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THE COMMUNICATOROfficers of PEFVolume 39 No. 4Wayne Spence PreMay 2021 (0745-6514)Kay Alison WilkiesThe Official Publication of the New York StateSharon DeSilva VicPublic Employees Federation, AFL-CIOSharon DeSilva Vic1168-70 Troy-Schenectady Rd., Latham, NYRegional CoordinThe Communicator is published monthly, except for January and August, for members of the New York State Public EmployeesRegional CoordinContact until newRederation.Regional CoordinDedeta (Bobbi) StateRegional CoordinRegional CoordinDescriptionRegional CoordinRegional CoordinRadio Regional CoordinRegional CoordinRegional CoordinR

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Metro NY Labor Communications Council

The President's Message By WAYNE SPENCE



'We have to reopen with a cautious eye'

Look around you. Do you see signs of change? Maybe your grocery store now lets fully vaccinated shoppers roam the aisles without a mask. Perhaps you have kids over the age of 12 who have received their first shot. Or maybe, like me, you recently hugged loved ones you hadn't seen outside a computer screen for more than a year.

These are all signs of the state emerging from the darkest days of the pandemic. More than half of adult New Yorkers are now fully vaccinated and the statewide infection rate is below 2 percent. And so Gov. Cuomo told New Yorkers this week: "We have to reopen. We have to reopen smart. We have to reopen with a cautious eye." (May 17 press briefing)

I agree with him, especially his use of the word "cautious." A lot is going to change in the weeks and months ahead, hopefully for the better. But now is not the time to relax all restrictions and send the entire state workforce back to office settings that may lack proper ventilation or adequate social distancing. The Centers for Disease Control (CDC) recently issued new mask guidelines for fully vaccinated people that New York has adopted and we are all waiting to hear how that plays out at individual agencies. We do know that a lot of you will be wearing masks at work for the foreseeable future because they are still required in healthcare settings, correctional facilities and long-term care facilities. But we all know how inept some state managers can be and we must remain vigilant as each agency implements these new guidelines. As PEF members return to work, please stay in touch with your Health & Safety Department and flag any issues you see to HealthAndSafety@pef.org. We will post the latest guidelines as they evolve at http://www.pef.org/covid.

Also in this issue you'll find an update on contract negotiations. Thousands of you joined a <u>Telephone Town Hall on May 18 to get your questions answered</u> and to provide the contract team with valuable information about what's important to you as they work towards a new agreement. For those of you who could not attend, the survey is available online until May 23. We will continue to be transparent throughout the process and will settle for nothing less than the fair and just contract you deserve for your tireless work every day.

Finally, a word of thanks to the nurses in our union as we celebrate National Nurses Month. Your work on the frontlines of the fight against COVID-19 has been lauded again and again and we are determined to make the state reward you and all of PEF's essential workers for your heroic efforts throughout the pandemic. PEF continues to lobby for legislation that would provide hazard pay, as well as end the hiring freeze that makes it so difficult for the state to accomplish all the important work that lies ahead.

Please continue to stay healthy and safe

In Unity,

Wayne Spence PEF President



What are your top priorities?

By KATE MOSTACCIO

The PEF Contract Team is asking members across the state to voice their opinions on 13 questions and will use their answers to shape the direction of negotiations going forward. At a telephone town hall held Tuesday, May 18, PEF's chief negotiator, Mark Richard, said that PEF is at a crossroads and needs to have a conversation about strategy.

"Here is the timing question we want you to think about," Richard said. "We're going on two years without a successor contract. Do we take raises and retroactivity and ratify a contract, or do we do all of it now, no matter how long it takes, to get as many issues as you can?

"This is a democratic union," he said. "The members own this union and President Spence knows this is a difficult question. He wants the members' voice. Whatever we do, we need to do it together."

President Wayne Spence said hard decisions need to be made and member feedback is critical.

The questions posed at the town hall, on which members were able to vote and which were subsequently sent to all members who couldn't attend via email, are as follows:

- 1. Are you aware of the contract enforcement battles, the active lawsuits and grievances, member mobilizations and Albany lobby efforts PEF is currently conducting?
- 2. Which of the following PEF communications do you read to get your contract negotiation information: PEF website, email, social media, PEF on the Move?
- 3. How important is it to you that we fight for a retroactive salary increase, given our contract battle with the state is still going on over two years?
- 4. Should the negotiating team try to close out a contract now with retroactive pattern salary increases (totaling \$1 billion) and then go right back to the table to achieve other improvements for our next contract?
- 5. Are you aware that the state is demanding concessions that other unions agreed to regarding health insurance and overtime rates in order for members to get any raises?
- 6. Do you agree that the PEF leadership, along with other unions, should continue its campaign to have the Legislature and Governor provide for a COVID hazard bonus in recognition of those who worked the front lines, even if we settle a contract?
- 7. New York State has a Paid Family Leave program. PEF wants your opinion about whether we should opt into this program. It is important to note that this is an employee-funded insurance program paid for through payroll deductions. Everybody in the bargaining unit would have to contribute to the program, regardless of whether they use the benefit.

The program provides for up to 12 weeks of paid leave for (1) the care of a newborn or newly adopted or fostered children, (2) the care of a close relative with a serious health condition, or (3) to assist a family member due to a military deployment.

The benefit is currently capped at about \$972 a week. The current payroll employee deduction is capped at about \$14.82 per paycheck or \$385 per year. Do you want PEF to opt in to the NYS employee funded Paid Family Leave Program?

Questions eight through 13 asked members to rank the importance of key issues in the current or immediate next round of contract talks, including improvements to longevity pay awards, location pay increases, improvements to dental insurance, nurse short staffing issues, improvements to the telecommuting program, and the ability to cash in unused accruals.

"PEF is considered one of the most democratic unions in the country," Spence said. "While I might have my own viewpoint on how things should be done, I am not negotiating a contract for Wayne Spence. I'm negotiating a contract for 50,000 plus members. I can't bring everybody to the table, but I do know that these questions and how we communicate with you are important."

Negotiations are set to resume May 25 and 26.

PEF webinar provides updates on COVID vaccines; telecommuting and workplace health and safety

By KATE MOSTACCIO

With continuing concern among PEF members about COVID vaccines, telecommuting and workplace safety protocols, PEF Health and Safety and Field Services staff offered a webinar May 12 to share information and advice on those topics and more.

