

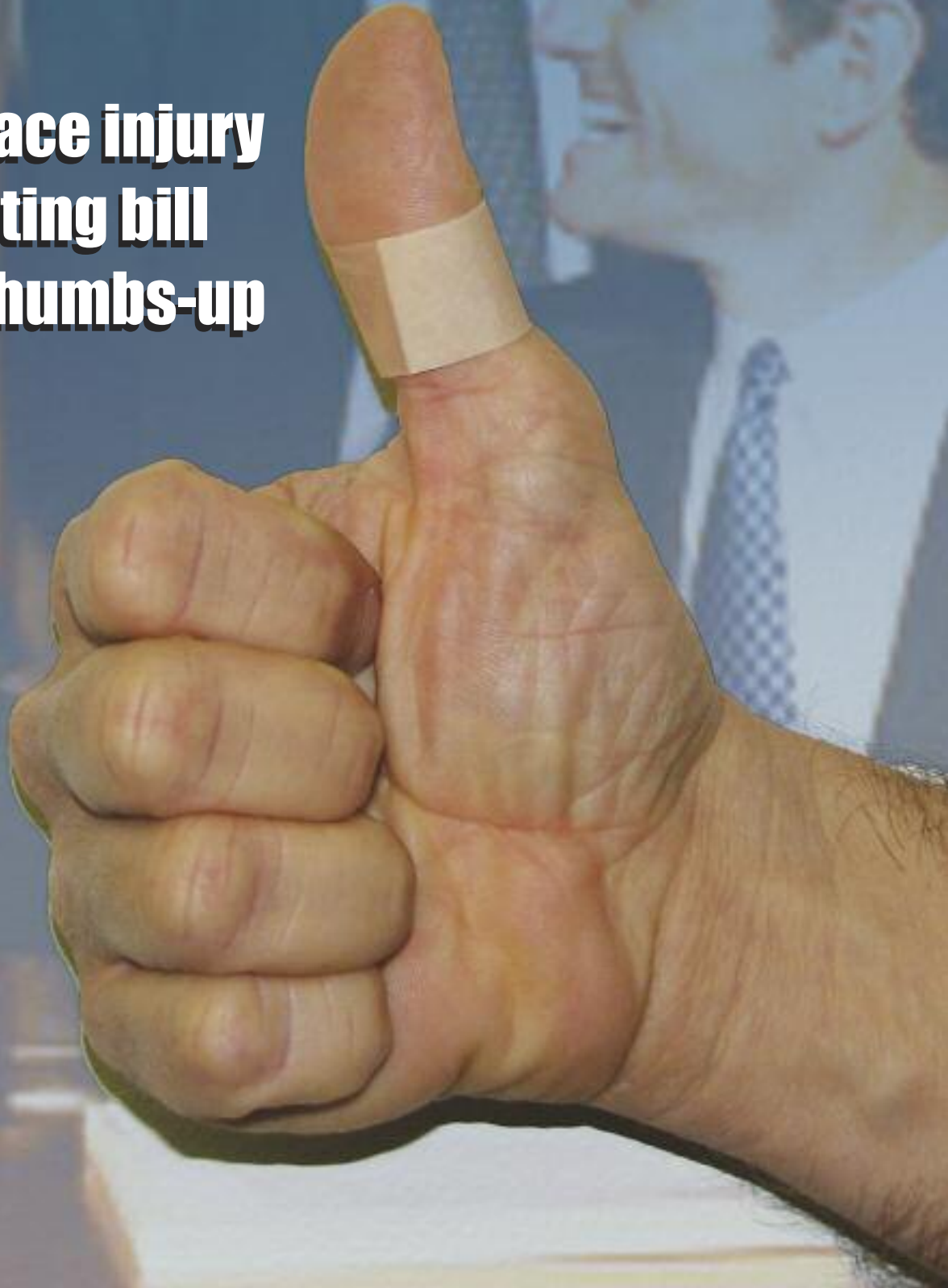
The Communicator

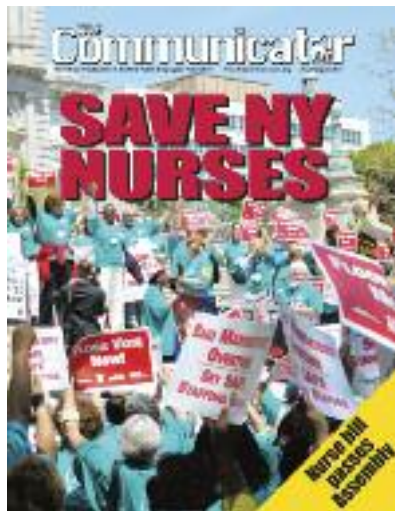
The Official Publication of the NYS Public Employees Federation

www.thecommunicator.org

September 2007

**Workplace injury
reporting bill
gets a thumbs-up**





RPC RNs proud of activism

To the Editor:

Referring to a photo with the article on the nurses' rally in the July-August issue, I'd like to clarify that it was not the first time nurses from Rockland Psychiatric Center attended a rally to end mandatory overtime. RPC nurses have been participating for years!

SCIENCIA TORCHON
Spring Valley

Member needs leave donations

To the Editor:

As council leader of PEF Division 320, I am writing to you on behalf of one of our members here at SUNY Upstate Medical University Hospital in Syracuse who needs your help. Chris Sheaffer is a registered nurse within the Surgical ICU and has a very serious cardiac condition. Chris's wife Lynn is a PEF member at Hutchings Psychiatric Center in Syracuse.

Tragedy first struck this couple two years

ago when their 24-year-old daughter, Samantha, died from a sudden cardiac complication. Local PEF members then were able to donate vacation accruals for use by the couple as sick leave. Chris and Lynn wish to thank all of you who donated your time.

Chris was then placed on the list for a heart transplant and, unfortunately, is still waiting. The previously donated time that was not used had to be returned to the original donors. But Chris is still waiting for his heart transplant.

Recently, Chris suffered a setback as his heart went into a dysrhythmia called atrial fibrillation. Chris is going to be admitted to the hospital to try and shock his heart back into a regular rhythm. Also the surgeons are going to place an internal defibrillator within his chest.

So what can we do? I am asking any PEF member who is able to donate vacation accruals so we can help Chris and Lynn at this harrowing time.

To donate time, contact Linda Mazzone in the SUNY Upstate human resources department at (315) 464-4943 or complete the form available at www.syrpef.org/sunyleavedonate.pdf or www.syrpef.org/leavedonateamended.doc and mail it to the address on the bottom of the form.

Your help is greatly appreciated.

PETER BANKS
Syracuse

Keep pushing for tier reform

To the Editor,

This is in regard to the tier equity legislation A.7445C/S.4514B which would require added pension service credit for Tier 3 and 4 members who had contributed in excess of 10 years at the time that contributions were eliminated.

I am hopeful PEF staff is aware that again at last year's PEF convention, a resolution was passed to ensure "PEF make it a high priority in

using it's resources to support and push for passage of these bills."

This legislation is getting more and more critical, as some of these Tier 3 and Tier 4 members are already retiring and the majority of them are now about to retire. I am very disturbed that, even though this has been considered the highest priority, there never seems to be any discussion or status printed in the "Legislative Action" page of *The Communicator*.

