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Pataki and Union Agree on Pact For 77,000 Civil Service Workers

By THE ASSOCIATED PRESS

March 14, 2000

ALBANY, March 13 -- Negotiators for the Civil Service Employees Association and Gov. George E. Pataki said today that they had agreed on a contract that would give workers raises of 3 to 3.5 percent a year over four years. The tentative deal with New York's largest public employees' union was reached after more than a year of contentious contract talks and union protests across the state. The 77,000 state employees represented by the union have been working without a contract since April 1.

Stephen Madarasz, a union spokesman, said the union would endorse the deal to its members. The contract includes across-the-board salary increases of 3 percent retroactive to October 1999, 3 percent effective this April, 3.5 percent effective in April 2001, and 3.5 percent in April 2002.

The union's members will vote on the deal in April. In March 1999, the union rejected an offer of raises of 2 percent, 2.5 percent, 3 percent and 3.5 percent over four years.

"A combination of the mobilization of members and persistence at the bargaining table is what made this possible," Mr. Madarasz said. "Members were energized as we've never seen before."

Many members of the mostly blue-collar union had been angry over what they felt was a substandard contract offer from the state, particularly after state lawmakers and Governor Pataki approved 38 percent pay raises for themselves in December 1998. Then in March 1999, the state ended its fiscal year with a multibillion-dollar surplus.

For state employees who have worked 10 years or more, the contract also eliminates the 3 percent yearly pension contribution.

Mr. Pataki said the contract demonstrated a commitment to members of the civil service workers' union, "as well as our efforts to safeguard the interests of taxpayers."

The agreement also includes these provisions:

- * A \$500 lump sum payment to be counted toward pensions.
 - * The elimination of an additional premium cost for prescription coverage and increased financing of dental and eyeglass benefits.
 - * Improvements in hazardous duty pay, inconvenience pay, overtime meal allowances and standby pay.
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McCall wary of CSEA contract plans

Albany -- Comptroller says two provisions could hurt \$120 billion retirement fund

State Comptroller H. Carl McCall may have some reservations about two components of the proposed Civil Service Employees Association contract because they could lead to substantial hits to the \$120 billion retirement fund he oversees.

"We want to make sure we don't lose sight of the need of a COLA," emphasized Steve Greenberg, a spokesman for McCall.

The COLA, or cost of living adjustment, plan for all state retirees is McCall's top legislative initiative this session. The Democratic comptroller's plan would use the fund surpluses to help boost pensions, which labor unions say aren't generous enough.

The CSEA contract could potentially dry up millions of dollars in revenue. It would end the 3 percent contributions of CSEA members in Tier 3 and Tier 4 of the state system once they reached 10 years of service. The majority of the 77,000 CSEA members working for the state would benefit from this provision, costing the pension fund millions of dollars.

Another provision would boost the service credit for Tier 1 and Tier 2 employees who already don't pay into the pension system. The boost would provide one additional month of service credit used to compute pensions for each year of service (up to 24 months). The cost could exceed \$600 million, CSEA officials said.

Greenberg said the comptroller is wondering whether CSEA workers only would gain the new benefits, or whether it might extend to the broader work force. That would result in hundreds of millions of dollars in costs to the pension fund, he said.

"I can't say I'm surprised hearing that from the comptroller; he's got a fiduciary responsibility," said CSEA spokesman Steve Madarasz, adding that the pension fund is already overfunded. "We have every confidence this will move forward."

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Legislators balk at enhancements offered

CSEA pension deal questioned Legislators balk at enhancements offered

By WILLIAM F. HAMMOND Jr.

Gazette Reporter

ALBANY - Changes in the retirement system for state employees, which Gov. George Pataki agreed to as part of the new contract settlement with the Civil Service Employees Association, could be headed for trouble in the state Legislature.

The governor's office is preparing legislation that would improve pension benefits only for CSEA, which represents about 77,000 of the 190,000 state employees. But several lawmakers said Tuesday they would reject pension enhancements that do not cover all members of the state's common retirement system.

