

**ONE  
STRONG  
UNION**

**DESERVES**

**ONE  
STRONG  
CONTRACT**

# Table of Contents

The President's Message	3
Meet your PS&T Contract Team	4
Contract Administration: Helping your Contract Team negotiate the best contract, monitoring implementation and enforcing members contractual rights	6
Members set priorities for contract talks	8
Members come together to demand action on health and safety issues at Brooklyn state office building	10
Keep an eye on your public sector job: Staying ahead of AI and tech trends	12
Union Leadership Spotlight: Scarlett Ahmed	14
Hard work doesn't scare this nurse	16
44th Annual PEF Convention brimming with energy, action	19
Outlook for PEF has never been better	20
PEF in good spot financially despite loss of state workers during hiring freeze	22
Delegates amend PEF Constitution, pass resolutions	23
Keynote speaker: PEF making strides to reclaim the future	24
Peoples-Stokes: We are public servants, not servants of ourselves	25
Union, political leaders send greetings to PEF delegates during Convention	26
Nurses discuss legal issues in nursing practice during Convention luncheon	30
A deep dive into tackling a health and safety objective	32
Delegates get tips for responding to Justice Center investigations, charges	34
PEF military veterans invited to become Red Cross volunteers	35
An event of many cultures	36
PEF delegates enjoy Black Caucus meet & greet	37
PEF has a committee to help you fight discrimination on the job	38
Ailing members need your leave donations	40
Retirees in Action: NYS retirement fund strong, exemplary	41
Letters to the Editor	42
PEF Trustee Report to the 2022 Convention Delegates - Amended Version	44
Photo Highlights	58

## THE COMMUNICATOR

Volume 40 No.9  
November 2022 (0745-6514)

The Official Publication of the New York State Public Employees Federation, AFL-CIO  
1168-70 Troy-Schenectady Rd., Latham, NY 12110-1006

The Communicator is published monthly, except for January and August, for members of the New York State Public Employees Federation.

### The Communicator Staff

Rob Merrill Managing Editor  
Sherry Halbrook Editor  
Curtis Canham Graphic Artist  
Kate Stickle Reporter/Writer  
Laurn Schrom Junior Graphic Artist  
Kristina Willbrant Communications Coordinator

## Officers of PEF

Wayne Spence President  
Joe Donahue Secretary-Treasurer  
Sharon DeSilva Vice President  
Randi DiAntonio Vice President  
Darlene Williams Vice President

## Regional Coordinators

Michele Silsby Region 1  
Shelby Wisneski, Region 2  
Leisa Abraham, Region 3  
Gina Corona, Region 4  
David Dubofsky, Region 5  
Christopher Dunham, Region 6  
Barbara Stransky, Region 7  
Danielle Bridger, Region 8  
Diane Jaulus, Region 9  
Mohan Radhakrishna, Region 10  
Bernadette O'Connor, Region 11  
William Holthausen, Region 12

## Trustees

Christopher Buman, Bruce Giddings,  
Muriel Hardy-Lee

## PEF Regional Field Offices

Region 1 Buffalo 1-800-462-1462  
Region 2 Elmira/Hornell 1-800-724-5001  
Region 3 Rochester 1-800-724-5003  
Region 4 Syracuse 1-800-724-5004  
Region 5 Binghamton 1-800-724-4998  
Region 6 Utica 1-800-724-5005  
Region 7 Potsdam 1-888-498-8532  
Region 8 Albany 1-800-342-4306  
Region 9 Poughkeepsie 1-800-548-4870  
Region 10 Manhattan/Bronx 1-800-522-8700  
Region 11 Brooklyn/Queens/Staten Island 1-866-897-9775  
Region 12 Long Island 1-800-832-5284

Advertising in this publication does not represent an endorsement by PEF or its members.

Members wishing to change their email/ mailing address may call 800-342-4306, x221, or email [jwright@pef.org](mailto:jwright@pef.org).

PEF is affiliated with the American Federation of Teachers, AFL-CIO and Services Employees International Union.



Metro NY Labor  
Communications  
Council

# The President's Message

By WAYNE SPENCE



## Giving thanks while continuing to advocate

It's hard to believe, but 2022 is almost over. It's been a year of great accomplishments for PEF, but I'll spare you the full litany of the union's accomplishments until our year-end issue in a month. For now, I'm looking forward to giving thanks with family and friends and hope every PEF member can get away from work for a day or two to do the same.

The theme of this issue is pretty clear from the cover – our strong union deserves a strong contract! The [PEF Contract Team](#), some of whom we introduce in these [pages](#), has already had an introductory meeting with the State and scheduled two more meetings next month. You responded in force to our contract survey and the team will advocate for the priorities that members told them mattered most: Fair and increased compensation, an improved dental benefit, and telecommuting and alternative work schedules, to name just a few.

Another story I don't want you to miss is about [55 Hanson Place](#), a state office building in Brooklyn housing members from several agencies. Members banded together to raise myriad health and safety issues throughout the building – from replacing windows in the dead of winter, to inadequate emergency evacuation plans, to dust and debris from ongoing construction. My hat goes off to everyone involved. It's a great example of unionism at its best.

November is also Public Employees Recognition Month and in that spirit we're spotlighting two PEF leaders for the work they do. [Margaret Dobbins](#) and [Scarlett Ahmed](#) are both members of the Executive Board and leaders at Hutchings Psychiatric Center and the Department of Labor, respectively. Both devote a lot of time to this union and serve as examples for emerging leaders to follow. If you want us to spotlight PEF leaders at your worksite, please get in touch via [Communicator@pef.org](mailto:Communicator@pef.org). I love meeting PEF members as I travel the state and I'm sure readers of [The Communicator](#) would also love to get to know more of their fellow PEF members as well.

Thanks for reading and I wish you all a healthy and happy start to the holiday season.

In Unity,

A stylized, handwritten signature in dark blue ink that reads "Wayne Spence". The signature is fluid and cursive, with a long horizontal line extending from the end.

Wayne Spence  
PEF President



Members of the PEF Contract Team are introduced to delegates at the Convention. Negotiations for a successor contract to the 2019-2023 PS&T Collective Bargaining Agreement begin this month.

# Meet your PS&T Contract Team

By **SHERRY HALBROOK**

While the current 2019-2023 contract between PEF and the state does not expire until April 1, 2023, the union just opened negotiations on our next contract for the Professional, Scientific and Technical (PS&T) bargaining unit.

Some of the PEF members and staff on that negotiating team have served on previous contract teams and others are newcomers. They were appointed by PEF President Wayne Spence and many of the team members accompanied him as he toured the state in recent months meeting with members at or near their worksites. The team also has been undergoing training for months, reviewing the information members provided in a contract survey and hammering out the union's bargaining demands.

Once again, nationally recognized labor negotiator Mark Richard is PEF's chief negotiator for this contract. He will be assisted by PEF Director of Contract Administration Debra Greenberg along with PEF associate counsel Ed Aluck and other staff as needed.

The PEF Contract Team is chaired by Vice President Darlene Williams and includes Scarlett Ahmed, Vincent Cicatello, Conrad Davis, Christopher Ford, William Holthausen, Maureen Kozakiewicz, Jeanette Santos and Cynthia Walker. They work across the state in a variety of agencies including the departments of Health, Labor, Motor Vehicles, and Taxation and Finance, as well as the state offices of Information Technology Services and Mental Health. A member from SUNY Downstate Medical Center also is on the team. The contract the team negotiates will include some provisions uniquely applicable to members at Roswell Park Comprehensive Cancer Center in Buffalo and the state Schools for the Deaf and for the Blind. The Roswell team includes: Region 1 Coordinator Michele Silsby, Bruce Jagroop, Jordan Blatz and Theresa Burke. The Schools team includes William Wiley and Gloria Broadbent for the School for the Deaf; and Cathy Sawyer for the School for the Blind.

Here's some additional information about some of the team and what they have to say about their role:

**PEF VP Darlene Williams** chaired the team that negotiated the current contract. She served as the union's Region 10 coordinator before being elected a vice president of the union in 2021. She is an occupational therapy assistant 2 at the New York Psychiatric Institute in Manhattan. "I've learned a lot from the last contract and I've learned a lot from talking to members during the leadership tours," she said. "I feel like these things showed me where the members are and will help immensely in our negotiations for a fair contract."

**Scarlett Ahmed** is a member of the PEF Executive Board and council leader of PEF Division 245 at the state Labor Department in Queens, where she is a supervising labor services representative. She also chairs both PEF's Statewide Women's Committee and the joint Special Committee on Hourly Employees. "I'm honored to be part of the contract team, fighting collectively for an agreement that promotes the public good and honors the dedication, experience, and brilliance of the state workforce," said Ahmed. "PEF DOES IT!"

**Ed Aluck** is an associate counsel with the PEF Contract Administration Department and has worked at PEF for approximately 23 years. "I enjoy my role in working with and providing support to the team members, training them on the various contract articles, and seeing how their diverse experience with PEF allows them to help the team come together to negotiate the best contract possible for the union's members."

**Vincent Cicatello** is a member of the PEF Executive Board and is a council leader at Division 180, Buffalo Psychiatric Center. He is a psychiatric nurse 3 and a member of the PEF Statewide Nurses Committee. "I am extremely honored to be named to the PEF Contract team. I have worked for the state Office of Mental Health for 23 years and have been a nurse since 2005," said Cicatello. "My

goal is to contribute as much as possible to see that we PEF members get the fair and good contract that we deserve. During the pandemic and lockdown, I and thousands of PEF members showed up to work every day to serve the citizens of New York, while doing our best to keep them safe from COVID-19 and deliver much needed services to the community. It's an absolute pleasure to represent the nurses, health care workers and all members of PEF."

**Ricardo Cruz** is PEF's downstate director for field services.

Prior to taking his current position, he was a state employee for approximately 23 years and a PEF member for 13 of those years. During that time, he served as PEF Region 10 coordinator, a steward, division council leader, co-chair of a statewide labor-management committee and of the Article 46 Joint Law Enforcement Committee. In addition, he was a trustee of the Membership Benefits Program. Cruz said, "Having been a PEF member and now a staff person, I have been uniquely exposed to the challenges that our members and the union face. I hope to use this experience to provide insight to the Contract Team in our quest to deliver the best contract to PEF members. Only by working together, will we be successful."

**Conrad Davis** is a PEF Executive Board member and is council leader of PEF Division 406. He is a tax auditor 1 at the state Department of Taxation and Finance in Brooklyn and chairs the joint labor-management committee at the department. He served on the Contract Team during the last round of negotiations as well.

**Christopher Ford** is a PEF Executive Board member and council leader of PEF Division 357. He is a manager of information technology services 1 at the state Office of Information Technology Services in Albany. He has worked for the state since 1992 and now manages the Shared Application Services Mobile Development and Support team. He earned Project Management Professional (PMP) certification in 2010, and continues to serve on committees for the local chapter of the Project Management Institute (PMI).

**Debra Greenberg** is PEF's director of Contract Administration. She first became involved in the labor movement as a co-president of a Legal Aid Society staff union many years ago. Greenberg worked for a small labor and employment firm in NY City before coming to work for PEF, where she has served for more than 16 years in the Legal, Field Services and Contract Administration Departments. "I feel truly blessed to have the opportunity to work again with Contract Team Chair Darlene Williams and a phenomenal Contract Team in this round of negotiations. I appreciate the trust put in me to assist the team in bargaining and problem-solving with our state counterparts, as we seek to improve the working lives and benefits of our diverse PEF membership. Getting to "yes" on matters that members have told us are important can be a hard process, but there is hardly anything more rewarding in this line of work."

**William Holthausen** was recently elected PEF Region 12 coordinator, and previously served on the PEF Executive Board and as council leader of PEF Division 170 at the state Transportation Department, where he is an assistant engineer. "I am proud to be a member of this negotiating team," he said, "and I look forward to tackling the issues that affect us. We are focused on returning a good contract that addresses our members' needs and will carry us forward. PEF members work hard and deserve a contract that acknowledges it. We will strive to get it: through our negotiations, through our work and through our actions."

**Maureen Kozakiewicz** is a PEF Executive Board member. A highway safety program analyst 2 at the state Department of Motor Vehicles, she is assigned to the Governor's Traffic Safety Committee. She has 34 years of state service and has been the council leader of PEF Division 211. Currently she is both the PEF chair of the DMV joint labor-management committee and the DMV joint health and safety committee. In addition, Kozakiewicz serves on the PEF Ethics Committee and chaired the PEF Delegates Election Committee. "I proudly serve on the contract team. With input from members and in a post-pandemic world, our contract team is defining our 'next normal' contract environment as 'back-to-normal' does not exist," said Kozakiewicz. "It's our challenge and our privilege to be part of this contract team to represent all PEF members."

**Jeanette Santos** is a trustee of the Membership Benefits Program and a former PEF trustee. She has chaired PEF's statewide women's committee. Santos is a steward and former council leader of PEF Division 205 at the state Health Department in Albany, where she is a medical assistance specialist 2. Santos has served as PEF chair of the DOH joint labor-management, health and safety, and grievance committees. She is an active member of the PEF Region 8 Political Action Committee and the PEF Pride Committee. "As a member of the contract team, I am fully committed and dedicated to negotiating the best possible contract for our members," Santos said.

**Cynthia Walker** is a teaching and research center nurse 2 at SUNY Downstate Medical Center, where she works in the Adult Cardiac Progressive Care/Stepdown Unit. She is secretary of PEF Division 198 at the center, which is located in Brooklyn. "As a member of the contract team, I have an opportunity to advocate for our members to get the best contract," she said. "Our members continue to face challenges and daily exposure to viruses such as COVID and other communicable diseases. In order to recruit and retain employees in state service, we must protect our members' health and safety, and the state must provide competitive incentives."

In the end, the Contract belongs to the PEF membership. An active and engaged membership gives the Contract Team power at the bargaining table. Nearly 10,000 members took part in the Contract Survey last month and others have made their priorities known through union meetings and by sending email to the team at [contract2022suggestions@pef.org](mailto:contract2022suggestions@pef.org). As the negotiations continue, be on the lookout for emails and social media posts inviting you to show your solidarity with the team as they work toward delivering the fair contract PEF members deserve!