Health and Safety Director Geraldine Stella briefed members on the status of the virus in New York, noting there has been a downtick in the state's positivity rate, currently at a little more than 1 percent, and the seven-day average is at its lowest since October 2020, at 1.28 percent.

"The hospitalization rate has dropped to a little over 2,000 and the number in ICU has dropped to less than 500," she said. "What does that tell us? It means that more people are vaccinated and more people have resistance and less are having serious illness."

Vaccination

Stella said the Pfizer and Moderna vaccines are also working well against COVID variants.

"Some are more contagious, so it is really important for people to continue those good COVID controls, wearing masks, practicing hygiene," Stella said. "It also means we want to make sure all of the things we have been saying all along for your workplaces are emphasized, making sure they are safe as possible for members.

"We have seen some relief with the vaccine programs and the CDC has said some restrictions can be relaxed, but until the majority of the population is vaccinated, we are going to continue to fight for lower density in the workplace and better workplace controls," she said.

New York state is not requiring people be vaccinated to return to work, Stella said. And, while PEF supports the vaccine program, the union also recognizes that some people have legitimate barriers to vaccines.

"We want to make sure people who can receive the vaccine get the right information so they can make an informed

decision," she said. PEF maintains a page on its website with information and members can reach out to healthandsafety@ pef.org with questions.

Precautions in the workplace

PEF Health and Safety Specialist Shawn Bobb said worksites need to be vigilant with control measures.

"We want everybody to understand, there is no one control method that is going to work on its own," he said. "It's a layered approach that we're looking at, including voluntary vaccination, ventilation, low density, social distancing, wearing face coverings and hygiene.

"It's going to take making sure everybody practices safe COVID conduct," he said. "We've been at this over a year now, there is fatigue setting in. It's important that we continue to practice safe COVID precautions and remember that we're seeing the light at the end of the tunnel."

Bobb gave a brief overview of how proper ventilation can help mitigate the virus in the air.

"Ventilation is important," he said. "We've all heard about being outside versus inside, inside the hazard is more significant. Ventilation is critical to helping reduce the spread of this pathogen. You want to get as much outside air into your space as possible, which helps to dilute and exhaust contaminants."

Members thinking of using or purchasing air purifiers should make sure they are equipped with HEPA filters and steer clear of electric air purifiers that are as yet unproven.

PEF local leaders will be working with management to ensure proper ventilation. Any members with concerns should speak to their local leaders or steward.

Bobb also touched on social distancing concerns in offices with cubicles.

"The requirement is six feet apart," he said. "We know people move around in their cubicle and, as they move, they may now be less than the six feet apart. We can look at things like scheduling around it. Have people alternate coming in so they are not sitting side by side."

PEF Region 10 Coordinator Darlene Williams said people are afraid to go back into large offices because you can't control what other people do.

"It's going to be really important to wear your face mask," she said. "It's natural to be nervous, it's natural to be scared. I have been working throughout the pandemic. I work on making sure I can control what I can within my environment. I requested hand sanitzer, latex gloves. Anything I need to keep my area safe.

"This is not going to be easy," she said. "We're going to be uncomfortable for a while. But, if you see something strange, talk to Health and Safety."

Telecommuting going forward

The temporary emergency telecommuting agreement negotiated between PEF and GOER at the start of the pandemic and extended to July 2, is more robust than the contract memorandum in the collective bargaining agreement, but it has served to protect PEF members and to highlight that telecommuting is effective.

"We learned from COVID that telecommuting works," said Statewide Director of Field Services Katie Vorwald. "Our members are productive and we haven't seen disciplinary or productivity issues."

While acknowledging telecommuting doesn't work for all titles, or for all people, PEF is committed to continued work on the issue. Downstate Director of Field Services Ricardo Cruz, a member of the PEF Contract Team, said the team is optimistic there will be improvements and enhancements to the existing program under the collective bargaining agreement.

As the temporary agreement winds closer to the July 2 expiration, members are cautioned to prepare for a return to work.

"Prepare yourself to come back to work," Cruz said. "Start preparing child care and other concerns. Be in the mindset that starting July 2, you will return to work."

Members who believe they qualify for reasonable accommodations are urged to pursue them.

"If you have need of a reasonable accommodation, submit an application," said Western Director of Field Services Eric Kasnewski. "If you have difficulties filling that out or with the appeal process, reach out to your local field rep."

Reasonable accommodation guidelines can be found here on the GOER website.

Speak up

When concerned, PEF advises members to speak to local leaders so action can be taken.

"When we go back to the workplace, we don't expect you to be the mask police," Stella said. "We certainly don't want people to feel like they have to walk around writing tickets to people or to get into arguments with people. We don't want to create conflicts in the workplace. But we do want to make sure management is going to do the right thing and apply the rules fairly.

"It's management's responsibility to make sure people are following policy," she said. "If they aren't, you can always go to your supervisor. Or you can go to a PEF steward or local leader. Our Health and Safety people and stewards can work with management to make sure those guidelines are being followed."



Any PEF member who wishes to watch the hour-long webinar can do so here: <u>https://vimeo.com/549004698</u>

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PEF to state: Early retirement incentive legislation is lacking

By KATE MOSTACCIO

PEF reviewed <u>early retirement incentive legislation</u> recently introduced and determined it comes up short, opening the door for state agencies to cherry-pick who it applies to and providing no requirement for the state to fill the vacated positions.

While the legislation recognizes the hard work of PEF members during the COVID-19 pandemic and state hiring freeze, it doesn't address the growing vacancies at state agencies created by retirements and lack of hiring.

"There are currently about 5,000 empty PEF jobs across the state," PEF President Wayne Spence said. "PEF members are now doing jobs that used to be done by two or three people. This has been steadily strangling the state workforce and, while this proposed early retirement incentive legislation appears friendly on the surface, it is dangerous if enacted as written.

"There must be a provision that mandates each retirement position be backfilled," he said. "This bill also allows certain entities to opt in, which means agencies and managers will pick and choose who is allowed to retire early. Some state employees might think they are eligible based on their years of service and then find out that their agency or manager is not participating."

Spence said the proposal could help increase staffing, but as currently written falls short and fails to recognize the service of all PEF members.

"This pandemic demonstrated the importance of a fully staffed state workforce and the vital services PEF members provide to millions of New York State citizens," Spence said. "It's more important now than ever before that we invest in the state workforce.