"That's not the way you do a pension deal," said Assemblyman Jack McEneny, D-Albany. "It would have to be for everyone."

Officials in the Assembly, Senate and the office of Comptroller H. Carl McCall, who manages the pension fund, said they were unfamiliar with Pataki's proposal, a sign the governor had not lined up support for his plan before cutting the deal with the union.

"I'm suspicious whether it's something just thrown out there, or whether there'll be a real effort to get it enacted," said Assemblyman Ronald Canestrari, D-Cohoes.

But CSEA spokesman Stephen Madarasz expressed confidence the governor will follow through on his commitment.

"We have every expectation that this will fly," Madarasz said. "The administration negotiated in good faith, and they have to deliver. . . . It would be alarmist to create the impression there's a problem with this."

Although they aren't written into the tentative contract itself, the proposed retirement changes are a major part of the overall CSEA settlement announced Monday. For members who qualify, the changes are worth almost as much as the proposed salary increases in the contract, which are 3 percent retroactive to October 1999, 3 percent in April 2000, 3.5 percent in April 2001 and 3.5 percent in April 2002.

But the Legislature will need several weeks to study the pension changes, officials said, meaning CSEA members will have to cast their ballots in next month's contract ratification vote without knowing for sure what will happen to their retirement benefits.

As negotiated between the Pataki administration and union leaders, CSEA members with 10 years of service would no longer have to contribute 3 percent of their salary to the pension fund, a savings of \$900 or more per year for those who qualify. The deal would also augment pension payouts for the

longer-term employees in tiers 1 and 2 of the retirement system, who are already exempt from salary contributions.

The Pataki administration is not proposing for state government to pay for these changes. Instead, it expects the added expense will simply be absorbed by the \$120 billion pension fund, which has mushroomed in recent years because of the booming stock market.

Comptroller H. Carl McCall agrees the pension fund can afford to be more generous, spokesman Jeffrey Gordon said. But his first priority is to provide a cost-of-living adjustment, or COLA, for retirees, Gordon said.

On the proposed changes for CSEA members, "we don't have an opinion at this point," Gordon said. "We're still looking at it."

An aide to Senate Governmental Employees Chairman Vincent Leibell, R-Brewster, said the pension fund might not be able to afford increasing payments to retirees and reducing contributions from active employees at the same time.

"The first concern of this office, and of the Senate majority, is assuring the solvency of the pension fund," said Leibell aide Robert Farley. "The second thing is to get the maximum benefit to the retirees.

Reducing employee contributions "is definitely something we've been considering, and we're not necessarily opposed to it," said Farley, who is also chairman of the Schenectady County Legislature. "Our concern is we want to make sure we can afford it."

Assembly Governmental Employees Chairman Eric Vitaliano, D-Staten Island, said he would support a bill that gives the governor authority to negotiate pension changes as part of his contract talks with all unions. Vitaliano noted the Legislature granted that very same power to the Metropolitan Transit Authority, which runs subways and buses in New York City, in a bill approved Monday.

This extends the potential benefits to all state employees, but only in the context of contract negotiations, he said.

"It becomes, in effect, implemented on a bargaining unit by bargaining unit basis," Vitaliano said. "That's the approach I'd like to see us take with CSEA."

But Mary Hines, a spokeswoman for the governor's Office of Employee Relations, said the administration does not plan to seek authority to offer pension changes to other unions.

"We're looking to deal with this specific situation," Hines said Tuesday. "Our commitment is to CSEA at this point in time, and that's what we're going to go forward with."

Farley said it could be "legally problematic" to treat some members of pension system differently than the others, and the Public Employees Federation agreed.

"What we're looking for is equity," PEF spokeswoman Denyce Duncan Lacy. "We think the state should treat all of their public employees the same."

However, PEF's model at this point is not the CSEA deal, but the one previously cut with workers at the MTA: a three-year contract that provides raises of 5 percent, 3 percent and 4 percent, and reduces the retirement contribution for all employees, regardless of seniority, from 3 percent to 2 percent.

