



PEC Connection

Official Publication of the New York State Public Employee Conference, Inc.



Chairman's Message

On behalf of the Co-Chairs, Trustees and the Board of Directors of the New York State Public Employee Conference, I welcome everyone to our 29th Annual Convention.

This was another great year for our organization. I wish to thank Governor George E. Pataki for signing into law the 9/11 Death Benefit Bill. Our Governor once again fulfilled his commitment to all public employees by not forgetting those who responded so valiantly and unselfishly on September 11, 2001, to what has been deemed one of the most horrific tragedies in our country's history.

A very special thank you to Senate Majority Leader Joseph Bruno, Speaker of the Assembly Sheldon Silver, and our major sponsors, Senator Martin Golden and Assemblyman Peter Abbate and their respective staffs, who without their hard work and dedication to Public Employees, this legislation as well as others would not have been possible. This legislation was proof again that by uniting together, we continue to have a strong voice in Albany.

Representatives from both the Senate and Assembly are here for their input and some important panel discussions. I am very pleased with the strong relationship we have with both Houses. Their presence at our Conference is very important. We must continue to work in partnership with them.

Please join with me in wishing one of our own, the legendary Floyd Holloway, good health and happiness in his retirement. Floyd will be missed by all. His presence in Albany has meant so much to all Public Employees.

I am honored and consider it a privilege to serve as Chairman of the New York State Public Employee Conference. I appreciate the support of all member organizations. Our organization is becoming stronger each year, mostly thanks to the hard work and dedication of all our member unions.

Legislative Committee Meeting Brings Retiree Health Bill to the Forefront

After opening remarks by Chairman Peter Meringolo, Sunday morning's Legislative Committee Meeting almost immediately turned to an important discussion of the Retiree Health Protection Bill that shows up yearly before the State Senate and Assembly.

Peter Gorman (LIFOA) discussed the pitfalls surrounding this bill and how detrimental it will be to member unions. Several other labor union leaders also spoke about how PEC needs to get involved in this arena, making sure no legislation that will hurt either active or retired members gets signed into law.

One particular retiree group each year pushes for a bill whose intent is to cover some upstate municipalities that don't have health insurance for retirees. This group, and many other retirees, do not understand the negative impact this particular legislation could have.

PEC members have met with the retiree group and tried to convince them to remove the objectionable wording, while at the same time keeping the health insurance safeguards. To date, this group has not changed its position.

Retiree groups have been lobbying this bill for the last five years in Albany. The current legislation would be very detrimental to not only retirees, but also active civil service workers. In addition to the bill's many faults, the most significant being the negative impact it would have on

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PEC Says Thanks to the Legendary Floyd Holloway



PEC Legislative Committee Co-Chair, and a friend to all unions, Floyd Holloway is retiring at the end of this year. For his years of dedication and commitment to the organization, Peter Meringolo presented the legend himself with a plaque of thanks on behalf of all members.

The inscription reads: "Your career has been filled with many accomplishments. No one has worked more diligently than you to enhance and protect benefits for all public employees and their families. We all owe you a debt of gratitude. On behalf of the New York State Public Employee Conference, we thank you for all you have done for us."

Assemblyman Peter Abbate said "Floyd is someone I will miss. He was always there for everyone. His support not only of the PEC conference but to me, my staff and all the people in the Assembly, helped us to understand the issues."

Ken Riddett, Chief Counsel to Senator Joe Bruno, recalled the first time he met Floyd. "The first day I walked into my job, one of the first people who was in the office was Floyd Holloway. I would like to personally thank him for all he's done. He continues to be there year in and year out. We will miss him. Good luck in your retirement Floyd."

Floyd said he has seen so many changes during his tenure in Albany. "I started with this organization in its infancy. Back then, we had the challenge of pension reform. Today we have bigger challenges. I can't stress enough the importance of working together as a unified group to get things done."

Meringolo & Board Re-Elected for Another 3 Years

Peter Meringolo was unanimously re-elected to another three year term as Chairman of the NYS Public Employee Conference. PEC Legislative Director Lou Matarazzo opened up nominations for the position, with the sole support going to Meringolo and his team.

"They've done a great job leading this conference. The unanimous support of the organization is testament to that fact," Matarazzo said.

