

PEF'S RESPONSE TO THE BEST STATE BUDGET IN YEARS?



IT'S TIME TO FUND OUR FUTURE!

The Communicator PEF

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The President's Message

By WAYNE SPENCE



Focusing on the budget

Last month, Gov. Kathy Hochul presented her first Executive Budget proposal. It was a first in many ways – the first time a woman governor had delivered one, of course, but also the first budget since I've been the president of this union that begins to take into consideration – and reward -- the critical work performed by public employees.

Don't misunderstand me – the proposal is not perfect. But we are starting the budgetary process for the first time in more than a decade on very solid footing. She proposes no cuts to services or agency closures and in fact increases staffing by almost 2% statewide. In addition, she allocates billions to rebuild the healthcare workforce and leverages federal funding to support infrastructure projects throughout the state. PEF's Legislative and Civil Service departments have analyzed the proposal and we are working on how to specifically improve and expand the things we like and push back on the things we don't. Stay tuned to your email for ways you can help us convey those messages to lawmakers in Albany. In the meantime, [PEF Vice President Randi DiAntonio testified recently before a joint hearing on Workforce Productivity](#), highlighting the crisis in healthcare fields and why it's so important that the PEF professionals in those titles receive the additional staffing and resources they need to keep New Yorkers healthy and safe.

Elsewhere in this issue, if you missed the town hall last week on telecommuting, COVID and much more, [we have a recap](#). And speaking of COVID, a shout out to [the scientists at the Department of Health who are studying COVID vaccines and helping public health officials understand how they work](#), which in turn helps us here at PEF advise you what best practices to follow to keep yourself and your families safe. In addition, this month delivers those long-awaited retroactive performance awards PEF negotiated in your contract. [See this story for all the details](#).

There's much more to point out in this issue, but I'll let you get to reading it all. Don't miss the [photo gallery at the end](#) featuring many of you wearing some of the 30,000 KN95 masks we recently distributed across the state. As always, thank you for your service and please continue to stay safe.

In Unity,

A stylized, handwritten signature in black ink that reads "Wayne Spence". The signature is fluid and cursive, with a long horizontal stroke at the end.

Wayne Spence
PEF President



Proposed state budget has potential, but will it work?

By **SHERRY HALBROOK**

Thanks to federal aid and increased revenues, the state's Executive Budget proposal avoids massive cuts to services and even contains resources to address many issues.

For PEF members, the most important issue is short staffing, which has plagued state agencies for years and left New York ill-prepared to deal with the sudden crushing needs arising from the pandemic that began in 2020.

In broad numbers, the governor's budget proposal appears to recognize and address some of these problems. For instance, it includes \$10 billion to rebuild the health care workforce and build a health care system for the future.

It also contains almost \$33 billion for a five-year state Department of Transportation capital plan that would leverage federal funding to support major infrastructure projects throughout the state.

In addition, there are large sums to address environmental challenges, a widespread need for affordable housing, and crucial law-enforcement efforts to curb crime and gun violence.

The nagging question is how much of this money will actually be used to improve state hiring and services to accomplish these goals?

"The governor has proposed a budget that has the potential to correct many very serious and longstanding issues that drag down employee morale and curtail services," PEF President Wayne Spence said. "We want her to ensure that it

is used efficiently to achieve the maximum benefit for state employees and the public they serve."

PEF Vice President Randi DiAntonio testified before a joint state legislative hearing focused on the State Workforce on January 31 in Albany. She pressed lawmakers to support improving state pay and benefits to improve employee recruitment and retention, and to halt the closing of state programs and facilities. Some New Yorkers currently languish on waiting lists for years to get the services they desperately need.

PEF continues to urge the state to expedite the hiring and onboarding process across all agencies so that the state has adequate staff to fulfill its mission as the safety net provider of services for New York's most vulnerable residents. DiAntonio stressed that this needs to be a primary focus for the Governor and legislators as they continue to refine the budget.

"The availability of this funding is a rare opportunity to set a new and better course for state services and the workforce that provides them," Spence said. "At PEF, we are working to make sure the governor, lawmakers and other state leaders understand that the test is in how these resources are invested and in recognizing that public services are best provided by state professionals. Just give us what we need, and we will do the job."

Editor's Note: Members should keep an eye on their email for budget documents from the PEF Legislative Department and are urged to participate when letter-writing campaigns commence to push for PEF's budget priorities.





PEF updates members at Telephone Town Hall

By **SHERRY HALBROOK**

PEF members who joined the union's telephone town hall on Feb. 2 received updates on a broad range of issues from retroactive longevity pay to telecommuting and the state budget. PEF President Wayne Spence hosted the call with various PEF directors speaking about issues relevant to their departments.

The program, which lasted just over an hour, aimed to answer as many of the more than 100 questions that members submitted in advance as possible.

Telecommuting

Spence told members that PEF continues to lead in pressuring the state to take advantage of telecommuting to maximize the health and safety of its employees in the continuing pandemic.

"You should be the first thing on the governor's mind," Spence said, adding that both the state and the city of New York are putting economic recovery ahead of their employees' health. The state hands out free N95 masks to the public, but fails to provide them to its own employees, he said.

"They are in a hurry to bring people back to the 'cubicle farms,' he said, "but people are still getting sick."

Spence and PEF Director of Health & Safety Geraldine Stella called on the state to conduct contact tracing at state worksites to identify employees who may have been exposed to COVID at work. In addition to telecommuting, Stella said state worksites need to provide improved ventilation, social distancing, higher-quality masks and screenings to reduce the risk.

PEF has trained more than 80 of its local leaders on these issues so far.

Thanks to PEF's advocacy, Spence said New York Attorney General Letitia James decided to let her employees continue to telecommute, and now state Comptroller Thomas DiNapoli has followed suit at the urging of PEF's leaders at that agency. "Other unions are now asking for our contract language and our experience on this issue," Spence reported.

While telecommuting can reduce infection risk for many members, a majority of PEF members are in essential positions that must deal daily with clients and the public.

"At the end of the day, 58 percent of PEF members must come to work," Spence said. For them, he said, PEF's advocacy has paid off with the inclusion of "hero" pay in the governor's state budget proposal. In fact, he said, the union was pleased to find that Gov. Hochul's executive budget proposal contains many of the demands made in [PEF's Fund Our Future campaign](#).

PEF Director of Organizing Dan Carpenter said his department has been busy distributing 30,000 KN95 masks to members who deal directly with clients and the public, and 8,000 cloth masks intended to be worn over a surgical mask with a message that declares: "I Should be Telecommuting." Another 4,000 masks with a message that says "I Should be Earning Hazard Pay" are on order for members to wear over surgical masks while they are working in the office.

Members are responding. "They've sent more than 77,000 letters to the governor, agency commissioners and legislators calling for telecommuting," Carpenter said. He also urged

members to send photos of them wearing the masks for sharing with state leaders and on PEF social media. You may email Communicator@pef.org with your photos.

Discipline

PEF General Counsel Ed Greene told members that every member who is potentially facing termination for failing to be vaccinated against COVID-19 is being represented by an attorney and the union has absolutely insisted that they be afforded all of their rights under the PS&T Contract Article 33, which deals with discipline.

He said that 213 members are facing discipline on the vaccination issue, but none has been terminated so far. "Hearings have begun, but they have not been concluded," Greene said. Although these members have been suspended without pay, PEF is making sure that they can use their accrued leave and they continue to receive their health benefits for as long as they continue to be state employees.

Eric Kwasniewski, PEF's director of field services in western New York, said the union's field representatives have been reaching out to members at the Office for People with Developmental Disabilities (OPWDD) and the state Department of Corrections and Community Supervision (DOCCS) to see if any of them are facing discipline over masking or testing issues.

"Only one notice of discipline has been issued so far," Kwasniewski said. "If you've had issues, you should notify your field rep right away, because we only have 14 days to respond."

Retro Pay

The state has issued the payroll bulletin to pay PEF members for their retroactive performance awards authorized in the PS&T contract. PEF attorney Ed Aluck said there are three aspects to this pay that bumps up your salary when your years of service at satisfactory performance levels reach certain milestones.

"These payments will be issued as separate direct deposits or separate checks," Aluck said. Eligible members on the state institution payroll schedule will receive the payments February 10 and those on the administrative payroll schedule will receive them February 16.

If you reached a five-year, or 10-year milestone after April 1, 2019, you will receive the award which is now \$1,500. These awards were previously \$1,250. Any employees who already received their awards at the \$1,250 level from 2019-2021 will receive the \$250 difference for each award earned during the period covered by the contract.

In addition to the five-year and 10-year awards, the contract now provides for a 15-year award that first became earnable in April 2020.

The retroactive payments are being issued in February, and members who hit these service milestones in 2022 will be paid in April of this year.

