

COMMUNICATOR

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PEF wins 24-1 at AFL-CIO Council!

The AFL-CIO Executive Council has voted by an overwhelming 24-to-1 margin that PEF is the rightful representative of the 46,000-member PS&T unit.

The October 31st decision turned AFSCME's trick raiding charge into a PEF treat, with the Council dismissing all AFSCME claims to the unit under Article XX of the AFL-CIO Constitution.

The Council decision overturned an umpire's earlier determination that the so-called "affiliation" between AFSCME and CSEA Inc. made PEF guilty of raiding. PEF appealed that decision, and a panel of three AFL-CIO vice presidents ruled the case merited a hearing by the full Council.

"We are more than vindicated by the stunning 24-to-1 vote given us by the Council," said PEF Interim President John Kraemer. "It is testimony not only to PEF's integrity in the PS&T campaign, but also to the high esteem in which SEIU President George Hardy and AFT President Albert Shanker are held by their peers on the Council.

"Nothing could make us feel more welcome to the ranks of labor."

The AFL-CIO decision removed yet another obstacle on PEF's long road to full bargaining rights. The New York State Public Employment Relations Board (PERB) certified PEF on September 27, 1978, ruling that CSEA Inc.'s objections to the April election were without substance. The decision upheld a previous ruling by PERB Hearing Officer Harvey Milowe.

However, CSEA Inc., unwilling to accept either the PERB decision

or the decisive PEF election mandate from PS&T members, took their case to the Appellate Division of the New York State Supreme Court. The Court put a stay on the PEF certification, pending a November 22nd hearing, and has been holding PS&T dues and agency fee monies in escrow.

"The hearing brought no surprises," reported Assistant to the PEF President Diana Dougherty, after attending the Court session.

"CSEA Inc. presented a tired, old rehash of the same old garbage which has been discredited over and over again. We cannot foresee any way the Court could uphold CSEA Inc. claims, in light of overwhelming evidence to the contrary. To do so would require a decision that PERB was arbitrary and capricious in its procedures or rulings, and that is patently not the case."

Meanwhile, PEF has submitted an appeal to the AFL-CIO that CSEA Inc.—and consequently AFSCME—are in non-compliance with the Council's Article XX decision validating PEF.

On November 22nd, the same day as the Appellate Court convened in Albany, AFL-CIO President George Meany called a mediation session in Washington. SEIU President Hardy and AFT President Shanker represented PEF. Jerry Wurf represented CSEA.

"Unfortunately, the Article XX decision was not enough to dissuade CSEA from its senseless tactics to delay PEF's assumption of bargaining rights," explained John Kraemer.

"We see the CSEA/AFSCME

court action as a clear violation of the Article XX decision. We believe CSEA and AFSCME are under obligation to stop their slanderous allegations and obstructive behavior and let us get on with it.

"The people in the PS&T unit

have been terrific," he added, "but it is unfair to ask them to win the same battle over and over again. We want to get on to the next battle—winning a good contract. That's PEF's real concern now."

The record: what happened when

April 12: PEF election win. Professional employees vote overwhelmingly for the Public Employees Federation, AFL-CIO.

July 20: Public Employment Relations Board (PERB) Hearing Officer Harvey Milowe rules CSEA objections to the PEF election are without substance—recommends certification.

July 21: AFL-CIO Umpire Daniel Quinn Mills rules that because of the so-called "affiliation" between CSEA and AFSCME, PEF is guilty of "raiding" under Article XX of the AFL-CIO Constitution.

End of July: CSEA appeals Milowe decision to full PERB Board. PEF appeals the Mills decision to the full AFL-CIO Executive Council.

September 27: The full PERB Board upholds Milowe's decision and certifies PEF as the bargaining agent for PS&T.

An AFL-CIO Executive Council subcommittee decides to refer the PEF Article XX case to the full Council.

September 29: CSEA appeals the PERB decision to the Appellate Division of the New York State Supreme Court. The Hon. Con G. Cholakis grants CSEA a stay of the PEF certification until October 10th and orders PS&T unit dues and agency fees be placed in escrow.