A response here and a status report on the Legislative Action page would be appreciated.

PETER HOWARD
Schenectady

Editor's Note: The 2007 bill numbers for state legislation to address this issue are A.7128/S.4554. This legislation was introduced by Assembly Member John McEneny (D-Albany) and Sen. Joseph Robach (R-Rochester) at PEF's request.

The legislation is still in the Assembly Governmental Employees Committee and the Senate Civil Service and Pensions Committee, which is why it has not been mentioned in legislative updates in *The Communicator*. For space reasons, those reports generally focus on PEF bills that are coming to the floor for votes or that have been passed in one or both houses.

PEF continues to advocate for this legislation which it recognizes is very important to many PEF members. However, the union cannot force lawmakers to act on bills if they object to the potential expense or have other concerns.

PEF expects to continue lobbying for this legislation until it is enacted.

For updates on the status of this or other legislation supported by PEF, visit www.pef.org and select Political Action.



MAKING PEF PROUD — PEF Region 12 member Margaret Stadnicky accepts a Joseph Scacalossi Scholarship on behalf of her daughter, Nicole, from PEF President Ken Brynien in July in Hauppauge. Also shown are Region 12 Coordinator Dee Dodson and members Carol Ferrante, Kathryn Green and Grace Pecora.

Cover photo by Darcy Wells,
graphics by Mario Bruni

THE COMMUNICATOR

Volume 24, No. 7 September, 2007 (0745-6514)

The Official Publication of the New York State Public Employees Federation, AFL-CIO, 1168-70 Troy-Schenectady Road, Latham, NY 12110-1006. The Communicator is published monthly, except for January and August, for members of the New York State Public Employees Federation. Periodical postage paid at Latham, NY and additional mailing offices.

Postmaster: Send address changes to:
Editor, PEF Communicator, 1168-70 Troy-Schenectady Road, P.O. Box 12414, Albany, NY 12212-2414. Phone (518) 785-1900, ext. 277. Articles and advertisements should be received by the 10th of each month prior to publication.

Letters Policy: The Communicator welcomes letters to the editor about union issues and events relevant to PEF's diverse membership. All letters are subject to editing for space, fairness and good taste. Please type your letters, keep them brief (up to 250 words), and include your name and phone number for verification. Send letters to:
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PEF Region Field Offices

- Reg. 1 Buffalo 1-800-462-1462
- Reg. 2 Elmira/Hornell 1-800-724-5001
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The Communicator Staff

Stephen Chamberlain Managing Editor
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Sherry Halbrook Editor
Deborah A. Miles Reporter/Writer
Mario A. Bruni Graphic Artist
Barbara Valenti Jr. Graphic Artist
Paul Murphy Secretary/Typesetter
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PEF is affiliated with the American Federation of Teachers, AFL-CIO & Services Employees International Union.



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Read it online
www.thecomunicator.org

Two down; one to go

Second 'Stop Workplace

By **DARCY WELLS**

Gov. Eliot Spitzer signed into law the Workplace Injury Disclosure and Accountability bill on July 9, making it the second victory for PEF's Stop Workplace Violence campaign.

"The governor recognizes with the signing of this bill, the importance of reducing work-related injuries in state agencies and improving safety programs," said PEF President Ken Brynien.

The law requires the Department of Civil Service to produce an annual report on state employees' workers'

compensation injuries and related costs to help agencies identify prevention strategies. The Civil Service Department has not produced such a report for 15 years.

"This law is long overdue," Brynien said. "It will go a long way in helping to identify trends and reduce workers' compensation costs by preventing injury and illness on the job."

The state estimates its annual cost for workers compensation claims by injured state employees to be more than \$200 million, yet without injury information to draw from, the ability

to reduce costs and prevent workplace injuries was limited.

"This is a major victory for state employees and the taxpayers," said Jonathan Rosen, director of PEF's Health and Safety Department.

"Union leaders and agency managers will now have information about workplace assaults and all types of occupational injuries, so they can plan interventions to improve the health and safety of state workers and reduce the negative effect workplace injuries have on our members, their families, co-workers

Legislators bring hope to members at

By **SHERRY HALBROOK**

Hundreds of PEF members and other staff were hurt last year at Pilgrim Psychiatric Center in West Brentwood on Long Island, and they want the violence to stop. They also want an end to the toxic work environment created by management that adds insult to their risk of physical injury on the job.

They found a concerned and responsive audience for their issues when state Assembly Members Peter Rivera (D-Bronx) and Phil Ramos, (D-Suffolk County) visited the center in early August at the request of PEF Vice President Pat Baker, the union's labor-management chair for the state Office of Mental Health.

Rivera chairs the state Assembly Committee on Mental Health and Ramos, who worked at Pilgrim in the 1970s, now represents that district in the state Legislature.

After hearing about the dual problems of violence and management abuse, Rivera and Ramos announced they would establish a joint "commission" to address the employees' complaints of management intimidation, inflexibility and other abuses. The lawmakers also said they would ask the Suffolk County district attorney and law enforcement officials to meet with the unions and management at Pilgrim to address the violence there.

"Our members were very happy to see these legislators here. We feel encouraged that things could change," said PEF Division 233 Council Leader Rosario (Rusty) Pascual, an intensive case manager at Pilgrim.

The lawmakers toured the facility, attended a union meeting with the members, joined in a news conference about what they had learned, and then met with Pilgrim Executive Director Dean Weinstock.

hostile and inflexible management approach that "pollutes the atmosphere."

They said management insisted employees work overtime for a visit earlier this year by the new state mental health commissioner, Michael Hogan. The members said, when they claimed those hours on their timesheets, the time was erased by management, which refused to pay it.

Rivera told reporters at the news conference he found "a tremendous amount of employee unrest" at Pilgrim. He cited reports of "outpatient nurses being mandated to do inpatient work ... and people being (threatened with) fines, \$1,000 or \$2,000" if they refuse to "volunteer" to work overtime. "If people don't do mandated overtime ... they may get fired," Rivera said.

"Our members at Pilgrim have been so intimidated, they believed the director could do anything he wanted to them, and nobody cared," Baker said. "OMH turns a blind eye to what goes on at the facility level. When it comes to workplace violence, mandatory overtime or labor-management, they think all they have to do is stonewall us."

Management's way or else

Some of PEF's more than 580 members at Pilgrim wore stickers that said, "Respect us; Hear us." Others wore PEF T-shirts with a picture of actor John Wayne and the words: "We won't back down, Pilgrim."

At their private union meeting with Rivera and Ramos, the members related a long list of concerns including short staffing, mandatory and coerced "volunteering" for overtime, a pervasive system of harassment and intimidation of staff, abuse of the disciplinary process and a

Assaults common

Pilgrim logged 511 reports of staff getting hurt on the job in 2006, and 331 of those reports (65 percent) involved interactions with patients, according to data gathered by OMH and presented at a March symposium on efforts to build a "Safe and Therapeutic Environment" at the



PROTESTING — Cynthia Matos, Gracie James, Al Barbieri and Marvin Moschel join CSEA in a demonstration at Pilgrim

Violence' bill becomes law

and their agencies.”