State Budget

PEF Legislative Director Patrick Lyons reported that the 2022-23 Executive Budget proposal provides 3.1 percent more funding for state operations and commits to supporting 500 more employees than at pre-pandemic levels. It also calls for resuming state civil service exams, which will be conducted at SUNY campuses.

The need for hiring is especially urgent now at the state Health Department's Wadsworth Laboratories, OPWDD and the state Office of Information Technology Services, Lyons said.

Continuation of design-build policies is a major disappointment for PEF in the budget proposal and something the union plans to fight as the Legislature holds hearings about the budget.

The budget would provide a \$3,000 bonus to health care workers, including mental health employees, who have dealt directly with clients or the public through the pandemic. In addition, it provides funding to repay nurses' student loan debt for up to three years. PEF is working to get this benefit expanded to cover more essential workers who were mandated to work, at great risk to themselves and their families, during the state of emergency.

PEF is also lobbying for improvements to Tier VI pension benefits that would allow for vesting in five years, and the inclusion of any pandemic-related overtime earnings in calculating an employee's final average salary. PEF is also pushing for an increase in the percentage used in calculating the Cost of Living Adjustments (COLAs) to annual state pensions.

PEF is calling for the state to hire 500 more parole officers to ease the current caseloads that average 40 parolees per officer. Spence told members, "We are looking for a change in the political culture. You need to call your legislators and demand hearings on our issues, because out of those hearings we could get laws that make real change."

"When you speak out, elected officials, including the governor, hear us," PEF Political Director Leah Gonzales said. "It's very important for you to participate and be active. Sign the Fund Our Future petitions and participate in your regional PEF Political Action Committee (PAC). The more we can show legislators who we are, the more they listen."

Spence thanked members for their dedication and service and told them, "We are living in a unique time, and the state wouldn't run if it weren't for us. We can make a difference."



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VP DiAntonio testifies on workforce development at joint legislative hearing; urges state to Fund Our Future

By KATE MOSTACCIO

PEF Vice President Randi DiAntonio made the case for funding our future to state Assembly and Senate leaders January 31, advocating for increased staffing and salaries; an end to facility closures, cuts and consolidations; and improvements to the Tier VI pension plan.

"Our members are exhausted, burnt out and frustrated with the lack of staffing, resources and professional respect," DiAntonio said during the Workforce Development Joint Legislative Budget Hearing. "Morale is as low as I have ever seen it."

DiAntonio stressed the importance of recruitment and retention of the skilled state workforce.

"While we appreciate the lifting of the hiring freeze, it is not an immediate fix to slow the current hemorrhaging of the state workforce," DiAntonio said, citing a statistic that in 2021, state employees worked 19 million hours of overtime, costing the state \$850 million. "How many staff vacancies could be filled with \$850 million? How much more effective would service delivery be if we used those resources to increase staff and reduce overtime?"

"The erosion of the state workforce has had a negative impact on work culture, increased attrition and resignations, and has severely limited the ability of the state to attract talent," she said. "Even though we have robust time off and health care benefits, time off isn't worth much if you can't take it due to no staff."

PEF supports portions of the budget, urges change to others

The governor's 2022-23 executive budget earmarks funding for healthcare worker retention bonuses, would establish tuition scholarships for certain nursing titles, and proposes reforms to Civil Service. Some of the language mirrors what PEF proposed in its [Fund Our Future campaign](#).

"We are pleased the governor has advanced propositions in the budget that give us a real opportunity for change," DiAntonio said. "We have monies to fix things: the question is, are we going to direct them to the right places?"

The union supports the long-overdue healthcare worker retention bonus program included in the 2022-2023 budget proposal – what PEF has long called "hazard pay" -- but argues it needs to be expanded.

"Our heroes have served our state valiantly and have earned this important benefit," DiAntonio said. "While we very much appreciate and support this benefit, our healthcare workers are not the only 'essential' workers who risked their lives and the lives of their families in service to New Yorkers."

"Parole officers have worked to keep communities safe and parolees on the path to success; DOH employees set up testing sites and conducted contact tracing; DOL staff worked to ensure the disbursement of critical unemployment benefits; and there are many other examples of critical services that PEF members were directed to do as part of their official duties during this crisis. We need to recognize these heroes as well."



PEF also supports the Nurse Across New York Program, but urges the state to expand coverage to all nursing titles and additional state agencies that have been difficult to staff, such as DOCCS, OPWDD, OMH and OCFS.

Changes to Civil Service, including continuous recruitment testing, promotional competitive exam changes and shift pay differentials are welcome additions to the budget proposal.

As a recruitment and retention tool, DiAntonio said the Tier VI pension plan needs improvement, including reestablishing the standard 3 percent employee contribution; reinstitute five-year vesting; and repealing or suspending the overtime cap, at least during the pandemic.

Design-build and privatization of state services remain a major concern for PEF members.

"This budget continues the disturbing trend of using private for- and not-for-profits to do work once performed by the

state's workforce," DiAntonio stated. "We believe the state workforce is best suited to deliver public services. Privatization isn't working. It's time to fund our future."

Editor's Note: You can view VP DiAntonio's testimony, [here](#); and read the complete written testimony PEF submitted to the committee, [here](#).



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We can all be PEF, Fund Our Future campaign ambassadors

By KATE MOSTACCIO

The power of social media is always at our fingertips. While unions are in the public eye, it's a perfect time to make the best use of hashtags, Facebook posts, Twitter "tweets" and "retweets" and tagging friends, family and organizations. PEF held a training via Zoom last month to outline the different ways to interact over social media and how best to use it for union organizing and publicity efforts.

"It's free," said Tamara Carney, a training specialist at PEF. "Say, you have something like a rally, or you have COVID issues, and you need to get the word out. We're able to share in real-time on Facebook Live or on Twitter. It's great because we can show people what we are doing in the moment."

With 70 percent of the American public using social media, and 56 percent of adults using two or more platforms, social media is a powerful tool in the union arsenal.

"Seventy-two percent of adults 50 to 64 use Facebook and 99 percent of adults 18 to 49 own a cell phone," Carney said. "Your phone is with you all the time."

What makes a good post or Tweet?

Posts with links, pictures, videos and tags to groups, pages, events and people are most effective, said Carney. If you include a hashtag, like PEF's #FundOurFuture or #PEFDOESIT, you are helping congregate all content pertaining to that topic in a way that is easily searchable.

"Hashtags are Twitter's way of categorizing topics," Carney said. "Make it short, make it relevant, make it memorable, make it unique. If you repost or share, add at least one word that illustrates your feelings about the original. If you share a

link, say something about the article or information."

It's important to observe a few dos and don'ts of social media:

Do

1. Listen to your audience
2. Stay positive
3. Entertain more than inform
4. Use artwork
5. Share without expectations
6. Proofread

Don't

1. Be a know-it-all
2. Be fake
3. Repeat the same message
4. Forget to give credit where it's due
5. Go weeks without posting

Members should follow PEF on [Facebook](#), [Twitter](#) and [Instagram](#), and share anything they find helpful or interesting with their networks.



Is there a new hire at your worksite? Have they had a PEF orientation?

By KATE MOSTACCIO

As a member of PEF, you know there are many benefits associated with being a part of the union. But what about the new hires at your worksite? With the pandemic raging, some or all these employees may not have had a membership orientation with PEF.

Those trainings are available via Zoom during an employee's lunch break or after work. They cover a whole host of information: from the history of unions and PEF to the breakdown of union-elected representation to valuable membership benefits.

"Unions over the last 200 years have fought hard for workplace health and safety, vacation and sick time, overtime pay, workers' compensation, employer paid benefits and so much more," said PEF Director of Organizing Dan Carpenter during a recent Zoom membership orientation for new state hires in the PS&T bargaining unit. "Management never wanted to give their employees these benefits. Unions fought long, hard fights and we continue to build upon that work at the negotiating table."

PEF represents about 50,000 members across 3,000 professional, scientific and technical titles in nearly every agency in New York state. Membership dues are primarily earmarked for contract negotiations and representing all PEF members in disciplinary, grievance, Justice Center and other labor/management issues.

Dues have remained the same for 20 years, only .9 of 1 percent of your salary.

The money saved by access to myriad membership benefits can easily surpass the cost of dues.

"We are the cheapest dues for a union on the East Coast," Carpenter said. "There is no discussion about raising them."

What can a new hire expect to learn at a membership orientation?

PEF elected positions: From statewide officers to Executive Board representatives, to local councils, orientation breaks down the positions that union members can vote on or hold.

PEF website: Clicking on the "Members" tab on the homepage connects prospective members with the [Online Membership Application](#), as well as information on the PEF departments dedicated to serving members, such as health and safety and training and education.