# Contract Administration: Helping your Contract Team negotiate the best contract, monitoring implementation and enforcing members contractual rights

By KATE STICKLES

*Editor's Note: This is the third in our continuing series "What Can PEF Do For You?" highlighting the role PEF departments perform for the union membership. You can read the first installment about PEF Health & Safety, [here](#), and the second about Organizing, [here](#).*

When people think union, they immediately think contract.

PEF's Contract Administration Department is the force behind your Contract Team and the staff ensures the state affords members all the rights they are entitled to under the collective bargaining agreement.

"Our department works with and helps train the Contract Team so that they can negotiate a successful contract," said Director Debra Greenberg. "After the collective bargaining agreement is negotiated, we monitor the implementation and work to resolve any disputes."

As an example, when the state failed to pay per diem nurses the nurse uniform allowance included in the 2019-2023 contract, Contract Administration immediately stepped in to correct the oversight.

"By advocating with our Office of Employee Relations (OER) counterparts, we were able to have that corrected without having to file a grievance and await arbitration," Greenberg said. "Some other recent successes include advocacy on the Article 10 Work Life Services Advisory Board, where, along with PEF designee Conrad Davis, we were able to get the state to increase the contribution to

the Dependent Care Advantage Accounts by \$200 per participating employee.

"We are also expecting the state to roll out a pre-tax parking benefit for those who park in lots not provided by the state," Greenberg said. "Along with our leaders Vivian Falto and Chad Williams on the Article 15 Committee, and staff member Kim Loccisano, we successfully advocated for the new license renewal reimbursement to be increased from \$100 to \$200 per year."

The six staff members in the department are assigned to various contract committees to assist PEF elected leaders as they advocate for members; and to assist leaders and Field Services staff in reviewing and providing guidance to labor/management teams on agreements, including telecommuting and alternative work schedules; and much more.

Staff also handle grievances at Steps 3 and 4 to enforce members' contractual rights through a triage process in which PEF meets regularly with OER and a triage arbitrator to resolve pending grievances and by arbitrating grievances, as needed. For example, at triage, Contract Administration has been successful in having members' accruals restored when they were denied COVID leave.



Grievances going to full arbitration are often those that have wide impact on the bargaining unit.

Get to know your advocates and what motivates them

Greenberg joined PEF in 1997, working in the Legal, Field Services and now Contract Administration departments. She has been with Contract Administration since 2017 and became director in 2019.

For Greenberg, Contract Administration allows her to make an impact on the lives of members.

"I am drawn to advocating for the less powerful," she said. "When I first started my legal career, I did criminal defense work for the indigent population. While there, I got involved in the staff union as co-president of the Legal Aid office and from there it was a natural transition to union work and advocating for workers."

Longtime PEF staffer Ed Aluck joined the ranks 23 years ago as a law clerk in the Legal Department. He has been an attorney with PEF since 2001 and with Contract Administration since June 2019.

"My main job is to advocate for and enforce our member's collective bargaining and contract rights," Aluck said. "I am a member of the PEF bargaining team for the PS&T unit and for some of PEF's smaller municipal units, where I assist the teams in negotiating. I also provide reviews and opinions on contract grievances, and I present cases at triage, expedited arbitration and full arbitration."

He is assigned to the Article 15 Professional Development Committee, the Article 19 Downtown Albany Parking Committee, the Article 13 Workers' Compensation Committee, and the Grievance Appeals Committee.

"I'm drawn to this work because I have always had a passion for advocating for working people and, more generally, the little guy, or underdog," Aluck said. "I hate bullying and seeing people being taken advantage of, so working here gives me an opportunity to advocate for justice and fairness on behalf of employees against their more powerful employer."

Health benefits are staff member Erika Frasier's specialty. She helps members with all health benefit issues, from medical, to dental, to vision.

"I advocate and fight for our members best interests," she said. "I was recently able to get full retroactive medical coverage going back three years for a member who was unintentionally wronged by their agency. I was also able to get the state to reimburse them almost \$20,000 in COBRA premium payments they shouldn't have had to pay."

After six years at a private-sector broker firm, she was drawn to PEF because of the important work of members.

"The members PEF represents have a huge impact on the daily lives of many people and I wanted to be able to pay them back and fight for the great benefits they deserve," she said.

For more than a decade, Sean Shields has been involved in the labor movement, both in the private and the public sector. He joined PEF's Contract Administration team in June 2022.

"I was initially drawn to this field after a college course in labor history with an eccentric professor," Shields said. "He was extremely passionate about the labor movement and by the end of the semester, he convinced me to enroll in the graduate Labor Relations program where he served as my advisor and mentor."

Joining PEF in November 2021, Administrative Assistant Marci Chadwick keeps track of all Step 3 reviews and decisions; maintains files on all agency contract reviews; and coordinates taking notes at the bargaining table. She also fields basic contract questions and directs members to the right person to help them.

"I have always advocated for myself for better wages, benefits and working conditions," she said. Since joining PEF, she has been able to extend that advocacy drive to benefit members.

Recently joining the Contract Administration team after two years in PEF's Legal Department, where he worked on disciplinary matters, improper practice charges, and litigation, Benjamin Traslavina will now provide technical expertise and assistance to the contract team and work on grievances to enforce the contract.

"I came to this work because I believe an organized working class is key to a more equitable society," he said. An attorney for a little over two years, Traslavina said working in this department is rewarding because "contracts can make tangible improvements in the workplace on a broad scale."

You can access the current contract, as well as grievance forms and other contract information, [here](#). To contact PEF Contract Administration, call (800) 342-4306, ext. 233.



Debra Greenberg, PEF Director of Contract Administration



# Members set priorities for contract talks

By KATE STICKLES

An impressive 20 percent of the PEF membership responded to the recent contract survey, sharing their top concerns and priorities for negotiations.

"We usually expect 10 to 15 percent of members to respond," said Contract Team Chair and PEF Vice President Darlene Williams. "We were extremely pleased to have 20 percent, that's 9,604 members, respond. The Contract Team has been working hard, meeting regularly since March, and has been carefully reviewing member input. Surveys like this are crucial."

Raises and maintenance of health benefits are top economic priorities, followed by improving the dental benefit, improving longevities, and increasing the downstate and mid-Hudson adjustments.

Topping the non-economic priorities was work-life balance.

"The message is clear that people want work-life balance," Williams said. "Telecommuting and increasing the availability of Alternative Work Schedules were among the high-priority non-economic items."

The membership also wants the Contract Team to tackle the issue of inability to use vacation time, a huge priority for nurses, but of concern to all under-staffed and overworked agencies.

"Our goal is to bring back an agreement that is enthusiastically supported by members because it's the members' contract," Williams said. "We are armed with terrific member engagement and feedback, and we know our priorities."

Members are encouraged to keep the input coming.

"We need you to continue to share your thoughts and needs. Suggestions sent to the [Contract2022Suggestions@pef.org](mailto:Contract2022Suggestions@pef.org) email are vital tools for the team to use when formulating proposals for negotiations," Williams said. "We also need to stand together, so when we ask you to wear a button, T-shirt or to display flyers, please take part and encourage your coworkers to do the same."

"When we have a strong, united voice, we do the best," she said.

Negotiations will continue in December and January.





## 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/](http://www.pef.org/ecommunicator-signup/)



# Members come together to demand action on health and safety issues at Brooklyn state office building

By KATE STICKLES

Persistence is paying off for PEF members who work at 55 Hanson Place in Brooklyn, where renovations to the state office building have forced staff to work in cold, noise, dust, and disarray, and where fire safety plan deficiencies prompted members to call for change.

PEF members Vivian Falto, Angelina Rodriguez-Billingsley, George Howard, and Michael Marquez work at different agencies, but they joined forces to get the state to start addressing their concerns.

## Cold, noise, and dust

One of the most visible issues at 55 Hanson is the ongoing construction.

"My office came back after COVID to a site under construction," said Falto, who works for the New York State Education Department (SED) and was one of the first to sound an alarm about the poor conditions in the building. "Our offices were dirty and dusty. They were replacing windows in January. It was the middle of winter."

Falto and her members are some of the lucky ones – they were able to telecommute for a while. Other offices within the building weren't so lucky.

"On my floor, there was never telecommuting," said Rodriguez-Billingsley, who also works for SED. "We had to work in the cold. People got sick. We worked by windows that got removed. There was dust and debris, now there are loud vibration noises, and we don't know what day they are going to be drilling."

"We informed management that people are getting headaches from the noise," she said. "It's interrupting their jobs. Our clients with disabilities, we don't know what is going to trigger these individuals. We need to come up with a plan to address that."

While they have made some headway, those conditions persist, and the fight continues for Rodriguez-Billingsley and the members on her floor.

ITS member George Howard also came into the office throughout the pandemic.

"In the past, they would clear out a floor, move you, get that floor done," he said. "Instead, they are going section by section and replacing all the windows and renovating the whole building."

"I was working with someone in Ag and Markets during COVID and they asked, 'Why is this program coming into this construction site?'" he recalled. "It's so bad they had to have space heaters. I kept telling people what's going on here doesn't make sense."

The state was also conducting asbestos abatement at the site, Howard said. Seeing workers in full personal protective gear had members concerned.

"We didn't know clearly about that until we complained," he said. It wasn't until after those complaints that the state posted asbestos abatement notices around the building.

It was a discussion between Howard and PEF Executive Board member Jose Medina from the Department of Labor (DOL) that drew in Michael Marquez, a safety and health inspector for DOL's Public Employees Safety and Health (PESH) division.

Marquez serves as co-chair of his health and safety committee and since January 2021 has been informing management about numerous fire safety issues at DOL. He was told he was "nitpicking too much" – but his concerns were validated when a fire broke out at 9 Bond Street, Brooklyn, and displaced members, destroyed offices, and disrupted DOL services.

"Management neglected local emergency action plans for years," Marquez said. "They didn't put a high enough emphasis on this stuff. Had they implemented an updated emergency action plan and training for staff, that fire could have been prevented. It didn't need to happen."

Marquez said many of the agency's action plans were so out-dated, they still listed security officers who had retired or even passed away.

Staff displaced by the fire were shifted to 55 Hanson, which is how Marquez ended up joining the fight to bring that building's fire safety in line with standards.

### **An impact on clients**

Falto said the problems don't just impact staff. Clients coming into her offices are disabled and it's never clear how they will react to the construction projects.

"It's not only about us as PEF members," Falto said. "If I have a person with me, how do I get that person out of the building safely in an emergency? Most of our cleaning crew members are disabled. If I don't know how to get out in an emergency, how will they?"

Rodriguez-Billingsley echoed her sentiments.

"Every client in our office has a disability," she said. "There is no fire drill in place for disabled participants. People with wheelchairs, people who are deaf and can't hear the alarm. There is no plan for people with disabilities on our second floor."

### **Coming together for change**

"Nothing would have changed without those heroes." She publicly recognized the four leaders on stage at the annual PEF Convention in Niagara Falls on Oct. 26.

Falto said it wasn't until members banded together that progress was made.

"PEF is a member-driven union," she said. "The beauty of this is that we took charge and joined forces before we sought assistance from PEF leadership. We said we need to make this right. When we didn't get answers, we went to the highest level of the union and said we need help."

PEF's top officers made it a priority to stop at 55 Hanson during the Statewide Officers Tour. President Wayne Spence toured the facility, saw the conditions, and talked with local leaders and members.

"They made it happen," said PEF Vice President Darlene Williams said of Falto, Rodriguez-Billingsley, Marquez and Howard. "Nothing would have changed without those heroes." She publicly recognized the four leaders on stage at the annual PEF Convention in Niagara Falls on Oct. 26. "I'm so proud they didn't just say, 'Let others do the work.'" She also commended PEF Organizer Lisa Pinkard-Adams and Region 11 Coordinator Bernadette O'Connor for attending the first meeting with impacted members and helping organize health and safety walkthroughs of the building.

Howard urged people to speak up about issues at their worksite.

"Keep talking to people about the issues," he said. "Don't give up. Get the message out. We need all the agencies and unions to work together to solve the problem. Me alone as the local steward couldn't solve the problem."

For Marquez, bringing up the issues at his health and safety committee prompted his CSEA counterpart to start filing complaints of her own.



PEF President Wayne Spence, PEF Vice President Darlene Williams, Marquez and Howard on stage at the annual PEF Convention in Niagara Falls on Oct. 26.

"Not only was management getting it from PEF, but they started to get it from CSEA too," he said. "They felt empowered after all these issues were brought up." Marquez said even those staff who don't have health and safety in their job descriptions are starting to speak up. "Now we are building a larger coalition to deal with this."

Rodriguez-Billingsley said no issue is too small.

"A little headache they may see as nothing, but down the line it might be," she said. "The first thing to do is fill out an incident report form. Let your council leader, shop steward, and PEF field representative know what's going on. Even if a member doesn't want to personally pursue it further, it's very important to document what is going on."

"Working as a team made a difference," she said. "It made us powerful. We didn't get everything we wanted right away, but they are slowly remediating things."

### **Documenting issues, filing complaints**

PEF Health and Safety staff visited 55 Hanson for a walk-through on October 4, inspecting eight of the building's 13 floors and noting that three floors were currently closed for renovations and window installation was ongoing on others.

Among the concerns identified were fire extinguisher inspections, fire safety plans, standpipe inspections, fire hose inspections, egress routes, construction, indoor air quality, temperature, missing or damaged ceiling tiles, dust and debris, and more.

PEF filed a PESH complaint over egress concerns and an inaccessible fire extinguisher on the second floor. The union then provided members with a full report of concerns for use at labor/management and health and safety meetings.

PEF's Health and Safety staff are a resource for members and leaders in the worksite. Email them at [healthandsafety@pef.org](mailto:healthandsafety@pef.org).

"Health and safety is not negotiable," Falto said. "You can make a difference."

# Keep an eye on your public sector job: Staying ahead of AI and tech trends

By KATE STICKLES

In November 2020, after 66 years, toll collectors along the New York State Thruway signed off for the last time. All 1,100 of them — 200 full-time, 900 part-time — either retired or moved on to other state or private employment when their jobs were eliminated.

Why were they eliminated?

Technology.

The \$355 million conversion to cashless tolling reduces congestion through free-flowing traffic and reduces emissions by eliminating idling at toll booths, the Thruway Authority said. Good for the environment; bad for working men and women losing their livelihood.