The campaign

PEF mounted an aggressive Stop Workplace Violence Campaign in 2005, urging passage of three bills including the Workplace Injury Disclosure and Accountability bill that was just signed into law.

In June 2006, the Workplace Violence Prevention bill was signed into law. That law requires public



employers with more than 20 employees to assess risk and develop and implement a written plan to prevent workplace violence.

One more

“There is one more bill we continue to push for as part of this campaign,” Brynien said.

“The Judi Scanlon bill also must become law for the safety of our members who conduct home visits on mentally ill patients.”

The legislation is named for PEF member, RN and intensive case manager Judi Scanlon who was murdered in November 1998, while conducting a home visit in Buffalo. Her patient attacked and killed her.

The Scanlon bill would direct that an Office of Mental Health employee who is required to enter the residence of a person with serious mental illness can request to be accompanied by another employee for safety reasons.

The Senate passed the bill. It remains in the Assembly Mental Health Committee.

Pilgrim PC

agency. On average, statewide, 80 percent of staff injuries involving patients resulted from patient assaults on staff or occurred when staff tried to restrain patients who were out of control.

On-the-job injuries cost Pilgrim 6,163 staff days in 2006 — the equivalent of losing 29 staff for the entire year.

The tab for workers' compensation and related medical costs at Pilgrim totaled nearly \$3.8 million in 2006, and more than \$2 million of that was for assault-related injuries.

Baker said, “Staff injuries have become a vicious cycle at Pilgrim, because employees who are seriously hurt have to take time off to recover and that just adds to the problems of short staffing and mandatory overtime, especially for our nurses. And we know that not having enough staff, and making people work extra shifts when they are already exhausted, or fill in on units where they don't know the patients, just raises the chances of someone getting hurt.”

“When we recently surveyed our members at Pilgrim, more than 65 percent said they had been directly affected by workplace violence. And 81 percent of those responding said they did not feel protected by the center's violence-prevention policies,” said PEF Region 12 Coordinator Doris Dodson.

“The survey showed nearly every one of our members has been injured or knows a co-worker who was injured by the violence here,” Pascual said. “It's a terrible strain and worry for everyone.”



CALL FOR CHANGE — PEF leaders Rosario Pascual, Pat Baker, Assembly Member Peter Rivera, Dee Dodson of PEF and Assembly Member Phil Ramos tell the press of violence and intimidation at Pilgrim PC. — Photos by

Ramos told reporters he was disappointed to see so many problems were just as bad or worse today than they were when he worked at Pilgrim.

“I've taken a lot of punches,” Ramos said of his years there as a mental health therapy aide.

Hope for the future

Baker said Rivera and Ramos told her they would include representatives of the employee unions, patient advocates and management on a commission to review and address the employees' issues with management. A neutral “third party” will head the group, she said.

Rivera and Ramos made a commitment to follow up and make sure that this mechanism was functional, and not just lip service.

“Rest assured, we will stand behind you and bring resolution to this situation,” Rivera told the PEF members.

“We are very grateful for the strong interest they take in the safety of both patients and staff,” Baker said.

“Assembly Member Ramos worked here, and he has also been a New York

City police officer, so he understands the culture and the environment. He marched with our members and CSEA (the Civil Service Employees Association) when they protested these poor working conditions (on July 31),” Baker said.

“Assembly Member Rivera has also visited psychiatric centers in the Bronx and in Albany this year at our request, because they also have very high injury rates. And he has brought the DAs to meet with our members,” Baker added.

“Their visit has started to build the trust of our members in the union and that possibly some things can change for the better,” Pascual said.



HELP US — PEF members at Pilgrim Psychiatric Center ask visiting state legislators for

Member Mobilization

Sept. 11 – six years later

By **DEBORAH A. MILES**

Six years after Sept. 11, PEF members who survived the terrorist attacks on the World Trade Center (WTC) said they are still haunted by the event, but have moved forward.

They talk about having a deeper appreciation for life, the strength to continue on, and fear of the future.

They remember 2,974 people died that day, including 31 PEF members from the state Department of Taxation and Finance, and three from the Department of Transportation (DOT).

Alicia Ferrer, a tax auditor 2, said the tragic event will always be a part of her life, but she doesn't think about it every day as she used to.

"You do heal from the initial shock and pain," Ferrer said. "The experience changed everything. I have lived in Manhattan my entire life and until that day I felt safe. Manhattan was wonderful. Now I never feel safe or secure. There are soldiers wearing camouflage, carrying big guns and standing on the street corners. They are very prominent especially when there is a high security alert.

"It's always in the back of your mind that terrorists may attack again," Ferrer said.

Wilfred Amanfu, a tax auditor, was on the 86th floor of the South Tower and escaped on foot. He said his life and work are "normal" again.

That is until a fire alarm recently went off at the Tax and Finance office. When he was going down the stairwell

from the 16th floor, he began to shiver.

"Hearing the alarm and being in the stairwell triggered something," Amanfu said. "I thought I had moved on, but only halfway. No one knows the psychological or emotional impact Sept. 11 had on us."

Location matters

After the tragedy, Tax and Finance moved to midtown Manhattan.

"The commissioner was very thoughtful in selecting a new location for us," Ferrer said. "Having to work near the site would have been difficult."

Sangeeta Bhowmick, an associate transportation analyst for the New York Metropolitan Transportation Council, works near South Street Seaport. Unlike Ferrer, she takes the train and it stops at Ground Zero every day.

"Every time I see the remnants from the site, it brings back memories," Bhowmick said. "I have many mixed feelings."

Fearing the future

"What is always lurking in the back of my mind is the possibility of having



TRANSPORTATION — Sangeeta Bhowmick remembers her three co-workers. PEF members who belong to DOT and work at NYMTC honored the memory of their lost co-workers by naming three conference rooms after them. They also created a September 11 Memorial Program that provides internships and research studies for students interested in transportation technology and planning.

— to move back to the WTC after it is rebuilt," Bhowmick said. "That would be difficult for me."

Ferrer agreed. "Fortunately for me, I will retire before that time. I would be absolutely devastated if I had to work there. If I couldn't retire, I would quit. It's one thing remembering it and knowing everything you went through that horrible day, but it's another if you have to go back and work there. I know a lot of my co-workers feel the same way.

"If, in the future, someone decides to move this department to the Freedom Tower, the only way it may work would be due to staff turnover. The new people may not have as strong an objection," Ferrer said.



TAX AND FINANCE — Wilfred Amanfu and Alicia Ferrer take time to reflect upon the 31 PEF members who were killed on Sept. 11. The memorial lists the names of those who perished and is located at the Broadway Office in midtown Manhattan.

Today's fight honors yesterday's heroes

By **KENNETH BRYNIEN**

The holiday of Labor Day traditionally marks the end of summer. To many people the holiday isn't much more than an extra day of vacation.

Most of us don't think much about Labor Day or even what we are celebrating, either having forgotten or never having learned about our brothers and sisters in labor and the sacrifices they made — sacrifices that led to many of the benefits and working conditions we take for granted. Many union brothers and sisters gave their lives working to make our lives better, through their work and through their service to each other.