"If you feel like your workstation is not ergonomically friendly, PEF health and safety will send out a specialist who will go over it with you and the agency," Carpenter said. "Training and education help you navigate the student loan forgiveness program, so you are successful in paying and when the time comes, your loan is eligible for forgiveness. That's a huge benefit."

PEF contract: The entire 200-plus page PS&T contract is available as a [PDF on the website](#). The contract outlines salary schedules, accruals, health benefits and co-pays, probation procedures and more. [A highlights PDF](#) breaks out the most frequently asked questions about provisions of the contract.

PEF dues: An orientation will give you details about how your dues are being spent. At the top of the list are negotiating the contract and empowering members by offering them expertise, resources and guidance on the job.

PEF Membership Benefits Program : The [PEF Membership Benefits Program](#) is not supported by PEF dues, but it provides members a variety of benefits including Assault, Trauma and Captivity (ATAC); Discharge of Official Weapon; Justice Center; legal defense; low or no cost college; and financial and credit counseling benefits.

"As a state employee, you are not eligible for New York State Disability Insurance from your employer," Carpenter said. "PEF Membership Benefits offers members the opportunity to purchase short-term, long-term and group life insurance. Members are encouraged to enroll during the first 240 days of employment."

Members should visit the [PEF Membership Benefits website](#) and check out the Benefits & Insurances tab for complete information, along with details about two other benefits members often find very helpful, low/no-cost college and student debt counseling.

Discounted movie tickets, water and theme park tickets, gift cards, sporting and entertainment events, skiing and area attractions are also very popular. Just visit the [PEF Membership Benefits website](#) and check out the options under the Entertainment tab.

Do you know of a new hire in your workplace? Share these benefits with them and urge them to contact PEF with any questions or visit the [join PEF page](#).

Do you know of a new hire in your workplace? Share these benefits with them and urge them to contact PEF with any questions or visit the [join PEF page](#).



Retro longevity payments coming this month

Retro longevity payments coming this month

PEF members will receive retroactive payment of earned performance awards in separate checks or direct deposit dated February 10 (institution payroll) and February 16 (administration payroll).

The retroactive performance awards were negotiated in the 2019-2023 Collective Bargaining Agreement between PEF and New York State.

The Office of the State Comptroller (OSC) recently issued payroll bulletin 1992 providing details about the retroactive PEF performance award (longevity lump sum) payments.

You may [read complete details in this memo](#), which also contains a link to the OSC payroll bulletin.

These retroactive payments were discussed during the PEF Telephone Town Hall on Feb. 2, 2022. [You can listen to an audio recording of that call here.](#)

An additional payroll bulletin is expected to be issued in the next month or two for the contractual longevity payments that are due in April 2022.



What you need to know about state weather emergencies



With winter in full swing and weather emergency declarations always possible, PEF Contract Administration has issued a memo answering Frequently Asked Questions about your

rights during a declared State of Emergency. [Please click here to read the memo.](#)



Members' Workers' Comp questions answered

By **SHERRY HALBROOK**

PEF gave members a chance to ask questions about Workers Compensation in an evening Zoom meeting on January 19 hosted by [Aronova & Associates](#), a law firm specializing in Workers' Compensation claims with offices in Garden City and Queens. Nearly 70 members took advantage of the opportunity and learned what they need to do if they are injured on the job, and why taking prompt action can benefit them years later.

PEF President Wayne Spence told members that he wants them to file claims for their injuries, both physical and psychological, because even if their claims are not paid the union can use the record of these claims to document serious health risks that members are facing on the job, and press the state to fulfill its duty to keep them safe.

Spence said that PEF does not have a formal relationship with the speakers – attorneys Ester Aronova and Evangelos Dimitrakakis – or their law firm. He invited them to speak, he said, because of the strong recommendations they received from members and leaders of public-employee and trade unions in New York City and the downstate area. Lawyers from the firm also addressed the PEF Executive Board at its meeting in December 2021.

Spence decided to offer this opportunity for members to ask questions about workers' compensation because five people who work at the state Labor Department (DOL) have died of COVID-19, the most at any state agency so far. Scarlett Ahmed, who is PEF's labor-management chair at the DOL, told Spence she is alarmed because management has stopped responding to the health and safety concerns she raises.

Spence himself contracted COVID-19 around Christmas, and still has coughing fits long after testing negative. He urged members to report work-related illnesses and injuries, and to file claims if they must be out of work for more than two weeks as a result.

Members were told they might need to use their own sick leave accruals, but those accruals could be restored in part if a workers' comp claim is upheld. Spence and attorney Aronovo stressed the importance of properly reporting a work-related injury or illness to your employer, and of filing a claim, which are two very different things.

As state employees, PEF members have 30 days to report an injury/illness to both their agency manager or supervisor and also to the state Accident Reporting System (ARS). They should do this promptly if they are able, rather than wait until the 30-day limit is nearly up.

They have two years to file a workers' comp claim, but doing it promptly also is better. Aronovo told PEF members, especially those downstate, to call her at (631) 514-4194 if they want to file a claim. (Lawyers representing clients in workers' comp claims are only paid if the client wins their case, and that amount is controlled by the judge.)

Editor's Note: PEF has compiled a variety of resources related to Workers' Compensation on the COVID-19 page of our website: www.pef.org/COVID-19





The pitfalls of privatization: A discussion with Donald Cohen

By KATE MOSTACCIO

After going remote during the height of the pandemic, colleges began bringing students back to dormitories for the fall 2021 session. The plan was to keep dorm capacity down to prevent the spread of COVID-19 by only bringing back a portion of the student body.

Imagine being told you can't do that.

Privatization of public services has many pitfalls and the dorm capacity plans at the University System of Georgia and Wayne State ran up against the private contractor that built and managed dormitory housing for the schools.

Ahead of the fall 2020 session, the colleges received communication from the private corporation Corvias "reminding them of the debt the company took on under privatized housing agreements and asserting that the universities don't have the 'unilateral right' to put policies in place that would limit the number of students who can occupy student housing or to reduce housing fees under the P3 agreements," according to [Inside Higher Ed](#).

Donald Cohen, co-author with Allen Mikaelian of *The Privatization of Everything*, an in-depth look at privatization of the public sector across the country, said this is just one recent story that highlights the dangers of privatizing public services.

"The university is responsible for the education and health of its students," Cohen said. "But here, it is legally prohibited by a contract from protecting the health of its students."

Chicago in the early 2000s entered into a contract to sell off 36,000 parking meters for \$1.1 billion up front – which seemed like a win-win considering it was the height of the recession and the city needed cash.

The pitfall?

For 75 years, the city must now buy back spaces or compensate the private corporation if they want to close a street for a fair, create a bus or bike lane, or restructure road infrastructure to best accommodate residents. The corporation, Chicago Parking Meters LLC, a venture that includes Wall Street investment house Morgan Stanley, Alliance Capital Partners and the Abu Dhabi Investment Authority, also drastically increased parking rates.

"That means it costs a lot of money to do things you should be able to do," Cohen said. "You probably won't do a lot of things because of that." Yet the corporation stands to earn back their money in 15 years, leaving the remainder of the 75-year contract profit. That profit won't do the public any good.

Cohen has been an organizer for decades, working on human rights, universal health care and as political director for the labor council in San Diego.

"I ran campaigns and represented unions on a lot of issues in state and local politics," Cohen said. "There were vicious attacks on public sector unions around the country to eliminate them. Public sector unions were, as the biggest piece of the labor movement at that time, right in the sights of

conservatives and big corporations and one of the prime ways to eliminate them was to privatize, outsource, contract out work, essentially make government small and bust unions.

"We believe in public services," he said. "I did a lot of reading in the mid-90s about what conservatives did to turn people away from believing in government and public solutions to our problems. That wasn't an accident. Conservatives and big corporations wanted government out of the way."

Working with unions fighting privatization at the local level, Cohen realized they lacked a resource center, a place for people around the country to go who were fighting the same battle. In 1995, to remedy that, [In the Public Interest](#), a comprehensive research and advocacy center, was born.

When privatization fails the public

In *The Privatization of Everything*, Cohen details shocking cases of privatization and the damage done to the public good.

One such failure involved a for-profit food production auditor, the poisoning of nearly 2,000 Americans and the recall of more than a billion eggs.

In 2010, AIB International performed an inspection at an Iowa egg farm and issued the farm a "Recognition of Achievement" for fulfilling safety standards. After a nationwide salmonella outbreak was traced back to the farm by the Centers for Disease Control, the true state of the farm was discovered. Piles of chicken manure, rising up to eight feet high; rodent burrows and feces; and live and dead maggots everywhere. How did the farm pass inspection? It passed because the farm was the for-profit inspector's "client" and only granted inspectors access to specific areas. Food and Drug Administration inspectors would not have been handcuffed by such parameters.