"Why is the Legislature talking about providing an early retirement incentive to some workers and not others while still not talking about legislation recognizing the service of all the PEF heroes who have served as essential employees during this pandemic," he said. "This proposal as currently written would exclude thousands of eligible members essentially giving more 'zeros' to so many deserving heroes."



See President Spence's full answer to the question about early retirement incentive bills at vimeo.com/542774650



The Triennial Election Committee has certified a list of candidates. You can view the list here of candidates seated automatically as the only certified nominees, along with vacant Executive Board seats for which no nominees were certified. Nominees to fill vacancies will be sought when special elections resume in the third guarter. There are no contested races at this time.

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National Nurses Month

Clinical staffing committee bill passes both Houses

By KATE MOSTACCIO

Gov. Andrew Cuomo is expected to sign into law a bill requiring every hospital to create a joint labor-management clinical staffing committee, made up of registered nurses, licensed practical nurses, ancillary staff providing direct patient care, and hospital administrators.

Under the leadership of Sen. Gustavo Rivera, chair of the Senate Health Committee, and Assemblywoman Aileen Gunther, chair of the Assembly Mental Health Committee, both the Senate and Assembly passed legislation, which, for the first time, will require the direct involvement of nurses in hospital staffing plan development and implementation.

"While this legislation represents an important step forward, PEF continues to advocate for the expansion of this important patient safety measure to cover other state facilities that render care for New Yorkers, including DOCCS, OMH, OPWDD and OCFS," said PEF President Wayne Spence.

The committees will be responsible for developing and overseeing the implementation of a clinical staffing plan that will include specific guidelines or ratios, matrices, or grids indicating how many patients are assigned to each nurse and the number of ancillary staff in each unit. Committees will be responsible for reviewing staffing plans, adjusting plans, and responding to complaints for variations from the plans.

The bill also calls for creation of an independent Advisory Commission consisting of nine members, including experts in staffing standards and guality of patient care; labor organizations; and hospital representatives. The Governor,



Assembly Speaker, and Temporary President of the Senate will appoint one member for each of the three categories.

Click here to view the individual bills: <u>S.1168-A</u> (Sen. Rivera)/ A.108-B (Gunther).

Click here to read PEF's full memo on the legislation.



National Nurses Month



Nurse Lobby Day

Lobbying for fair wages, safe staffing, recognition

This year, Lobby Day will take a different form, but PEF nurses will still rally together to bring their message to state legislators.

On May 25, nurses will take the virtual stage from 9 a.m. to 4 p.m. and highlight the need for wage parity, safe staffing and honoring COVID heroes.

"State nurses must earn what their counterparts in the private sector earn, so that we can address the myriad staffing shortages," said PEF Interim Nurse Coordinator Gabriel Kristal. "We will call for support and enhancement of staffing legislation, while also pushing to end all hiring freezes of healthcare workers.

"In recognition of the hard work and dedication of PEF nurses during the pandemic, we will urge the state to step up by providing hazard pay for their sacrifice," Kristal said.

If you are interested in participating, contact DThomson@pef.org

PEF, SUNY Upstate reach agreement on geo pay increase

By KATE MOSTACCIO

With a focus on improving staff retention and keeping up with the salary market for new graduates, PEF and SUNY Upstate reached an agreement to increase the geographic rate for Upstate's teaching and research center nurses.

The agreement results in an average increase of about \$3,500 annually and is expected to affect 1,648 nurses. The increase is effective as of May 13, 2021, and should be reflected in paychecks starting June 9. Prior to a small increase that PEF also worked on in 2020, the geo rate had not increased since its inception 14 years ago. Individual letters with details specific to each PEF nurse should go out next week.

"It was high time we recognized SUNY nurses for their extraordinary work, both before and during the COVID pandemic," said PEF President Wayne Spence. "Keeping these talented nurses at our state hospitals is vital to all the patients they serve every day. An increase in geo pay brings them closer to the salaries enjoyed by their private-sector counterparts and hopefully acts as an incentive to continue or to join state employment."

Once hazard pay for the state's essential workers was not included in this year's state budget, PEF, SUNY Chancellor Jim Malatras, and SUNY Upstate President Mantosh Dewan immediately began pursuing this alternative, which does



not require approval by the Governor's Office of Employee Relations or the legislature.

PEF is continuing to push for the other two hospitals in the SUNY system, Downstate and Stony Brook, to negotiate geographic pay increases as well, and is focused on continuing to advocate for hazard pay.



National Nurses Month

Committee studying RN salary inequities

By KATE MOSTACCIO

The Article 44 Committee, formed to study and make recommendations on problems and issues facing nursing and other professional employees in institutional settings, is taking a deep dive into registered nurse salaries at state facilities and agencies.

Committee Chair Susan Billi approached PEF President Wayne Spence in October of last year with a proposal to study the pay gap between PEF and private sector registered nurses (RNs).

So far, their research has uncovered large discrepancies.

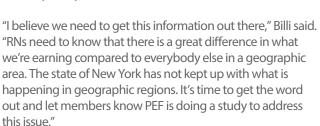


At SUNY Downstate and area mental hygiene facilities in New York City, PEF registered nurses coming out of school with no bachelor's degree are earning \$61,352 – that's 30 percent less than nine neighboring private-sector facilities, where the same level of skill would earn them \$88,308.

SUNY Stony Brook sees similar disparity with the private sector.

The average starting salary at Stony Brook is \$65,972. That is 24 percent less than four Long Island private facilities, where the starting salary is \$87,328.

The committee is still gathering data from across the state and invites PEF members who know people in private sector nursing to reach out to Billi if they have any salary information.



After the study is complete, the committee will make a recommendation for action to President Spence. The committee also reviewed and made recommendations on a medication treatment for COVID and the American Recovery Act's provisions for aid to rural hospitals.





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PEF: A Year in Review

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PEF observes Workers Memorial Day; highlights importance of health and safety, safe staffing

By KATE MOSTACCIO

Under clear skies, PEF leaders gathered at the memorial outside PEF Headquarters to honor the 33 members who passed away since April 2020, reading aloud their names and observing a moment of silence.

"In 1970, the Occupational Safety and Health Act (OSHA) went into effect, promising every worker the right to a safe job," said PEF President Wayne Spence. "Workers Memorial Day is a day to reflect and mourn those who have lost their lies at work COVID-19 shed a stark light on the importance of workplace safety.