We, too, have members who died in noble causes, ensuring that the work of the citizens of New York was done. On September 11, 2001, we lost 34 members, and over the years before and since we have lost even more. Their heroism and sacrifice must never be forgotten.

One of the best ways for us to honor the memory of our lost friends and colleagues is by working to protect and improve the working conditions of our



BRYNIEN

members and all workers.

Unfortunately, many of the draconian management tactics and styles that our union brothers and sister resisted and fought against years ago still exist in many workplaces across the state.

Our members are being threatened, intimidated and punished by managers for exercising the contractual and legal rights that we have earned as public employees. Nowhere has this become more acute than in many of the state facilities of the Office of Mental Health and Office of Mental Retardation and Developmental Disabilities and in the state prisons.

Often, management behavior is a manifestation of a deeper problem such as short staffing that has led to mandated overtime, as well as lapses in worksite safety which often result in violence against workers from clients and inmates. Many times, the dangers of short staffing are compounded by

management with an anti-worker, anti-union bias. And, many times, rather than make decisions that will address the problem, management denies and ignores the issue.

We are working to put an end to these abuses and the conditions that allow them to flourish across the state at facilities such as Pilgrim Psychiatric Center, Sunmount Developmental Center, and Arthur Kill Correctional Facility.

We will hold management accountable for their actions and work to address the underlying causes wherever they may occur. We will use any means possible to fight these problems, including legal action, public relations, legislative action, political action and mobilization, and will not stop until our members' needs are met.

This is what the founders of the union movement fought and sacrificed to achieve. This is why we celebrate Labor Day, and there is no better way to honor their memory than to fight and work to improve the lives of our members and all of our fellow workers.

Health benefits, program extensions dominate negotiations

By **DEBORAH A. MILES**

PEF's PS&T contract team has been meeting with negotiators from the Governor's Office of Employee Relations (GOER) throughout the summer.

In August, PEF and the state signed an extension of the part-time Leave Adjustment Program. This allows eligible part-time employees to receive any additional leave accruals owed to them under the terms of the pilot program for the first half of the current fiscal year.

It is the third "sunset" program that has been extended. (A sunset program is a provision that doesn't automatically continue after the contract expires.)

The others are the Leave Donation/Exchange Program that allows eligible employees who have exhausted their accrued leave credits because of a long-term illness to receive leave donations from other PEF employees, and the basic medical discount-provider program in the Empire Plan.

The state has yet to agree to extend tuition reimbursement.

"We are still battling with the state negotiators for this program," said

Roger Scales, PEF's chief negotiator and director of labor relations. "The termination of these benefits creates a burdensome interruption for PEF members who are working to complete particular courses of study.

"Professionals need educational courses and we are calling on the governor's negotiators to break with tradition and continue educational offerings during negotiations. Or, at a minimum, agree that employee costs during the hiatus would be reimbursed when the contract is settled," Scales said.

Health benefits, cost

Health benefits also dominated the talks at the bargaining table. In July and August, representatives from United Health Care participated in a discussion of state proposals and spoke about shifting significant costs to employees, Scales said.

"We suggested the state and insurance companies focus on improving the network of participating providers, instead of devising ways to shift more costs to members," said PEF Vice President and Contract Chair Lou

Matrazzo.

"We understand maintaining health benefits without sky-rocketing co-pays is an important issue, and one we are fighting for," Matrazzo said.

What about raises?

If you're wondering when raises will be the topic at the bargaining table, Scales said, "Historically, any real bargaining on money hasn't occurred until the final hours of negotiations."

But PEF has provided the state with information relevant to determining raises.

"Our proposal regarding raises includes Consumer Price Index data, U.S. Department of Labor Bureau of Labor Statistics information and other pay raises provided in contract settlements," Scales said.

The state is expected to counter with inflation costs in the health and prescription programs as well as long-range budget projections.

For updates on negotiations, visit the PEF Web site and click on the contract button, sign up and read the Active Informed Member (AIM) bulletins or call the weekly PEF Information Line.



Retirees health bill goes to Spitzer

By **SHERRY HALBROOK**

Two high priority PEF bills went to the governor in early August, after he signed the Workplace Injury Reporting bill into law. (See related article, page 4.)

The Retiree Health Insurance bill and the Reassignment bill were sent to Gov. Eliot Spitzer for his signature or veto.

PEF immediately mobilized its members and retirees to e-mail or call the governor and ask him to sign the legislation to protect the health insurance benefits of retired state employees (S.6030/A.8829).

The bill, which was vetoed in 2006 by former Gov. George Pataki, would prohibit the state from reducing health benefits for its retirees more than it reduces them for active employees. While PEF and the other state-employee unions cannot directly negotiate such benefits for retirees, they can and do negotiate the benefits for their members.

"This legislation is very important for every PEF member, as well as every PEF retiree," said PEF President Ken Brynien.

"The health benefits of retirees, who have worked all their lives to earn them, are being threatened all over this country," said PEF Retirees President Steve Muscarella. "We must get this legislation enacted before we start to see our own well-earned benefits ripped away from us."

PEF faxed and mailed more than 1,200 letters from members and retirees to the governor asking him to sign the legislation.

"Once the bill was passed in the Legislature, we began collecting these letters to the governor and were just waiting until the bill was on his desk to send them," Muscarella said.

The Reassignment bill, S.4820/A.6757, would require the state to give employees 12 months notice before reassigning them involuntarily to a worksite outside their normal work areas.

Members have stake in federal funding

By **JOHN MURPHY and SHERRY HALBROOK**

After six years of neglecting domestic priorities, Congress is making new investments in programs for working Americans that should increase funding for PEF jobs in New York State.

PEF strongly supports the budget bills to increase this domestic funding for federal fiscal year 2008, which begins October 1.

The House and Senate Appropriations Committees have each approved their versions of the bill to fund the US Departments of Labor, Health and Human Services (HHS) and Education. After these bills are voted on in their respective houses, a joint conference committee will resolve the differences between them.

President George W. Bush has threatened to veto the final bill and all other appropriations bills that exceed his FY 2008 budget request.

PEF and its international affiliates have been lobbying in support of the proposed increases in Labor-HHS-Education spending.

Members' safety at risk

In a victory for health care workers, the House committee rejected an amendment to this bill that would have undercut worker protections from potentially fatal airborne hazards. The amendment, offered by Rep. Roger Wicker (R-MS), would have forbidden the Occupational Safety and Health Administration (OSHA) from enforcing its requirement that hospitals and other employers annually test the fit of respirators that protect workers who may be exposed to tuberculosis.

Since 2003, Republican leaders have inserted a rider in the Labor-HHS-Education bill to block OSHA enforcement of this requirement.

Employee Free Choice Act

The Senate GOP leaders used a filibuster to block the Employee Free Choice Act (H.R. 800) that

would limit the ability of employers to stop their workers from choosing to form or join a union.

While the Senate failed to approve EFCA, the vote of 51-48 to end the filibuster was a milestone on the road to achieving labor law reform. The House passed H.R. 800 on March 1 by a vote of 241-185.