PEF is ready to tackle the impact of artificial intelligence on the workforce.

At this year's annual Convention in October, PEF President Wayne Spence invited Amanda Ballantyne, executive director of the New York State AFL-CIO's Technology Institute, to address delegates about the impact of artificial intelligence and technology on public-sector jobs.

"Looking at digitization as a legislative priority, I think that is really smart," Ballantyne said to the delegates. "The labor movement can help shape these platforms for working people. Millions of jobs can be impacted by digitization technology. It is so important for the future of our economy that the labor movement gets involved."

In the 2023 State and Legislative Agendas approved at Convention, PEF included a priority on technology, asking for a seat at the table and input in the process.

"PEF, working with its national affiliates AFT and SEIU, will advocate for federal and state legislation, regulations and/or provisions in the PEF contract to increase members' protection by allowing transparency and control over members' personal data, and advocate for the development of a digitalization and artificial intelligence environment where the ultimate responsibility and accountability for the collection, usage and dissemination of personal and other data lies with humans, not with the technology itself," the agendas read.



Amanda Ballantyne, Executive Director of the New York State AFL-CIO's Technology Institute, addresses delegates at the 2022 PEF Convention on Oct. 24 in Niagara Falls.

Additionally, PEF will work to ensure that all artificial intelligence is grounded in ethical values, principles and human rights, including a review of costs, equity, efficiency, inclusiveness and accountability, and PEF will work to ensure that members and the union maintain a voice in each step of the process in the development and implementation of digitalization and artificial intelligence applications, including algorithm design, procurement, training, implementations and assessment.

### PEF is already facing it

For PEF members at the Department of Corrections and Community Supervision, the issue hits close to home as parole officers deal with the impact of the state trusting an algorithm over their years of experience and knowledge.

The Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) software uses an algorithm to assess potential recidivism risk in the parolee population. It is supposed to assist DOCCS staff in determining the supervision, treatment, and interventions appropriate for inmates upon entry into the state prison system and for parolees who have violated the terms of their release and are returned to prison. It is also used to evaluate inmates' suitability for parole, to conduct recurring evaluations of parolees while they are on parole, and to set the level of supervision for parolees.

At the September Executive Board meeting, PEF President Wayne Spence announced COMPAS would be the subject of a research grant, secured by PEF from its international parent union SEIU, with an eye toward assessing the technology's pitfalls.

"Before the algorithm, parole officers used their judgment based on their experience," he said. Parole officers have already noticed a trend against people of color in the software, Spence said. A variety of research studies focused on the use of COMPAS in other states have found evidence that it does not accurately assess parolees' risk of recidivism, and some have found that COMPAS exhibits signs of racial bias.

PEF's study will focus primarily on the impact of COMPAS on the work and working conditions of parole officers and senior parole officers. PEF is also working on obtaining data that will allow it to look at the accuracy of COMPAS assessments.

To obtain reliable results, PEF is conducting a survey and needs as many parole officers and senior parole officers as possible to participate. The survey takes about five minutes to complete. Parole officers and senior parole officers who want to complete the survey but do not have the link can contact PEF staff at [compas@pef.org](mailto:compas@pef.org).

The union will use the results of this study in its advocacy efforts.

### Learn so you can bargain

The impact of digitization may not just involve taking over job functions. The advent of new technology has and continues to impact how employers monitor their workforce. Knowing how the technology works will help unions bargain for fair use.

"You would be shocked how little management often understands the technology," Ballantyne told Convention attendees last month.

Unions are best positioned to monitor technology in the workplace and act on issues that arise.

"We care about people," she said. "We are the organizations that have the structure and the power to push back on these things. You are one of the largest unions in New York state, you can really play a leadership role here. Public-sector unions have a huge stake in what the future looks like."

"Think about AI and digitization like they are electricity," she said. When electricity was first introduced, people thought it was novel, but they never fathomed how integral it would become to daily life. "Right now, AI is clunky, but that will change. The question is, will it change for the better?"

# RECOMMIT TODAY!

**NEW + EXISTING PEF MEMBERS**

**SIGN NOW!**



## Scarlett Ahmed

*This is the first in a series of Q&As with Union leaders across the state.  
If you have a suggestion for a profile, please email [communicator@pef.org](mailto:communicator@pef.org).*

### How long have you been a PEF member?

I've been a PEF member since May 1, 2008 (May Day), when I started with the New York State Department of Labor (DOL). I asked a lot of pain-in-the-neck questions at PEF membership meetings, so the Council Leader, Ron Goldstein, encouraged me to become a Steward. Occupy Wall Street happened practically outside my office window -- another inspiration to run for Steward and become an activist.

### What positions do you hold in PEF?

I am the PEF chair of our statewide Labor-Management committee for DOL. At the height of the pandemic, the committee convened every two weeks, because there were so many concerns about telecommuting and health and safety issues. Now we are back to quarterly meetings, thank goodness. I also serve as chair for PEF's statewide Women's Committee. We had a lot of activities during Women's History Month, including a forum with women leaders such as Attorney General Tish James. I helped draft the committee's bylaws, because we didn't have any, and I drafted a 2022 Convention resolution in support of reproductive rights, modeled after AFT's recent resolution. I also drafted a statement about the overturn of Roe v. Wade that PEF President Wayne Spence and other PEF leaders co-signed. It was considered a somewhat "radical" statement. I'm glad that many others signed on, but also alarmed that women's rights are considered too radical or irrelevant by some union members. We need to work on that.

I chair a special joint committee on hourly and temporary state employees, a special interest of mine because many of my colleagues are hourly and they are not paid the same as others for doing the same work. That fundamental unfairness bothers me as a union leader. I want to win justice for them by any means necessary.

I have a lot of other PEF titles as well. As a PEF Council Leader representing NYC DOL folks, I help organize local labor-management committee and health and safety committee work, although our division is lucky to have two great local Stewards who chair those committees, Michelle Maldonado and Michael Marquez, not to mention our terrific PEF Field Representative Robert Wright. I am a member of PEF's Executive Board, representing a turf that stretches from Long Island to Albany. I attend quarterly meetings in Albany. I was also just appointed by President Spence to AFT's Human Rights Committee. Plus, I am also on PEF's contract bargaining team.

### Briefly summarize what you do for the people of New York.

At DOL, I started as a Labor Services Representative at the downtown Manhattan Career Center in New York City in 2008. Now I am a Supervising Labor Services Representative at a Career Center in Queens. Jobseekers report to our office for help looking for work and training opportunities. They are usually required to report while collecting unemployment insurance benefits. In addition to employment services, we also provide some guidance with navigating unemployment insurance, although we do not issue determinations. During the pandemic, most of us had to switch gears and help the unemployment insurance unit full-time.

### Tell me how you have supported PEF's Fund Our Future campaign.

I support PEF's Fund Our Future campaign in two ways -- directly appealing to members to sign letters and petitions in support of the campaign, and through my work with political candidates. In April 2022, I was a team leader for PEF's so-called "Albany Blitz," spearheading worksite meetings for PEF members by day, then knocking on doors at night to meet potential new members. PEF members were very enthusiastic about it. Nothing beats talking to members in person. They were hungry for it after months of isolation due to the COVID pandemic.

As a member of the Democratic Socialists of America (DSA), I've had the opportunity to educate some of their endorsed candidates on PEF's Fund Our Future campaign, especially the ones seeking PEF's endorsement through our local political action committee. There is a lot of overlap between DSA's priorities and PEF's Fund Our Future campaign. It's great to bring these two aspects of my activism together.

### Please comment on the value of public employees.

I could write a grad school paper on that, but to keep it plain, clients who walk into my office expect their government to work. They are not asking for a private-sector or market-driven solution to their needs. They want their government to be there for them when they need help. If public-sector facilities are understaffed and under-resourced, it feeds into the notion that the system is rigged against ordinary working people in their hour of need, weakening faith in democratic institutions. As a union leader, I also understand that attacks on public-sector employees are attacks on unions, since much of the public sector workforce is unionized. I think it's very important for public sector employees to stand in solidarity with the workers trying to unionize at private companies like Starbucks and Amazon, and with other struggles that fall outside formal unionism. Public sector employees are at the intersection of social justice and the labor movement.



# Scarlett Ahmed



Executive Board member Scarlett Ahmed listens to a speaker at the 2022 PEF Convention on Oct. 24 in Niagara Falls.

# Hard work doesn't scare this nurse

By **SHERRY HALBROOK**

Among the tens of thousands of PEF members, nurses represent the largest title group. They work in very diverse settings across the state, like Hutchings Psychiatric Center.

That's where Margaret Dobbins performs her job as a nurse 3, psychiatric. She is a member of the PEF Executive Board and council leader of PEF Division 301.

Dobbins began her career in state service in 1988 working with surgical patients at SUNY Upstate University Hospital in Syracuse. She left after two years to work as a traveling nurse, but returned in 2009 to work at Hutchings, where her sister, Kimberly Cass, is a social worker and a PEF member.

Dobbins said she quickly developed a deep love and commitment to serving the often vulnerable and fragile patients at Hutchings.

"I've only taken three sick days since I came here, because they need me," Dobbins said. "They know they can tell me anything. I want to be here for them."

In 2009, she started at Hutchings in the in-patient area as a charge nurse. She then moved to the outpatient area as a medication nurse in 2010. In 2013, the year she achieved her Bachelor's degree in nursing, she became an RN 3 and was responsible for the orientations, education, and training of all new employees.

Dobbins further went on to achieve her Master's degree in 2017 and her Doctorate of Nurse Practice in 2022. She took full advantage of all the education financial support that PEF and the contract offered, plus she accessed additional funds the state Office of Mental Health provided employees to ease the cost.

[Click here for information about the Nurses' Enhanced College Tuition Reimbursement program offered by PEF Membership Benefits](#)

Dobbins is currently working in outpatient services and is responsible for supervising all the adult clinics, children's outpatient clinics, children's respite, and "ON TRACK," which is an intense program for adolescents suffering from schizophrenia, where the goal is the use of early interventions to improve outcomes, such as staying in school, and maintaining employment.

Somehow, Dobbins also has found the time to take on a long list of union responsibilities including steward, council leader, labor-management chair, Executive Board member, convention delegate, and most recently, a member of PEF's statewide nurses committee.

In her personal life, Dobbins said she enjoys "travel, cooking, reading, working out and playing with my dogs." At one point in time this year, she had six dogs under her roof, some were hers, and the others belonged to her children.

When asked what she likes best about her union involvement, Dobbins said it's "the PEF relationships." She stated that PEF has given her a voice for the members, and she is deeply grateful for the opportunity to serve the members.

When asked why she became a nurse, she chuckled, and said that her father was in the Air Force and her mom was a nurse, so she grew up wanting to be an Air Force nurse.

During the height of the pandemic, Dobbins said she often came in to work on evenings and weekends to administer COVID tests and vaccinations. While her work at Hutchings is hard and full of challenges, Dobbins said her core motivation for doing it is, "I love my patients. They are the reason I come to work!"



**Margaret  
Dobbins**







# 44th Annual PEF Convention brimming with energy, action

By **SHERRY HALBROOK**

PEF's 44th Annual Convention was held October 23-26 in Niagara Falls. The weather was sunny and warm, and the delegates sailed through all their work.

PEF President Wayne Spence, speaking from the podium at the Convention's final plenary session, said he was impressed delegates managed to finish their work with half an hour or so to spare.

"Thank you for stepping on the gas," Spence told them, and numerous delegates went to the mics to thank him and Convention Committee Chair Vice President Darlene Williams for conducting such a productive and pleasant convention.

"I want to congratulate you on a convention that was really well put together. You set the bar very high. It was amazing!" said delegate Margaret Dobbins, a Region 4 member who works at Hutchings Psychiatric Center.

The many events were interspersed with speakers, mostly on video messages, who brought inspiration and vows of loyal support for the union, its issues and its goals. More than half mentioned that they grew up in union households.

"Reclaim Our Future" was the convention theme and the more than 460 delegates were focused on it, attending the plenary sessions, workshops, departmental meetings, committee meetings, president's reception, departmental, veterans' and nurses' luncheons, health and safety breakfast, and the annual multi-cultural and other events. They also bonded over an evening of music, karaoke and dancing.

The delegates reviewed and voted on all 12 proposed resolutions, approved two amendments to PEF's constitution and bylaws, and set PEF's legislative priorities for both the state and federal agenda in 2023. They heard and asked questions about reports from PEF President Spence, Secretary-Treasurer Joe Donahue and the three PEF trustees: Christopher Buman, Bruce Giddings and Muriel Hardy-Lee. Spence said information will be shared soon with delegates via Zoom about the just-completed PEF contract survey and the

Contract Team will have its first introductory meeting with State negotiators this month.

In addition to all of that, delegates volunteered during their lunch break and after the workday to join PEF Retirees in making phone calls to union members, reminding them of how important it is for them to vote in the November 8 general election that will pick New York's governor, lieutenant governor, legislators, and representatives in the U.S. House of Representatives and one of the state's two seats in the U.S. Senate.

Many delegates pledged to start contributing or increasing their contributions to COPE (the Committee on Political Education) that funds PEF's political actions on behalf of candidates and issues at the federal level. Three lucky members even won a pair of tickets to the Buffalo Bills game against the Cleveland Browns on Nov. 20 for starting or increasing COPE contributions. Labor unions are barred by law from using members' dues to fund those national political activities.

Delegates also joined PEF Staff and PEF Retirees in donating blood to the Red Cross at an on-site clinic, as well as supported breast cancer research and programs to aid victims of domestic violence. They also contributed to PEF Region 1's annual fundraising efforts for the Judy Scanlon Memorial Scholarships that honor Scanlon, a PEF member and psychiatric case worker who was murdered by a client in 1998.

The convention's positive spirit was capped off when delegates adopted a resolution that called for PEF to end all future conventions by playing the Ralph Chaplin classic song "Solidarity Forever." One of the younger delegates said he had never heard the song and asked that it be played before he voted on the resolution. The hall rang out with Pete Seeger's recording of this traditional labor standard, and the delegates voted a resounding, "Yes!" At each Convention from now on, PEF will end with a sing-along of the 107-year-old anthem and its timeless message: "The union makes us strong!"





## STATE OF THE UNION

# Outlook for PEF has never been better

By **SHERRY HALBROOK**

PEF President Wayne Spence told delegates at the union's 44th Annual Convention that the state of the union is strong.