"This is the best deal so far that [Pataki] has offered to state employees, and that's what we like," Lacy said. "It's a very fluid situation," she added. "We're still negotiating."

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GUARDS PREDICT ALBANY BATTLE

The Daily News

Batavia, N.Y. Saturday, March 11, 2000

By Paul Mrozek

Daily News Staff Writer

The union that represents New York State's prison guards has lost patience with Gov. George Pataki's contract negotiators and expects the collective bargaining process to get ugly, officials from the New York State Correction Officers and Police Benevolent Association told the Daily News Friday.

NYSCOPBA declared an impasse to the negotiations on Tuesday. This has to be the year that we fight for a fair law enforcement contract," said Grant Marin, vice president of NYSCOPBA's Western Region. The western region encompasses all state prisons from Jamestown to Elmira, including Attica, Wyoming and Orleans.

The union rejected the most recent offer from the Governor's Office of Employee Relations that called for a four-year contract with 3 percent annual raises. NYSCOPBA is pushing for a three-year agreement with 7 percent annual raises, union officials said.

In the 1990s, the guards' union, which was then Council 82, received annual raises that averaged less than 2 percent, union officials said. There were four years when the officers did not receive any wage increases and the union contract does not contain cost-of-living adjustments, they said.

The guard' last raise, 3 percent, was in October 1998, the union officials said. In addition to remaining firm with the 3 percent wage increase offer, the governor's negotiators are also proposing to deduct \$11 per paycheck for each officer to pay for the union's prescription plan. That's in addition to the pharmacy co-pay already in place.

The state also wants to eliminate clothing allowances and incremental "step" raises that are based on years of service, union officials claimed.

"They continue to take stuff away from us," Marin said.

"We are falling behind," said Carl Canterbury, chief sector steward at Attica Correctional. Canterbury, who will hit the 15 year mark with corrections this summer, used his own situation as an example. If uniform allowance and step increases are discontinued, he will lose \$2,370 in pay this year.

Mary Hines, spokeswoman for the Governor's Office of Employee Relations, said the state is not proposing the elimination of the uniform allowance. The state, because there is no contract in place, is just not paying the allowance until a new deal is struck, she said.

"If the union wants to meet, we will meet with them," Hines said.

Ed MacDonald, NYSCOPBA chief sector steward at Orleans Correctional Facility, said Council 82, during the years Mario Cuomo was governor, "rolled over" during negotiations and settled for poor contracts. Part of it was the union knew the state was in poor economic shape and agreed to scale back its salary demands, he said.

"We realized what was necessary," MacDonald said. Now it's time for the governor's office to reciprocate, the union officials said.

Trainee prison guards are hired at a salary of \$25,000. After one year, they make \$30,500, and after 20 years hit the maximum pay of \$43,000. Those pay scales are less than what many urban and suburban police officers make in New York, said Richard Harcrow, assistant to the president of NYSCOPBA and a former union official at Attica. Yet, he said, prison guards have tougher working conditions, dealing with dangerous felons day after day. In addition, one out of nine state inmates is HIV positive, leading to the risk of exposure to bodily fluids of someone infected with the virus that causes AIDS, Harcrow said.

The state's two other major unions, the Civil Service Employees Association and Public Employees Federation, have also been working without new contracts. They have been offered the same 3 percent annual raises as the prison guards.

NYSCOPBA officials said all the unions deserve wage hikes, but argued that not all jobs are equal.

Corrections officers have an average life expectancy of 56 years and have a high rate of alcoholism and divorce, according to union officials. Five state prison guards have committed suicide since May 1999, the union members said.

"Should we be getting raises the same as secretaries?" Canterbury, the Attica steward asked.

Hines, of the Governor's Employee Relations, said financial compensation offers made to all three unions have been "consistent." She said the proposal to NYSCOPBA is "fair and what we believe is a fiscally responsible offer."

She said the state and the guards' union have met 38 times since July and the door is still open for more talks.