"The pandemic has shown that much still needs to be done," Spence said, "Workplace exposures, where workers spend extended time around coworkers or the public, in crowded or poorly ventilated spaces, have been a major source of COVID-19 exposure. This is preventable.

in the past year - and to renew our fight for safer jobs in the future.

"Each year, thousands of workers are killed and millions more suffer injury or illness on the job," he said. "Too many workers die from preventable hazards and many more get sick from exposure to toxic chemicals. Some are in danger due to short staffing at various levels. This must stop."



"Our members have gone above and beyond to keep New York running during this pandemic," Spence said. "We must never forget their sacrifice and we must continue to press for safety in the workplace."

PFF's staff union, USW Local 9265, continues to work diligently to keep members safe and informed about their rights.

Spence noted that unions have fought, and will continue to fight, for safety measures for all workers. In the first months of the pandemic, PEF established an emergency telecommuting agreement, gathered and distributed personal protective equipment (PPE) to frontline workers, and paid for hotel rooms for members afraid to bring the virus home with them.

"PEF spent over \$300,000 to secure PPE and housing for frontline workers," Spence said. "We secured housing so members could avoid bringing home the virus to their loved ones. On a number of occasions, this happened. We had parole officers who brought home the virus and it took the lives of grandparents who were living with them."

"Today we remember all the lives lost throughout this past year," USW Treasurer Tamara Carney said. "Although this is a sad time, we must remember the importance of unions. During this pandemic, USW Local 9265 members continued to represent, support and assist PEF members throughout New York State. This past year, we have seen unity in action."



Staff continues to meet with members, assist with questions on their contractual rights, provide PPE to essential workers, train union leaders, and interact with members regarding their available benefits.

PEF takes the health and safety of its staff very seriously, said PEF Secretary-Treasurer Kay Alison Wilkie.

"The President and I are very proud of the building improvements we've made here at PEF headquarters, especially in light of this pandemic, to ensure the health and safety of our staff."

Issues with recent early retirement incentive legislation tied in with the theme of the day, as Spence noted faults with the bill, which would allow the state to cherry-pick who qualifies and which includes no provision requiring the state to fill the vacated positions.

"There are currently about 5,000 empty PEF jobs across the state," Spence said. "PEF members are now doing jobs that used to be done by two or three people. This has been steadily strangling the state workforce and, while this proposed early retirement incentive legislation appears friendly on the surface, it is dangerous if enacted as written. "There must be a provision that mandates each retirement position be backfilled," he said. "This bill also allows certain entities to opt in, which means agencies and managers will pick and choose who is allowed to retire early. Some state employees might think they are eligible based on their years of service and then find out that their agency or manager is not participating.

"This proposal as currently written would exclude thousands of eligible members," Spence said. "Essentially, giving more 'zeroes' to so many deserving heroes."

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Shortchanging the mentally ill costs New Yorkers

By SHERRY HALBROOK

While scientific data shows COVID-19 risks waning in New York, another very serious medical issue is becoming more intense, disruptive and tragically fatal. We know how to treat it, but state leaders refuse to address it head-on.

Consider this reporting on May 15 in The New York Daily News:

"Nearly one in every 25 New Yorkers live with a serious mental illness, with around 280,000 adults dealing with diagnoses like major depressive disorder or schizophrenia, city health officials reported <u>last month</u>.

"Thirty hospitals statewide have repurposed about 600 psychiatric beds for COVID-19 patients, according to the state Office of Mental Health (OMH). All told, the state has 5,815 licensed psychiatric beds, including the 600 not currently being used for psych patients — a decrease of about 30 beds statewide since 2019.

"We're seeing a New York City where everybody who's vaccinated can take the mask off... And still, we have a lot of mentally ill people in the streets, we have them in the subways, we have them surrounding hospitals, and they're begging for the help that is not there."

Virginia Davey, PEF's Labor-Management committee chair at OMH, said the agency has been shifting mental health resources from inpatient mental health care to the less expensive community-based services for several years.

PEF leaders say the state's most vulnerable patients cannot always be cared for as outpatients.

"They are sick and need higher levels of care, not to be moved into lower levels of care prematurely," said PEF Vice President Randi DiAntonio.

"This strategy has created an internal race for resources, often leaving the sickest patients to fend for themselves while providers battle for dwindling financial resources to help those 'qualifying' for services," Davey said. "Every new tragedy should serve as a reminder of how crucial it is that we firm up our commitment to both inpatient and outpatient services, given that they are equally essential for the survival of those managing their mental health needs.



"We really need to budget our resources in two separate funding streams: one for inpatient care, and one for outpatient care," Davey said. "The diminishment of one system of care to bolster another weakens both systems. OMH requires greater funding across the board, and one that does not improve one level of care while undermining the success of the other."

While state legislators listened to PEF and derailed a state budget proposal to close Rockland Children's Psychiatric Center, they also authorized the closure of an additional 200 OMH beds across the state. Now OMH is snipping away at in-patient beds a few at a time at the remaining psychiatric treatment centers statewide.

The New York Daily News quotes a nurse at a city hospital struggling to meet patients' needs as saying: "Telehealth and tele-psychiatry are not a replacement for inpatient hospitalization. Those who are suicidal, homicidal, extremely psychotic, they come through the emergency room, they come through NYPD custody, they come to us in their worst state," he added, noting that he has seen his former patients wandering the streets.

What people too often see as criminal justice issues are actually the result of inadequate mental-health services.

PEF President Wayne Spence said he believes the focus on parole reform should, instead, be to fund better mental health and drug-treatment options, services that directly help parolees and could help reduce the violent attacks taking place in New York City.

Darlene Williams, PEF's Health & Safety chair at OMH, said she's spoken with a fellow PEF member at the state Psychiatric Institute's Washington Heights Unit in Manhattan, who said he takes the bus for his daily commutes.

"He's a pretty big guy, but when I asked him if he feels safe on the bus, he said, 'No," Williams said. "He said he is seeing a lot more people with mental illness on the bus and he thinks they are 'hiding out' there to avoid the rising violence at the shelters and on the subways. They ride the bus all day and all night, to try to be safe. It might be safer than the subway or the streets, but violent incidents do happen sometimes on the buses, too. The driver won't try to intervene unless a situation really escalates or becomes violent."