"Let me tell you, I have never felt better about where we are and where we are going," Spence said. "This year's convention theme is 'Reclaim Our Future' because we are focusing on the fact that we need to make sure that the (state) funds for our future are spent properly. When we advocate and fight to make sure they are – we WILL reclaim our future."

What good is it for the state to focus the public's attention and possibly its own on shiny new bridges, airports and other capital expenditures, Spence asked, if it is failing to invest in social infrastructure to reduce crime and treat mental illness?

"New York has not invested in its own workforce. When is that going to happen?" he wanted to know. "We need to make sure that when they spend public funds, those funds are spent properly."

Spence encouraged delegates to read the union's annual report, included in their convention materials, to see all the ways each PEF department has been investing members' dues in addressing members' workplace needs.

He then spent some time highlighting major union accomplishments in the past year, starting with hazard pay for the healthcare heroes of the pandemic.

"Listen, you can dress it up and call it a Healthcare Workforce Bonus, but everybody in this room knows what it is – it's HAZARD PAY for the health care heroes who have cared for the sick and dying since the pandemic began in 2020," said Spence about legislation signed by Gov. Hochul that pays patient-facing healthcare workers up to \$3,000 for their work during the pandemic. "And we were the only New York union that I know of that was pushing for it. In 2020 when so many of our members were supporting the State's pandemic response – from ITS staff setting up testing sites -- to parole officers pitching in with airport security – to Department of Labor reps processing record unemployment claims -- to all the nurses and doctors and social workers helping their fellow New Yorkers in need – PEF members were right there on the front lines, going to work while tens of thousands of workers stayed home. The work was literally life-threatening – and endangered the health of your families. And it was obvious to those of us here on this stage that if we didn't step up as a union and DEMAND the state recognize that sacrifice, all we were going to get were grateful speeches and cold pizzas."



Spence praised the governor for asking PEF for the job titles of its members who came to work throughout the COVID-19 lockdown to provide hands-on care and services to New Yorkers who were desperately ill and in need of those services and care.

"We submitted 300 titles," Spence said, but the governor said she only wanted 'patient-facing' titles. "What came out, was not what we submitted."

The PEF president gave special praise to members who are scientists at the state Health Department's Wadsworth Laboratories and who developed the first tests for COVID.

"They started that research in January 2020 and they worked six days a week, sometimes putting in 12-hour workdays," he said.

Because PEF led a relentless fight for hazardous duty pay for its members who risked their own lives to save others, nurses have received additional pay, but Spence said many more members deserve it.

"Because of PEF leading the way – members at every other union outside of PEF with eligible titles are reaping the benefits. Did we get it for everybody? No. But we're not about to turn it down. One thing I've learned as your president -- it's never all or nothing in this job. In a union with 50,000 members and 3,000 titles, we crack open the door and then we try to push it wide open. So, we're not done yet. We plan to keep pushing for more titles to be added. Because anyone who helped New Yorkers survive some of the hardest days in our state's history deserves that money."

The president also touched on major budgetary wins for the union.





"This was the most positive state budget I've seen as your president. There were no service cuts, no layoffs – in fact, for the first time in more than a decade, the state actually REINVESTED in its workforce, just like we asked them to in the Fund Our Future campaign material that we gave them," he said. "We provided materials to the governor's team when she addressed this body last October. The level of accessibility that PEF now has is something that we didn't have with the former governor. We have a major seat at the table and we should be proud of that."

Spence said this year's state budget contained many of PEF's top legislative priorities such as pension reform. A law passed this year reduces the vesting period for all current and future members in tiers 5 and 6 from 10 years to 5.

"When we asked members to write their elected leaders in the State Senate and Assembly, they responded, big time!" said Spence. "Thousands of you participated in letter-writing campaigns and helped convince lawmakers that the state pension plan needed changing in order to better recruit and retain skilled employees. Along those same lines, this budget takes some major steps toward making New York a competitive employer again. With the hiring freeze lifted, the budget included an increase of just over 3 percent in funding for state operations. The goal is to re-grow the state workforce to pre-pandemic levels. Conversations at various agencies have started on that topic and we will continue to advocate for hiring statewide to fill all the open positions in our bargaining unit."

"The budget also took steps to make it easier to grow the state workforce," Spence reported. And delegates responded appreciatively when he announced, "New Civil Service testing centers will be established at SUNY campuses so that students can more easily join state service when they graduate. We are pushing to make those testing centers available to all, in order to help address the long-standing problem of how difficult it is in some parts of the state for civil servants to travel to a testing center."

Spence added that it was no accident that the state budget added 100 stabilization beds at the Office of Mental Health for people with severe disabilities. "We spoke about it at SOMOS and any chance we got. And PEF asked for that in our Fund Our Future campaign. And it's not an accident that SUNY hospitals received supplemental funding to serve their communities. Sen. Zellnor Myrie was a great partner with that. And it's not an accident that the state Office of Information Technology Services was awarded \$2 million to help staff obtain technology certifications that are in demand. PEF asked for that. I could keep going, but I think you get the idea. PEF is leading the way, advocating on behalf of all our members and delivering what they need."

Spence said PEF is expanding its Fund Our Future for a Thriving New York campaign and will make it an important part of the union's contract negotiations. PEF has hired Ron Deutsch to lead external outreach efforts to identify local, state and international partners for a broad coalition effort.

Geographic pay and title restructuring are finally moving forward for nurses thanks to years of PEF's unflagging advocacy. "It adds up to thousands of additional dollars for the heroes who helped us survive the pandemic," Spence said. "We know it isn't perfect and we will continue to work with the state on this restructuring." He also said that negotiating a temporary overtime pay equaling



2.5 times regular pay has benefited thousands of members in hundreds of PEF job titles at the following agencies: Department of Corrections and Community Services; the Health Department; the Office of Mental Health, the Office for People with Developmental Disabilities, Alcohol and Substance Abuse Services, and Children and Family Services, as well as the State University of New York.

The union has also given voice to its members who are in parole jobs and who have found those jobs made much harder by Less Is More and other legislation that has weakened penalties for parole violations, Spence reported. PEF is educating state legislators and the public on these issues. Parole officers are also forced to work with a computer program called COMPAS that is replacing their professional judgment with an algorithm to predict how likely a parolee is to commit another crime. PEF has received a grant from the AFL-CIO to conduct a study to find out just how good this app is at doing that job.

PEF has greatly expanded its member engagement efforts and Spence said he led a tour by the statewide officers that reached eight of the union's 12 regions so far and will continue into 2023. The tour has visited nearly 50 worksites and engaged with approximately 3,000 members. "We listened, we took notes, we went back to headquarters and we took action," Spence said. "All of the items that were brought up by our members are being addressed by field staff, organizing and others."

PEF discussed the contract negotiations set to begin in November at those meetings and Spence said the union will reach out to the delegates via Zoom to update them.

Meanwhile, PEF is becoming increasingly recognized as a national labor leader, Spence said. After AFT showed a [video](#) at its convention that focused on what PEF is doing with the Fund Our Future campaign, Spence said, "AFT delegates and leaders from other locals came up to me and asked for our materials so they can do something similar in their own states. They're all watching PEF. They turn to us for advice and mentoring. I was proud to send PEF staff and leaders to assist with campaigns in Colorado and California this year to help AFT and SEIU (Service Employee International Union) locals make progress in their own fights. PEF is powerful and we're not stopping now!"





## SECRETARY-TREASURER'S REPORT

# PEF in good spot financially despite loss of state workers during hiring freeze

By **SHERRY HALBROOK**

PEF Secretary-Treasurer Joe Donahue told delegates to PEF'S 44th Annual Convention in October that he has kept a sharp eye out to ensure transparency and compliance with laws and PEF policies in conducting the union's fiscal management over the year since the 2021 convention.

PEF is in good fiscal shape, Donahue said, and a close look at findings in the union's [Consolidated Financial Statements](#) for the end of the 2021-22 fiscal year and the independent auditor's report help to show that.

They show that PEF ended that year with net assets of \$28 million — nearly \$3 million higher than the previous year.

Revenue from union dues increased, partly because members received retroactive pay increases through the contract with the state that will expire April 1, 2023. This helped to offset the membership decrease created by the state hiring freeze that left 5,000 PEF-represented positions vacant. That freeze has now been lifted.

The increased income and restrained spending have allowed the union to invest \$750,000 in securities, Donahue reported.

"As always, I will continue to work with PEF's Finance Department to clarify policy, and ensure adherence by all members, so that we are able to maintain the levels of representation that our members deserve."



Donahue answered delegates' questions about specific financial issues such as the average dues per member. Donahue estimated it to be about \$800 per year. In response to another question, he said it generally takes about a month to begin receiving dues from new members. And he noted the PEF Membership Benefits Program is a separate entity that has approximately \$20 million in assets.



# Delegates amend PEF Constitution, pass resolutions

By SHERRY HALBROOK

Delegates to PEF's convention in Niagara Falls approved two amendments to the PEF Constitution and dealt with a dozen proposed resolutions submitted by officers and members.

The first of the constitutional amendments simply removed references to "fee payers," since that term was made obsolete by a ruling of the U.S. Supreme Court. The second amendment specifies that a stated cause for the action must be given when attempting to recall an elected union official.

The delegates approved seven of the 12 resolutions with no amendments, they amended and approved three more and the remaining two resolutions were ruled out of order.

The resolutions that were debated and approved as printed or as amended dealt with:

1. **Perfecting civil service** and the merit system, which directs PEF's Legislative and Civil Service Enforcement and Research departments to form a joint work group to analyze the current state civil service law, rules and practices that create the most difficulty for members to access fair and equitable hiring and promotional practices. The work group will survey members to identify the main obstacles and then report to the PEF Executive Board in the spring of 2023 with recommendations for legislative and political advocacy.
2. **Ending hostile workplaces**, which directs the PEF Health & Safety, Legislative and Contract Administration departments to form a joint work group to discuss, evaluate and work on enforceable contractual or legal definitions and remedies to toxic encounters. These remedies should include the ability to file hostile workplace complaints and movement of such complaints to executive level labor-management meetings, as well as provide a means to quickly resolve issues for members who are in a hostile situation.
3. Seeking to ensure **Executive Board representation of all membership constituencies** by directing the Constitution and Bylaws Committee in conjunction with the affected PEF division to review situations that arise when the creation of new agencies, appointing authorities, work locations or job titles between PEF's triennial apportionments occur and members find themselves outside any defined board constituency. The committee should propose solutions to achieve board representation in such cases.
4. **Protecting the interests of PEF members and retirees** if legislation to create a single-payer health care plan advances in the state Legislature. PEF would act to ensure such legislation "carved out" state and local government employee unions, or that it was accompanied by amending the State Constitution to expand existing provisions of Article 5, Section 7, which prohibit the diminution of pension benefits to include health insurance benefits.
5. **Eliminating restrictions on overtime** for health care workers based on salary grade by securing changes via contract negotiations, civil service or legislative actions.
6. **Ensuring division inclusion** of all individuals in PEF-represented jobs. This would involve identifying individuals with no PEF division and notifying the PEF Organizing department, which would work with the appropriate Executive Board representatives and PEF regional coordinator and the affected PEF members to either assign them to an existing division or help them form a new division.
7. **Specifying timeliness** of electronically submitted or emailed resolutions, legislative agenda items and other items submitted for consideration at Convention by making them due at 11:59:59 p.m. Eastern time on the due date for such materials.
8. **Adopting the song "Solidarity Forever"** as the anthem PEF shall play at the end of every PEF Convention.
9. **Engaging new members** and leaders by considering school district calendars and avoiding important "markers" to the greatest extent possible when scheduling Executive Board meetings.
10. **Improving digitalization awareness** and training by working collaboratively starting this year with PSI (Public Service International), AFT (American Federation of Teachers) LMAC and the PEF Training & Education department to train PEF labor-management teams and chairs to prepare for discussion of the use of digitalization in public employment.

Resolution 11 was ruled out of order for lack of a required fiscal impact statement. Resolution 12 was ruled out of order based on the body's prior adoption of the Constitutional amendment on the same subject.





# Keynote speaker: PEF making strides to reclaim the future

By KATE STICKLES

Rev. Terrence L. Melvin, secretary-treasurer of the New York State AFL-CIO, fired up the delegates on the floor during his keynote address at the 44th Annual Convention in Niagara Falls.

"It's good to be here with you," he said. "It's truly humbling to be amongst such proud and successful union members. Congratulations on setting the bar for your union siblings in New York. You should be proud of what you have accomplished."

Melvin drew attention to PEF's successful fight for 2.5x overtime pay and Tier 5 and 6 pension improvements, and said these wins are just the opening salvo for the union.

"Your theme at the Convention is Reclaim Our Future," he said. "Here, you are putting your footprints in the present. This is just the beginning, just the start, but it's a good one. We need to fight for tomorrow, today. That's our mission as true labor leaders."

The key to a better future is fighting for the pay, benefits, and respect members deserve.

"We cannot maintain staffing if new hires get the short end of the stick on health care and retirement," Melvin said. "New employees have no loyalty to the job when they know bosses have no loyalty to them. We have got to figure out as unions how to meet their needs."

"It is on us to reclaim the future for future generations," he said.

Melvin called on the delegates to get involved.

"Our state is at a tipping point," he said. "I'm sounding the alarm. We are losing. There is no more time to talk or debate, I am here to

call you to action. We need to get active, get moving, get mobilized. There is too much on the line in 2022 for working men and women."

He urged everyone to get out and vote for strong representatives who share our values and will fight for our needs.

"Gun violence is no joke," he said. "Your grandmother should be able to go to the grocery store, you should be able to go to your house of worship, and your kids should be able to go to school without fear," he said. "I'm sick and tired of seeing more shootings and killings that make no sense. We need common sense laws."

Unions should also fight for women's rights, he said. "The ultra-conservative Supreme Court is no joke. Roe v. Wade is just the tip of the iceberg. They want to tell a woman what to do with her body," Melvin said.

The way forward is unions.

"Organize, organize, organize," he said. "This is our path to victory. When we organize, everything else will make sense. When we fight, we win freedom, equality, and liberation for our country and our nation."