"This problem is systemic," Cohen writes in the book. "It's not about human error; it's a function of privatization... AIB sees the farms it inspects as clients. This is what happens when the public gives up control. The public is no longer the client." What about when Texas privatized medical transportation? The federal government requires transportation programs for states to receive Medicaid funds. Texas chose to grant regional monopolies and pay set rates to contractors that provide rides in a given area, Cohen writes in the book.

"The state could then step back almost entirely and simply write checks," he wrote. The result? The program served fewer people, cost more and only got progressively worse. The book quotes the *Houston Chronicle*: "The number of Medicaid recipients using the program has dropped from 350,000 to 150,000, the number of substantiated complaints has doubled, administrative costs have quadrupled and the overall per-ride cost to the public has nearly tripled."

Executive salaries went from 11 percent of program costs to 48 percent.

"Every time a politician hands public health care programs over to private-sector profiteering, it creates a greater burden on those least able to afford it," Cohen writes.

How do we fight privatization?

Stopping privatization before it happens is the key to fighting back.

"There may be some escape clauses, but it's far better to stop it before it happens," Cohen said. "In contracts, a deal's a deal." Long-term contracts may seem like the obvious target of public sector union advocacy, but short-term projects and contracts can be just as dangerous.

"For shorter term contracts, like prisons, which can be 3, 4 or 5 years, they will just bid for it again at the end of the term," Cohen said. "Basically, they'll get it again if nothing really bad happens. Short-term can become long-term. If there is a renewal and we organize, you can bring it back inside." The most important role of unions and members is eyes on the ground.

"Knowing early that something is being looked at for outsourcing is vital," Cohen said. "Often it's people working there who hear about it first. They might see consultants walking around looking at things. PEF members are the most important people to do that. Once you hear a rumor or see something, you have to let others know and begin efforts to stop it."

Cohen said sharing details of the dedicated work of public employees is the best offense against arguments for privatization.

"PEF members do really important things for the people of New York every day and most residents don't know what they do," Cohen said. "Because we are in this anti-government environment, they think they are all lazy and inefficient. That's what people believe."

"It's really important for members of PEF and all public sector workers to tell people what they do at their job," he said. "Tell stories about what you've done to help New Yorkers. I urge people not to simply say, 'I help people every day by providing mental health services.' Say, there was this person in trouble and this is how I helped that person get back on their feet and access the services they needed."

What is your union doing?

New York State Fund Our Future is a coalition of union and community leaders committed to making the case for reshaping government in our public interest. PEF needs all the participation it can get from members to make that case. Visit the [Fund Our Future website](#) for more information.

PEF scientists study COVID vaccine effectiveness, inform public health response

By KATE MOSTACCIO

Vaccinations and boosters: How effective are they against preventing serious illness or death? What about reinfections? New variants? Two years into the pandemic, there are still so many questions that need answers.

PEF scientists in Albany are hard at work every day conducting research to find those answers.

One recent study addresses the extent to which vaccine effectiveness is declining and whether these changes are due to waning immunity or other factors. The vaccine effectiveness study, when published by the New England Journal of Medicine, was the largest study by vaccine type and timing in the nation.

"It required a collaborative effort spanning a multitude of expertise across the Department of Health," said PEF research scientist Vajeera Dorabawila, who joined PEF in 2007 and is currently the co-director of the Bureau of Surveillance and Data Systems for DOH. "During COVID-19, my team and I have been heavily involved in work spanning statewide case and contact tracing, micro-cluster strategies, primary data collection and reporting. This includes contributing to the vaccine effectiveness studies, as well as newer bodies of research, like the department's work in analyzing COVID-19 reinfections."

"The research done by PEF scientists at the Department of Health informs public health officials as they establish policies to combat COVID-19 across the nation," said PEF President Wayne Spence. "The union utilizes the work of our brothers and sisters to keep members informed of the latest information about vaccinations and the virus."

Dorabawila and her team use advanced statistics to study and analyze public health challenges and opportunities. Prior to coming to DOH, Dorabawila was assistant director for Research, Evaluation and Performance Analytics at the Office of Children and Family Services (OCFS). In that role, she oversaw OCFS flagship reports, federal reporting and data warehouse reporting in both child welfare and juvenile justice. The vaccine effectiveness study was conducted over six to eight weeks.

"It was interesting in that we compared data of adults who were vaccinated in January through April 2021 and examined

their levels of new diagnosed infections and hospitalizations from May to August 2021," Dorabawila said. "We were then able to compare this group of fully vaccinated adults to unvaccinated adults – those who had never received a vaccine."

There was much to learn from studying the vaccines' effectiveness.

"This study used real-world data to inform real-world understanding, underscoring the importance of vaccination and also highlighting the impact of a new and circulating variant, at the time the Delta variant," Dorabawila said. "With every study we have done in which we leverage our vaccine effectiveness methodology, we see time and time again that the COVID-19 vaccines provide meaningful protection against severe COVID-19. Additionally, as protection offered by a primary series declines over time, that is where boosters come in and more research on this is necessary."

The study proved critical to understanding the importance of vaccinations as a protection against severe disease and is a valuable resource for planning response to COVID.

"This study was available to public health leaders and policy-makers nationwide," Dorabawila said. "With more data comes more clarity around the solutions and tools we need to deploy to protect and promote the public health of our communities. "As the pandemic evolves and as new variants emerge, new questions arise," she said. "Continued rigorous research to inform public health decision-making is critical to protecting our communities. I am grateful to be in this role, at this department, where this commitment is realized each and every day."

For fact sheets compiled by the PEF Health and Safety Department, [click here](#).

Editor's Note: Members interested in the study findings who want to learn more, can check out [this press release](#) from the New York State Department of Health.





PEF negotiates GEO raises for SUNY Downstate; works to close salary gap between private, public-sector nurses

BROOKLYN – PEF nurses at SUNY Downstate Health Sciences University Center will receive geographic pay raises (GEOs).

The agreement negotiated last month between SUNY and PEF will result in an average salary increase of about \$12,500 for registered nurses and an average annual increase of \$2,000 for PEF licensed practical nurses.

“These nurses are truly the heroes of this pandemic,” said PEF President Wayne Spence. “These are the public employees who went to work every day, long before there was a COVID vaccine, to care for the sick and the dying. They risked their lives to help others and this geographic pay raise is one small way to reward them for their sacrifice.”

The SUNY Downstate GEO follows similar raises PEF secured for its member nurses at SUNY Stony Brook in September 2021 and SUNY Upstate in June 2021.

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

As of May 2021, 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.

“These increases are vital for recruitment and retention of nurses at our state’s top hospitals,” said Spence. “The long overdue and well-deserved raises will help close the gap between public sector and private sector nursing salaries.”

PEF will advocate for additional policies to improve nurse compensation and benefits in the New York State legislative session this month.



2.5 overtime agreement extended for certain PEF titles

As the pandemic and short staffing continue to take its toll on the state workforce, PEF has negotiated agreements with various agencies and the Governor's Office of Employee Relations that entitle members to 2.5 times the rate of their regular pay for overtime worked during certain time periods. Below is a summary of those agreements at this time.

DOCCS (non-nursing titles)

A new 2.5 Overtime Memorandum of Agreement (MOA) was reached with DOCCS. The agreement applies to any overtime eligible employees and takes effect for overtime hours worked beginning at 11:00 p.m. on Feb. 9, 2022, for employees on the Institutional Payroll and 11:00 p.m. on Feb. 16, 2022, for employees on the Administrative Payroll. The agreement ends, unless extended by mutual agreement, at the end of the Institutional Payroll period at 10:59 p.m. on March 9, 2022, and at the end of the Administrative Payroll period at 10:59 p.m. on March 16, 2022. [See the MOA for full details.](#)

DOCCS (nursing titles)

Certain PEF nursing titles at DOCCS are covered under a separate MOA. That agreement is in effect for overtime hours work starting at 11:00 p.m. on Jan. 12, 2022 until 10:59 p.m. on April 6, 2022, for members on the Institutional Payroll and from 11:00 p.m. on Jan. 19, 2020 through 10:59 p.m. on March 30, 2022, for members on the Administrative Payroll. [See the MOA for full details.](#)

SUNY

A new 2.5 Overtime Memorandum of Agreement (MOA) was reached with SUNY. It contains the same terms as the initial 2.5 MOA and the term runs from January 2-March 31, 2022. Based on representations from SUNY Central, PEF expects the three SUNY Hospitals and the SUNY Veterans' Home to

continue to offer an overtime rate equivalent to 2.5 times an employees' regular rate of pay to all applicable titles for work performed from Jan. 2-March 31, 2022. For the specific SUNY titles that are impacted, please read the Memorandum of Agreement signed with SUNY, [here](#).