Workforce Investment Act

PEF has lobbied Sens. Hillary Clinton and Charles Schumer and NYS congressional representatives urging them not to support funding reductions and privatization initiatives proposed by the president for the Workforce Investment Act. PEF's Legislative Department is working closely with AFT and SEIU on this funding and programmatic issue which directly affects services provided by PEF members at the state Labor Department (DOL).

PEF opposes cutting, reducing or block-granting funding for WIA, eliminating America's Job Bank or privatization of any employment service programs.

PEF supports improved funding and continued adherence to the Wagner-Peyser Act.

PEF President Ken Brynien has written to the USDOL opposing privatization. And the House and Senate passed legislation to stop Bush's attempt to privatize services administratively.





PEF PR — (L) Debbie Miles, Sherry Halbrook, Mario A. Bruni, Paul Murphy, Darcy Wells, Barbara Valenti and Kathi Blinn. — Photo

PR department spotlights members

The Public Relations Department (PR) at PEF headquarters runs much like a newsroom, where press releases, stories for the union's publications, and ads for television and newspapers are written and produced.

It's a bustling atmosphere where the staff of seven focuses on helping PEF achieve stronger contracts, job security and legislation to benefit all New Yorkers.

"PR is the union's communications center," said Darcy Wells, who heads the department. "It's our job to advance PEF's goals through the media, community relations, and through marketing and advertising.

"We also assist local leaders in announcing and preparing for organized events, membership meetings and press conferences," Wells said.

Positive images of PEF

"PR has a highly experienced and dedicated team of professionals," Wells said. "We work together and independently to promote a positive image of the state employees PEF represents."

The department includes Sherry Halbrook, editor; Debbie Miles, reporter/writer; Mario A. Bruni, graphic artist; Barbara Valenti, junior graphic artist; Paul Murphy, secretary/typesetter; and, Kathi Blinn,

advertising account executive.

PEF Staff Director Stephen Chamberlain provides general oversight of the department and guides it in promoting PEF's positions. He shapes the public's perception of PEF on union issues, and oversees the production of *The Communicator*, other publications and ad campaigns.

Much of the behind-the-scenes preparation for PEF rallies is created in PR. It produces the signs, designs and orders the T-shirts, invites the media to attend, and gets the press coverage.

PR monitors any mention of PEF or PEF-related issues with a daily nationwide media search.

Many times the department will launch an ad campaign to tie into a union event such as a rally or press conference. It's the highly detailed, deadline-orientated, and timely execution of a variety of things that keeps the department on the move.

In print

Another facet of PR is the production of *The Communicator*. Each month, the staff discusses the editorial content and advertising space before the actual writing and graphic layout of the magazine.

"It is our responsibility to produce *The Communicator* year round," Wells said. "We strive to include information on timely issues of importance. PEF

represents members in so many job titles, PR helps to ensure the general public appreciates the high quality of work our members perform. *The Communicator* serves as an ideal venue to promote our members and other union news."

Ad space is sold to offset the cost of production and the staff is always looking for ways to reduce the cost while not compromising the appearance of the publication.

Behind-the-scenes

Preparing for the annual PEF convention is another undertaking by the PR staff. Once the convention theme has been decided, the department works with union leaders to design and produce most of the convention materials. PR is responsible for the highly technical production of sounds and graphics for the event.

"We keep the convention in mind all year long," Wells said. "We try to have every PEF event in every region covered and keep an electronic file of all the photographs.

"In all our responsibilities, we strive to represent PEF in a creative way. The PEF membership energizes this department and allows us the opportunity to put them in the spotlight."

Human Rights members under siege

By **DEBORAH A. MILES**

You would think the state Division of Human Rights, an agency devoted to enforcing laws that afford “every citizen an equal opportunity to enjoy a full and productive life,” according to its Commissioner Kumiki Gibson, would take care of its own employees.

Yet, the PEF members who work for Human Rights have a long list of complaints such as: increasing workloads, changing job duties, creating new job titles, closing cases from 2006, imposing a new dress code, canceling the compressed workweek agreement without the 10-day required notice, and transferring employees to other offices further from their homes.

That’s what Margaret Jackson, an administrative law judge and others have reported.

“We feel under pressure and scared of losing our jobs,” Jackson said, who is the new council leader of PEF Division 329.

Taking action

Jackson’s worked at Human Rights for nearly a decade. Since Gibson was appointed by Gov. Eliot Spitzer in January to head Human Rights, the small Bronx staff of 10 full-time administrative law judges and one

per-diem judge (all PEF members) have been forced to increase their workloads, forced to attend an off-site retreat, and feel as if they are being forced to quit.

Some have filed lawsuits. Others filed complaints with the Equal Employment Opportunity Commission (EEOC) to get their cases heard on a federal level.

“It’s like we are under siege,” Jackson said. “We’ve tried the increased workload before, and what happens is the public suffers.

“We’ve been told by Alfonso David, Gibson’s special advisor, the commissioner doesn’t have to consult with PEF or Civil Service; she can just make changes as she pleases.”

PEF steps in

Region 10 Coordinator Vernetta



CHESIMARD

Chesimard said the division was in trouble and the union needed to intervene.

“PEF has helped them to get their leadership back,” Chesimard said. “I met with Gibson and she has a vision for this agency. She doesn’t understand her staff could make her vision come true.

She needs to understand the value of her employees.”

PEF Vice President Pat Baker has written two letters to Gibson raising the list of complaints from the employees. And a committee has been formed including Jackson, Baker, Chesimard, Region 11 Coordinator Jemma Marie-Hanson and Region 12 Coordinator Dee Dodson.

PEF President Ken Brynien is also on top of the situation and met with Human Rights members in August.

Brynien listened to members for more than two hours and said he would personally meet with Gibson.

“Our members are being forced to agree to changes in their tasks and standards,” Brynien said. “In some cases, this even diminishes the rights of the public.

“And our members are even being forced to endure insulting comments from management about their work ethic. Management needs to recognize that PEF members in the Division of Human Rights have human rights too,” he said.

“A PEF president never came to them before,” Chesimard added. “The situation has escalated, but the president’s visit gave them hope.”

Snapshot



REGION 8 WINNERS — PEF Region 8 Coordinator Tom Comanzo (L) poses with Ned Cullings, Bridget Cullings, Nilam Kumar and daughter Priyanka, Aseem Kumar and Bob Harms, PEF Scholarship Committee chair. Prateek Kumar and Rachel Rieder (both not shown) were the other Region 8 recipients of the PEF Scalossi Scholarships. The awards ceremony took place in July.

Story and Photo

By DEBORAH A. MILES

Some motorists traveling westbound on I-890 near Michigan Avenue in Schenectady have noticed a right-lane closure, construction vehicles, but no workers.

Bruce Samson (*pictured*), a civil engineer 1 with the state Department of Transportation, will tell you his crew is working, but 35 feet below ground.

What most people don't know is the underground work — a massive drainage project — is taking place in a 1,800-foot tunnel, an undertaking that even this PEF member would hardly call typical.

The project carries a price tag of \$2 million for a total makeover of the 57-year-old iron cave.

Inside the beast

"The metal pipes are rotting out," Samson said, as he slogged through about six inches of water.