Rev. Melvin has served as secretary-treasurer of NYS AFL-CIO since 2007. He is an ordained Baptist minister and active in the Second Baptist Church in Lackawanna, N.Y. He is also the international president of the Coalition of Black Trade Unionists, where he focuses on addressing the concerns of Black workers and their communities in all 50 states and Ontario, Canada.



# Peoples-Stokes: We are public servants, not servants of ourselves

By KATE STICKLES

New York State Assembly Majority Leader Crystal D. Peoples-Stokes praised PEF members for the work they do and the hope they bring to the future.

"I believe in public service," she said. "This is how we move forward. We have a responsibility to deliver a service. We are public servants, not servants of ourselves."

Peoples-Stokes has represented Buffalo's 141st Assembly District since 2003 and comes from a union household, the daughter of a schoolteacher and a sanitation worker.

She is known as a strong advocate who puts people and principle before politics; fights for diversity; and has dedicated herself to ensuring minority and women-owned businesses have a fair chance to obtain state contracts.

"Reclaim the future," she said, in reference to PEF's Convention theme. "It will be an inclusive future where everybody gets the best services. Thank you in advance for reclaiming our future."





# Union, political leaders send greetings to PEF delegates during Convention

By KATE STICKLES

Top union leaders, including SEIU President Mary Kay Henry and AFT President Randi Weingarten, and federal and state legislators and officials, including New York Attorney General Leticia James, sent virtual greetings and thanks to PEF delegates at the 44th Annual Convention in Niagara Falls.

You can view these videos, and more, on the PEF website [here](#).



**Mary Kay Henry: PEF is leading the way and scoring wins for its members**

The president of SEIU, one of PEF's parent unions, expressed gratitude for the work of PEF members and highlighted recent legislative and state budgets wins the union scored in a video to delegates.

"I am so proud of the work PEF does and I want to give special thanks and recognition to members who have worked so hard through the pandemic," said President Mary Kay Henry. "Public employees came to work every day during a global pandemic for the greater good, protecting and helping our most vulnerable residents. For this I, and

especially the New York residents, are very, very grateful."

Henry said PEF remains an important voice in New York.

"In the state budget and legislative process, you play a unique and important role," she said. "As an example, for this year's budget cycle, PEF was successful in securing several priority items, including a healthcare and mental hygiene workforce bonus program and the first significant reforms to Tier 5 and 6 retirement plans since their inception."

That work helped funnel much needed financial support to SUNY hospitals and increased the number of psychiatric stabilization beds operated by the state, she said. Henry said PEF's Fund Our Future campaign has also made waves.

"PEF's role as a model local to SEIU was highlighted in a variety of events and activities," she said. "Fund Our Future has been a leading voice for reshaping government in our public interest because you understand to have a functioning democracy we need to fund, support and empower the essential work of public employees who deliver the services we all use every day, from public education to affordable healthcare, transportation and safe streets, green spaces and so much more."

Union drives are taking the country by storm this year as employees take on big corporations and hold politicians accountable to campaign promises. And unions are standing strong on issues important to their members.

"Together we are fighting back against corporate interests that would shred quality public services," Henry said. "We aren't letting them divide us as they drive down wages and use race to divide us from each other and limit our power. Now, when workers are exerting their power like we haven't seen in years, going on strike,





quitting bad jobs in record numbers, winning historic contract victories, insisting on a racial reckoning, calling on elected officials to show us which side are they on: We have to be prepared to take advantage of the moment. We must make a major breakthrough on unions for all."

Election Day is the time to do it, she said.

"On November 8, we are taking our shared power to the polls," she said. "We will turn out in record numbers in this midterm election to elect leaders who will stand with working people instead of big corporations. SEIU is running the largest midterm field program in our union's history. We are working to mobilize our two million members in every state they work and live.

"Our vote is not just a show of support. It is a demand," she continued. "Together, we are building a positive future for all of New York state and for workers across the nation. Uniting them to demand that everyone be able to join together in unions and participate fully in our democracy."



#### **Weingarten: Unions work for a better life for all**

AFT President Randi Weingarten took time out of her busy bus tour ahead of the November 8 election to address PEF delegates in a video message.

"I want to take the opportunity to thank you, not only as the AFT president, but as a New York state resident, for the work you do every day," she said. "Whether you are protecting the environment, ensuring the health of our citizens and the people who live in our state, supporting the justice system, caring for kids, sustaining our infrastructure, helping our elderly, protecting our public revenue or ensuring fair pay in New York for New Yorkers -- your work is critical for all New Yorkers."

She applauded PEF for standing behind and standing for its members.

"PEF's advocacy for the people who do all this work is critical," she said. "Fighting for a voice, for respect and safety on the job, and fighting for the pay and benefits PEF members rightly deserve. Look at the recent win on nurse title structuring, which will help with recruitment and retention challenges. You were able to deliver. For years we've been trying."

As president of the 1.7 million strong union, one of PEF's international parent unions, Weingarten assured the delegates that AFT would always stand in solidarity with them.

"I want to make sure you know, we stand up with and for PEF," she said. "We fight for opportunities for a better life for all. One of the most important ways to create a better life for all is the work our union does and part of what our union does is working on elections."

She urged voters to show up to the polls and elect strong, labor-friendly representatives.

"There are many polarizing issues facing this country, but we're united, we, all of us, on one front," she said. "We want better lives for ourselves and those we care for. That's what the union movement is about. And that will come by growing the economy, creating good jobs, protecting the right to join a union, ensuring people have great public schools, ensuring they have great health care and a voice in the democracy."



#### **Delgado: State's top execs stand with PEF; support unions**

Lt. Gov. Antonio Delgado thanked and vowed support for PEF members and their issues during his video address to the delegates at Convention.

"Our state's public workforce has been stressed to the limits over the past few years as we fought COVID-19," he said. "Our public agencies not only had to maintain a high level of services, but also do so in the face of extraordinary challenges. It certainly has not been easy and at times it may have felt thankless, but what's been accomplished is amazing."

Delgado said he and Gov. Kathy Hochul answered when PEF asked for help for its members.

"You asked the governor to support nurses and she did, providing two and a half times overtime pay for nurses, LPNs, medical assistants and other eligible staff last year. And just last week the governor announced a series of pay increases for nursing positions within New York state agencies to help improve recruitment and retention among the state's healthcare workforce. We will continue to deliver for your 50,000-plus members."

Unions are the way of the future and protecting that right is vital to our future, Delgado said.

"I wholeheartedly stand with labor," he said. "We have got to protect collective bargaining and the right to organize, and we've got to protect you, our workforce. We are grateful for all that you do for the people of our state."



### **AG James: Meaningful action today to ensure a better future**

New York Attorney General Leticia James addressed the delegates by video, thanking them for their hard work and dedication as public servants.

"I thank the members of this great union," she said. "I am not just the attorney general of New York state, I am a New Yorker. Like millions of other New Yorkers, I benefit from the hard work and heroism of the 50,000-strong PEF members.

"Throughout this pandemic you kept our state working," she said. "New Yorkers were scared and relied upon government support and that means we needed you and your professionalism. You certainly led the way. You showed up for us and we have a responsibility to show up for you and support this incredible union."

James is the first woman of color to hold statewide office in New York and the first woman to be elected attorney general. She said it is time to take meaningful action to ensure an equitable future for the next generation of New Yorkers.

"That means funding the government we need, supporting a strong unionized workforce, and ensuring we can address the crises of the future," she said. "Let's ensure we build up the state workforce. Let's ensure our state workers have the training and benefits and safe working conditions that you deserve and let's ensure that New Yorkers get the very best public service because of the strongest public workforce.

"But most importantly, let's respect the workforce," she said. "Together we can build a stronger state for all because we have a strong public workforce. Thank you, PEF, for all you are doing."



### **Sen. Schumer: We've accomplished a lot; more to be done**

U.S. Senate Majority Leader Chuck Schumer greeted PEF delegates via video and thanked them for their work during the pandemic and promised to continue the fight for public employees.

"During these past few years of the pandemic PEF members have really distinguished themselves as true American heroes," Schumer said. "I know that recognition can be fleeting. Maybe it lasts just until the next crisis comes along or maybe until the next contract negotiation. But I promise you I will never, ever forget the work that you've done through the pandemic and continue to do every day."

Schumer said he fought for COVID aid to protect state employees from layoffs during the fiscal crisis the pandemic created. He is known for protecting the middle class and those working to reach it by finding common sense solutions to national issues.

"Remember when the state was threatening to lay off state employees?" he asked. "Well, it never happened because I was able to pump billions of dollars into the state and local government coffers and stave those cuts off. That's something I'm really proud of."

He lauded President Biden's efforts on student loan forgiveness, his role in the proposal, and the need to continue the work of the people.

"It's going to help millions of working people," he said. "We've done so much together these past few years, but we are all aware, there's a lot more to accomplish. I promise you all I will continue to fight with you for our great state employees and working families each and every day."



## 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/](http://www.pef.org/ecommunicator-signup/)



# Nurses discuss legal issues in nursing practice during Convention luncheon

By KATE STICKLES

Nurses at the 44th PEF Convention in Niagara Falls dedicated their annual luncheon to discussing the staffing shortage plaguing their profession and learning about legal issues impacting nurses.

## Staffing woes

While Gov. Kathy Hochul's recent [restructuring of nurse titles and increases in salary](#) were welcome steps in the right direction, there is still a long way to go to adequately staff state agencies and hospitals.

An aging workforce, with the average age of a nurse at 52 and a nursing professor at 56, is a major roadblock to the profession. In 2010, approximately 60,000 nurses retired; in 2020, that number rose to 70,000. An additional 5 percent left during COVID.

"The reallocation isn't perfect," said luncheon speaker, Debbie Egel, a longtime nurse and attorney. "It's how you open the door. Then you get it to expand."

The state's current practice of using agency and travel nurses does more harm than good, Egel said.

"Hospitals turn to agency and travel nurses, which leads to nurses leaving institutions to be paid significantly more," she said. "This is also not sustainable for agencies. Travel nurses hurt institutions from a financial and a continuity of care perspective."

Some ideas Egel shared to bolster nursing ranks included a switch to online and simulation education to fill the pipeline and employ critical thinking; implementing practice/academic partnerships to see if a scholarship program can be created to fund nursing students and, in return, students commit to a specified number of years in a state nursing position; and pursuing financial incentives for additional credentials and skills.

## Legal issues

While the profession waits to see how much recent changes increase staffing, nurses continue to face mandatory overtime, burnout, and exhaustion trying to keep the people of New York healthy. Under those circumstances, mistakes can happen, and they can have huge repercussions for patients and nurses.



"There is a difference between your license and your job," Egel said. "You can find another job, but you can't get another license. As union members, you have support to help you protect your license."

Referencing the case of RaDonda Vaught, a former Tennessee nurse convicted of two felonies for a fatal drug error and later of criminally negligent homicide and gross neglect of an impaired adult, Egel drove the point home that mistakes can be devastating.

"Vaught's case stands out because medical errors – even deadly ones – are generally within the purview of state medical boards and lawsuits are almost never prosecuted in criminal court," she said. "Cases can take on more than one form. A person can both break a law, rule and/or commit a legal wrong against a private individual for the same conduct."



Some areas of criminal liability include drug diversion, billing fraud, falsifying records, patient abuse, and gross negligence; some civil liabilities include malpractice, negligence, and wrongful death; and some licensure liabilities include professional misconduct, scope of practice, documentation, abuse, and medication administration.

"You worked a double, you're tired, you come back the next day and a family complained," Egel hypothesized. "When you go back and document in the chart, add an addendum. It looks worse to replace something. Protect your license more than you protect your job."

#### How can you help yourself?

"Mitigate your liability by filling out a Protest of Assignment (POA) form," Egel said. "If there is a malpractice suit, you lessen your legal responsibility. How can PEF advocate for you without a POA to document the issues? Please encourage everybody to fill these forms out."

PEF members can find the [POA form here](#). You can also protest mandatory overtime with the Mandatory Overtime for Nurses Complaint Form (MOT) found here. PEF Nurse Coordinator Nora Higgins emphasized the importance of sending the form through your personal email account. PEF can't respond to your state email.

Egel also strongly urged nurses to take out a professional liability insurance policy.

What do you do if you have a complaint or claim filed against your license?

"Contact your malpractice insurance company as soon as you are aware of a potential claim," Egel said. "Do not discuss the claim with anyone. Notify your field rep at PEF. Do not sign or accept any documents."

Nurses can contact Higgins at [Nora.Higgins@pef.org](mailto:Nora.Higgins@pef.org) or visit the [nurses page on the PEF website](#) for assistance or with questions.



**American  
Red Cross**

## Law provides leave to work with the Red Cross

As a nurse, you know you help patients on the job, but did you know you can also volunteer with the American Red Cross and help even more – without missing any pay or jeopardizing your state job?

"You have the skillset to be a resource in our shelters," said Red Cross volunteer recruitment specialist, Grace Wach, during the nurse's luncheon at the PEF Convention. "The New York Disaster Leave Law provides that state government employees may be released from their jobs, with supervisor approval, to volunteer for Red Cross disaster relief assignments for up to 20 days in any calendar year. You are still paid your state salary."

The work could be taking health histories or blood pressure, for example, nothing outside the scope of practice for PEF nurses, she said.

As a trained Red Cross volunteer with RN, LPN, APRN, NP, EMT, paramedic, MD/DO or PA credentials and an active, current, and unencumbered license, you could help your neighbors after a house fire, flooding, or severe weather events.

Learn more about the Disaster Health Services team on the Red Cross [website](#).





# A deep dive into tackling a health and safety objective

By KATE STICKLES

Delegates hit the ground running on the second morning of Convention, coming together to discuss what makes a successful health and safety campaign during the annual Health and Safety Breakfast workshop.

“Health and safety is the nexus of the labor movement,” said Health and Safety Specialist Veronica Foley, leading the workshop. “We are here to work with you on strategy. Whenever you have a hazard, contact us.”

The morning touched on studying how employees participate in the decision-making process; how employees know about decisions that are made; and how agencies have made strides toward mitigating health and safety concerns that have been brought to their attention.

The delegates pointed to using worksite bulletin boards as a good way to keep members informed. Foley took it a step further, suggesting that a memo on any decisions signed by both labor and management representatives would go a long way to reinforcing faith and trust in the system.