"Six months is not a long time for the state to be in negotiations. We are certainly hopeful that we can work things out," Hines said. Marin, the head of NYSCOPBA western region, said Hines' optimism may be misplaced. "Expect it to get uglier. This union is different than the old union. We're not bringing back a poor contract," Marin said.

NYSCOPBA represents 21,000 corrections officers and sergeants, as well as another 4,000 other security-related state employees such as conservation officers, park police and university police.

The next step is for the state's Public Employees Relations Board to appoint a neutral mediator to help both sides reach an agreement. If that fails, a fact-finding panel could be appointed to study the issues and make a non-binding recommendation to both parties.

If all else fails, NYSCOPBA can ask the state Legislature to intervene and impose a contract. The union is prepared to take the matter that far if the state does not budge on its offer of a 3 percent pay hike, Marin said.

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Judge finds solitary confinement was wrong for inmate

ROCHESTER, N.Y. (AP) -- Placing a convicted cop killer in solitary confinement for more than four years after he refused to testify against a co-defendant was inappropriate, a judge ruled. U.S. Magistrate Judge Jonathan Feldman on Tuesday upheld a jury's verdict that said David McClary suffered emotional distress when he was placed in special housing units for 23 hours a day after refusing to testify against Howard "Pappy" Mason.

McClary, 34, was convicted of second-degree murder for the 1988 slaying of New York City police officer Edward Byrne and is serving 25 years to life in prison. Officials believed Mason was a New York City drug kingpin and brought McClary to New York to testify when Mason was charged with ordering McClary to kill Byrne.

The jury last year awarded McClary \$660,000. But Feldman called that "excessive" and reduced the award to \$237,500, the amount McClary originally sought in his lawsuit against prison officials. That equals about \$125 for each day McClary spent in solitary confinement, plus \$50,000 for emotional distress.

"Evaluating excessiveness in the context of an individual spending four uninterrupted years in solitary confinement is no easy task," Feldman said in a 36-page decision. He said McClary's sentencing to isolation "was potentially limitless, a fact that exacerbated the damages he suffered."

McClary, who lived in Queens, was convicted of shooting Byrne as the officer sat in a patrol car guarding the home of a drug-case witness in Queens.

Prison officials had claimed the notoriety of McClary's crime made it risky to put him in the general prison population, even though that's where McClary began his term in Attica.

Following his refusal to testify against Mason, McClary was returned to Attica and subsequently sent to Wende Correctional Facility near Buffalo. There he was placed in solitary confinement for a total of four years, three months and 19 days.

Feldman said McClary has 10 days to accept the new amount of damages awarded or to seek a new trial.

McClary remains in custody at Shawangunk Correctional Facility in Ulster County with his first parole hearing scheduled for 2013

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Inmate dies at Great Meadow Correctional Facility

The Associated Press
3/15/00 10:17 AM

COMSTOCK, N.Y. (AP) -- An inmate serving a life sentence for murdering two teen-age girls and stabbing another died at the Great Meadow Correctional Facility.

A relative of one of the inmate's victims told The Daily Gazette of Schenectady that John Hopkins death Saturday was a suicide, but state corrections officials did not disclose the cause of death.

Hopkins, 46, of Johnstown, was serving a sentence of 58 years to life.

Hopkins had been convicted of kidnapping and murdering Cecelia Genatiempo, 17, of Gloversville, who disappeared in July 1976. Her body was found by hunters in October of that year in the Town of Mohawk.

Hopkins was also convicted of killing 17-year-old Sherrie Ann Carville of Broadalbin in October 1978. Her body was found the following May buried on land that belonged to Hopkins' family.

Hopkins was arrested in August of 1979 and later convicted of kidnapping and stabbing a 15-year-old girl who survived the attack.

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An Open Letter to Governor Pataki

March 14, 2000

I am writing to you today to ask you not to forget us.

We are 20,000 men and women across the state who are easily forgotten. We are the forgotten who work behind the 30 foot walls, chain link fences and razor wire. We put on our uniforms, kiss our loved ones goodbye and go to work in a place few know about and less care to know about and in the back of our minds we wonder if that kiss would be our last.