October 11: Stay continued by court, pending hearing.

October 31: Full AFL-CIO Executive Council votes 24-to-1 that PEF has the right to represent PS&T. Final step in Article XX proceeding resolved in PEF's favor—no further appeals possible.

November 22: Appellate Court hearing on CSEA's appeal of PERB decision. Ruling expected mid to late December. Probably the last step, but further appeal is technically possible.

AFSCME Pres. Wurf calls for mediation. AFL-CIO Pres. George Meany sits as mediator. Wurf procrastinates. Presidents Hardy and Shanker represent PEF. CSEA AFSCME stalling tactics continue.

John Kraemer interim president

PEF Board meets, plans representation program



At PEF Executive Board meeting, Interim President John Kraemer explains a point of the tentative by-laws.

The PEF Interim Executive Board held its first meeting on October 26th and immediately buckled down to the task of preparing PEF for its responsibilities representing PS&T.

Topping the list of achievements was the selection of interim officers to guide PEF through the transition phase. John Kraemer of Elmsford was appointed President. Kraemer is the individual most clearly responsible for steering PEF to victory last April.

Irving Jabitsky, Mental Hygiene (New York City), Angelo Massa, Department of Labor (Albany) and Sal Monaco, Labor Standards

(Rochester) will serve as vice presidents. The post of secretary-treasurer will be held by Constance Cabell of the State Insurance Fund in New York City. Trustees are Den Coker (New York City) and Mike Keenan (Albany). An additional trustee will be appointed from the Rome-Marcy-Utica area.

Kraemer vowed to make bargaining the top PEF priority, and applauded the great amount of interest displayed by PS&T members. More than eighty members have been appointed to the PEF Negotiations Advisory Committee,

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John O'Leary, PEF Staff Director, describes the extensive Professional Steward training program he has developed for better contract enforcement.

**PEF Board meets;
Kraemer president**

(Continued from Page 1)

with good representation from most geographic areas and title groups. "We are looking to achieve full representation very soon," Kraemer said, "I'm receiving a large number of names every day."

Kraemer also noted that more than 10 percent of the bargaining unit has responded to the contract proposal questionnaire mailings, an extraordinarily high return. (A full report on survey responses and the bargaining process will be included in the next Communicator.)

Another major order of business was a discussion of the PEF insurance program. Insurance consultant Lawrence Singer of Martin E. Segal Company detailed the workings of the PEF Group Benefits Program. PEF's program differs beneficially from the old CSEA Inc. option because it is structured as a trust fund. This means PEF trustees hold the group's insurance contract. The fund does not need to pay commissions. In addition, unused fund dollars accrue back to the trust, to form the basis for lower rates and additional benefits.

Singer noted that Travellers, instead of reducing its rates, added



An historic moment—the first meeting of the PEF Interim Executive Board, setting a course for representation of the 46,000 members of New York State's PS&T Unit. Vito DeLeonardis (standing), NYSUT Executive Director, addresses the board.

useless benefits. "Not many people need triple indemnity for air travel," he said. "The chances of dying on a plane are extremely slim, and the company just makes money." He also emphasized the PEF plan is fully registered. "This is a prototypical policy and is registered as such," Singer added. (For a full insurance report, see page three).

The Board also reviewed the latest draft of PEF by-laws. A final version is expected in the near future.



James R. Sander, PEF Attorney, reports to executive board on the CSEA AFSCME legal maneuvers and how PEF is countering.

SEIU General Organizer John Geagan and Vito DeLeonardis, executive director of the New York State United Teachers (NYSUT/AFT) were on hand to answer questions. In addition, the PEF lawyers reported on the status of the Article XX and court cases.

PEF Staff Director John O'Leary discussed shop steward training. O'Leary has prepared an extensive shop steward manual which is ready for distribution as soon as PEF can process grievances.

Taking the lead for good governance

INTERIM OFFICERS



John Kraemer of Elmsford was appointed interim PEF President at the Oct. 26 Executive Board meeting.



Constance Cabell of the State Insurance Fund in New York City was appointed PEF Secretary-Treasurer.