He knows where leaks have sprung from rocks hitting the inside by forceful rushes of water. He describes the project as the culvert using up its life, and getting a new soul.

The reincarnation of the culvert isn't easy. When it was initially built, 10 years before I-890, crews could work above ground, with open air around them.

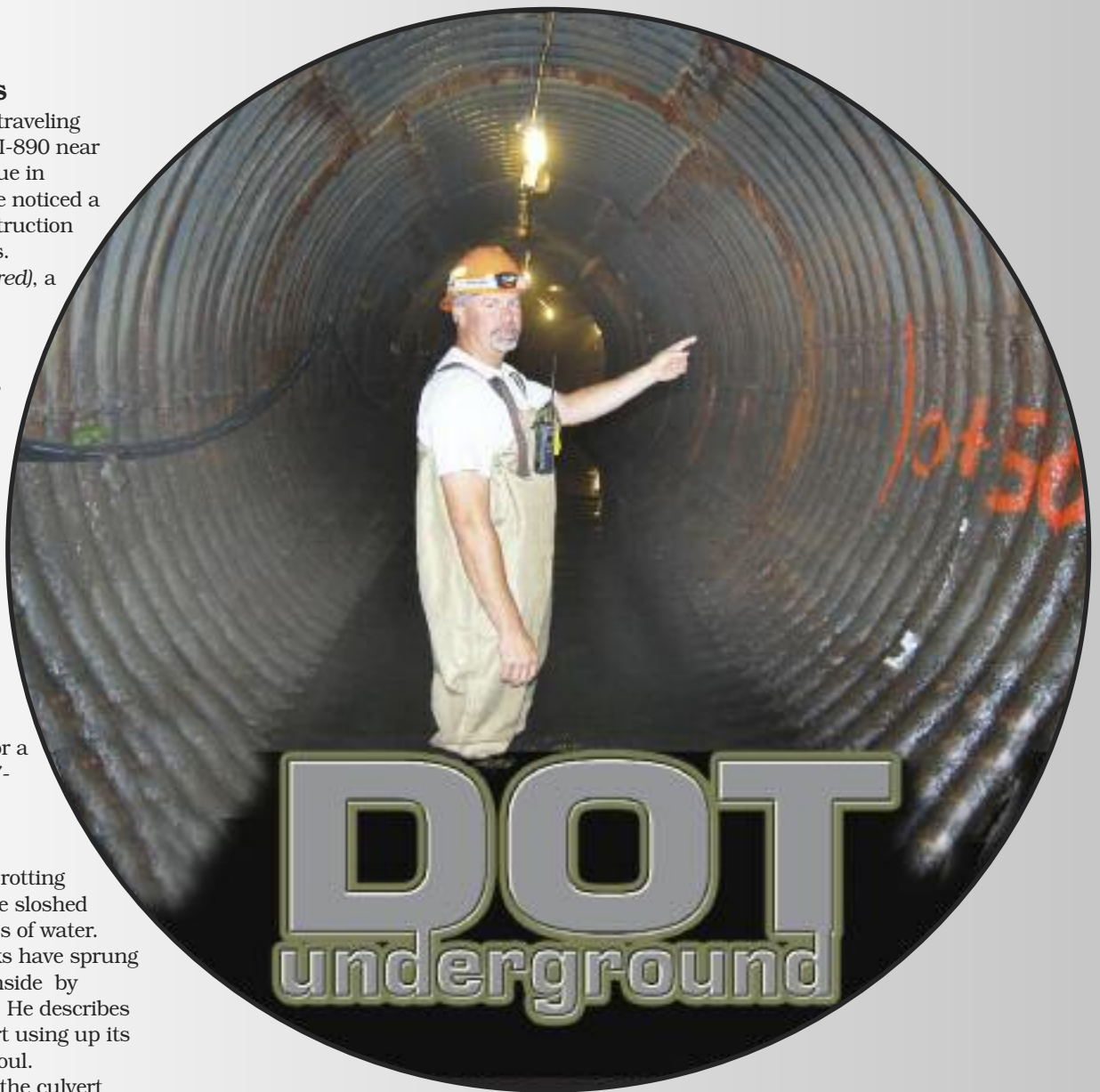
"This originally was an old creek, and the culvert was in place before they built the highway," Samson said.

This time, workers from Delaney Construction, whose work Samson inspects, are challenged by having to repair and reconstruct the dark and leaky tunnel from the inside.

"Everything has to be carried in. It's done one piece at a time," Samson said. "There's no magic door to bring in the materials. It's labor-intensive work.

"There is little ventilation inside, so running a gas-powered engine to haul things would only cause dangerous fumes."

The crew is installing a new liner plate, which will decrease the diameter of the culvert. Then they will grout the annular space and pave the floor.



The targeted completion date is November 2008.

Samson said, "Hopefully, it will help hold I-890," which sustained sinkholes as a result of the antiquated culvert.

As a DOT inspector, Samson's role is to make sure the job is done right and to curb any failure that could cost people's lives.

Safety first

Working underground heightens safety concerns. Before entering, workers must sign in, wear a hard hat with a flash light attached, safety glasses, a safety vest, gloves, fishing waders and rubber boots.

A guard is posted at each of the two tunnel entrances, who keeps tabs of how many people are in the hole and where they are located. The workers carry sophisticated two-way radios and a gas monitor.

Upon exiting, the waders and boots are rinsed with a chlorine solution and

the gloves are discarded. Hands must be washed to avoid any contamination.

Samson, who oversees and inspects the project along with input from PEF member and DOT engineer-in-charge Craig Beauchaine, said Delaney Construction has an excellent safety program.

By any other name

At times, the water level can reach seven feet, almost touching the light bulbs strung along the top of the tunnel. The men who work in the sunless environment call one area "a rain forest."

Whatever the crew nicknames the long catacomb, Samson said, "This is a behind-the-scenes project. A lot of people complain they don't see any work being done. Maybe now they'll realize another life is being built under the Electric City."

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*Source: Injury Facts, 2000, National Safety Council.



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Tappan Zee Bridge project goes to DOT

By **DEBORAH A. MILES**

Gov. Eliot Spitzer handed the state Department of Transportation (DOT) the Tappan Zee Bridge project in May, which involves the management of a massive plan to replace the 51-year-old bridge.

The state Thruway Authority owns and operates the three-mile-long bridge and has led the studies and planning in a partnership with Metro North Railroad, until the governor approved the handoff to DOT.

"This is a good thing for DOT," said Charlie Kelefant, a PEF Executive Board member for DOT. "Originally, that project was considered a prime candidate for a major public/private partnership. They were going to privatize the bridge."

"This puts DOT in the driver's seat and it shows the governor's interest in moving the project forward," said Lou Ferrone, PEF's statewide L-M chair for DOT. "The Thruway doesn't have the resources to handle the project. This is significant for DOT and to show the job can get done not only thoughtfully, but also expeditiously."

The bridge is a critical commuter link between New York City and upstate, and carries 135,000 vehicles daily. The three-mile span includes seven lanes of automotive traffic, with the center lane being able to switch between eastbound and westbound traffic depending on the prevalent commuter direction.