A member brought up lack of action on any monetary issues on health and safety agendas. To combat this, Foley suggested backing up the ask with factual data, like worker’s compensation stats.

“Worker’s compensation costs can be astronomical for agencies,” she said. “It costs money when people go out. Look at what data can be mined to prove a case.”

Breaking out into groups, the attendees focused on choosing a health and safety concern and setting an objective to address the concern, as well as how to get members on site to participate in a campaign. They voted on one campaign to delve further into during the evening workshop.



## Digging into the ‘winning’ campaign

After plenary session, delegates returned to the health and safety arena to further explore the concern voted on – workplace violence – and how to work toward mitigation.

One of the night’s case studies focused on residential rehabilitation units (RRUs) developed by the Department of Corrections and Community Supervision (DOCCS) following passage of the Humane Alternatives to Long Term Solitary Confinement (HALT) legislation.



An RRU is a separate housing unit used for therapy, treatment, and rehabilitative programming of incarcerated individuals who have been determined to require more than 15 days of disciplinary confinement, according to DOCCS.

Members at a DOCCS facility reported increased workplace violence incidents, with lack of monitoring systems and inadequate communications, among other issues.

Foley broke down the process of tackling the issue: setting a major health and safety objective, solutions, and activities.

"Identify a major health and safety objective," she said. "A major health and safety objective is an overall statement of the desired outcome related to the safety, health, and well-being concern identified. Solutions are more specific, targeted objectives for what could be done to accomplish the major goal. Activities are specific actions that would bring the organization closer to achieving a solution."

Attendees set their case-study objective as reducing workplace violence incidents by 40 percent annually in the RRU at Upstate Correctional Facility.

They then proceeded to the next step, brainstorming solutions and activities.

The first idea was to analyze data and identify workplace violence trends. Members highlighted report writing training, educating

supervisors on reporting, and ensuring that all workplace violence incidents are reported as activities to support this solution.

"Create a professional write-up to bring to the table," Foley said. "Data is crucial to prove there is a problem."

This is where a worksite's SH 900 logs can be leveraged, she said. An employer is required by state law to keep an SH 900 log of all work-related injuries and illnesses.

"You have a right to request them and there is no cause needed," Foley said.

Increasing staffing levels became solution two, supported by activities such as reviewing current staffing ratios and defining the best-case ratio for the RRU.

Solution three was implementing additional safety measures, with identified activities including hooking up monitoring consoles already in-house; continuing to roll out GPS locator alarms; and strategic placement of incarcerated individuals based on their potential for violence.

"Health and safety staff is here to take these identified activities and consider strategies for moving forward and to bring these activities to fruition," Foley said.

To contact PEF Health and Safety, email [healthandsafety@pef.org](mailto:healthandsafety@pef.org) or call 800-342-4306, ext. 254.

# RECOMMIT TODAY!

**NEW + EXISTING PEF MEMBERS**

**SIGN NOW!**

# Delegates get tips for responding to Justice Center investigations, charges

By **SHERRY HALBROOK**

Many PEF members work at state agencies such as the Office for People with Developmental Disabilities that are subject to the watchdog efforts of the state Justice Center for People with Disabilities, and some members worry that they might be wrongly brought up on charges by the Justice Center in its efforts to protect individuals receiving services.

That's why PEF repeated a workshop on "Justice Center Dos and Don'ts" for delegates to the union's annual convention held last month in Niagara Falls. The workshop also was offered at PEF's 2021 convention.

The workshop gave an overview of the role of the Justice Center in investigating incidents, and charging and prosecuting employees who it believes have failed to follow the rules and procedures for providing proper care to the individuals in their charge. Importantly, the workshop advised the delegates on how to respond to investigations, interviews, interrogations and formal charges.

Attorney Emily Hannigan, Esq., of Lippes, Mathias, Wexler & Friedman Attorneys at Law LLP, and PEF field representative Meghan Keegan, who is a former Justice Center investigator, presented the workshop.

When the Justice Center investigates an incident or report of abuse or neglect, it may take one or more of three tracks, they said – administrative, disciplinary or criminal. And all three of these tracks can be involved at the same time.

Cases involving charges typically fall into one of three categories – 1. Serious (usually involving physical or sexual abuse) or 2. Slightly less serious (the individual was injured); or 3. Less serious (no one was seriously hurt). If you are found guilty of a category 1 offense that information will likely remain on your record. For a category 2 offense, it will usually be removed from your record after five years. The records are kept on the Vulnerable Persons Central Registry. Hannigan advised delegates that it is crucial to know your rights if you are caught up in a Justice Center investigation. If you were involved in or a witness to an incident, you would have been required to report it in writing.

As a mandated reporter, "Always document exactly what happened," Keegan advised. "What did you see? What was said? Who was there?"

If the Justice Center investigator asks to interview you, always ask, "Is it voluntary?" If you are told it is voluntary, then decline to be interviewed.

"They won't tell you if it is voluntary unless you ask them," Keegan said.

If the interview is compulsory, what you say cannot be used against



PEF Field Representative Meghan Keegan

you in a criminal prosecution, but it can support charges against you that threaten your job and your professional license or certification. When you are compelled to be interviewed, always say that you wish to be accompanied by a union representative. If your request is denied, make your request again in writing, and verbally when the interview begins and say you want your request and its denial on the record. During the interview, you can ask for a break to caucus with your union representative.

Generally, in such an interview, you should do more listening than talking, be as brief as possible, and be truthful. If you do not know the answer to a question, just say, "I don't know."

The goal is always to get in and out of such an interview as quickly as possible, Hannigan said. Remaining calm is important and do not bring documents to the interview unless you are ordered to do so. Do not claim that you have not read the employee manual. Save copies of any non-confidential work policies.

Only discuss the case with your union representative. If you are charged you will have only 30 days to respond.

You can help avoid being charged in a situation by promptly reporting unsafe conditions to your supervisor in writing. This includes things such as doors or lights that don't operate properly, and damaged fixtures or furnishings. It could become crucial evidence that you warned management of a hazard before someone was hurt.

# PEF military veterans invited to become Red Cross volunteers

By **SHERRY HALBROOK**

The PEF Veterans Committee upheld its tradition in October of holding a veterans luncheon at the union's annual convention.

The event was hosted by committee member Bruce Jagroop, since Committee Chair Latonia Taylor was serving active military duty.

Delegate Ali Muhsen, a U.S. Air Force retiree and chaplain at Auburn Correctional Facility, gave the benediction.

As usual, the committee set a separate table for one in honor of the service members still missing in action. Mike Favata, who retired from the U.S. Navy with the rank of Lieutenant Commander and now works as PEF's Special Events coordinator, appeared in uniform to read a poem about the tragic loss of members of the military in service.



Mike Favata, Lieutenant Commander, U.S. Navy (Retired)

The poem noted that shipmates stood their watch no matter what challenges their ship encountered, and Favata ended it saying, "as we say in the Navy, 'Shipmates, the watch stands relieved.'"

PEF President Wayne Spence attended the luncheon and had high praise for Favata and how fortunate PEF is to have him serving the union.

Spence said a PEF staff member recently lost a nephew who left military service with PTSD and then took his own life. The tragedy drove home the importance of honoring, respecting and supporting this nation's military veterans, he said.

We must "never turn our backs on our veterans," Spence said.

Two representatives of the Red Cross were guest speakers at the luncheon, and they spoke about the important role the Red Cross plays as a liaison between the families of military veterans and the various military commands. They also spoke about the very important work that military retirees and others do as Red Cross volunteers who help them respond to every kind of disaster.



PEF delegates attending the annual Veterans Committee Luncheon at the union's convention in Niagara Falls each received a mug designed and made for them by MiMi, a friend and guest of PEF Trustee Christopher Buman, who is a military veteran.

Their group, based in western New York, serves 2.8 million people and volunteers provide 98 percent of the work.

"Everyone has something to share," Red Cross representative Grace Wach told the delegates. "We are always looking for volunteer support. There's a place for everyone."

Wach and the other Red Cross representative said that under the state Disaster Leave Law PEF members can get up to 20 days of paid leave to serve as Red Cross volunteer responders to disasters.

Delegate Richard Fletcher, who is also a military veteran, said he has volunteered with the Red Cross many times, responding to disasters this year in Louisiana, Nevada, California, and here in New York state in Buffalo and Binghamton.

"The Red Cross works just like the military. They have a great structure," Fletcher said.

If you would like to volunteer, email [grace.wach@redcross.org](mailto:grace.wach@redcross.org) or visit [www.redcross.org/volunteertoday](http://www.redcross.org/volunteertoday) online.

# An event of many cultures

By KATE STICKLES

Diversity. Inclusion. Equity. [The PEF Black Caucus](#), the Hispanic Committee, the Indo-American Committee, the Jewish Committee, and the Caribbean Committee came together during the Convention to share their heritages with fellow delegates and call for diversity, inclusion and equity within PEF and in our communities.

The Hispanic Committee talked about a pilot program to offer Civil Service exams in other languages. The Black Caucus, organized the same year as PEF, shared its history and mission, to recognize the importance of diversity and inclusion and offer scholarships to college students.

At the Caribbean Committee presentation, members dressed up and entered the room carrying bananas, singing and distributing food to each table as PEF Vice President Sharon DeSilva shared the story of how banana pickers worked long hours for little pay and under horrible conditions. She said Caribbean people leave beaches and come to America for the same benefits and freedoms we enjoy.

The Jewish Committee discussed the diversity within the Jewish community, from Africa, to China, the hispanic countries, to Cuba, where Jewish culture has been around since the Spanish Inquisition.

[Celebrating Diwali](#), the Indo-American Committee shared its Festival of Lights with delegates.

“We need to expose others to this,” said PEF President Wayne Spence. While you may not be able to travel to Morocco, he said, you can experience the culture through Moroccan food. Next year, he hopes planning for the event can begin sooner and delegates can get a taste of the many cultures represented within PEF.

## Celebrating Diwali

The PEF Indo-American Committee celebrated Diwali with delegates at the annual Convention. Founding member and Committee President Radhakrishna Mohan said Diwali is the Festival of Lights and explained that millions observe the holiday across the world. PEF President Wayne Spence and members of his family joined the committee and delegates to light candles and celebrate new beginnings, the triumph of light over darkness, and good over evil.



PEF President Wayne Spence, joined by family and fellow union members, participates in lighting candles for Diwali.



President Spence swears in the officers of the PEF Black Caucus. From left to right: Spence, Saunders, White, Chowdhury, Rosello and Culpepper.

# PEF delegates enjoy Black Caucus meet & greet

By **SHERRY HALBROOK**

The PEF Black Caucus held a “meet and greet” event for its members and their guests at PEF’s 44th Annual Convention in Niagara Falls last month.

The group took advantage of the occasion to have PEF President Wayne Spence administer the oath of office to the caucus’ officers who were elected earlier in the year.

Caucus President Carrie Saunders told of the group’s proud history that began in 1979, when the caucus was founded in the same year that PEF took over as the bargaining agent for New York state’s Professional, Scientific and Technical unit.

While the caucus’ Black members continue to be very active in it, Saunders said, “It’s no longer just for Blacks.” PEF members of other races are welcome to join the group, which relies on the dues its members’ pay to it, rather than on funding from the union. It also raises funds to award scholarships.

Saunders encouraged delegates and other PEF members to check out the caucus’ website at <https://pefblackcaucus.org/>. On the website you will see the caucus’ mission: “To detect and expose discriminatory practices with respect to hiring, dismissal, promoting or transferring employees within the PS&T bargaining unit.”





# PEF has a committee to help you fight discrimination on the job

By **SHERRY HALBROOK**

If you are being discriminated against in your state job, you don't have to stand for it. PEF convention delegates had two chances to attend a workshop on the work of PEF's Joint Affirmative Action Advisory Committee to stand with members in that unfair and unfortunate situation.

PEF President Wayne Spence said the union is getting a lot of complaints from its members who feel they are experiencing discrimination on the job.

Spence credited former PEF member Glendon Griffith for raising this issue.

Griffith was an investigator at the state Office of the Medicaid Inspector General (OMIG) in New York City, and he was one of many PEF members there who were very frustrated in 2015 about the agency's tendency to discriminate when making assignments.

"We went to the Governor's Office of Employee Relations time and time again about this," Spence said, "but GOER always denied it."

Spence said a recent court decision finally confirmed what the PEF members at OMIG had been saying all along.

The union serves with OER representatives on a Joint Affirmative Action Advisory Committee now, and the PEF members on that committee are stepping up to help their fellow members. The PEF members are chaired by Vice President Sharon DeSilva and include Mohammed Chowdhury, Tamara Martin, Bellew McManus, Ade Oluwo, retiree Charles Roland, and Cheryl Wallace. They are assisted by PEF's downstate field director, Ricardo Cruz, field representative Robert Wright and consultant Eric Josey.

They advised members who experience discrimination to start by notifying their PEF steward, council leader or field representative who can provide a complaint form to file with the state.

While you are not required to hire a lawyer to represent you in pressing your complaint, McManus said the state "is showing up at hearings with two or three lawyers who do this for a living."

McManus works for the state Division of Human Rights and he said the agency will investigate your complaint, but it will not advocate for you.

He also noted that while you can file your complaint online, "you might not understand what the Division of Human Rights thinks is important."

You have a better chance of succeeding, he said, if you work with Eric Josey to write your complaint and to follow up on it. You may get a finding of "probable cause." If the finding is "no probable cause," you can challenge that.

Josey cautioned PEF members that, "It's going to get worse before it gets better, if I get involved."

In some cases where he is involved, Josey said the member receives a notice of discipline within a week after filing and is suspended without pay for at least eight months.

Josey said it is important to insist on a stenographer to transcribe everything that's said at hearings because without that written documentation, you can't appeal an unfavorable decision.

In the case he was citing, Josey said the member finally got her job back with her retroactive pay and interest.

"Nobody is above the law," Josey said, "but you must have that written record."

He advised members to take the time to carefully read Articles 33 and 34 of the PEF contract. "Read the policy and understand it," Josey said.

"Most people fail by missing the statute of limitations for filing," Josey added. You have just 300 calendar days from the time of an incident to file a complaint with the Equal Opportunity Commission.