Other officers being re-elected are Treasurer Joseph Mannion (SOA), Recording Secretary Joseph Colangelo (SEIU Local 246), Corresponding Secretary Lorraine Seidel, R.N. (NYS Nurses Assoc.), Co-Chairs Stephen Cassidy (UFA), Jeff Frayler (NYS Assoc. of PBAs & Suffolk County PBA), Tony Garvey (LBA), Ed Guzdek (Police Conference of NY), Charles Morello (NYS Professional Firefighters' Assoc.), Harry Nespoli (Uniformed Sanitationmen's Assoc.), Michael Palladino (DEA), and Trustees Arthur Cheliotis (CWA Local 1180), Gary Dela Raba (Nassau County PBA), and Bill Lacey (Civil Service Coalition of Buildings, Trades & Municipal Unions).

"This is an honor and a privilege," Meringolo said. "Thank you for your continued support."

Legislative Committee Meeting

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municipalities that are covered by their own local laws or contractual agreements, it would also have to be renewed each year — a major headache for everyone.

As is currently written, it is imperative that all groups oppose such legislation, because of the detrimental affects to our members. As of yet, there has not been any agreement on how to modify the bill.

Gordon Warnock (NYSTPBA) suggested that PEC draft a new retiree health protection bill that is positive in scope, while at the same opposing the one that circulates in Albany each year.

While the current legislation has passed both Houses, the Governor vetoed it for at least the last three years. Lou Matarazzo reminded everyone that we are now faced with a new administration and the possibility that this negative type of legislation could be chaptered into law.

"If the retirees would change their wording to include an exclusion of municipalities that already have their own coverage, we could possibly go with this type of legislation," he said.

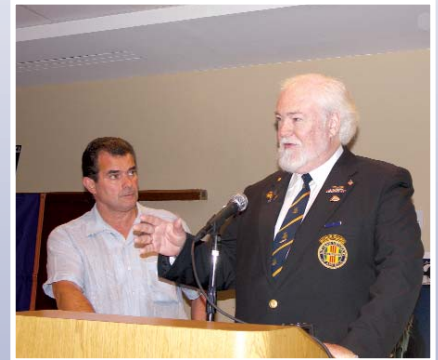
Charles Morello (NYS Professional Firefighters Assoc.) said his union's lobbyist is working on legislation for retirees that don't have coverage. John Dunne (UFOA) suggested that PEC use this legislation as a starting point for a new bill that would satisfy all groups and members statewide.

Meringolo said that the Conference will make this legislation its top priority for the 2007 legislative agenda. In addition, PEC has some 9/11 legislation clean-up to attend to that will also be on the agenda for the coming year.



Members Hear from 2 Guest Speakers

John Rowan, National President of the Vietnam Veterans of America, spoke briefly at Monday's meeting about benefits that Veterans are entitled to but might not be aware of. He said that often-times, veterans come down with an illness they don't necessarily attribute to their time in service, such as diseases directly related to exposure to agent orange. Rowan said any unions interested in finding out more information that they can relay to their memberships either through their newsletters or via direct mail, should contact him at Vietnam Veterans of America, 8605 Cameron St., Suite 400, Silver Spring, MD 20910-3710. His phone number is (301) 585-4000, ext. 124. His e-mail is jrowan@vva.org.



Jordan Ziegler, Esq., partner at Brecher, Fishman, Pasternack, Popish, Heller, Reiff & Walsh, spoke about the new World Trade Center 9/11 Workers Compensation Law Registry, which requires anyone who participated in the rescue, recovery and cleanup, to file a reg-

istry form before August 14, 2007, if they were employed or served as a volunteer during the first year following the WTC disaster. An audio file of Jordan's presentation that you can download will be available on the PEC website (www.nyspec.com), you can contact him directly at (516) 742-3994 or (800) 692-3717 ext. 1758. His e-mail is jordanz@brecherfishman.com

Abbate & Riddett Up for Questioning on Day 2

Assemblyman Peter Abbate laid the groundwork for a friendly question-and-answer session on day two of the Conference as he began his opening remarks by telling members, "When I said I was going to have an open door policy, little did I know that most of you would have keys to the office and be waiting before I even got there." That drew a large chuckle from the more than 150 members packed into the conference room.

The Assemblyman talked about how the new administration in Albany has yet to set the tone for the upcoming session, other than to say that everything changes on day one.

