

VOL. 42

The
COMMUNICATOR

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10

REASONS TO BE

GRATEFUL

**FOR YOUR
UNION!**

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The President's Message By WAYNE SPENCE



Giving thanks, giving back, and never giving up

Hello PEF family! The November issue of *The Communicator* arrives just a day before I hope you will be enjoying well-earned time with family and friends, celebrating your blessings.

I'm thankful for your solidarity and support every day in this job, but in the spirit of Thanksgiving, we look back on [10 things](#) your union did for – and with – you this past year.

There are also some great stories in this issue about PEF members who exhibited the [highest degree of professionalism](#), and members who are stepping up to [provide leadership](#) at worksites that really need it.

Earlier this month, I led a team of PEF leaders and staff to the annual [Somos conference](#) in San Juan, Puerto Rico, where we gave presentations about saving SUNY Downstate and what to do about the rise of workplace violence at New York agencies. Both of those issues are top priorities of the union as we move into the new year.

Before we ring in 2025, though, there's still work to be done. Hundreds of bills await the governor's signature or veto, including two PEF priorities. If you haven't yet signaled your support for the LOADinG Act that would regulate Artificial Intelligence, and the PEF bill that would help define workplace bullying and mandate employer and employee training, [please do so](#).

Finally, a quick word about this month's election. I want to reiterate what I said in my [statement](#) after the votes were counted: "Now, more than ever, we must come together, setting aside divisions, to ensure that our voices are heard, and our work continues to make a meaningful impact. PEF has always been a union rooted in unity and resilience, rising above political tides to fight for fair wages, safe workplaces, and the resources our members deserve."

I really mean that, and I look forward to the progress we will make together on behalf of all PEF members.

In Unity,

A handwritten signature in black ink that reads "Wayne Spence". The signature is written in a cursive, flowing style.

Wayne Spence
PEF President



10

**REASONS TO BE
GRATEFUL
FOR YOUR
UNION!**

By COMMUNICATOR STAFF

During this annual time of thanks, we reflect on the value of union membership and bring you 10 things your union accomplished for you, or with you, in the last year, as well as some things PEF members can look forward to in 2025.

10

Contractual raises, performance awards, the Higher Education Differential, and Location Pay increases. These are just some of the [benefits your contract team negotiated](#) into your collective bargaining agreement that will be paid out in 2025.

9

[Dependent Care Advantage Accounts](#), where the state contributes between \$600 and \$1,100 annually for eligible child care, elder care, or disabled dependent care, as well as Health Care Spending Accounts – helping your family support your loved ones.

8

Field representatives went to bat against agencies that [mishandle Section 72](#) cases, seeking and winning back pay for members. PEF also fought for [changes to laws governing these cases](#). (You can still [send letters](#) to support those changes!)

7

The union entered into a Memorandum of Agreement (MOA) with the state to allow for [an Expedited Suspension Review process](#), which has helped more than 100 members suspended during disciplinary cases get back on the payroll.

6

Union staff [appealed unsatisfactory year-end performance evaluation ratings](#) when the process was not adhered to properly, often successfully overturning the rating and sometimes securing additional pay for members who would otherwise lose out on performance advances.

5

PEF leaders testified at several joint legislative hearings to present solutions to workforce issues such as [staffing shortages](#).

4

After improperly prorated contract signing bonuses were brought to the attention of the PEF Contract Administration department, [a class-action grievance](#) filed by the union against the State Education Department made whole hourly employees who had not received their full payments.

3

The union stood behind members and their communities, participating in rallies, such as the ones to [Save SUNY Downstate](#), speaking out against [bullying at Kingsboro Psychiatric Center](#), and [advocating to Fix Tier 6](#).

2

PEF headquarters, Regional Offices, and Divisions provided [scholarship opportunities](#) to members and their families, helping defray the costs of higher education. In addition, the PEF [Membership Benefits Program](#) continued to offer Family Fun Days, the second annual [Community Wellness Fair and Book Giveaway](#), and so many more valuable savings and perks!