**JAAAC Trifold:** [Article 36 - Helping PEF Members Fight Against Employment Discrimination Today, Tomorrow and Forever](#)





PEF Statewide Officers and Membership Benefits staff visited Tops market in Buffalo on Oct. 22, to hand out insulated grocery bags and gift cards that were donated by generous MBP partners. Tops was the scene of the mass shooting on May 14, 2022, that killed 10 people.



## 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.

- **LaShon Boyd** is an habilitation specialist 1 at the Metro Developmental Disabilities Services Office in Manhattan.
- **Kimberly Ernst-Harris** is a supervising offender rehabilitation coordinator at the state Department of Corrections and Community Supervision central office in Albany.
- **Sally Fontana** is social work supervisor 1, LCSW at Mohawk Valley Psychiatric Center in Utica.
- **Cherie Griffin** is a taxpayer services specialist 2 at the state Department of Taxation and Finance in Albany.
- **Drina Holden** is a senior certification analyst at the state Department of Economic Development in Manhattan.
- **Roxeen Mundy** is an information technology specialist 2 at the state Office of Information Technology Services in Albany.
- **Melissa Pine** is an underwriter 1 at the state Insurance Fund in White Plains.
- **John Reed** is licensed master social worker 2 at Rockland Children's Psychiatric Center in Saugerties.
- **Darlene (Gemma) Rose** is an employment counselor for the state Labor Department in Amsterdam.
- **Laquita White** is a real estate specialist 1 at the state Transportation Department in Buffalo.
- **Caitlin Wilkens** is a research scientist 2 at the state Department of Corrections and Community Supervision main office in Albany.

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 189 and 190 of the 2019-23 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](mailto:thecomunicator@pef.org), or call 518 396-8201. Be sure to provide your contact information.



# NYS retirement fund strong, exemplary

I recently came across a report from The National Institute on Retirement Security (NIRS), which finds that state and local government retirement systems on the whole successfully navigated the 2007 to 2009 global financial crisis. Moreover, it found public retirement systems across the nation have adapted in the years since the recession by taking actions to ensure continued long-term resiliency.

You can read the entire report, which was titled “Examining the Experiences of Public Pension Plans Since the Great Recession,” [here](#), but I want to share with you a few findings from it. It was authored by NIRS Research Manager Tyler Bond, NIRS Executive Director Dan Doonan, Segal Vice President and Actuary Todd Tauzer, and Ronald Temple, Lazard managing director and co-head of Multi-Asset and head of U.S. Equity.

The report finds:

“The majority of public pension plans recovered their pre-recession asset levels within six years, while continuing to pay over a trillion dollars in benefits. In recent years, public plans have reported record-high asset levels.

“Discount rates, or the assumed rate of return on investments, have broadly decreased from 8 percent to 7 percent for the median public pension plan, based on actuarial and financial forecasts of future market returns.

“Generational mortality tables, possible today with more advanced financial modeling software, have been broadly adopted by nearly all large public plans and future longevity improvements are now incorporated into standard financial projections.

“Many public plans have shortened amortization periods, or the period of time required to pay off an unfunded actuarial accrued liability, to align with evolving actuarial best practices. Tightening amortization periods, akin to paying off a mortgage more quickly, has had the effect of increasing short-term costs. In the long run, plans and stakeholders will benefit.

“The intense focus on public-plan investment programs since the Great Recession misses the more important structural changes that generally have had a larger impact on plan finances and the resources necessary for retirement security.

“Plans have adjusted strategic asset allocations in response to market conditions. With less exposure to public equities and fixed income, plans increased exposure to real estate, private equity, and hedge funds.

“Professionally managed public defined-benefit plans rebalance investments during volatile times and avoid the behavioral drag observed in retail investment.”



The New York State and Local Retirement System (NYSLRS) Common Retirement Fund is strong. Our state comptroller, Tom DiNapoli, as the sole trustee has done an outstanding job. In fact, earlier this year, an independent auditor praised the fund for being “well prepared for the challenges posed by the COVID pandemic.” The review called the fund “a leader in transparency, ethics and performance.”

For years the Common Retirement Fund has been widely recognized as one of the best-funded and best managed public pension funds in the nation. In 2021, the fund commemorated 100 years of strength and security. While market volatility and economic uncertainty are likely to continue, I believe the fund is well positioned to meet the challenges of the future and help provide retirement security for NYSLRS members and beneficiaries for generations to come.

You can find more information about our state Retirement Fund at [www.osc.state.ny.us/common-retirement-fund](http://www.osc.state.ny.us/common-retirement-fund).





# Letters to the Editor

---

### Questions timing of negotiations

**To the Editor:** Contract negotiations in November, right after an election, is worthless. I've been asking for months to begin in the summer, when CSEA negotiated. Immediately after an election is the WORST possible time to negotiate. There's no incentive for Gov. Hochul to make concessions as there's a long time until the next election. As usual, CSEA is two steps ahead of PEF, and now PEF members will get shafted. Again.

**ED FISCHER**

Liverpool, NY

***Editor's Note:** The PEF 2019-2023 contract with the state does not expire until April 1, 2023. It is for a different duration than the CSEA contract. While the grass may appear to look greener on the other side of the fence, the contract PEF negotiates is tailored to best meet the overall and specific needs of its members.*

---

### Sees convention as extravagance

**To the Editor:** Who is paying for this conference (2022 Annual PEF Convention)? It can't be held locally? I hope this isn't what my union dues are paying for. I need dental coverage, not some big pooh pah in Niagara Falls. How does one justify that kind of conference? Have we forgotten COVID so soon?

**LYNN DRAISS**

Slingerlands

***Editor's Note:** The PEF Constitution requires that the union hold an annual convention, and it is paid for by members' dues. Delegates at the convention are the highest decision-making body in PEF and must complete the business of the union. They consider changes to PEF policies and vote on federal and state legislative agendas, in addition to attending valuable workshops and training sessions to help them better advocate for PEF members. Conventions are held in different locations throughout the state because members work in every part of New York. In 2020, at the height of the pandemic and lockdown, the convention had to be held virtually. In 2023 and 2024, the PEF Executive Board has voted to hold the Convention in Syracuse.*

---

### Show me the money!

**To the Editor:** There isn't a word in a recent eCommunicator Plus about the hundreds of hours of unpaid overtime that we worked during the COVID-19 (lockdown). Why are you still not doing anything about it? No, we haven't forgotten.

**BRIAN DeSTEFANIS Jr.**

Utica

***Editor's Note:** Any member who is ordered to work overtime and does not get paid for doing it should file a contract grievance. Please contact your PEF field representative. That said, many members may still feel that even the temporary rate of two-and-a-half times regular pay that PEF negotiated for its front-line members who worked COVID overtime does not fairly compensate them for the personal risks to their health that they incurred during the pandemic. That's why PEF has argued for hazard pay for any member deemed "essential" during the pandemic and will continue to do so. As PEF President Wayne Spence stated at the union's convention in October, the union continues to work on this issue and has not forgotten the serious risks and sacrifices its members made.*







**PEF is now  
on Instagram!  
Follow us today  
[@nyspef](https://www.instagram.com/nyspef)**



# PEF Trustee Report to the 2022 Convention Delegates Amended Version



Presented at the  
44th Annual Convention  
Niagara Falls, NY  
October 23rd - 26th, 2022

Submitted by Christopher Buman, Bruce Giddings,  
and Muriel Hardy-Lee

# Mission

The Trustees are charged by PEF's Constitution to periodically review PEF's financial records, to report to the membership any activities not in their best interest, and to attend Executive Board meetings. We meet periodically and review Division Audits, Regional Budgets, expense vouchers, and other issues, both at random and based on member's concerns. After these reviews, the Trustees make appropriate recommendations of action in keeping with PEF policies. Per PEF policy, the Trustees also report on the implementation of resolutions that were passed by the previous year's convention body.

The goal of the Convention is to conduct the union's business with the support and at the will of the body. In this forum, the Convention delegates have the final authority in the organization. In This manner PEF will be able to promote and fulfill its mission and objectives, while concurrently addressing the present-day issues which influence PEF insofar as terms and conditions of employment. This is genuinely the work of the union body.

For said reason, it is the responsibility of the delegates to voice their wants, needs and desires for the union. It is not the venue for their independent opinions, as the decisions made will apply to everyone, as an organization. Therefore, to politicize the Convention, or any other union forum is barring the delegates/membership from working collectively and collaboratively towards the union's purpose. While we may agree to disagree, the ultimate purpose is to make decisions in which the terms and conditions of employment are met for every member, with no exclusion.

The intent is not to persuade, but to present information in its unrefined state so the delegates are better equipped in formulating educated decisions which can better serve the organizational needs and goals!

Helps us reclaim and retain the focus of PEF's 1979 mission and vision for terms and conditions of employment, as initiated at the first Convention in 1979.

# The Bonadio Group (CPA) Auditor's Report

On August 18, 2022, the Budget Advisory and Financial Compliance Committee met with the Bonadio Group. The Bonadio Group presented a draft overview of their findings regarding PEF's 2021-22 financial statements. The Bonadio Group's goal is to determine whether the consolidated financial statements are reasonably free from material misstatements.

The Trustee's review of the Bonadio's Required Communications letter and draft audit noted the following:

- The financial statements are free from material misstatements.
- The most sensitive estimates affecting the financial statements were:
  - Fair market value of investments
  - Calculation of post retirement health care costs
- PEF is continuing to improve our headquarters, which has been reflected under Property and Equipment. The 2019 value was \$1,971,404 in 2020, increasing to \$4,684,462 in 2021 and \$4,905,192 in 2022. This included an increase in computer equipment from \$1,093,657 in 2021 to 2,600,656 in 2022. It should be noted that these figures are based on Generally Accepted Auditing Standards. PEF Trustees are in support of the improvement and maintenance of our property.
- Cash and Cash equivalents remained very consistent from \$9,354,958 in 2021 to \$9,307,479 in 2022. It should be noted that meetings in person have increased in frequency since the Covid-19 Crisis.

As noted above, the auditors highlighted that management used estimates in the financial statements. These estimates are as follows:

- **Fair market value of investments:** PEF has invested in various types of investment securities stated at fair value which is based on the quoted market prices. Investment securities are exposed to various risks. Due to the level of risk associated with certain investment securities, it is possible that changes in the value of investment securities could materially impact the amounts in the financial statements.
  - PEF Investments were valued at \$12,216,984 as of 2021. Due to favorable market conditions assets were valued at \$13,472,996 as of March 31, 2022.



- **Calculation of post retirement health care costs:** The Bonadio Group states that the accumulated post-retirement healthcare (benefit) obligations on the balance is \$12,293,906.. The amounts are determined by generally accepted actuarial methods. Bonadio reviewed the key factors and assumptions used in determining these obligations and considered them to be reasonable in relation to the financial statements.
  - Beginning with the contract year commencing July 1, 2019, PEF is required to contribute a defined contribution of 1.0% of total gross compensation of the entire USW bargaining unit into the Retiree Premium Fund for the period July 1, 2019 until June 30, 2020, and each year thereafter. The same will be done for the entire Management/Confidential employee unit.
  - Trustees would note that the Bonadio Group estimated these expenses as on-going and recurring, however they are the subject of future bargaining.

## Health Insurance Costs

- PEF provides health insurance benefits utilizing a self-funded plan, therefore actual costs are paid by PEF. Excess risk is mitigated through stop loss insurance to limit the exposure of claims. Over the last four years healthcare costs at PEF have been trending down. This has been due to management seeking better pricing from its healthcare vendors and updating premium equivalents. The Trustees recommend PEF continues to seek ways to minimize healthcare costs.
- The liability for claims incurred and claims incurred but not reported was approximately \$75,000 for both the years ended March 31, 2021 and 2020.

# PEF Employees' - Post Retirement Benefits

According to the most recent PEF audit conducted by The Bonadio Group, the post retirement benefits provided to PEF's employees continue to be one of our largest liabilities. This liability remains a concern for PEF since it affects our credit limits, financial stability and ultimately the financial solvency of PEF.

The chart below shows the change in Current Assets and Post Retirement Benefits for the fiscal years ending 3/31/13 to 3/31/2022. This liability can fluctuate year to year due to actuarial, mortality rates, and discount rate changes.

Date	Current Assets	Post Retirement Benefits
3/31/2013	\$ 14,881,993	\$ 7,803,226
3/31/2014	\$ 17,035,472	\$ 7,977,358
3/31/2015	\$ 17,437,375	\$ 10,782,086
3/31/2016	\$ 16,093,214	\$ 11,203,532
3/31/2017	\$ 16,392,283	\$ 10,355,613
3/31/2018	\$ 18,685,258	\$ 9,340,668
3/31/2019	\$ 21,190,203	\$ 9,652,696
3/31/2020	\$ 20,414,692	\$ 12,529,383
3/31/2021	\$ 23,800,177	\$ 12,292,603
3/31/2022	\$25,800,177	\$12,293,906



# Internal Audits

Trustees continue to work with the Internal Auditor, by advising PEF policies, reviewing prioritized work, and approval of completed work in a timely manner. A top priority of the Internal Auditor is to help divisions within PEF, and its members, along with Regional Coordinators to manage resources effectively and efficiently, in keeping with PEF's policy. The audited work provides accountability for the use of union funds. The Internal Auditor oversees fiscal compliance with relevant statutes and observance of good business practices.

This internal audit report is from the previous PEF Convention 2021 to this current PEF Convention 2022. In addition, the PEF internal auditor has reviewed all Regional finances along with remaining Division finances, and reports as best as possible in a timely manner. Mr. Fratangelo has been systematically auditing many internal Divisional finances each year on a triennial rotational basis. Our internal auditor has been and continues to perform auditing to all Divisions and Regional finances within the Public Employees Federation to ensure fiscal policy compliance. Once internal audits are completed a brief summary of financial findings is reported and shared with the audited Division/Regional Leadership, PEF President Spence, Secretary/Treasurer Donohue and PEF Finance leadership, including PEF Trustees. Recommendations are made and included within each summary report, and shared with Division and Regional Leadership as necessary.

- 24 Divisions have been audited and summary reports submitted to Divisions Department and Division Leadership. Also including Finance fiduciaries and Trustees.
- 12 Regions have been audited and summary reports submitted to Regional Coordinators, Finance fiduciaries and Trustees.
- 11 Divisions are currently being audited, and once summary reports are made, an audit report will be released to Divisions Department and Division Leadership.
- All Division and Region audits are planned to be performed on a 3 year systematic rotation.