We punch a clock, receive our orders and report to our posts. We perform our duties efficiently and professionally in the face of danger. We deal with the worst elements of society on a daily basis and we put our lives on the line for each other and you.

Rapists, child molesters, murderers, armed robbers, drug dealers, cop killers, AIDS, hepatitis, tuberculosis, the list goes on and on. We work in it everyday. You don't have to see it though, it's tucked neatly away. It's on a hill in the Wyoming County farmland. It's hidden behind mountains in Clinton or Ulster Counties. It's nestled in a valley in Livingston County. You hide it behind a wall or a fence and you praise the laws that keep it there. But you forget the keepers. We are there. We are armed with only our skill, with and a wooden baton. We are the last line and we keep you and yours safe.

When you tuck your children in at night, we are at work. When you rise in the morning, we are at work. At any time during our day a bell may ring or a message transmitted that something is wrong somewhere behind that wall or fence. We rush to quell the incident because that is our duty. A fire, a two man fight, a 30 man brawl, a stabbing, a slashing, officers being assaulted or worse. We return normalcy, if there is such a thing, to the place where we work. Your child sleeps peacefully, you relax comfortably - we are at work.

We are not secretaries, phone operators, payroll clerks or timekeepers. We do not file, type, take dictation, take phone calls or operate computers. There are all respectable positions and necessary tasks that keep this state running. We, however, perform a much more dangerous service for this state and its

people. You see, we are New York State Correction Officers and we do our jobs proudly and vigilantly. We do these things with the knowledge that we may not go home when our shift ends.

You may not care to think about us but we have a voice and we have a vote. We also have families and friends who know what we do and care about us. These people also have a voice and a vote. So, if you choose to forget us then remember, when that "bell" rings in November we will answer it as we always do, because that is our duty. You can rest assured that we will remember you as will our families and friends.

Respectfully,
Brian Odachowski
Correction Officer
Attica Correctional Facility

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Inmate death raises TB concerns

By JIM PFIFFER
Star-Gazette

The state will test staff members and inmates at the Elmira Correctional Facility who had contact with an inmate who died in January and who might have had tuberculosis.

The inmate, William Sykes, 36, did not die of TB, but pathology tests revealed that Sykes was carrying bacteria that can cause TB, said Michael Huston, spokesman for the New York State Department of Correctional Services in Albany.

"I stress that it doesn't mean (Sykes) had TB," said Huston. "It just means that TB can't be ruled out."

Sykes had been in the prison's general inmate population since May, Huston said. He was serving a 20-to-life sentence for a 1999 first-degree robbery in the Bronx.

No one needs to be alarmed about the possible TB exposure, said Virginia Herrick, clinical coordinator for public health services with the Chemung County Health Department.

"People are just very cautious when it comes to looking for possible TB cases," Herrick said. "And that's what the state is doing, being cautious."

Tuberculosis is a bacteria-caused disease that usually attacks the lungs. It's spread through the air from one person to another, usually when an infected person sneezes or coughs. People nearby might breathe in these bacteria and become infected.

Anyone can get TB, but people who are more susceptible include those with weakened immune systems, prisoners and prison inmates, health care workers, alcoholics and drug users, and homeless people.

"This is an issue that officers face every day in modern-day corrections," said Garrett Conover, chief steward at the Elmira Correctional Facility for the New York State Correctional Officers and Police Benevolent Association. "It's an ongoing concern for not only the safety of the correction officers, but the

safety of the community as well."

Huston would not say what the inmate died from, and referred the question to the Chemung County medical examiner. But Chemung County officials declined to release the cause of death, citing reasons of confidentiality.

Correction officers were notified earlier this week that an investigation will be conducted to identify all officers, civilian workers and inmates who had contact with Sykes.

"I'd say we're talking about testing, on the high side, upwards of 50 to 60 officers," Conover said. "I don't know how many civilians, staff or inmates will have to be tested."