OCFS

[The 2.5 Agreement with OCFS](#), which was due to expire on December 31, 2021, was [extended through March 31, 2022](#) (any shifts starting before 11:59pm on March 31, 2022, are included). Youth Counselors 1 and 2 at the following OCFS facilities will also receive the higher overtime rate:

- Brentwood Residential Center
- Brookwood Secure
- Finger Lakes Residential Center
- Goshen Secure
- Harriet Tubman Residential Center
- Highland Residential Center
- Industry Residential Center
- McCormick Secure
- Taberg Residential Center

OMH

[A 2.5 Overtime Agreement](#) was reached with OMH in November. Excluding the Nathan Kline Institute, the following PEF titles at OMH hospitals are eligible: Nurse 1, Nurse 2, Nurse 2 (Psychiatric), Nurse 3 (Psychiatric), Community Mental Health Nurse, Infection Control Nurse, Nurse Administrator 1 (Psychiatric) and Nurse Administrator 2 (Psychiatric). [This Agreement was extended](#) past its original expiration and is now in effect through March 31, 2022.

OPWDD

A 2.5 Overtime Agreement was reached with OPWDD for the period commencing at 11:00 p.m. on December 1, 2021, through any shifts that commence before 11:00 p.m. on February 23, 2022. [See the MOA for applicable titles.](#)

DOH

PEF reached a 2.5 Overtime Agreement with DOH for the period commencing 11:00 p.m. on December 1, 2021, through any shifts that start before 11:00 p.m. on February 23, 2022. [See the MOA for applicable titles.](#)

“We realize that none of these temporary agreements solve the staffing issues PEF professionals have been experiencing for years, but it’s one way to reward your hard work,” said PEF President Wayne Spence. “We continue to push for safe staffing measures and hazard pay for all PEF members deemed essential during the COVID state of emergency.”



Nurse uniform maintenance allowance in effect

PEF negotiated a win for nurses in the 2019-2023 PS&T contract, securing a \$500 lump sum payment to be put toward uniform maintenance. The amount was prorated for eligible employees in less than full-time status.

Members should have received their payments in November 2021. (Nov. 18 paycheck for those on the institution payroll, Nov. 24 for administration payroll) If you did not receive payment, please contact your PEF field representative.

Employees on an unpaid Leave of Absence not related to Military Leave or Workers' Compensation Leave on either the contract ratification date or payment effective date are not eligible for the allowance. An employee who otherwise meets the eligibility criteria, but is on an approved paid or unpaid leave of absence as described above, may receive the payment upon return from leave.

A list of eligible titles and criteria can be found [here](#).



Nurses For Our Future Scholarships will fund the education of 1,000 new nurses in New York

Faced with a growing nursing shortage as the COVID-19 pandemic continues, Gov. Kathy Hochul announced new Nurses For Our Future Scholarships in December to cover tuition for 1,000 new healthcare workers to get their RNs at SUNY and CUNY.

This scholarship program is designed to recruit and retrain nursing and healthcare professionals. With more than 9,300 openings for registered nurses in New York state, the scholarships are meant to help more people affordably train for a career in nursing. Students will be able to complete their programs with a flexible schedule of either part-time or full-time study.

In addition, the state Labor Department will help market these new opportunities to existing and unemployed workers, including opportunities available through regional SUNY Educational Opportunity Centers for entry-level nurse certifications in high demand including Certified Nursing Assistant, Licensed Practical Nurse and Nursing Home Aide.

CUNY Chancellor Félix V. Matos Rodríguez said, “The pandemic has put a sharp focus on the need to increase treatment capacity across our health care system, and expanding the pipeline of diverse, skilled registered nurses is a key component of that proposition. CUNY is committed to training the next generation of nursing professionals.”

The announcement of the new nursing scholarship program follows the [recent opening](#) of Binghamton University’s Decker College of Nursing and Health Sciences. SUNY colleges and universities across New York offer more than 70 fully accredited nursing degree undergraduate and graduate programs, offering 17 different credentials in nursing from home health aide to doctoral and advanced certificates. CUNY graduates 1,800 students each year from more than 50 nursing advanced credit-bearing certificate and degree programs, including LPN, Associate, Bachelor, Master and Doctoral programs (DNP and Ph.D.) at 14 CUNY institutions, including nursing programs at both senior and community colleges.

RECOMMIT TODAY!

NEW + EXISTING PEF MEMBERS

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PEF retiree pens book about cost of education

By **SHERRY HALBROOK**

Do you have teenage children or grandchildren? Robert Fisher has written a book he thinks you should read. A professional sociologist, Fisher is a former PEF member retired from what is now the state Department of Corrections and Community Supervision.

His latest book, “Educating Public Interest Professionals and the Student Loan Debt Crisis” is aimed at parents and students as well as public policymakers, academics and lending institutions. He wants everyone to understand that our country and our state need more well-educated professionals in public service – both in government and private not-for-profit organizations.

Fisher says it costs students more money to achieve their professional degrees and training than they can reasonably expect to recover working as teachers, social workers, school guidance counselors or other public-service professionals. He urges policymakers to channel financial assistance to students who want to earn advanced degrees and make their careers in public service. He suggests that federal Pell grants and other student aid should be redirected to focus more support on students who seek careers as public interest professionals, particularly in the “STEM” fields of science, technology, engineering and mathematics.

“These vacant positions are not being filled and the public employees who are in them are carrying such heavy workloads that they are burning out,” Fisher said. “When they burn out and leave those public positions, it has a cascading effect. If we don’t take action, the problem will keep growing until it seriously threatens our country.”

“It isn’t just about how much people owe in student loan debt, it’s also about not being able to pay it and other bills because professionals in public service earn so little,” Fisher added. The current situation puts them in an impossible situation. “They want to serve the public interest, but they have to go into other work or go into default. They need loan forgiveness and they need better pay in public service.” Fisher’s book has just come on the market and is already being snatched up by libraries in many states and at least 25 foreign countries so far. He credits the urgency of the subject matter and the very good reviews it has earned for this early success.



Fisher said he wrote it to be understandable and relevant for students and their parents and strongly urges students to “choose your major before you start college and don’t waste time or money changing schools or majors.

“Don’t treat college like a candy store for trying out lots of different flavors. You need to come out with the best education you can get with as little debt as possible,” Fisher advised. Students currently average about \$30,000 in student debt when they get their bachelor’s degree. Professionals, however, often need more advanced degrees.

While PEF members may be able to offset some of their educational costs with reimbursement through their contract’s education benefits, that’s a union-bargained benefit that millions of people in other jobs and states don’t have, he said.

Fisher acknowledges that his ideas are not revolutionary, saying, “It’s mostly old ideas put together in a new way.” If you would like to read his book, Fisher recommends you ask for it at your local library or search for it by the title online.. Fisher and his wife, Shirley Anderson (who’s also a retired PEF member), live in the Capital Region.

Remembering the Pemberton Mill collapse: Substandard materials and company greed

By KATE MOSTACCIO

January 10, 1860: More than 500 people went to work at the Pemberton Mill in Massachusetts, entering the five-story high, 84-foot wide, 280-foot long building. Work was underway to reorganize heavy machinery on the fourth floor and the building shook more than usual.

Before the end of the day, 120 would be dead and 150 wounded as the mill collapsed and men, women and girls were trapped under the debris, many unable to escape. Fire swept through the ruins while onlookers were helpless to render aid. Horrified passersby watched as those about to die took their own lives or sung church hymns until the end.

While the Pemberton Mill was built only seven years prior, faulty iron pillars which supported the floors, poor quality mortar in the brick walls and tons of metal looms and carding machines overtaxing the subpar construction led to one of the worst industrial accidents in Massachusetts history.

The disaster remains a cautionary tale about greed and money.

"The Pemberton fell because the people who built it rushed to get it completed and in the end used faulty construction materials," says UMass Lowell history professor Robert Forrant in an article in The Eagle Tribune. "In their rush to make money, mill owners packed the mill with too much heavy machinery. Eventually, the wear and tear on the building took its toll, and the factory collapsed killing scores of young and mostly immigrant workers."

Health and safety in the workplace is a cornerstone of union activity in the United States.

Private industry employers reported 2.7 million nonfatal workplace injuries and illnesses in 2020, the Bureau of Labor Statistics (BLS) reported this November. Total reported illness cases more than quadrupled to 544,600 cases, up from 127,200 cases in 2019.

There were 4,764 fatal work injuries recorded in the United States in 2020, the BLS reported in December. The fatal work injury rate was 3.4 fatalities per 100,000 full-time equivalent (FTE) workers. A worker died every 111 minutes from a work-related injury in 2020.



Source: Wikipedia. Harper's weekly (1860) Ruins of the Pemberton Mills, Lawrence, Mass

"The labor movement has always led the charge to protect working people from workplace injury, illness and death," according to the AFL-CIO. "Working with allies, we have won strong protections against hazards and stronger rights for workers. Through organizing and collective bargaining, unions have gained even stronger protections and rights that have given workers a real voice in safety and health at the workplace."