Irving Jabitsky of Mental Hygiene in New York City is one of the three PEF vice presidents.



Angelo Massa, Department of Labor, Albany is a vice president.



Sal Monaco, Labor Standards, Rochester completes the roster of PEF's three vice presidents.



Den Coker, New York City, is one of the PEF trustees.



Mike Keenan, Albany, is another trustee.

INTERIM BOARD

- | | | |
|--------------------------------|----------------------------------|-----------------------------------|
| George Allen
Mid Hudson | Cary Fassler
Syracuse | John Kraemer
Mid Hudson |
| Donald Bell
Mid Hudson | Raymond Ferraro
Binghamton | Frank Kraus
Albany |
| Teri Blackshaw
Long Island | Pam Friedman
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| Neil Boyle
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Buffalo | Deena Kiley
New York City | |

Interview with insurance consultant expert

The PEF insurance trust fund means you get more

The following questions and answers may help to clear up any misunderstandings about the insurance programs offered by the Public Employees Federation Group Benefits Program. We interviewed Mr. Lawrence Singer of the Martin E. Segal Company, which serves as insurance consultants to the program.

Q: What is the Public Employees Federation Group Benefits Program?

A: The program is a Trust Fund set up by the PEF to provide life, disability and other insurance benefits to subscribing PEF members.

Q: Why is Insurance being offered through a Trust Fund?

A: PEF wants to make economical insurance available to its members. The most efficient way to offer life and disability insurance is through a group plan. By using a Trust Fund, individual PEF members can participate in the benefits offered through a group insurance contract held by the Trust Fund. Under such a system, there are no commissions paid and margins are kept to a minimum. Margins are the difference between the premium paid to the insurance company and benefits paid to policyholders. The result is that a given level of insurance can be offered at a lower cost.

Q: Specifically, what benefits are available through the PEF Group Benefits Program?

A: The Trustees of the PEF Group Benefits Program, with the help of the Segal Company, looked at the needs of PEF members to determine what benefits to offer. Since Life Insurance provides valuable protection for an employee's family, the Trustees of the program have made three levels of life insurance available. A PEF member may choose to receive coverage equal to: the amount of his current salary, two times his current salary or a straight \$10,000. The amount of insurance is linked directly to salary because a family's needs are usually related to the employee's salary. The Trustees have also made a survivor income benefit and spouse's life insurance available to those who purchase one of the three levels of life insurance. The survivor income benefit will pay, in the event of an employee's death, \$200 per month to an employee's spouse or dependent children for the lifetime of the spouse or until the spouse re-



Insurance consultant Lawrence Singer of the prestigious firm of Martin E. Segal Company, actuaries, explains the PEF insurance program.

marries. PEF members should read the descriptive brochure which explains the exact provisions of the plans being offered.

Q: Will the PEF Group Benefits Program offer accident and sickness or disability insurance?

A: Yes. The Trustees of the program have tailored the disability plan to the needs of the professional, scientific and technical employees. Of course, the purpose is to provide the best value per premium dollar. A brochure describing the disability plan will be available for PEF members shortly.

Q: What about the life and disability insurance a member purchased while involved with the CSEA Inc.

A: The Trustees want to see that no PEF member loses his or her coverage because of joining PEF. However, it is important for all employees in the PS&T unit to understand that eligibility for any CSEA Inc. sponsored life or disability insurance is based on membership in the CSEA Inc. That is why the Trustees have cautioned PS&T employees that their current life insurance or disability insurance may end at the time certification of the Public Employees Federation is effective. The Trustees of the Fund have taken a number of steps to insure that coverage is not lost in the transition between unions. The PEF Trustees planned to continue coverage with the PEF programs based on the benefits chosen under the CSEA Inc. sponsored plans. However, the CSEA

Inc.'s insurance broker was uncooperative. As a result, the Trustees are forced to have PEF members reapply for coverage. Remember, joining the PEF will not leave any PS&T employee without the ability to obtain insurance coverage.

Q: The CSEA also sponsored automobile and homeowners insurance. Will a PEF member lose those benefits?