On May 5, the subway system experienced serious delays and other disruptions when riders experiencing mental health crises on three different lines forced a 90-minute service shutdown to downtown Manhattan and other problems. Such incidents are traumatic for the person who is in crisis, and they can also be traumatic for other passengers and MTA employees and police who respond.

The incident led to this statement from Metropolitan Transportation Authority spokeswoman Meredith Daniels: "Three incidents in less than four hours involving people threatening harm to NYCT employees is a stark reminder of why the city needs to surge essential mental health services and police officers ASAP."

The city assigned 250 more police to cover subway stations and trains. Policing of mass transit is now at its highest level in 25 years.

The disruption to timely train service, and frequent reports of mental-illness-related violence, creates anger, frustration, distrust and resentment among the affected public, businesses, and other organizations. Such incidents breed ill will toward people with mental illness and increase the stigma that makes it easier to dismiss their needs, assume all mentally ill people are dangerous, and treat them disrespectfully.

Williams said PEF members at OMH are seeing more young patients admitted to inpatient care, but too often they aren't allowed to remain long enough to become fully stabilized before they are discharged. The result, she said, is a revolving door. "We are hoping we will never see them again, but they are back in three weeks, and they are here briefly, discharged and return again and again." That's because it takes time to figure out which medications work best for a specific patient at a specific time, and the medications need to be gradually adjusted, Davey said. Once you have the medications right, then the patient may do well in the community if they receive the level of outpatient care they need.

"We used to have a number of very valuable programs, such as Family Care, mental health intervention teams, and intensive case manager teams to support people in the community, but those teams and programs are mostly gone. When patients were discharged from in-patient services, we sent them home with resources. Now, if they are lucky enough to get any resources, they don't last long enough."

"We're just running on a shoestring budget. It's the sickest, neediest people who are losing services. The money being taken from in-patient services, is supposed to be building the community services, but the need is increasing too fast," Davey said.

PEF is forming a coalition called NYS Fund Our Future with a mission to make that exact case. Decades of service cuts and privatization have caused the crisis the state now finds itself in, and only a committed legislative, advocacy and public relations effort by unions and the communities they serve will help turn things around. PEF will share more information as the campaign develops, but for now interested members can sign up to be involved – and submit a video telling us about the vital work you perform for New Yorkers — <u>here</u>.

In one very recent horrifying case in New York City, a man walked into a police station near his home and told the officers that he had awakened with an overwhelming need "to hurt someone." He then walked down to the basement where he raped and killed his own mother.

This isn't just an urban issue, Davey said. Rural communities, such as those in St. Lawrence County where she works, experience their own tragedies.

"We've had two high school students commit suicide after they were bullied on social media, and there was a shooting in an area real estate office," she said.

"People who are mentally ill and become violent are often victims, too," Davey continued. "They are stigmatized, but we are failing them first when treatment resources are limited. Those who become that sick often failed to receive the treatment and care they needed."

It doesn't have to be that way, she said. New York should attack lagging mental health services with the same zeal and commitment that it attacked COVID-19.

"We need to name it. Claim it. And then fix it!"





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PEF seeks advancement, pay parity for boiler inspectors

By SHERRY HALBROOK

PEF is working to secure a title reallocation for state boiler inspectors that would result in a salary upgrade.

This effort has been underway for about two years, and if it is successful would benefit up to approximately 25 PEF members at the state Labor Department. The union is soliciting the department's support for the reallocation.

PEF field representative Michele Routi wrote to the Labor Department about the situation in January 2020.

"The boiler inspector title series, compared to the safety inspector title series, shows a major disparity to similarly situated titles," Routi wrote. "The safety and health inspectors are grade 16 and senior safety and health inspectors are grade 18, as compared to the grade 14 boiler inspectors and grade 17 senior boiler inspectors."

At that time, six positions were vacant.

"It is our position that those vacancies will remain as long as the salary is not comparable to similarly situated titles," Routi said.

Now, Routi, says, "DOL had voiced support previously to review of this disparity. We are now asking, since the pandemic is almost in rearview, that serious effort be taken to submit this request and DOL support to (the state Department of) Civil Service for the reallocation in parity with the safety inspectors as well as advancement opportunities similar to those afforded to safety inspectors."



Reallocation would be reviewed by the bureau of Classification and Compensation. If the director of classification and compensation recommended approval of the upgrade, it would still require the approval of the state Division of the Budget.

Faulty Cuomo Bridge Bolts Not the Only Crack in New York's Infrastructure

The following commentary by PEF President Wayne Spence ran in the <u>Albany Times Union</u> on April 27 and is republished here for our members who don't subscribe to the newspaper.

President Joe Biden's American Jobs Plan would be a muchneeded shot in the arm for this country's ailing roads, bridges, and other public infrastructure. Here in New York, our drinking water systems alone need an estimated \$22.8 billion in investment.

But the growing controversy over faulty bolts on the Gov. Mario M. Cuomo Bridge reveals that state lawmakers still have work to do. More than half of New York's bridges are at least 75 years old, ranking us second to last in the nation in functionally obsolete bridges. Over 420 of our dams are considered to be high-hazard potential. New York City's subway system is only getting older. Over a quarter of New York's roads are in poor condition, costing each driver \$625 per year.

Simply put, New York's infrastructure is stuck in the 20th century. And that means New Yorkers are at risk every time we drive, turn on our kitchen faucet, or step on a subway car.

One crucial step in turning things around is reforming the way the state ensures our infrastructure is strong and safe. Right now, state agencies can hire a single company to design, build, and even inspect new construction and repairs. This means multiple billion-dollar projects are currently being built or have been completed by a single contractor, with no onsite oversight by state inspectors working on behalf of the public.

The Mario Cuomo Bridge is one such project. And we're now seeing why this approach is flawed.

A consortium of companies—American Bridge Co., Fluor Corp., Traylor Bros., Inc., and Granite Construction—built the bridge. A private engineering firm—Alta Vista—inspected the construction. According to a Times Union investigation, at least dozens of bolts broke as the bridge's girders were being assembled and even more a year after they were installed. A whistleblower alleges the companies committed fraud by hiding this from the New York Thruway Authority. Both New York's inspector general and state attorney general's office have investigated the claim. The attorney general's office appears to have agreed to settle with the consortium for a paltry \$2 million penalty and a one-year extension to its warranty on the bridge's construction.