It was the labor movement that fought to pass the Occupational Safety and Health Act in 1970 and the Federal Mine Safety and Health Act of 1977.

In 2019, a 1 percent decline in union representation resulted in a 5 percent rise in the rate of occupational deaths and the Bureau of Labor Statistics shows that fatality rates are 54 percent higher in states with right-to-work laws.

Do you have a health and safety concern? Contact PEF at HealthAndSafety@pef.org.



PEF negotiates HSCA, DCAA 2021 balance carryovers

Through PEF's work with the state, the Dependent Care Advantage Account (DCAA) and the Health Care Spending Account (HSCA) plans have adopted carryovers for plan year 2021.

Flexible Spending Account

The HSCA plan adopted a carryover benefit, which allows employees to use up to \$550 of monies remaining in their 2021 account toward eligible expenses incurred during the 2022 calendar year.

Flex spending is a benefit program that PS&T Unit members may use to save money on their taxes through the HSCA. If eligible, you may annually make an election, in pre-tax dollars, to pay for out-of-pocket expenses that are not reimbursed by health insurance.

Your FSA can pay for medical, vision or dental expenses, such as prescription sunglasses, acupuncture, sunscreen (30 SPF or higher), dental care, and much more! Visit the FSA Store for a searchable list of IRS-approved expenses.

The last day to submit claims is March 31, 2023.

Dependent Care Advantage Account

Participants are now able to use the remaining balance from their 2021 DCAA toward eligible expenses incurred during the 2022 plan year. Current participants will receive an email from the administrator of the plan, WageWorks, with details.

DCAA is a negotiated employee benefit that provides a tax-free way to help you, as state employee, to pay for custodial childcare, elder care, or disabled dependent care while you are at work.

Your DCAA can pay for eligible expenses, such as, daycare, before/after-school programs, nurse school, pre-school programs, summer and sports camps, virtual/remote camps and care, and more. Visit the IRS searchable list of covered/eligible expenses.

PEF is awaiting the final claim's submission date for the 2021 plan year and as soon as the date is set participants will be notified.

You can check your 2021 DCAA or FSA balances at participant. wageworks.com/nysfsa or by calling 1-800-358-7207. If you have any questions about the carryovers, email fsa@goer.ny.gov or call WageWorks/Health Equity at 1-800-358-7202.



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.

- **Diane Aleksandrowicz** is a nurse 2 at Rochester Psychiatric Center. Call 585-241-1900;
- **Edward Carey** is a supervising computer operator at the state Office of Information Technology Services in Albany. Call 518-457-4272;
- **Matthew Cassidy** is a senior librarian at Woodbourne Correctional Facility in Woodbourne. Call 845-434-7730;
- Deena Christian is an offender rehabilitation coordinator at Greene Correctional Facility in West Coxsackie. Call 518-731-2741;
- **Carol Christiansen** is a teaching and research center nurse 2 at Upstate Medical Center in Syracuse. Call 315-464-4943;
- **Lisa Colbert** is an infection control nurse at Sunmount Developmental Disabilities Services Office in Tupper Lake. Call 518-359-4158;
- **Kendra Delorme** is a nurse 2 psychiatric at St Lawrence Psychiatric Center and assigned to St. Lawrence Alcohol Treatment Center in Ogdensburg. Call 315-541-2001;
- **Eddie Lorenzo** is a public health field services representative trainee 1 in Central Islip. Call 518-457-4272;
- **Jaquaia Reid** is a licensed social worker 2 at Bronx Psychiatric Center in New York City. Call 929-348-4024;
- **Lydia Seales-Fuller** is a nurse 2 psychiatric at Hutchings Psychiatric Center in Syracuse. Call 315-426-3600; and
- **Karen Tully** is a senior attorney at the NYS Department of State in Albany. Call 518-474-2752.

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 thecomunicator@pef.org, or call 800-342-4306, ext. 271. Be sure to provide your contact information.





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Letters to the Editor

How do you apply for license reimbursement?

To the Editor: I paid for my nursing license in 2021 and I understand we can get reimbursed. How can I make this happen?

ROBERT ZYSK
Syracuse

Editor's Note: *This is one of the new benefits that was negotiated in the present contract. All members, including those at SUNY, who are covered under the PS&T contract are eligible to apply for license renewal fee reimbursement if the license is one that they must have in order to continue working in their NYS title.*

The program is called the Certification and License Renewal Fee Reimbursement (CLRFR) Program. The link to the full guidelines as well as the application form can be found at: <https://www.pef.org/members/training-and-education/>. On the right side of the page is a red box. Select it and then scroll to the bottom of the page to find all the information about how to apply.

Do more to oppose parole changes

To the Editor: As I write this, it's January 4. Tomorrow, the governor gives her state of the state address at the capital.

Although I've seen there will be many rallies and voices trying to be heard, our union will be nowhere to be found. New York State parole has been gutted this past year by this administration. "Tomorrow would've been ideal to stage a rally to voice our opposition," not only against the disaster that is "Less is More," but also to defend against the increasing pro-criminal agenda by our state government.

We are a rudderless ship with this union. It is an embarrassment.

MATTHEW CALLAGHAN
Schenectady

Editor's note: *PEF has been very outspoken against 'Less is More' before the law was signed and in the interim before it is enacted next month. The union held rallies outside Rikers and in Rochester and is planning more actions this year. [Please read the October 2021 issue of The Communicator](#) for a comprehensive summary of what PEF has done. One of the union's budget priorities calls for hiring 500 additional parole officers to handle the increased caseload that now averages 40 parolees per officer. Public safety should always be the state's top priority.*



Saluting members on their retirements

By **SHERRY HALBROOK**

PEF's gratitude and best wishes go out to its members who are retiring and moving on to the next chapter of their lives.

The union hopes they will join PEF Retirees and remain active and valued participants in the PEF family.

This month, we salute:

- **Joyce Ernst**, PEF Division 280, Staten Island Developmental Disabilities Services Office;
- **David Graham**, PEF Division 321, state Office of Public Service;
- **Annette Holowka**, PEF Division 275, state Department of Agriculture and Markets;
- **John Munn**, PEF Division 169, state Department of Environmental Conservation;
- **Jane Serritella**, PEF Division 190, state Department of Taxation and Finance; and
- **Annette Wong**, PEF Division 341, state Department of Taxation and Finance.

Are you or PEF members you know retiring? Please send information for this column to thecommunicator@pef.org.



Retirees in Action: Do you know what to do if your partner dies?

I hope you all had a great holiday season and wonderful New Year. February is a great month to reset and review life choices, especially end-of-life decisions and estate planning.

Our PEF Retirees office has prepared a very useful document to guide you with this dreaded but important planning. Now is a good time to take inventory of our lives. 2021 was a very challenging year, but despite the challenges we need to stay informed, engaged and active.

September through January is when NYSHIP mailed you important information on your health insurance coverage. These books are CALLED Evidence of Coverage (Jan 1, 2022 – Dec 31, 2022) Annual Notice of change for 2022. It's important to read them and be familiar with your coverage and choices.

For example, in Health Insurance Choices 2022 it states on page 3 under Non-NYSHIP Plans, "Please keep in mind that Medicare allows enrollment in only one Medicare product at a time."

Therefore, enrolling in a Medicare Advantage Plan, a Medicare Part D plan or another Medicare product (including those which you or your covered dependents may be enrolled in through another employer) in addition to your NYSHIP coverage, will result in cancellation of your NYSHIP coverage.

If you cancel your NYSHIP coverage to join a Non-NYSHIP Medicare Advantage Plan, the state no longer reimburses you for your Medicare-eligible dependence for the part B premium. If you wish to re-enroll in NYSHIP, there may be a three-month waiting period.

If you die while you're not enrolled in a NYSHIP plan, your dependents will not be eligible for dependent survivor coverage. If you have questions, you can call NYSHIP Benefits Division at 518-457-5754 or 1-800-833-4344.

I suggest you read this whole section thoroughly! It is important that we know our benefits in order to make informed choices. It is also important to know when and if we should get the COVID-19 vaccine.

What to Do When a Loved One Dies

Find the will and identify the executor. Your loved one's survivors need to know where any money, property, or belongings will go. Ideally, you spoke with your relative before he or she died and were told where their will was stored and who the executor is.

Secure certified copies of death certificates. Get 10 copies. You're going to need death certificates to close bank and brokerage accounts, to file insurance claims, and to register the death with government agencies, among other things. The funeral home you're working with can get copies on your behalf, or you can order them from the vital statistics office in the state in which the person died.