A: No. State insurance law prohibits the cancellation of automobile or homeowners coverage just because an employee leaves the CSEA. Automobile and homeowners plans will soon be offered by the PEF. We are currently in the process of investigating the best way of providing those benefits. In the meantime, a PEF member with automobile and/or homeowners insurance under CSEA should contact the insurance company for details about maintaining coverage. When the PEF plans become available a member will be able to compare terms and prices, and again take advantage of the convenience of payroll deduction for the payment of premiums.

Q: Can you tell us a little more about the company which will provide the life insurance and disability insurance benefits?

A: The Trustees have selected the Aetna Insurance Company to underwrite these benefits. We discussed this matter with a number of major insurance companies and the Aetna proposal provided the best value. Aetna is one of the largest and most respected companies in the insurance industry.

Q: Will I get a Certificate of Insurance?

A: Yes. Any subscribing PEF member will receive a certificate from Aetna which will detail the terms of coverage. Since this is group insurance, the policyholder is the Trust. Technically speaking, the actual contract is between Aetna and the PEF Group Benefits Program. Of course, the contract and the certificates satisfy all requirements of the New York State Insurance Department.

Q: How will claims be processed?

A: Aetna will pay all claims with the help of the PEF Group Benefits Program Office. If any PEF member has questions about any aspect of the Program, help is always available at the Program office. The office location is noted in the descriptive brochure.

Getting the record straight

An open letter from Parole Officers Association

To all fellow PS&T members:

In the 11/8 issue of "The Public Sector," the CSEA Newsletter, an article appeared regarding the reallocation for Parole Officers.

Once again, CSEA has attempted to misrepresent facts and claimed credit for a victory which does not belong to them.

For over four years, the New York State Parole Officers Association, in conjunction with several of its members, had sought to receive a reallocation from Grade 19 to Grade 21. In addition to the

time and effort spent researching and preparing legal briefs for this reallocation request, tens of thousands of dollars were spent by members of the Parole Officers Association to accomplish what the CSEA could not do for its own membership.

The CSEA had never approached the New York State Parole Officers Association regarding legal or financial assistance in the pursuit of a reallocation for Parole Officers.

CSEA bargained away many

employee rights in the last contract. The bargaining situation resulted in an approval on 3/7/78 of an act to amend the Civil Service Law in relation to the terms and conditions of employment of certain State officers and employees.

The Act was approved as Chapter 12, Laws of New York and, in effect, this law indicates that those individuals currently at top grade under the old salary levels who have been re-allocated will not receive any additional compensation. The new salary schedule, as many

of you are aware, for employees hired after 1977, is in many cases \$1500 to \$2000 less than those of us hired prior to that contract with ten years of service in a particular grade.

This situation will have to be remedied in the next bargaining talks with the State and it is hoped that the entire salary schedule structure can be revamped to reflect equal pay for all individuals working in the same job titles.

Neil Boyle, President
NYS Parole Officers Association

(AFL-CIO BACKS PEF)

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Another view of the PEF interim Executive Board enjoying a light moment.

Keeping up with the news

Several PEF members attended the SEIU Public Workers Conference in Washington, DC, November 13-16, 1978. Among the PEF guests were Interim President John Kraemer, Vice Presidents Irving Jabit-sky and Sal Monaco, Board Member Teri Blackshaw, Staff Director John O'Leary and Asst. to the President Diana Dougherty. Los Angeles Mayor Thomas Bradley was the keynote speaker. Delegates participated in a special session on tax politics, a debate on CETA and numerous workshops.

* * *

Congratulations to the PEF departments producing their own news-letters. Dept. of Environmental Conservation has just published its fifth issue of PEF/Environmental Conservation and Labor and Tax is putting out a newsletter as well. And while we're on the subject, Board Member Louis Christopher (Albany) is chairing the Board PR Committee.

* * *

The CSEA/AFSCME losing streak goes on. In the last few months they've lost a Thruway unit to the Teamsters, a unit of State troopers to the PBA, 740 to 1,024, a unit of sergeants, 145 to 300, 600 Albany County hospital workers to SEIU, Local 200, and 350 Court employees in Westchester and Rockland Counties to SEIU.