Officials have already begun questioning staff to learn who had contact with the inmate. Those at risk will be tested this spring.

Staff members and inmates at all 70 of the state's correctional facilities are tested annually for TB, Huston said.

In 1998, 25 of every 100,000 inmates in the state's prison system had TB, Huston said. Countywide, Chemung had one confirmed case of TB in 1998 and none so far this year, Herrick said.

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NYSCOPBA DECLARES IMPASSE IN BARGAINING

From: The Chief Leader (Civil Service newspaper), dated 03/17/00
by Willaim Van Auken

The New York State Correction officers and Police Benevolent Association filed a declaration of impasse March 6 with the Public Employment Relations Board over its negotiations with the state for a new contract covering more than 21,000 state jail officers. The turn to PERB sets in motion what could prove a lengthy mediation process with no guarantee of a binding result.

In a statement to its membership, NYSCOPBA contrasted its negotiation posture to the protests and picket lines mounted by the Civil Service Employees' Association and the Public Employees' Federation, which were unable to win new contracts until the CSEA came to terms March 13. Politeness Unrewarded

NYSCOPBA declared that it tried to "offer the state an alternative to dealing with those unions who were trying to embarrass the Governor into a new contract."

Taking the high road, however, led the jail offers' union into the same dead end as its civilian counterparts, with an offer that does not exceed the four 3-percent annual hikes until recently offered to the CSEA and PEF. Now NYSCOPBA appears to be ready to join those unions hounding Governor Pataki in the street, telling its members it will notify them of "activities to show our resolve."

Talks on a new agreement were initiated last July, less than three months after NYSCOPBA unseated American Federation of State, County and Municipal Employees Council 82 as the bargaining agent for the state correction officers. The union and the Governor's Office of Employee Relations have bargained intensively over the past month.

As an insurgent group, NYSCOPBA urged a break with AFSCME, promising that it would free correction officers from the pattern set by the civilian unions and achieve a "law enforcement contract."

A key issue for the union is the state Department of Correctional Service's disciplinary system, under which jail officers are subject to indefinite suspensions without pay based on inmate or other allegations. NYSCOPBA is demanding a 30-day limit on suspensions after which officers must be given a hearing and returned to duty. The union is also demanding an end to DOCS's policy of cutting off health benefits for officers and their families while they are on suspension.

"The inmates have a much better disciplinary judicial system than we do," said NYSCOPBA spokesman Dennis Fitzpatrick. The union claims that the state's offer of four 3-percent raises would not even make up for the erosion of real wages over the past eight years, during which Council 82 contracts included three years of "zeroes."

"We have reached a point in the process where no progress is being made," said NYSCOPBA President Brian Shanagher. He insisted that his members deserve more than the state's pattern offer by virtue of their "dealing with criminals and gangs in a violent environment where every day their lives are at risk."

"No, absolutely not," said GOER spokeswoman Mary Hines when asked if the state agreed with the union's characterization of the talks. "We were making progress and it was working."

She also denied the state is pursuing pattern bargaining. "It's the same financial package, because of the state's fiscal situation," she said, but added that the union was also offered benefits that are not granted to other unions, such as an annual uniform allowance.

Meanwhile, the jail officers' union pointed to the cut-off of this allowance as a pressure tactic by the state aimed at forcing it to accept the pattern deal. NYSCOPBA filed an improper practice with PERB over the issue.

It similarly cited the state's announcement that it will not pay performance advancement pay raises that are due April 1. These hikes are awarded annually, bringing officers from the hiring rate to the job rate in the space of seven to eight years. Ms. Hines said that the uniform allowance as well as the performance advancements were part of the old contract and, by law, could not be extended.

The union, however, claims the performance advancement hikes are part of the state civil service system, and that their cutoff is an act of bad-faith bargaining.

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Correction officers protest

By Heather Yakin
The Times Herald-Record
hyakin@th-record.com

Correction officers picketing yesterday outside the Green Haven Correctional Facility in Stormville were protesting stalled contract negotiations with the state. Talks between New York and the New York State Correction Officers and Police Benevolent Association reached an impasse March 6.