Make a list of bills. Share the list of bills with the executor so that important expenses like a mortgage, taxes, and utilities are taken care of while the estate is settled.

Cancel services no longer needed. Services can include items such as cellphone, iTunes, Netflix, cable, internet, and more.

Delete or memorialize social media accounts. You can delete Facebook or Instagram accounts, but some survivors choose to turn them into a memorial for their loved one, instead. A memorialized Facebook profile stays up with the word "Remembering" in front of the deceased's name. Friends will be able to post on the timeline. Whether you choose to delete or memorialize, you'll need to contact the company (social media platform provider) with copies of your ID, as well as the death certificate of the deceased.

Close email accounts. To prevent identity theft and fraud, it's a good idea to shut down the deceased's email account. If the deceased set up a funeral plan or a will, he or she may have included log-in information so you can do this yourself. If not, you'll need copies of the death certificate to cancel an email account. The specifics vary by company/service provider, but most require a death certificate and verification that you are kin or the executor.

Notify important companies/organizations of your loved one's death.

Life insurance companies. You'll need a death certificate and policy numbers to make claims on any policies the deceased had. If the deceased had a Group Term Life insurance policy with Sun Life, please contact the PEF Membership Benefits Program at (800) 342-4306, ext. 243, opt. 2.

Banks & financial institutions. If your loved one left a list of accounts and online passwords, it will be much easier to close or change accounts. If the person didn't, you'll need a copy of the death certificate.

Financial advisers & stockbrokers. Determine the beneficiary listed on accounts. Depending on the type of asset, the beneficiary may get access to the account or benefit simply by filling out appropriate forms and providing a copy of the death certificate (no executor needed).

Credit agencies. To prevent identity theft, send copies of the death certificate to the three major firms: Equifax, Experian, and TransUnion.

Cancel driver's license. This removes the deceased's name from the records of the Department of Motor Vehicles and prevents identity theft. Contact the local DMV for specific instructions. You'll need a copy of the death certificate.

Close credit card accounts. Contact customer service at each company and tell the representative that you're closing the account



on behalf of a deceased relative. You'll need to provide a copy of the death certificate to do this, too. Keep records of accounts you close and inform the executor of any outstanding balances on the cards.

NYS Retirement System – Office of the State Comptroller

You can report the death of a member or retiree by using the online death report form. You can also report a death by phone or mail. Please note: You will need an original, certified death certificate before any death benefits can be processed or paid.

Online Form. Please complete all required fields on the Report a Death form and be sure to provide a phone number in case they need to call for additional information. You can upload a photocopy of the death certificate so NYSLRS can begin identifying any benefits that may be payable.

Call 866-805-0990 and press 3 and then 1. You will be asked for the member's NYSLRS ID, retirement, or registration number (or Social Security number if you don't have these account numbers), and the date of death. You may also be asked for the address and phone numbers of immediate family members who may be beneficiaries.

Mail. NYSLRS will need an original, certified death certificate before any death benefits can be processed or paid. Please mail a death certificate (please include your contact information) to: NYSLRS Attn: Survivor Services, 110 State St, Albany, NY 12244. Note. You may wish to send the death certificate by certified mail, return receipt requested.

You can contact NYSLRS online at: <https://www.osc.state.ny.us/retirement/contact-us?event=true>.

Survivor's Benefit Program

A survivor's benefit may be payable on behalf of a deceased state employee under certain special circumstances. Ordinarily, no action by the designated beneficiary is necessary in connection with this benefit. This can be discussed with NYSLRS when you call to report the death and inquire about pension benefits.

New York State Department of Civil Service

The New York State Health Insurance Program (NYSHIP) offers protection. Whether you are eligible to continue coverage under NYSHIP, and what your premium will cost, will depend on the following circumstances:

If you lose eligibility or die, your enrolled dependents may continue their coverage as dependent survivors until they no longer meet the eligibility requirements as dependents. If they no longer meet these requirements, they may enroll for another 36 months through the Consolidated Omnibus Budget Reconciliation Act (COBRA), a federal continuation of coverage law, or convert to a direct-pay contract.

Survivors of the deceased relative are covered by the same rules as active employees for changing health insurance plans.

If you and your dependents are not eligible for survivor coverage under the State Health Insurance Program, you may be eligible to continue coverage in NYSHIP for up to 36 months, under COBRA, or convert to direct-pay contracts.

Contact:

Employee Benefits Division
New York State Department of Civil Service, Albany, New York 12239
Web site: www.cs.ny.gov
Telephone: (518) 457-5754 (Albany area) or 1-800-833-4344

The Social Security Administration

If the deceased was receiving Social Security benefits, you need to stop the checks. Some family members may be eligible for death benefits from Social Security. Generally, funeral directors report deaths to the Social Security Administration, but, ultimately, it's the survivors' responsibility to tell the SSA.

Contact your local SSA office to do so. The agency will let Medicaid know that your loved one died. Payment of Social Security benefits is not automatic. If the deceased was covered by Social Security, you should inquire about survivors' benefits for widow/widower, minor or disabled children, and dependent parents. When filing a claim for benefits, a certified copy of the death certificate, birth certificates for the surviving spouse and minor or disabled children, as well as a marriage certificate, will be required and returned to you. A copy of the deceased's W-2 for the preceding two years will be necessary, as well as Social Security numbers for the deceased and for all applicants. The address of your nearest Social Security office is listed in the telephone directory under "Social Security Administration." You are encouraged by Social Security to use either their appointment or telephone claims system for your convenience.

Please note: The death of someone who was receiving or eligible for Social Security on his or her own work record triggers a one-time payment of \$255 (often called the "burial benefit" or "death benefit") to a surviving spouse who was living with the deceased or collecting Social Security benefits on the deceased's record. If there is no surviving spouse, the \$255 would go to any child who qualifies for benefits on the deceased's record.

Veterans' Benefits

If the deceased was a veteran of military service, you should inquire about benefits for which you may be eligible as the survivor.

A brochure entitled, "Benefits for Veterans and Their Families" is available by writing to:

New York State Division of Veterans' Affairs
5 Empire State Plaza, Suite 2836
Albany, New York 12223-1551

For assistance in filing for veterans' benefits, contact your nearest State Veteran Counseling Center, Veterans Service Agency, or call the toll-free referral number at 1-888-VETSNYS (838-7697)

NYS Deferred Compensation

Have a question about your Plan account? Help is available. Contact the HELPLINE at

1-800-422-8463, Weekdays from 8 a.m. – 11 p.m. ET, and Saturday from 9 a.m. – 6 p.m. ET.

Introducing AE Connect: (1-844-867-8197)

AE Connect gives you immediate access to an Account Executive and all the services they provide.

If you are working remotely, or are in a facility that currently disallows visitors, you can work directly with an Account Executive to help with important account questions you may have during this time.

Available Monday through Friday, 9 a.m. to 5 p.m., Eastern Time
Enrollment assistance

Individual Retirement Accounts

If the deceased has one or more of these accounts, the financial institution (bank, insurance company, or brokerage firm), should be notified. These firms will then forward the appropriate information to the beneficiary.

Required Documents

In certain business or financial matters relating to the deceased, it will be necessary for you to have certified copies of the death certificate; you will also need certified copies of birth certificates for the deceased, the surviving spouse, and any minor children. It is a good idea to have these documents readily available. Your Certified Documents checklist includes:

Death certificate

Deceased's birth certificate

Spouse's birth certificate

Minor children's birth certificates

Marriage certificate

I hope this information is helpful as well as educational!

In Solidarity,

Jim Carr

Statewide President

PEF Retirees

RECOMMIT TODAY!

NEW + EXISTING PEF MEMBERS

SIGN NOW!



Sign up **TODAY** for the eCommunicator

Keeping PEF members current on PEF news, emailed
to your mobile device or home computer monthly.

www.pef.org/ecommunicator-signup/



February 17, 2022

PEF Secretary-Treasurer Joe Donahue, field representatives and staff @ Roswell Park answering the many questions about COVID-19 booster mandate for healthcare workers and making sure members understand the rights afforded to them by the union contract.



February 16, 2022

PEF President Spence, VP Darlene Williams, PEF Region 12 Coordinator Nora Higgins and multiple staff visited SUNY Stony Brook to answer questions & concerns about COVID booster mandate for healthcare workers.



February 15, 2022
PEF staff and field representatives met with members at SUNY Downstate about their rights when it comes to the Feb. 22 COVID-19 booster mandate for healthcare workers.



February 17, 2022
PEF VP Randi Diantonio, Field Rep Ellen Coyne, Region 3 Coordinator Leisa Abraham, and Council Leader Shelby Wisneski meeting with Division 201 OPWDD nurses, who are proudly wearing their hazard pay masks.

February 2, 2022

PEF Division 411 John Norris OASAS is one of the newest divisions of PEF - they are getting ready to distribute masks!