This was allowed to happen because of the New York Works Infrastructure Fund Act, passed in 2011 and expanded multiple times since. Before the act, licensed state engineers and inspectors oversaw public infrastructure projects. They made sure contractors weren't cutting corners to increase profits. Now, like a fox guarding the hen house, on an increasing number of projects contractors inspect their own work with little to no state involvement.

Back in 2011, proponents of the change argued that it would reduce so-called "red tape" and cut costs. Yet, we have no way of knowing whether that's panned out. There is currently no requirement for these projects to undergo a cost-benefit analysis, which would determine whether it's worth allowing one company to design and build a bridge, road, or other piece of infrastructure.

Outrageously, some state lawmakers want to expand and make permanent the state's ability to enter into such "designbuild" contracts. A proposed bill would allow for even more contractors to self-inspect their own projects. This would be not only foolish but also potentially catastrophic. We should be increasing—not further decreasing—our government's responsibility to keep New Yorkers safe. With billions in federal investment possible, oversight is more important than ever. That means putting the state's licensed professionals to work inspecting the infrastructure we rely on. That means more public and less private involvement in the construction of our public assets.

Who knows how many of the bolts holding the Mario Cuomo Bridge together will break in the coming years? The hundreds of thousands of drivers who cross the bridge daily surely would like to know.

Virtual expo video educates kids on fire prevention, safety

By KATE MOSTACCIO

PEF members from Division 179 worked with the Albany Fire Department, both in front of and behind the camera, to produce a segment on firefighting, fire prevention and fire safety for the Hannaford Kidz Virtual Expo.

Division 179 includes members from the Division of Homeland Security Office of Fire Prevention and Control and the Office of General Services Digital and Media Services.

"We've always participated in the kid's expo at the Empire State Plaza," Division 179 Council Leader John Buttino said. "This year, due to COVID restrictions, they took it virtual and released several different features over the last month."

Buttino narrated the video in front of the camera with members of the Albany Fire Department, teaching youth about the hook and ladder truck; equipment firefighters use to fight fires, what they wear to keep them safe; and vital fire safety facts.

"It's definitely very important to teach them to crawl low and go, escape smoke and fire, get out and stay out," Buttino said. "Many times people aren't aware they have seconds to get out of a burning building, not minutes. It's the smoke and heat that kills, not the flames."

Passion for their work and the people they serve led PEF Division 179 to ramp up its virtual presence since COVID-19 shut down the state last year.



Division 179 Council Leader John Buttino

"Preventing the fire in the first place is the number one priority," Buttino said. "That's the number one tool we communicate to state agencies and the public. Cooking is the number one cause in home fire deaths. The number one place people are killed in a fire is at home. People feel that they are safe at home, when in all reality the risk of dying of fire is greatest at home.

"What we do as public employees truly transcends the workplace and it's a passion that is with most PEF members when they are on and off the clock," he said. "It's something that is in your heart and you believe in. For many of the folks in our agency and office, there is a deep-rooted passion for our work." **Health Notes**

Dental and Vision Student Verification Information Fact Sheet

If you have dependents who are students and covered under the NYS Health Insurance Program (NYSHIP), you may need to verify their eligibility for dental and vision coverage. Their coverage depends on verifying their full-time student status during the period after they reach age 19 and before they reach age 25.

The Student Verification Process is now an automated process for NYSHIP Dental and Vision coverage. Enrollees are required to contact the dental program administrator, Emblem Health, to submit the Student Verification Form to ensure claims are processed.

Notification responsibility

Throughout the year, it is the member's responsibility to ensure their college-aged dependents' profile and eligibility are current to the most up-to-date information so coverage is not terminated. This information needs to be relayed to your health benefit administrator (HBA) to be updated in the New York Benefits Eligibility and Accounting System (NYBEAS).

Eligibility

The federal Patient Protection and Affordable Care Act (ACA) requires insurers to offer children coverage as dependents on their parents' health insurance plan up to age 26, but that only applies to medical care, not to dental or vision care.

Dependents who are at least age 19, but under age 25 are eligible under NYSHIP to be covered on your dental and vision benefits if they are full-time students at an accredited secondary or preparatory school, college or other educational institution that grants a degree or diploma. Full-time criteria includes on campus, online or a combination of both. They must also not be otherwise eligible for employer group coverage. They continue to be eligible until the first of the following dates: the end of the third month following the month in which they complete course requirements for graduation, or the end of the month in which they reach age 25.

COBRA allows you to extend a benefit beyond the time coverage would otherwise end. You would receive a letter from the Employee Benefit Division (EBD) if your dependent exhausts the plan's age limit, becomes ineligible for benefits or undergoes a qualifying event resulting in losing the benefit. The letter notifies you of the impending loss of coverage and offers you the option to extend it through COBRA.

If you received this letter and have already submitted the updated and completed Student Verification Form for the 2021 Plan Year to Emblem, you should contact your HBA and/ or Emblem to check on the status of your form.

If you received this letter and have not submitted the updated and completed the Student Verification Form for the 2021 Plan Year to Emblem, you must contact your HBA and/or Emblem to have this updated. You will need to complete the Student Verification Form in order to have your dependent reinstated with no lapse in coverage.

Emblem sends out a mass mailing yearly to all members who currently have college-aged dependents on their plan, requesting Student Verification for the upcoming year. If Student Verification was not submitted by the March 31 deadline, the dependent was dropped from coverage.

An additional outreach is done by mail for dependents who will soon be 19. If student status is confirmed, further outreach will be performed.

Removing Dependents

After the first Friday of each month, dependents that have not been confirmed as having full-time student status are removed from NYBEAS. The dependent whose full-time student status is not verified, is removed the first of the month following their 19th birthday.

If no response to Emblem Student Verification Form for the current semester is received, the dependent is removed the first of the month following a 3-month extension beyond the last semester full-time student status was confirmed.

Dependents who have confirmed full-time student status with Emblem Health since the previous monthly update, are restored to NYBEAS retroactive to the date they were originally removed with confirmation of continuous full-time student status.

The dependent is restored as of the first day of the month in which classes began.

There is a break in coverage when there is a break in student status between semesters, such as when a dependent skips a semester and then returns to student status.

Age 25 Removals

The Employee Benefit Division automated process removes all children from NYSHIP dental and vision coverage effective the first of the month following their 25th birthday. Dependents being removed from the file will automatically receive a COBRA application. You must adhere to the deadlines noted on the application. To continue coverage under COBRA, the enrollee and/or their dependent must contact the EBD at 1-800-833-4344 and select menu options for COBRA.