The union members had not picketed since negotiations began in September, said Dennis Fitzpatrick, spokesman for the correction officers and police association. Since the impasse, they have held informational pickets. Yesterday, about 3 p.m., Green Haven was the site for their protest. About 125 correction officers picketed. "I think the officers are just a little frustrated," Fitzpatrick said.

The state has offered the correction officers an across-the-board 3 percent per year salary increase – similar to the contract the SUNY professors' union ratified last July, said Mary Hines. Hines is the spokeswoman for the Governor's Office of Employee Relations.

Fitzpatrick said the correction officer and police association group would like to see something more in line with the State Police contracts.

"We've been under a clerical contract for the past 30 years. It's time for a change," he said.

A main point of contention, Fitzpatrick said, is the state's refusal to continue the COs' uniform allowance during the negotiations. Hines said the state can't pay it, because the allowance expired according to the old contract. The state's not looking to eliminate it, she said.

NYSCOPBA said the correction officers last got a raise – 3 percent – in October 1998. The last contract expired March 31, 1999. Negotiations for a new contract were delayed, in part, by the push to decertify the old union, Council 82. NYSCOPBA took over in May 1999.

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Correction officers want new contract

MONTICELLO: Stalled negotiations prompted a picket yesterday.

By Marie Szaniszlo
The Times Herald-Record
mszaniszlo@th-record.com

More than 100 correction officers picketed on Anawana Lake Road yesterday to protest stalled contract talks.

The state has offered the Correction Officers and Police Benevolent Association a four-year deal with a 3 percent annual salary increase, retroactive to October. The union wants a three-year contract with a 7 percent increase each year, retroactive to March 31, 1999, when its last contract expired.

"The last two contracts, we had several zero (percent increases), but the state was in a budget crunch, so we understood," said Thomas Hopkins, a shop steward at Woodbourne Correctional Facility. "Now, the state's got a surplus, and we want a piece of the action."

The state Department of Corrections could not be reached yesterday for comment. Bill Mayer, another Woodbourne correction officer, said the state's proposal doesn't take into account the growing demands of the job.

He said many officers regularly deal with inmates who are blind or hearing-impaired, or have AIDS. And if an officer comes into contact with a prisoner's blood, he's not entitled to know whether the inmate has

the AIDS virus.

"It used to be weapons you had to worry about," Maher said. "Now, it's stuff you can't see."

The union also wants changes to the department's disciplinary system, which allows correction officers to be suspended for up to two years without pay or health insurance, even if there's no proof they violated department policy.

"Right now," Hopkins said, "inmates have more rights than we do." Yesterday's picket was one of several demonstrations the union has planned since negotiations reached an impasse earlier this month. They are not planning any job actions.

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Mid Hudson Regional Joint Meeting

3/22/00

Holy Shit, I was impress with what I saw today. Mid Hudson Regional meeting at Eastern CF Unity Hall. It was by the largest meeting I ever attended, I would have to say there was approx. 545+ officers. We were packed in like sardines, but it was well worth it.

If there is one word that can describe the mood, it is UNITY, Did you hear me I said UNITY
U*N*I*T*Y !!!!!

In attendance were the following NYSCOPBA officials:

Brian Shanagher
Billy West
Diane Davis
Denny Fitzpatrick
Rich Hargrow
Grant Martin
Dave Stanson
Robert Cronin
Anthony Farda
Edwin Mercado
Dan Annuto
John Dieckmann
John Nicolosi
Chris Zunges

Let me give you a brief run down.

Out of the 17 jails, Fishkill if not had the most officers in attendance, certainly had the loudest officer.

NYSCOPBA executive board had announced that they voted unanimously to boycott the Olympics, it appeared that everyone in attendance was in agreement with their decision.

Contract talk were discussed by Denny Fitzpatrick, they are at impasse, bottom line is the state will blink

first before we go back to the table, alot of discussions and idea were thrown out.