Summary of offered solutions by the Internal Auditor for financially stressed Divisions continue to press for the need for added Divisional leadership for the Divisions. Many Divisions struggling, require upper level leaders to provide the necessary services for the targeted Divisions, and the members they serve.

PEF Trustees, PEF President the Secretary Treasurer's office, continue to provide oversight and feedback to the Internal Auditor.

## Divisional Finances (Amended)

The purpose of this report is to provide a snapshot of how well or poorly PEF's divisions are complying with their financial reporting requirements. The information being presented is based on a report from the Divisions Department as of April 15, 2022 and the Secretary-Treasurer's report to the Executive Board in September, 2022.

As of October 20, 2022, out of 213 PEF Divisions, there were 65 Divisions Not In Good Standing and 52 Divisions identified as Improving. A total of 96 Divisions are currently in Good Standing.

It should be noted that the increase in Improving status resulted from changes to the status of Divisions that were in Good Standing. This improved status change within our PEF Divisions is very encouraging. We believe this is directly influenced by the continuing outreach from Divisions/Finance Departments, improving leadership and membership engagement. This directly helps maintain and improve financial compliance.

Amended by Trustee Bruce Giddings

## Recommendations:

- All Convention delegates and leaders are encouraged to contact their Division leadership and inquire about their annual divisional reports and approved budgets. Members may also ask to review any audit reports that may have been performed or recorded. We all have the obligation to know of each Divisions financial standing. And how to become involved to help any matters of concerns that may help to keep your divisions in compliance.  
**Note:** The finance department is available to offer financial guidance and assistance to divisions that ask.
- Trustees continue to recommend every committee, council leader, division and Regional Coordinator review their trial balances to make sure expenses are being applied to the correct accounts, and apply to their approved budgets.



- Adhere to Financial Policies and Guidance for PEF Divisions, Regional Coordinators and applied Committees.

# 2021 RESOLUTIONS AND CONSTITUTIONAL AMENDMENT (Amended)

## **Status of 2021 Convention Resolutions**

Each year the Trustees report on the implementation of Resolutions that were passed by the previous year's convention body, and are now found in policy manuals. Delegates, we commend you on your due diligence and remind you that you are the highest governing body of this Union.

The 2021 Convention considered a total of 27 Resolutions and 1 Constitutional Amendment

6 Resolutions were defeated: Resolutions 6, 15, 16, 17, 18, & 19.

6 Resolutions were postponed indefinitely: Resolutions 11, 12, 13, 14, 21, & 22.

4 Resolutions were adopted as printed: Resolutions detailed below 3, 4, 5, & 25.

3 Resolutions were adopted as amended: Resolutions detailed below 2, 23, & 24.

3 Resolutions were withdrawn: Resolution 1, 20, & 27.

3 Resolutions were referred to the PEF Legislative Department: Resolutions 7, 8, & 9.

1 Resolution was referred to the Federal Legislative Agenda: Resolution 10.

1 Resolution was not implemented: Resolution 26.

1 Constitutional Amendment was not adopted

This report includes status updates for the eight (8) adopted Resolutions

## **RESOLUTION #2: Deferred Comp Match** (adopted as amended)

This resolution directs that PEF develop and propose in State Contract negotiations, that the State provide a deferred compensation match of PEF member contributions to their IRS section 457 plan contributions of up to \$500.00 per fiscal year.

### *Contract Administration Department:*

PEF has not been in Contract Negotiations since the adoption of the Deferred Compensation resolution. The Contract Team is aware of the resolution and will make a proposal consistent with the resolution during the upcoming negotiations for a successor to the 2019-2023 PEF/State Agreement.

## **RESOLUTION #3: Ratification of PEF Logo and Colors** (adopted as printed)

The resolution adopts as "official", the logo that has historically been used by PEF with the map of the State of New York, including the PEF initials. The resolution also adopts blue and yellow as the PEF colors.

### *Communications Department*

### **Resolution #3 from the 2021 Convention is being followed.**

The "Official" PEF logo with the outline of the state map of NY and the capital letters PEF below it is what we share with endorsed candidates, state agencies, and external partners. It is also the "official" logo that goes on merchandise for regions, divisions, and committees. The "PEF Crest" logo is used in some instances as well, primarily Fund Our Future related merchandise and documents.

## **RESOLUTION #4: PEF Budget Process, Objectives and Oversight** (adopted as printed).

This resolution adopts the PEF Line-Item Program Budget Process, Objectives and Oversight Policy.

### Finance Department

This Resolution was an endorsement to an existing policy that was passed at the Executive Board. Therefore, there were no changes to the current practice.

### **RESOLUTION #5: Fund Our Future:**

Building a Thriving New York is Essential to PEF - Endorsement of Commitment to this multi-year campaign (adopted as printed).

This resolution provides that the PEF 2021 Convention delegates celebrate a creation of the NYS Fund Our Future campaign, affirm the campaign's goals and objectives, and commit to ensuring ongoing support.

### Executive Department

President Wayne Spence reported at the convention the successes achieved from the Fund Our Future campaign and how it very much benefited the PEF Membership. Additional information can be found from the President's report to the delegates at the Convention.

### **RESOLUTION #23 To Stop the Closures of NYS Prisons:** (adopted as amended)

This resolution directs that PEF seek an eight-year moratorium on prison closings and pursue a study on how to handle any future prison closings. The resolution further directs that PEF seek a reopening of three closed prisons (Gowanda Correctional, Watertown Correctional, and Clinton Annex) to alleviate overcrowding.

### Legislative Department

In addition to the law supported by PEF in 2021 to prohibit the practice of “double bunking” of incarcerated individuals (Chapter 570 of 2021), PEF continues to oppose the closure of any state facility, including those operated by DOCCS. The most recent prison closures were included in the state budget with the proposals greatly reducing the statutory year of time required for notification of such closures (usually to 90 or 120 days). PEF has and will continue to fight for additional resources to support communities affected by such closures to mitigate the loss of jobs and economic activity. PEF will also continue to work with DOCCS to mitigate any hardship on PEF members displaced by such closures to the maximum extent possible.

PEF worked with new Gov. Kathy Hochul to develop a state budget that did not propose any closures as part of the 2022-23 budget.

PEF will continue to advocate for a moratorium against closures until a study on future closings is produced. However, the current, widely-supported efforts to further de-incarcerate the state's prison population will continue to make it very difficult to codify an eight-year moratorium on prison closures. As part of her first State of the State address, Gov. Hochul announced a panel to study ways to turn shuttered prisons into repurposed facilities that economically benefit the communities in which they are located. In May of 2022, the members of the Prison Redevelopment Commission were announced.

In addition, the new HALT (Humanitary Alternatives to Long-Term Solitary Confinement) law will require upgrades and improvements to numerous prison facilities, with an estimated cost of \$50 million for step-down units and other alternatives to the Special Housing Units (SHU).

The PEF Legislative Office has and will continue to advocate for an appropriate balance between the need to provide the state-operated re-entry services and supervision necessary to successfully re-integrate incarcerated individuals back into their communities, where warranted, while also balancing the need to represent the interests of victims and to keep all communities safe.

#### **RESOLUTION #24: Building Union Power/Moving New Employees to New Active Members through Employee Orientation** (adopted as amended).

This resolution directs that, in agencies that are not providing the union their legally and contractually obligated union orientation time, PEF leaders will discuss with those agencies through the LM process that orientations are a right, and that it should be made a priority to immediately provide the union the access to orientate new members in person or virtually. PEF is directed to develop a virtual orientation package that local leaders, at their option, use to orientate members virtually.

#### **PEF Organizing Department**

Organizing has identified which agencies were not sharing their legally obligated notice of new hires. They have worked with leaders to ensure this information is being shared. Over the last

year, when the information was not being shared, they reached out directly to the agency to find out why and were able to rectify the situation. The issue that they're seeking the most in relation to this is turnover in the state agency by the title responsible for sharing this information. They are staying on top of this issue.

Organizing has held two virtual orientation training sessions over the last year utilizing the monthly steward training hosted by PEF Headquarters. They will continue to offer this training.

Organizing has created a package of orientation material that includes a video that can be used by agencies during onboarding. Additionally, the three organizing Coordinators have worked with leaders and agencies and are now hosting both virtual and in-person orientations when requested.

#### **RESOLUTION #25: Supporting our DOL Worker** (adopted as printed)

This resolution directs the President of PEF to develop a commission to study the potential solutions for the problems of PEF members employed by the Department of Labor as hourly workers, with input and collaboration from members, leaders, and the PEF Legislative, Civil Service, and the contract teams.

#### **PEF Executive Department**

PEF advocated for the next examination for the LSR positions to be held as an evaluation of Training & Experience (T&E) as opposed to a written multiple-choice test. PEF developed and held a training session for these hourly employees on the process of taking a T&E test. The training was well attended by the hourly LSRs. They have every reason to believe the new test will be announced by mid-November, early December. Further, PEF was successful in getting legislation passed both houses to provide salary protection to provisional and temporary incumbents and to provide salary protection to permanent incumbents who take a lateral transfer (S8210 by Sen. Jackson/A.4080 by Asm. Abbate). If signed into law, we believe this will provide some protection for hourly employees working in these classifications. This bill is pending consideration by the Governor. PEF Legislative Staff met with the Governor's team on multiple occasions to highlight the importance of signing the bill into law. PEF continues to report this out as it develops.



**RESOLUTION #26: Past Presidents Speaking at PEF Conventions** (no implementation)

This resolution provides that PEF's past Presidents shall be allowed to address Convention body for up to 15 minutes, and that PEF should issue a disclaimer in the Convention program that the PEF administration did not review the speech prior to its presentation to the delegate body,

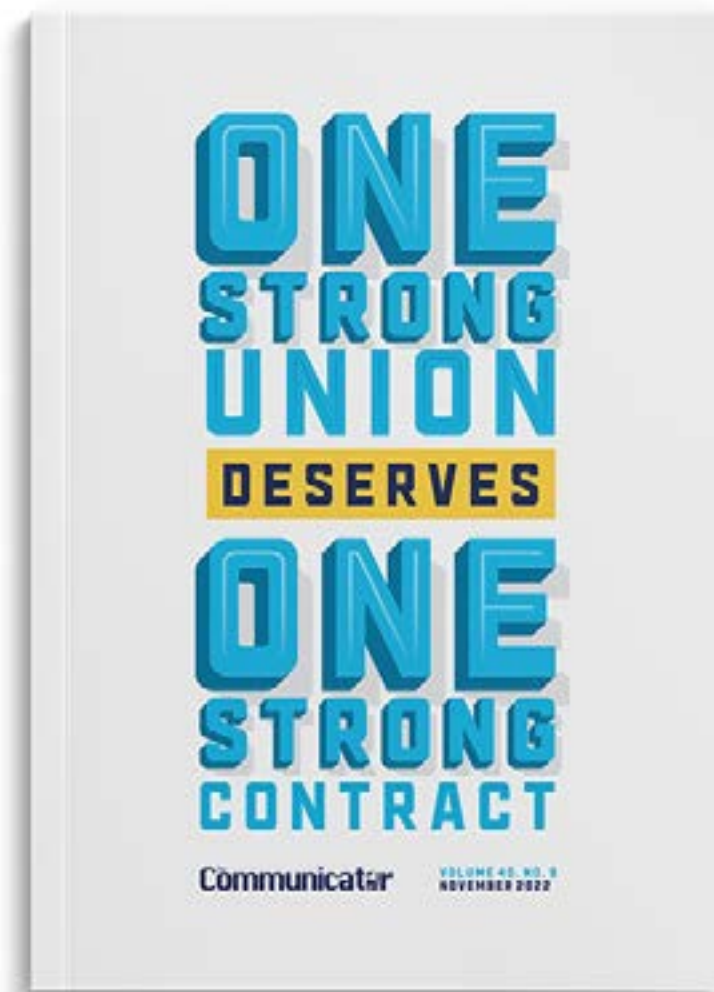
*Executive Department*

The policy set by the 2021 Convention delegates remains in effect. To be reported on at the next Convention since there was no implementation of this resolution.

Amended by Trustee Muriel Hardy-Lee, MDS and Trustee Bruce Giddings

**CONTACT YOUR TRUSTEES @ (518) 785-1900 X 411, [TRUSTEES@PEF.ORG](mailto:TRUSTEES@PEF.ORG)**





## 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/](http://www.pef.org/ecommunicator-signup/)



**November 16, 2022**

PEF nurses met with AFT - American Federation of Teachers President Randi Weingarten at the AFT Nurses and Health Professionals 2022 Professional Issues Conference over the weekend in Chicago. The two-day gathering focused on cultivating power to stand together so nursing professions are a place where talented, committed people want to work; and so that workplaces are safe and equitable.



**November 12, 2022**

Team PEF meets with Senator Roxanne Persaud, chair of the Social Services Committee at SOMOS.



November 12, 2022

Team PEF meets with Senator Roxanne Persaud, chair of the Social Services Committee at SOMOS.





**November 5, 2022**

PEF members Getting out the Vote in Flatbush for Gov Hochul and the statewide ticket!

**November 7, 2022**

In Kingston, PEF Region 8 getting out the vote for endorsed candidates Michelle Hinchey and Pat Ryan!



**November 5, 2022**

Members mobilized for PEF-endorsed candidates Matt Castelli for U.S. Congress and Andrea Smyth For State Senate!





**November 3, 2022**

It was a beautiful night for PEF Region 10's NYC Harbor Cruise! Leaders and members enjoyed an evening of fellowship and solidarity -- celebrating this year's accomplishments and looking ahead to more labor wins in 2023!



**October 28, 2022**

New PEF members at the Tax & Finance office, located in Region 12. Welcome to your union!



**October 24, 2022**

PEF retirees make a phone call or two on behalf of PEF's endorsed candidates!



**November 17, 2022**

PEF Executive Board member Scarlett Ahmed joined Assemblymember-elect Steven Raga for Queens on the picket line outside a Starbucks in Queens this morning, as workers demonstrate against the coffee maker's anti-labor stance. Catchy slogan!

**November 16, 2022**

Members from PEF Division 234 (OTDA) met at headquarters in Albany with PEF leaders and staff during their lunchtime. They received information on contract negotiations, field services and membership benefits available to them.