Contact Emblem Health

You should contact Emblem Health at (1-800-947-0101) for:

- All ID Card requests and/or replacement ID Card requests or ID numbers; and for
- Submission of the Student Verification Form when requested from Emblem.

Members are required to submit the requested "Dependent Student Certification Form" to Emblem Health each time it is requested. This form is located on Emblem Health's website at https://www.emblemhealth.com/resources/forms. Enrollees should select "Student Verification Form for NYS Enrollees Only – GHI". Once the enrollee submits this form, Emblem Health will reinstate the coverage and begin processing claims again. Emblem Health will send the update to the EBD, and NYBEAS will be updated within 60 days of receiving the information.

Contact your HBA

Contact your HBA for:

- Any ID Card requests and/or replacement ID Card requests or ID numbers;
- Any demographic, eligibility or qualifying event information for processing;
- You submitted the Student Verification Form more than 2 weeks ago and Emblem is not honoring claims;
- You submitted the Student Verification Form more than 60 days ago, and NYBEAS has not been updated.

Contact PEF

Please contact PEF if you are encountering problems getting your HBA to submit eligibility and update NYBEAS or if you are encountering any problems directly with Emblem. Keep in mind that federal law (HIPPA) does not give your union representatives access to health benefits ID numbers, replacement ID cards, updating eligibility or demographic profiles for members.



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Girl Scout troop says 'thank you' to nurses

By KATE MOSTACCIO

Handmade signs thanking them for their hard work and dedication welcomed nurses coming to work at Rochester Psychiatric Center (RPC) recently.

PEF member Katie Walker, a licensed clinical social worker at RPC, is the coleader of her daughter's Girl Scout Troop and said the girls brainstormed content for posters to place around the facility and on individual units.

"The girls came up with phrases that they wanted to put on the posters that they thought were important to say to nurses for all their hard work during the pandemic," Walker said. "They also came up with descriptive words for that they think are qualities that nurses have."

Scholarship applications due 6/11



ATTN: PEF Division 240 members

By SHERRY HALBROOK

PEF Division 240 at the state Insurance Fund is accepting applications for college scholarships of \$1,000, \$500, \$250, and \$125.

Applicants must be a dependent or immediate family member (mother, father, son, daughter, spouse or domestic partner) of a PEF Division 240 member. Applicants are required to provide proof of full-time or part-time enrollment at an accredited college or university for Fall 2020 or Spring 2021, or a college-acceptance letter for fall 2021 to an accredited college or university.

Applicants must submit a 600-1,000 word essay on "What Positive Effect has the COVID Pandemic had on your Work/ Job, Schooling and/or Daily Life?" Essays must be doublespaced and typewritten.

The two highest-scoring essays submitted by full-time students will be chosen as winners of the \$1,000 scholarship. All remaining essays will be submitted for a random drawing to select the winner of a \$125 scholarship.

The two highest-scoring essays submitted by part-time students will be awarded \$500 scholarships. All remaining essays will be submitted for a random drawing to select the winner of a \$125 scholarship. The two highest-scoring essays submitted by college-bound students will be chosen as winners of \$250 scholarships. All remaining essays will be submitted for a random drawing to select the winner of a \$125 scholarship.

Scholarship applications, typewritten essays and college transcript/college acceptance letters must be received at the PEF Div. 240 P.O. Box 5191, Albany NY, 12205 by Friday, June 11, 2021. Winners will be announced shortly thereafter.

At least five entries must be received in each category (Full-Time, Part-Time, College-Bound) for the major scholarships to be awarded. If this threshold is not met, there will be up to two \$500 scholarships, up to two \$250 scholarships, and up to two \$125 scholarships awarded for Full-Time, Part-Time, and College-Bound students based on the number of entrants.

Application forms are available here.



Letters to the Editor

Tell lawmakers to keep us working from home

To the Editor:

I wrote the following to my NY State assembly person and senator, and I hope other folks can send similar emails to theirs. I just want to make it clear, though, that I am expressing only my own personal opinion. This is what I wrote:

I urge you to ask Governor Cuomo to keep state workers working remotely from home, as much as possible. It's good for all of your constituents.

"Since I and my wife have been working from home, we don't drive much, which greatly reduces fossil fuel consumption, which of course greatly reduces air pollution, which is good for everyone. Since we don't drive to our offices, that, of course, reduces traffic, which creates an easier commute for everyone else.

"With COVID-19, working from home also means fewer people interacting, which is a key tool to stopping the spread, which, of course, benefits everyone. We got the vaccines, and we wear masks and do physical distancing. We hope that everyone will get the vaccines, and use masks when necessary. But even so, keeping state workers at home is very useful to help stop the spread of COVID-19.

"As you can see, state workers working from home benefits all of your constituents."

GENE SHACKMAN

Albany

Editor's note: PEF continues to negotiate with the Governor's Office of Employee Relations for continued telecommuting benefits. As you may know, PEF has been able to secure this benefit until July 2, 2021.

Wants to vote on any raise offered

To the Editor:

Members deserve representation that will not screw up negotiations by making excessive demands. If the state's offer includes raises, then put that offer up for a vote by full membership.

MICHAEL HARRIS

Delmar

Editor's note: President Spence has made it very clear from day one that he will not accept a contract that does not respect the value of each PEF member. The value of raises can easily be offset by cuts in benefits, such as increasing the share of health insurance premiums that members must pay, or increasing their copays and deductibles. Offers of raises may come with demands to give up job protections. PEF looks at the entire proposal and seeks the best net value for members.

The PEF Constitution requires any tentative agreement reached at the bargaining table to be presented to the PEF Executive Board, which then votes on whether to send it to the membership for ratification.

It is extremely expensive to conduct a vote on a contract. The changes to the previous contract must be published and sent to members and the union must hold meetings to explain the changes and answer members' questions. Then the ballots must be printed and mailed, with pre-paid postage for returned ballots. PEF pays the American Arbitration Association to conduct the referendum and count the ballots.

The union always tries to send only the best possible tentative contract to the members for a vote, but even then the members may reject it and force the contract team to return to the bargaining table and resume negotiations.

When will contract talks resume?

To the Editor:

When is PEF going to negotiate?

