the Department of Correction would have the option to retire after 25 years of service, passed both houses, but, because the Senate declined to pass the Assembly bill, and the Assembly declined to pass the Senate bill, the net result was the same as if the bill had passed in only one house. All other 25-year retirement bills died in committee.

The Cullen bill, which would have exempted retirement benefits from estate tax on the death of the member, passed the Senate, but was killed in the Assembly. The Cullen-Shaw bill, which authorized pension...
credit for time during which an employee was on leave of absence due to illness, or on a preferred list, upon payment of both the employee's and the State's contribution, died in committee.

MENTAL HYGIENE AND CORRECTION RETIREMENT SYSTEMS

The Ryan bill, which authorized a retirement allowance of $600 to the widow of a Prison Guard who was eligible for retirement, passed the Assembly, but was killed in the Senate.

The Association also sponsored two bills to give employees of the Correction Retirement System and the Mental Hygiene Retirement System the same options now available to members of the New York State Employees' Retirement System. Both of these bills passed the Senate but died in the Assembly Rules Committee.

UNEMPLOYMENT INSURANCE AND WORKMEN'S COMPENSATION

An important step forward was taken in the adoption of the Shaw bill, which mandated workmen's compensation coverage for employees in the State colleges and schools. The Association was extremely disappointed, however, in the failure of the legislature to pass the Halpern-Barrett bill to extend unemployment insurance coverage to state employees. The State now requires all private employers to carry unemployment insurance and there is no sound reason why public employees, who have the same need of unemployment insurance benefits when they are out of work, should be denied the benefits of this protection.

MOVING EXPENSES

The Governor vetoed, without comment, the Erwin-Barrett bill which provides that if an employee is transferred by the direction of his department and not at his own request from one part of the state to another, the state would pay moving expenses up to $150.

INSTITUTION PATROLMEN

The Bontecou-Hatfield bill, empowering institution patrolmen to act as peace officers beyond the present limits of the institutional grounds, passed both houses and was vetoed by the Governor without comment.

PUBLIC WORKS

The Association sponsored two bills affecting employees in the Public Works Department. One would have permitted the reinstatement of architects who were laid off in 1940 through no fault of their own, and the other would have permitted the reinstatement of engineers and other employees of the department who were demoted in title or salary when the force was curtailed at the beginning of the depression. Both of these bills were passed by the legislature but were vetoed by the Governor.

SOCIAL WELFARE

The Bainbridge-Knauf bill, which would have limited the hours of work for teachers in Social Welfare institutions to the same hours now in effect for teachers now in Mental Hygiene institutions, died in committee, but the Association is continuing its efforts to equalize the working hours of these employees by administrative action.

MISCELLANEOUS

Among the bills which died in committee, were bills to provide that uniforms for prison and institution workers should be furnished at the expense of the State; limiting the powers of the Chairman of the Public Service Commission over personnel; and providing that unused sick leave, vacation, holiday, pass time and overtime should be paid to employees upon retirement.

ATTORNEY GENERAL GIVES RULING ON G.I. PREFERENCE

Attorney General Nathaniel L. Goldstein, in an opinion to the Department of Civil Service, has ruled that veteran's preference in the civil service applies to the right to preference in reinstatement from preferred lists established pursuant to Section 31 of the Civil Service Law.

The right to preference in reinstatement is not specifically provided by statute but the Attorney General held that such a preference is a necessary part of any plan recognizing a right of retention in the civil service. Preference in retention is not effectually accorded a veteran by merely retaining him longest in service when suspension becomes necessary. The Attorney-General stated that "the right to be first reinstated is a sequel to the right to be longest retained when the number of positions is curtailed. Together, these rights constitute the preference in retention." Accordingly, the opinion held that it follows that "the seniority preferences granted by that statute (Civil Service Law § 31) must now be modified by the constitutional preferences in retention given to veterans, and that disabled veterans and non-disabled veterans must be preferred in that order upon reinstatement from preferred lists established under Section 31."

The right to preference in reinstatement does not apply to preferred lists in existence on January 1, 1946, the date on which the constitutional amendment became effective.

Mr. Goldstein summarized his holding to mean that where positions are abolished or eliminated after January 1, 1946, veterans are not only entitled to be the last to be suspended but are also to be the first to be reinstated from the preferred lists upon which their names are entered, with the limitation, however, that this preference does not apply as against those whose names were placed on such lists because of suspension from employment in the civil service prior to January 1, 1946.

DON'T FAIL TO READ

PRES. TOLMAN'S EDITORIAL ON PAGE 164

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