1

Union leaders build political strength and join together with other unions to put PEF's priorities front and center during budget negotiations and legislative sessions, achieving several goals of the [Fund Our Future campaign](#) and bringing member expertise to bear at the [PEF Summit on AI](#), as well as [Nurse](#) and [Social Worker lobby days](#).

PEF members are truly

EVERYDAY HEROES

When emergencies strike at the worksite or in the community, PEF members are often the first ones to jump in and help – some doing it literally as part of their job, others just aiding those in need.

Recently, nurses and staff at Hudson Correctional Facility worked together to administer Narcan and save the life of an incarcerated individual who was overdosing.

“These nurses are not alone,” said President Wayne Spence. “Across the state, our members step up and save lives and that deserves recognition. It isn’t just clients or patients; PEF members also look out for their coworkers and for the public.”

Over the summer, staff at Sunmount Developmental Disabilities Services Office (DDSO) came to the aid of a coworker who was suffering a health emergency.

Nurses at Buffalo Psychiatric Center were first on scene to render life-saving medical aid when some of their own were stabbed by a patient.

It isn’t just medical emergencies; PEF members save lives in other ways.

A few years ago, a PEF parole officer talked down a parolee during a tense hostage standoff in western New York. PEF foresters helped knock down and contain the Napanoch Point fire in Minnewaska State Park. And last year, a PEF fire protection specialist helped pull a driver from a pond.

“As a New Yorker, I extend my thanks to all who save lives for a living, and all who are in the right place at the right time,” President Spence said.





PEF responds to worrying spike in threats to State employees

By NAJEE WALKER

At least 14 Department of Environmental Conservation (DEC) agency offices were targeted with bomb threats since the beginning of November. The threats were a response to news that DEC conducted an operation which saw a raccoon and squirrel living with humans euthanized by the agency. In addition, two threats were made to branches of the New York State Attorney General's offices in Plattsburgh and Binghamton. In both cases, other state workers in the building, like those employed by the Workers' Compensation Board, were put in harm's way.

These threats, and others like it, have seen a disturbing trend recently. Many of the DEC threats were sent to the email addresses of employees, and several PEF members report that they received additional harassment through phone calls and social media.

While there are ongoing investigations by law enforcement and the agency into the nature of these threats, employees across the state have communicated concerns for their safety due to the potential for violence at work.

In an email to DEC members, PEF outlined the steps taken to find solutions and keep members safe.

"PEF members deserve to feel secure and safe on the job, and don't deserve to be harassed or threatened just for doing their job," the email read. "If you receive any type of threat or harassment, notify the police immediately, and report all incidents through your agency workplace violence prevention policy procedures."

Following the DEC incident, PEF immediately made calls to the agency and the Office of Employee Relations (OER) to deliver stronger responses to the violent threats and find ways to better protect members from the possibility of violence.

As a result, additional work from home days were afforded to employees during the threat period, and PEF called on the agency to be more transparent about the response to the threat with members.

At this time, the agency has returned to regular operations, and law enforcement are continuing their investigation. Additional law enforcement has been positioned at DEC offices as well.

PEF reminded members that, moving forward, any concerns about violence should be reported to the police, to DEC, and to PEF immediately.

"It is important for DEC to be able to track how many of these threats are coming in, and where/how they are being delivered," PEF said in the email. "You should keep notes and document every incident of threat or harassment you receive. Save voicemail messages, take screenshots, and save any other evidence you may have of these threats."

The DEC/PEF Statewide Health and Safety Committee will continue to review the incident to identify where improvements can be made for future responses and incorporate these changes into agency policies along with additional training for staff on emergency procedures. The committee will be revising Emergency Action Plans, Workplace Violence Prevention Policies/Program, and creating additional training for staff.