SHERRY IZQUIERDO

Bronx

Editor's note: The PEF contract team continued to prepare and meet throughout the pandemic. PS&T contract negotiations between PEF and the Governor's Office of Employee Relations restarted April 27 on a virtual basis. PEF was prepared to continue negotiations throughout the pandemic, but the state refused.

Pay not keeping up with cost of living

To the Editor:

Never in my life have I felt so cheated as I do now by your despicable representation!

Get your acts together and get us a reasonable contract. When was the last time we didn't have to take a loss? When was last time we got a reasonable cost-of-living wage increase?

I'm not sure if you've tried to buy any construction materials or groceries lately.

Over here waiting on my 276% wage increase to keep up with the cost of living and raising a family in central New York! Just out here risking my life to inspect bridges for no extra, thanks.

NICHOLAS REEVES Skaneateles

COVID-19 adds extra level of tragedy to Workers Memorial Day 2021

Working people face difficulties and dangers in the workplace all the time. Unfortunately, with labor laws and OSHA regulations as they stand, workers are often put in dangerous situations just to put food on the table.

The last year, however, has seen this long-standing problem get considerably worse. Low-wage workers and essential workers have been especially hard hit by the pandemic and resulting economic crisis.

This year, Area Labor Federations held their commemorations of Workers Memorial Day on April 28. We in PEF Retirees join the AFL-CIO in honoring the workers lost to COVID-19. We should all take a moment to remember all workers who have died on the job or from work-related disease or injuries.

We can count our blessings to be retired with good health, guality affordable health insurance, and a definedbenefit pension.

We can continue to support our union brothers and sisters who are still working during this pandemic. And we can support our local communities by shopping local and eating at local restaurants, rather than patronizing corporate chains.

The main reason retirees can lead the quality life we deserve is because we have a pension. Every American worker should be entitled to a pension after many years of hard work. Pensions, in a broader sense of the term, have existed since ancient Rome. Soldiers in the Roman Army could earn pensions through their military service. The value of these pensions to Roman soldiers helped to maintain the power of emperors such as Caesar Augustus. Pensions for military service have continued to exist in one form or another in the 2,000 years since.

Public pensions for teachers, firefighters, police officers and other civilian public servants in the United States are a more recent development. In fact, public pensions as we know them are just over 100 years old. Governments began offering pensions because they are the most effective and costefficient way for working families to prepare for retirement.

Unfortunately, many people today have forgotten the true value of pensions and why they are so important.

During the pandemic, many small businesses have been economically affected by the loss of business. Business sectors that cater to the needs of retired consumers will recover. In the coming decades, industries such as health care, restaurants, and entertainment are predicted to be areas primed for growth — and retired public employees will be an important part of their customer base.

New York State and Local Retirement System (NYSLRS) retirees spend a larger-than-average share of their income on industries that benefit local businesses, and they are responsible for an estimated 76,100 jobs as a result of this spending.

Schools, roads and government services of every sort — they all have something in common: NYSLRS retirees help make them possible with the taxes they pay. In 2018, retirees paid \$1.95 billion in real property taxes — that's 3.1 percent of the total collected in New York. In some areas of the state, this figure is even higher. In the North Country, retirees pay 7.6 percent, and in the Capital District, they pay 8.9 percent of the property taxes collected.

Spending by NYSLRS retirees and their beneficiaries generated an estimated \$710 million in state and local sales taxes in 2018.

The pensions earned by NYSLRS retirees are a sound investment in New York's future. These funds don't just benefit those who receive them, but pay dividends to local businesses, build strong communities and create jobs. As the number of retired NYSLRS employees in our state grows, we can look forward to their help in building back a stronger New York.

Don't forget when you retire to join PEF Retirees, because we are growing stronger with every new member.

Sources: NYSLRS Comprehensive Annual Financial Report; U.S. Census Bureau; OSC analysis (Rev. 1/20)



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Ailing members need your leave donations

The following PEF members have reported a need for leave donations due to the need for medical treatment or recuperation from illness or injury.

Donations are made from annual leave and donors must retain at least 10 days of annual leave after donating. To donate leave, obtain a leave-donation form from your personnel or human resources office and submit it to that office. You may donate leave to employees at both the agency where you work and to those working at other state agencies.

To help facilitate donations, we list an HR contact number for each person needing donations on the list below.

- James Benoit is an information technology specialist 3 at the state Office of Information Technology Services in Albany. Call 518-457-4272;
- Heather Crunden is a nurse practitioner at SUNY Binghamton in Binghamton. Call 518-457-4272;
- Nora Fulton is a teaching and research center nurse 2 at SUNY Upstate Medical Center in Syracuse. Call 315-464-4943;
- Eric Huntington is a project manager 3 at the state Office of Information Technology Services in Albany. Call 518-457-4272;
- Julie Hutchinson is a nurse 2 at Rochester Psychiatric Center in Rochester. Call 585-241-1900;

- Tracy Jensen is a business services center analyst trainee 1 at the state Office of General Services in Albany. Call 518-457-4272;
- Laura Lama is a senior photographer at the state School for the Blind in Batavia. Email AWhiteford@ nysed.gov;
- Crystal Perry is a nurse 2 psychiatric at Hutchings Psychiatric Center in Syracuse. Call 315-426-3600;
- Rebecca Bezon Sando is a nurse 2 at Orleans Correctional Facility in Albion. Call 585-589-6820; and
- Christine Thayer is a manager ITS 1 data at the state Office of Information Technology Services in Albany. Call 518-457-4272.

The rules for making and receiving leave donations (such as leave recipients may not have had any disciplinary actions or unsatisfactory performance evaluations within their last three years of state employment) are set forth on pages 181 and 182 of the 2016-19 PS&T Contract. If you, or a PEF member you know, need leave donations because of a medical issue, you may contact The Communicator to request publication of that need. Send requests to thecommunicator@pef.org, or call 800-342-4306, ext. 271. Be sure to provide your contact information.



May 17, 2021 PEF salutes its EMS members this National EMS Week and every day of the year!

May 1, 2021

Members attended the PEF Membership Benefits Program's Shred Day and Women's Committee Spring Pop Up Shop events in Region 1







April 21, 2021

Fire Protection Specialists from the Special Operations Branch instructing MSCO (medium structural collapse operations) Tools class in Oswego County, Fulton FD



April 2021

PEF Upstate Medical members keep New York running every day.



April 2021

PEF retirees never fail to amaze! Retiree Alan Hoxie, 70, shows off his impressive yoga skills in Hawaii in April.







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