The Tappan Zee Bridge Corridor Review Project has a budget of nearly \$57.5 million, and cost estimates for the proposed replacement range into the neighborhood of \$15 billion.

Kelefant said a task force would be established to address the issues relating to the Tappan Zee.

"Just the size of the bridge, itself, is a major undertaking," he said. "The task force will focus on several issues such as the environmental impact, air quality, noise abatement for neighboring communities, plus mass transit issues."

"The existing DOT staff will absorb most of the work. As things progress, we will find out to what extent outside contractors are needed."

PEF Director of Civil Service Enforcement Tom Cetrino added, "Even though DOT will be in charge of the project, it does not mean it will not do a public/private partnership to finance the project. That is a possibility."

The project is in the planning stage and construction of the new bridge with commuter rail lines is expected to begin in 2009.

A message from PEF Retirees President Steve Muscarella

Stand up for NYS workers, good government

PEF Retirees are proud of their contributions to the citizens of New York state. We dedicated our careers to providing good government service.

Many functionaries, however, never fail to take the opportunity to criticize "big government" and to paint us with the same brush as those who are responsible for waste in government.

In the June-July issue of the *Public Employee Advocate* (published by the American Federation of Teachers), PEF President Ken Brynien, writes a scathing indictment of wasteful government practices.

He states, "Privatization, as practiced today, is an insult to good government.

"Republicans and some Democrats successfully made government the bogeyman and allegedly ended the era of big government. It was a ruse, accomplished by replacing civil servants with private contractors."

I cannot agree more completely with President Brynien. It is not the



MUSCARELLA

unionized civil servant, laboring within the merit system and trying to secure a living wage, who is the cause of egregious waste in government.

In addition to wasteful privatization, I suggest that political appointees, patronage, and cronyism compromise productivity and contribute to the enormous cost of government. Regrettably, the true missions of many of our state agencies are subjugated to unessential political undertakings. This environment inhibits productivity, innovation and creativity.

As an example, recent investigation of many public authorities — heavily loaded with patronage and politics — demonstrated the arrogance and ineffectiveness of these political

entities. Add shadow agencies, hired consultants and contractors, and catering to special interests and the waste of tax dollars is mind-boggling.

Hidden waste in government hurts us all. Our retiree benefits are diminished. PEF members suffer with lower pay and benefits, and taxpayers are denied needed services.

We ask that all PEF retirees and members stand with President Brynien. Don't allow these fatuous functionaries to continue to perpetrate this ruse with their obfuscation of the facts and their masterful misdirection.

Take the opportunity to write your local newspaper or address the call-in media programs that propagate these misconceptions.

Let's all work to make the public aware of the reality of our work environment. Explain and defend our contributions in providing essential public services and expose the true perpetrators of government mismanagement and waste.

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PEF teens earn national labor scholarships

By **DEBORAH A. MILES**

Two children of PEF members, Prateek Kumar and Souvik Paul, are the recipients of the \$1,000 AFT Union MasterCard Scholarships. The awards are from the Union Plus Scholarship program.

Kumar, who also won a PEF Joseph Scacalossi Scholarship, is studying economics and government at Harvard University. He is one of 75 high school students selected worldwide to attend the Research Science Institute at MIT. He has conducted cellular biology research and was named an Apex Scholar by the American Psychological Association. His father is Aseem Kumar, an environmental engineer 2 at the state Department of Environmental Conservation in Albany.

Paul is also a freshman at Harvard. He is the recipient of several national honors including AP Scholar with Distinction. He is a member of the forensics, speech and debate clubs, co-president of Substance Free Alliance, and was news editor of his high school newspaper. He contributed to *Newsday's* New Voices section and enjoys volleyball and soccer. His mother is Supriya Paul, an underwriter with the NYS Insurance Fund in Nassau.

Grace Chow is a recipient of an \$8,000 Robert G. Porter Scholarship from AFT. She is studying medicine and biochemistry at Brown University. She is an AP Scholar with Honors and worked during the past summers with professors from Stony Brook University. She was editor-in-chief of a math magazine, features editor of her high school newspaper and active in the French Club. She is an All-State musician with numerous awards and honors for violin and piano. She enjoys badminton and swimming. Her father is Tai-Whang Chow, a civil engineer 2 with the state Department of Transportation in PEF Region 11.



KUMAR



PAUL



CHOW



FINDING THE WAY — PEF Region 5 members **Brenda Andreassen, Donna Moffit, Jim Moffit and Debbi Lombardo** learn how to help injured members get Workers' Comp benefits at Navigator training held in Binghamton in June.

PEF trains 87 to sail rough seas of workers' comp

Thanks to the support of PEF Membership Benefits, PEF trained 87 members in June to be Workers' Compensation Navigators, who can help injured PEF members understand the workers' compensation system and their legal and contractual rights, receive the proper benefits and avoid bureaucratic delays in recovering and returning to work.

Members from Regions 8, 9 and 10 were trained in Fishkill, and members from Regions 2, 4, 5 and 6, received the training in Binghamton.

In conjunction with the NYS AFL-CIO, the PEF Health and Safety Department has provided Workers' Compensation Navigator training to more than 287 PEF activists since 1999.

The training was presented by a panel of experts including members of the PEF Article 13 (Workers'

Compensation) Committee, NYS Insurance Fund, occupational physicians, lawyers, PEF leaders and staff.

"Participants were enthusiastic about bringing the program back to their worksites to help their fellow PEF members at a time of injury and stress," said PEF Health and Safety Chair Kathy D'Arminio. "Many of them asked for advanced training.

"PEF's Article 13 Committee, and Health and Safety Committee and department would like to thank the Membership Benefits Fund trustees for supporting this valuable training for PEF members," D'Arminio continued. "Their support is having a positive effect on injured PEF members throughout the state."

For Navigator help or more information, call 1-800-342-4306, ext.254.

— *Sherry Halbrook*

PEF gets \$200K for H&S training

The PEF Health and Safety Department has received a \$200,000 training grant from the NYS Department of Labor Hazard Abatement Board for August 1, 2007 - July 31, 2008.

To plan and schedule training, call Geraldine Stella at (518) 785-1900, ext. 245 or Shawn Bobb at (212) 522-8700, ext. 511.

Often these programs are conducted in cooperation with management and during working hours. Training topics include: office ergonomics; workers' compensation; health and safety committees; prevention of exposure to bloodborne pathogens and TB; indoor air quality; stress; safe patient

handling; right-to-know; and workplace violence prevention.

Grant resources can also be used to help conduct agency-specific training needs assessment.

"Why not take advantage of this resource to develop and deliver training in how to prevent workplace violence?" said Jonathan Rosen, PEF director of occupational safety and health. "All state agencies are required by the Workplace Violence Prevention law, enacted last year as a result of our PEF campaign, to work with PEF and other state employee unions to assess the risks for violence, develop plans to prevent and cope with it, and train staff."

— *Sherry Halbrook*

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FMC-PFAD



State picks new Empire Plan Rx insurer

The state Department of Civil Service has selected United Healthcare (UHC)/Medco to provide prescription drug insurance under the Empire Plan starting in 2008.