February 2, 2022

NYSIF Division 240 Glendale/Endicott office wearing their telecommuting stickers in support of PEF's telecommuting campaign.

February 1, 2022

NYSIF Division 240 Glendale/Endicott office wearing their telecommuting stickers in support of PEF's telecommuting campaign.





January 31, 2022

PEF member Roderick Watson collecting KN95 masks for distribution at St. Albans Veterans' Home in Jamaica/ Queens NY.



January 28, 2022

More PEF members receiving their KN95 masks, among those are employees from IBR, Long Island Parole office, and Garden City OCFS.



January 28, 2022

PEF leaders deliver KN95 and N95 masks to Division 407. Very special thanks to PEF VP Darlene Williams, PEF Trustee Muriel Hardy-Lee and Leticia Her for this in-person delivery!



January 27, 2022

Region 2 Coordinator Andrew Puleo and PEF VP Randi DiAntonio delivering KN95 masks to our amazing member heroes at OPWDD and OMH in Elmira today.





January 21, 2022

Mask distribution event at Creedmoor PC



February 2, 2022

PEF Division 283 Members are #UnionStrong!! Members collected their KN95 masks today at RPC.





44TH ANNUAL CONVENTION DELEGATE INFORMATION

Niagara Falls, New York | October 23–26, 2022

Rules for Delegate Nominations

1. In order to be nominated, you must be a dues-paying PEF member as of **March 3, 2022**. You must obtain the signatures of five (5) other dues-paying PEF members from the specific constituency. Dues-paying PEF members signing a petition must also be a member as of **March 3, 2022**.
2. All petitions will require the signature, printed name, and correct **Petition ID**. **The Petition ID consists of up to the first four letters of your first name and up to the first four letters of your last name AS THEY APPEAR ON YOUR PAYCHECK and the five digits of your home zip code.**
3. The accuracy of the information required in the petition is the sole responsibility of the person being nominated.
4. A nominee may not sign his/her own petition.
5. A member may sign only one (1) petition.
6. Petitions will be available at **www.pef.org/elections** on **March 14, 2022 at 9:00 AM**. Petitions can be mailed to you by calling 800-342-4306 or emailing **divisions@pef.org** to request. Petitions will **not** be available for pick up at PEF Headquarters or PEF Regional Offices. Faxing is not allowed. Only members submitting a petition have the right to appeal.
7. Only official nominating petitions may be used to gather signatures. Although reproductions of the official form may be used, the Committee will accept only those forms containing original signatures. Reproduced (photocopy, FAX, etc.) signatures will be deemed invalid.
8. All petitions must be received by 5:00 PM on **April 4, 2022**. Petitions must be returned either by email or United States Mail as follows:

Email: Divisions@pef.org

OR

Mailed – All mailed petitions must be sent to:

NYS Public Employees Federation
c/o the Divisions Department

P.O. Box 12414, Albany, New York 12212-2414

Mailed petitions must be received no later than 5:00 pm on April 4, 2022. Received means “in hand, not mailed or postmarked.” **Petitions cannot be hand delivered to PEF Headquarters or Regional Offices.** Faxed petitions will not be accepted.

If regular mail is used, please allow ample time for mailing.

If certified mail is used, a return receipt may be requested, although this is not required. Please note that certified mail sometimes takes longer than regular mail.

Postal failures or inadequacies are a matter between the individual submitting the petitions and the post office. Delivery delays and/or failures are not grounds for appeal. Allow five days or more for mailing, to be safe.

Petitioning results will not be given out over the phone. All petitioners will receive a letter by **April 18, 2022**, announcing the outcome of the petitioning process.

9. Where the number of valid nominees is equal to or less than the number of authorized constituency delegates, no election will be required. Nominees will be so notified.
10. No PEF or employer resources (staff, office equipment, etc.) may be used for electioneering, and no PEF dues money shall be expended for this purpose. This includes PEF headquarters, regional offices and local divisions or councils.
11. No person shall use the PEF logo or letterhead on any written or printed material for campaign or endorsement purposes in any PEF election.
12. Division newsletters may not endorse or contain material that appears to endorse any candidate for delegate.
13. In addition to the above rules, the PEF Code of Ethics will apply to all election activities, which is found in the PEF policy manual.
14. Failure to meet any of the above requirements or deadlines is not appealable.

Rules for Delegate Elections

1. No PEF or employer resources (staff, office, equipment, etc.) may be used for electioneering, and no PEF dues money shall be expended for this purpose. This includes PEF Headquarters, Regional Offices and Local Divisions or Councils.
2. No person shall use the PEF logo or letterhead on any written or printed material for campaign or endorsement purposes in any PEF election.
3. Division newsletters may not endorse, or contain material that appears to endorse, any candidate for delegate.
4. In addition to the above rules, the PEF Code of Ethics will apply to all election activities, which is found in the PEF policy manual.

A. Appeals to the Delegate Elections Committee

1. Any current PEF member who believes he/she is aggrieved by anyone's alleged violation of the Delegate Election rules or any alleged misapplication or misinterpretation of the PEF Constitution or any PEF policy or procedure concerning Delegate Elections and has filed a petition during the regular election period may appeal such to the Delegate Elections Committee.
 - a. There shall be a time limit of fifteen (15) calendar days following the close of petitioning or end of balloting for filing appeals to the Delegate Elections Committee.
2. The appeal shall be submitted on a Delegate Elections Appeal Form and filed with the Delegate Elections Committee in person or by mail at PEF Headquarters. The appeal shall contain a concise, factual statement of the facts of the alleged violation, misinterpretation or misapplication. Upon receipt of the appeal, the Delegate Elections Committee shall notify, in writing, persons as may be deemed appropriate, of the appeal. Such persons shall then have 10 working days from notification of the appeal to make a written response to the Committee.
3. The Delegate Elections Committee shall review the appeal, if appropriate, and shall use its best efforts to render a decision in writing within 30 calendar days of receipt of the appeal.

B. Appeals to the Credentials Committee

1. The Delegate Election Committee's decision may be appealed to the Credentials Committee to be heard on the Sunday evening prior to the start of the Convention except if a petition was not filed during the regular election period. The appeal shall be filed in writing with PEF's Secretary/Treasurer within 15 calendar days following the date of the written decision of the committee.
5. For Those Constituencies Requiring Elections:
 - a. Ballots will be mailed on **April 22, 2022**.
 - b. Completed ballots must be returned to the PEF post office box in Albany, NY as printed on the nominating petition, by 5:00 p.m. on **May 16, 2022**.
 - c. The ballot count will commence on **May 18, 2022** at PEF Headquarters in Albany, NY.
 - d. Those wishing to observe their election count must notify the Delegate Election Committee by **May 9, 2022**.
 - e. Ties will be broken by the following method:
Each candidate's name will be placed in a container, and a random drawing will take place.
 - f. Ballot results will not be given out over the phone. Candidates will be notified by **June 1, 2022** as to the outcome of the balloting process. A full listing of the convention delegates will be announced on the PEF Website by **June 1, 2022**. Alternate delegates will be identified by rank as established by order of vote tally.
6. If a delegate leaves his or her constituency between the closing date for nominations and the starting date of the convention, the following rules apply:

- a. If the move was due to an involuntary transfer or a layoff within the PS&T unit, the delegate may attend the convention.
- b. If the move was due to a voluntary transfer or promotion within the PS&T unit, the delegate may not attend the convention. If an elected alternate is available, they will be notified.
- c. If a delegate leaves his/her constituency due to retirement or resignation, the delegate may not attend the convention.
- d. If a delegate has been off a current payroll (not paying union dues) for more than three (3) months, the delegate may not attend the convention.
7. If any delegate is unable to attend the convention for any reason, including, but not limited to the above situations, written notification must be received by the Delegate Elections Committee, at PEF Headquarters by, **September 5, 2022**, in order to allow sufficient time to notify any available alternate there may be, to attend the convention in their place.

Convention Delegate Information

The 2022 PEF Convention will be held Sunday, October 23 through Wednesday, October 26, in Niagara Falls, New York.

Delegate representation to the Convention shall be assigned on a one member/one vote basis with one delegate per fifty (50) regular members or major fraction thereof. Representation for the Convention shall be based on the number of regular members paying dues as of the first pay period in March preceding the Convention.

Apportionment is based on the size and geographic breakdown of the department as described in PEF's Constitution. If there are too few members in an election district, the Committee in consultation with the Executive Board member will combine the district with another district of common interest.

If you are interested in running as a delegate from your department, review the delegate apportionment list and locate your Agency's Name, Delegate Constituency Number and Agency Code Number. Directly across from the name will be the type of apportionment identified for your work site.

Division Convention Stipend – Every division that pays a stipend must pay the same stipend to all delegates from their division. ■