PEF President Wayne Spence, Vice President Darlene Williams, Region 11 Coordinator Bernadette O'Connor, and Region 9 Coordinator Gabriela Franklyn stand with PEF staff, members who work at South Beach PC, representatives from the Staten Island District Attorney's office and officers from the NYPD's 122nd precinct following a Nov. 19 meeting.

Members meet with State Island NYPD and DA's office to find a way forward after attack at South Beach Psychiatric Center

By **NAJEE WALKER**

On September 17, PEF Registered Nurse Peter Shiffman was brutally attacked by a patient at South Beach Psychiatric Facility. Shiffman was struck on the side of his face and fell. He was rushed to Staten Island hospital and placed on a ventilator.

After hearing of the attack on the second-to-last day of the PEF Convention in Syracuse, union leadership mobilized immediately, setting up meetings with members and putting plans into action to pursue solutions to the problem of increasing violence at South Beach and other facilities.

On November 19, PEF facilitated a meeting that brought together members at South Beach, the commander and officers from the Staten Island precinct of the NYPD, and representatives from the Staten Island District Attorney's office. PEF President Wayne Spence, Vice President Darlene Williams, Region 9 Coordinator Gabriela Franklyn and Region 11 Coordinator Bernadette O'Connor were also in attendance. The meeting was a chance to not only review what went wrong at South Beach, but also for the NYPD and DA's office to hear from South Beach employees who witness acts of violence almost daily at the facility.

"The members really spoke up and talked about their personal attacks and expressed a lack of care from management when they're assaulted," said Vice President Williams. "They really felt like they had a chance to be heard."

Members have had a hard time speaking up and reporting incidents due to the culture at South Beach, according to O'Connor. She thanked President Spence for demanding change and giving union members an opportunity to be heard.

The police officers in attendance reminded members to call 911 when an incident happens, but the district attorney was shocked that the system in place at South Beach failed to protect members when they needed it most.

"We made sure that the conversation we were having was focused on getting a better understating of procedures," said O'Connor. "But we also wanted to discuss changing things because the procedures are not working."

South Beach does have safety officers on location who are supposed to be the first line of defense for nurses and other staff. Members said that help comes too late, or sometimes, not at all.

When representatives from the district attorney's office heard that members are either not trained or not trained regularly on how to deal with dangerous individuals, they agreed that the system is broken.

Vice President Williams said the representatives voiced support for new policies at South Beach and the other facilities in the New York State Office of Mental Health (OMH) system.

"That really put the members at ease," said Williams. "We believe that there should be more secure ways for all staff in these facilities to deal with these individuals."

At the meeting, PEF and the representatives discussed the possibility of having a "secure care unit" or a designated place to deal with patients who may potentially attack staff or put themselves or others in danger, much like currently exists in DOCCS facilities.





O'Connor is hopeful that South Beach can be a proving ground for positive change across OMH.

"A lot of the systems we have are broken," said O'Connor. "Our members know what works because they deal with it every day. Special staff and training should be provided to deal with these circumstances."

PEF is now focused on the next steps. With the backing of members and the encouragement of the District Attorney, PEF is setting up a meeting next month with OMH management and the governor's office.

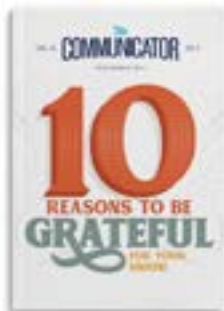
PEF is also focused on how best to support Shiffman. Following his discharge from the hospital in late October, he is still having memory issues, according to his family. The attack left him often confused, easily agitated and unable to sit and concentrate.

"The Peter of now is not the Peter from before," said Williams. "He is a good nurse. He did not deserve this."

Shiffman's alleged assailant did not show up for a November 1 court hearing and as of this writing has not undergone an independent psychological evaluation. A new court date has been set for December and the accused individual was ordered to submit for evaluation. O'Connor said that PEF and the state must stay the course and commit to justice for Shiffman and his family.

"Peter's family is distraught and shaken up. His coworkers are so disheartened," O'Connor said. "Since the attack, we have been doing the best we can to make sure members feel supported and empowered, and we will continue to do that."