The four-year contract sealing the deal has yet to be signed, and the selection could be challenged by other bidders. UHC currently provides the Empire Plan medical insurance.

The drug insurance is currently provided by Empire Blue Cross Blue Shield with Caremark.

PEF members' level of benefits and co-pays are negotiated and established in the PS&T contract, and will not change under a new insurer.

But you might pay more or less for some medications because UHC/Medco could change the list of preferred drugs. It could also change the list of drugs requiring prior authorization, and the network of participating pharmacies.

PEF expects to get more information soon about any changes and will post it on the union's Web site at www.pef.org under Health Benefits. — Sherry Halbrook

Website:

www.flexspend.state.ny.us



Have health or dependent care expenses? Sign up now to save \$\$ on 2008 taxes

By **DEBORAH STAYMAN**

If you act now — between September 24 and November 16, 2007 — you could reduce the taxes you pay on your 2008 earnings.

The Flex Spending Account (FSA) is a program PEF and the state negotiated to help members reduce their taxes through two benefits — the Health Care Spending Account (HCSAccount) and the Dependent Care Advantage Account (DCAAccount).

These programs allow you to have the state set aside part of your pay in special, non-taxable accounts to cover qualifying expenditures you make for health care or dependent care.

Generally, you must pay for the eligible expense and then be reimbursed from your Flex Spending Account. Any money in the account left unspent at the end of the year is lost.

Renewal of participation in these programs is not automatic. So, even if you enrolled last year for 2007, you must enroll again this year if you want to participate in 2008.

Enrollment is voluntary. Savings will vary depending on your annual income, the number of dependents you claim on your taxes, and the amount of money you contribute through payroll deductions to your HCSAccount and/or DCAAccount.

To enroll in either or both of these accounts, you must estimate your annual out-of-pocket costs, then decide how much money to have withheld from your paycheck. Be conservative, because if you don't file timely claims for reimbursement of the entire amount, you will lose any remaining funds.

You may enroll online at

www.flexspend.state.ny.us or by calling 1-800-358-7202. E-mail any requests for further information to fsa@goer.state.ny.us.

New this year

New state employees hired on or before October 31 have until November 16 to enroll. New employees hired after that can either enroll by November 16 or submit a change-in-status application within 60 days of their start date.

Also, beginning in mid-November, employees will be able to submit change-in-status applications online instead of via paper.

So far, no employer contribution for DCAAccounts is available for 2008, pending the outcome of PS&T contract negotiations.

How HCSAccount works

If eligible, you may contribute any amount from \$100 to \$4,000 annually in pre-tax dollars to your HCSAccount to pay for out-of-pocket medical, dental, vision, or hearing costs not reimbursed by health insurance.

Some examples of allowable costs are prescription drug co-payments, dental implants, orthodontia, fees paid to non-participating providers, deductibles, laser eye surgery and contact lenses. Reimbursement also is allowed for certain over-the-counter drugs and supplies. A list of such eligible items is posted at www.flexspend.state.ny.us.

Claims may be mailed or faxed, for reimbursement by check or direct deposit.

How DCAAccount works

If you pay someone to care for your child, elderly parent, or disabled spouse while you are at work, you can set aside up to \$5,000 in pre-tax salary through payroll deduction.

It can be used to reimburse you for eligible expenses such as child care (up to age 13), summer day camp, before/after school programs, adult day care or home aides. Even payments to a housekeeper or cook could be eligible if they are also providing custodial care.

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Commitment, solidarity key to success for PEF RNs

By NANCY WOLFF

The strength of PEF nurses is in our numbers — more than 8,000 strong — and, together, we can rally with a persuasive voice.

For the PEF Nurses' Network to grow and flourish, however, you must become involved — not only as active participants, but as leaders of the organization.

Collectively, we can succeed in moving our issues forward, but we need individual nurses to step up to the plate. The key to success is to be active and be heard.

It only takes a few callers to get the attention of a newspaper editor, or 100 handwritten letters to a legislator on a specific issue for them to take notice.

The major goal of the PEF Nurses' Committee is to unite PEF nurses in the efforts to end mandatory overtime, improve staffing ratios and achieve fair pay.

Ultimately, these goals can be accomplished through your participation. But we need your commitment to get involved.

Become engaged in your regional nurses' committee meetings. Get involved in your local PEF division. Be willing to speak to legislators or write a letter, make a phone call, send an e-mail.

It will be the collective voices of direct-care nurses that will make the difference when dealing with agency commissioners, hospital administrators, and the legislators.

Together, we need to fight for the recognition, respect, and rewards PEF nurses deserve. Be part of the PEF Nurses Network; begin by logging on to the PEF nurses' Web page (www.pef/nurses) and sign up to become part of the Nurses' Pulse e-mail network.



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Stella new DOT rep on PEF Exec. Board

One mid-term vacancy on the PEF Executive Board was filled in August. Special elections are underway to fill two other mid-term vacancies on the board.

As the only certified candidate for Seat 500 — representing members at the state Transportation Department's Regions 1 (Schenectady) and 8 (Poughkeepsie) — Michael Stella was elected to fill the remainder of the three-year term which expires July 31, 2009.

A three-way race is being held for Seat 315, among Michael Auerbach, Joyce Cloutier and Terry Anderson.

Seat 315 represents certain members at the central offices of the state Office of Mental Retardation and Developmental Disabilities, and PEF Region 8 members at the Capital District Developmental Disabilities Services Office.

Maddie Shannon-Roberts and Dale VanBuren are vying for Seat 450, which represents members at the state Office of Temporary and Disability Assistance in PEF Regions 6-8.

Ballots were mailed by the American Arbitration Association August 20. They must be returned by September 11 for counting September 12.

— Sherry Halbrook

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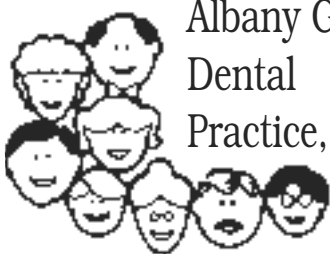
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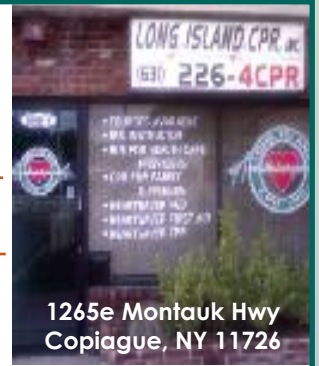
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PEF COUNTS — PEF Region 12 Coordinator Dee Dodson leads the PEF delegation at a Congressional Night sponsored by the Long Island Federation of Labor. Sen. Charles Schumer participated, along with Long Island's congressional reps.

— Photo by Bill Bennett



WELL DONE — PEF Retirees honors Everett Ford and Bob Fitzjames for their service as part-time staff in the PEF Retirees office in Albany. Shown are Dennis Anderson, Ford, Alice Hughes, Steve Muscarella and Fitzjames.

— Photo by Bob Harms

HEARING YOU — PEF Div. 214 leader Kartikey Adhvaryu asks a question at the Region 10 council leaders' dinner. Also shown are Pat Baker, Vernetta Chesimard and



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