Ottisville will be having an arbitration hearing soon and the decision can have a statewide effect, regarding vacation that is not used and the members not able to get a second chance at it.

The western region was discussed and believe me, we are all on the same page. Elmira & Southport we got your backs.

Strike.... all I can say is start getting ahead on your bills, if certain jails would of had there way today, we be on the line tomorrow morning, the Taylor law would prevent NYSCOPBA from ever calling a strike, but they certainly would have your back and not opposed it. All they ask is you let the process work awhile longer, before anyone does anything irrational.

Do you know the Rule & Regulations? TheP&P's of the department? Sure you do, we all do... Working the rules is one way of showing UNITY!!!! Strike is another, which one do you prefer ?????

April 6th every jail in the state will be picketing, please make sure every members is aware of it, there is no excuse that we all can not be there and spend a few hours before work, after work, for a little while, how much of an investment is it worth to you.

On a side note Woodbourne & Sullivan picket outside of Assemblyman Jake Gunther Monticello office, we were 200 strong, another proud moment, it would of been a little more warmer if the burning barrels were there.

I hope I got it all, I am sure there were other hacknet members there and they will fill you in what I missed.

Keep the barrel burning!!!

Ed Kasper
Sullivan CF

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Story on inmate phone calls didn't report all facts

The Times Union's March 13 story left a lot to be desired concerning the fees inmates in state prisons are charged to make collect-only telephone calls to their family and friends. The tone of the article was set in the opening sentence when your reporter opined the system "sounds like a scam."

While the critics of this program believe that the fees charged are too high, they ignore two pivotal facts: Inmates do not have a constitutional right to make telephone calls, but the state has the right to charge fees it considers appropriate.

The story also failed to mention that only one of 16 states with inmate phone systems charges less than our 31.3 cents per minute average for inmate long-distance calls, compared with a high of 68 cents in Wisconsin. The story dubbed inmate phone rates "sky high" compared with rates that "have fallen for the average consumer." However, our rate comparison shows that a call of 17 minutes' duration (an average inmate call) was \$5.92 on our system but \$8.28 for a comparable collect call on a pay phone operated by

a predominant utility in New York state. That's hardly "double the going rate," which your reporter accused us of charging. The story ignores the fact that when callers pick up any pay phone receiver, they are charged a commission paid to the owner of the property upon which that phone is located, which is why public establishments want them on their premises.

While offering her own criticism of our program as a "cash cow" for general state coffers, your reporter did not mention the fact that phone commissions are targeted for an Inmate Benefit Fund. The Legislature specifically appropriates the benefit fund for many inmate programs that the Legislature might not fund if it had to do so with tax dollars.

Those include basic cable TV for inmates, free buses to bring inmate families and friends to prison to visit relatives, furnishing and staffing visitor centers at prisons allowing families a respite from long bus trips, the processing of medical parole applications for inmates, postage stamps for some inmates, release money and new civilian clothing for parolees, expense advances for inmates on work release in job-search status, partial funding of infant nurseries at two prisons housing female offenders, an AIDS education program and some domestic violence programs. Elimination of the phone program would also eliminate the \$345,000 the state pays annually to maintain the phone-home system exclusively for inmate use. The balance of the fund is used for AIDS drug and treatment programs that have seen the inmate mortality rate drop a stunning 86 percent since Governor Pataki took office.

The Public Service Commission tariff notes the rates are high because the contract also requires that the phone company provide such things as all switching equipment, operators who are English or Spanish speaking as necessary, a system that works on PIN numbers to track and limit calls, call blocking to prevent inmates from harassing crime victims or others, equipment to prevent third-party calling and the ability to either monitor or audiotape every call.

There may be those who complain about the rates charged in the inmate phone program, just as there are those who believe that inmates should not be allowed to make any phone calls at all. But both sides deserve to have the facts on the program, most of which were omitted from the Times Union story.

GLENN S. GOORD

Commissioner

NYS Dept. of Correctional Services

Albany