"In less than a month, we'll have a new Governor. I still don't know where he stands on the issues. He is still putting his team together. Once he does, I'm going to meet with them. I encourage all of you to get in there and give me your input. While he has talked about changing everything on day one, I can pledge to you that I won't change my dedication to the men and women who work for our municipalities," Abbate said.

As one of PEC's two main legislation sponsors, the other being Senator Martin Golden who was unable to attend the conference this year, Abbate said he works every day to make sure that labor's voice is heard in Albany.

"Senator Golden and I see each other and talk to each other every day in Albany, and we have the same district back in Brooklyn. When we see each other at community functions, we talk about what needs to be done. In the last couple of years, we've spent so much time on 9/11, getting the original bill passed, and we still have work to do. As days go by, we have more and more illnesses coming. We realize how catastrophic that day was, and we are working on addressing all the issues that arise," Abbate said.

Riddett followed by addressing the problems Republicans had statewide in retaining and winning seats. The NYS Senate only gave up one seat with the loss of Sen. Nick Spano. "It was a miracle we only lost one Senator. That was clearly because people like you stepped up and helped. The work you did was absolutely phenomenal. In 2006, Republicans running in New York State faced a tsunami of economic proportions. Even in traditional Republican districts upstate, people weren't satisfied with what was going on," he said.

Looking ahead to 2007, Riddett said he has met with Governor-Elect Spitzer and his staff, and that "his message seems to be our message." That agenda includes increasing education aid, property tax relief for hardworking New Yorkers and affordable health care. "Now the question is 'How do you pay for it?' We are concerned about how [the new Governor] will pay for everything he's going to do on day one. The good news for you is that the Senate and Assembly are united on your behalf and working on your issues," Riddett said.

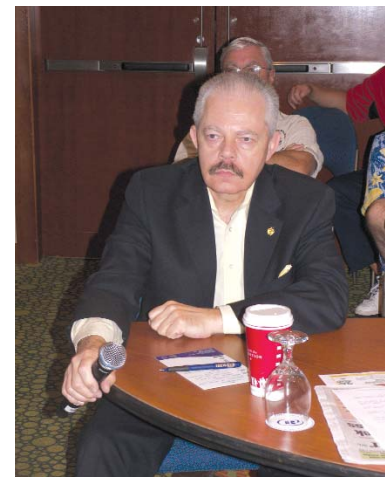
Both said they were unaware of PEC's opposition to the retiree health protection bill and agreed that the organization needs to clearly state its position on this topic come January.

"I found out that there was serious opposition after your meeting yesterday. You raise an important issue. I think it's important that when we get back in January that we sit down and go over it and make changes to it. The pledge I'll give you today is that I always have an open door and that we will have some serious and deep discussions before we do anything," Abbate said. "Under the leadership of Peter, this organization has gained major respect over the years."

Riddett concluded by saying that working on behalf of public employees is easier thanks to the relationship he has developed with Assemblyman Abbate. "I've gotten to know [Assemblyman Abbate] so well because of the time I've spent with him down here. Until we started coming here, I had never met him and only knew him by name and reputation. We've gotten to know each other well and that has helped us work better together on your behalf," Riddett said.

Also speaking at the meeting was Dan McGowan of HIP, who talked about the merger between his company and GHI. While the new name for the parent organization will be called Emblem, the services and plans provided by both HIP and GHI will remain the same. Both companies have been in existence for about 60 years, with HIP always an HMO and GHI a PPO.

"For us to really stay competitive, we really need to be both. Over the years, one of us does a little better than the other and then it goes the other way. The ability to bring our resources together and keep going forward is critical. There are also a lot of opportunities for economies of scale. As we learn from each other, we can provide improved products. You won't see HIP or GHI change in the short term. HIP's products will still be HIP's products. GHI's products will still be GHI's products. Services and contacts will remain the same. Even at the point of conversion, I believe the HMO product will still be called HIP and the PPO product still called GHI. The first time we will see anything called Emblem will be when the new group comes up with a new product," McGowan said.



NYSTPBA's Mulvaney Addresses Discipline Bill



Richard Mulvaney, General Counsel to the New York Troopers PBA, shed some light on the complex issues surrounding the Discipline Bill that was passed by both the Senate and Assembly, then vetoed by the Governor.

Mulvaney said the problems center around a Court of Appeals decision against the NY Police PBA and the Orangetown PBA in relation to the terms and conditions regarding employment and disciplinary procedures. The Court struck down provisions in individual collective bargaining contracts that specifically dealt with arbitration proceedings and employee rights in investigations.

"Basically, the Court of appeals took away any collective bargaining agreement regarding discipline or disciplinary procedures if there is previous legislation in a local municipality that gives the discretion to impose discipline on an agency head, commissioner or local board," Mulvaney said.

The Court stated that if a union falls under Civil Service Law Article 75, it is not barred from negotiating outside of Article 75 for terms and conditions involve discipline. There is a jurisdictional patchwork statewide that some unions have the benefit of Article 75 and can negotiate terms and conditions, while others cannot because of local legislation.

The NYSTPBA has been working with the NYPD, Nassau County and others to push through legislation to fix the inequities. Mulvaney said the legislation designates that discipline and procedures for discipline will be recognized as a term and condition of employment under Civil Service Law, which allows it to be a mandatory subject of collective bargaining.

"This may impact every union that has previously negotiated contracts. Even though a union has negotiated terms and conditions, which have a value in the negotiating process, the Court of Appeals decision might wipe that all off the table," Mulvaney said. "Rights to representation, an attorney or a union representative who can sit in on an interview, rights to specific due process including evidence, discovery and ultimately who hears the case — a neutral arbitrator or a board of inquiry — could all revert back to the Commissioner or agency head."

Mulvaney said the NYSTPBA has deemed this to be one of their top legislative priorities. "I believe every labor union here has a vested interest in this. Cops, fire, sanitation, everyone. This will have a far reaching affect on all public employee unions if any portion of discipline is pulled off the table," he said.

Members Help Formulate 2007 Legislative Agenda

After some discussion of the retiree health protection bill at almost every meeting since the Convention began, members agreed today to make this the group's number one priority for the upcoming legislative session.

Bing Markee, Floyd Holloway, and Lou Matarazzo all reviewed the proposed agenda issue by issue to garner input from union leaders. In addition to the retiree health bill, everyone agreed that getting the 9/11 task force up and running is a major concern.

While the Senate and Assembly have made their appointments to the task force, the Governor has yet to fill all his positions. Holloway said it's vital to get the task force into formation and functioning since there are so many outstanding issues that have to be resolved, as well as new problems that keep arising.

For example, NYCOSH had set aside \$10 million for the Mt. Sinai medical screening program and all that remains today is about \$3 million. If something isn't done to get additional funding, the cost for this program and medications will revert back to the unions.

On-going initiatives for the coming year will include: pension systems protection, early retirement without reduction of service, benefit improvements for survivors of workers killed in the line of duty, ensuring safe work environments, progressive methods of taxation and improvements to the 9/11 Presumptive Disability Legislation.

Matarazzo said that PEC will be working on a military buy back for veterans bill to cover all military veterans and allow them three years of credit regardless of what war they served in or for how long. To date, the Assembly and Senate have had no same-as bill, so nothing has made its way to the Governor.

A discussion arose regarding revisions to the Taylor Law, with John Dunne (UFOA) suggesting that PEC get more involved with the State AFL-CIO on this issue. "We need to take a more active role in supporting this bill," he said. Peter Meringolo said he is in constant contact with Dennis Hughes, as are other members of the Conference.

Meringolo reminded all unions that the only legislation that PEC can include on its agenda are bills that everyone in the conference agrees upon. He also stressed that any union that has legislation they would like PEC to consider for inclusion should send him the information with the next two weeks.

A final copy of the 2007 agenda will be available to members at the Legislative Breakfast, scheduled for Tuesday, Feb. 6. All union leaders are encouraged to bring as many members with them as they'd like, as it shows a stronger PEC presence at the breakfast.

2007 Legislative Breakfast

Tuesday, February 6, 2007 • Albany, NY

2007 Annual Convention

Nov. 30-Dec. 5, 2007 • San Juan, PR



New PEC Website www.nyspec.com

Please visit our newly designed website on a regular basis for important news, contact information for member unions, and to see photos from PEC events. We will be using the new e-mail system to be in contact with both Presidents and Legislative Directors.

Please be sure your contact information is current at all times.

You can also e-mail both Peter Meringolo and Joe Mannion directly from the website.

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