Editor's note: In the State's next Legislative Session, beginning in January, PEF will be pushing for changes to policies and procedures to try and increase member safety and mitigate workplace violence at facilities like South Beach. Stay tuned for how you can help advance PEF's priorities!



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PEF Health & Safety Specialist Josh Kemp addresses PEF members at the Tax & Finance Department in Rochester on Nov. 13, 2024.

PEF Health and Safety finds a way to mitigate workplace violence at OMH facility

By **NAJEE WALKER**

When members at the OMH Secure Treatment and Rehabilitation Center (STARC) Oakview in Marcy, N.Y., needed help recently, PEF stepped up.

Staff at STARC Oakview sought a solution to violence being inflicted on staff by patients. PEF, CSEA and NYSCOPA, joined forces to file a complaint within the Workplace Violence Prevention Act. The complaint was filed with the NYS Department of Labor Public Employee Safety and Health (PESH) Bureau in February 2024, who investigated whether the agency and facility were compliant and doing their best to keep workplace violence incidents to a minimum.

“Despite there being evidence that there was enough violence to warrant the investigation, PESH determined that there were controls in place and the facility was doing what it could,” said PEF Occupational Health and Safety Specialist Josh Kemp.

Kemp said that these controls amounted to secure zones and the facility had protocols to deal with the violence when it happened, but that incident and injury logs still reported that 50% of the violence was due to patients attacking staff, with 20 employees sent to a hospital due to injuries caused by a single patient.

“We gathered a lot of evidence that showed that, even though there were some controls, they were not effective enough,” said Kemp. “People were still getting seriously hurt.”

When the PESH investigation yielded little results, Kemp decided to look at the issues from a different perspective. He turned his focus to the lack of Personal Protective Equipment, or PPE.

“Most of us think of PPE as masks, face shields and goggles,” said Kemp. “We’re used to the type of PPE that protects us from chemicals and illness, but not the type that protects from physical harm.”

During the investigation, employees shared their personal stories. Most of them described how they were bitten, kicked and punched by patients. However, the most glaring issue was the lack of knowledge about how to use PPE.

“When we asked them if they used PPE to protect themselves, if offered, no one knew it was an option,” said Kemp.



Kemp, along with representatives from the other unions, returned to PESH to file a complaint again, stating that while there are controls in place to handle some violence, the facility was neither providing adequate PPE to the staff, nor training them on how to effectively use that PPE. Equipment such as bite guards, shin guards, protective head gear, shields and other forms of PPE should be available to protect staff members dealing with a potentially violent patient population.

“The risk to the staff was no longer just chemical spills,” said PEF Director of Health and Safety Geraldine Stella. “Now, the human factor is the hazard.”

PESH agreed with the unions that STARC Oakview did not do enough to provide PPE to staff. In a notice of violation sent to the facility in September 2024, PESH filed four citations for the facility to address the inadequacies at the location.

The facility must first provide employees with the appropriate PPE and protective clothing, including hand protection, which falls under a different legal citation. The facility must also do a better job at determining whether this PPE is needed based on reported hazards. According to the violation notice from PESH, the employer kept the appropriate logs to document incidents, but did not respond to incidents or assess the hazards properly in order to offer the appropriate PPE.

Additional citations state that the employer did not provide injury and incident reports in a timely manner. Those logs were eventually received by PEF and the other unions.

A change to the citations was issued on November 14, 2024. The change removed the requirement for the facility to train individuals on how to effectively implement and use PPE provided by the agency.

The revision, according to Kemp, means that if the facility does not properly train employees on the use of PPE, PEF can submit a new complaint.

Kemp said that this is a win for PEF members and all employees at Oakview who were looking for a long-term solution to a problem that most thought would never go away. However, he also said that he knows the facility may push back.

“We’re expecting the agency to think that we want everyone just walking around in PPE,” said Kemp. “But that’s not true. They already have a hierarchy of controls to figure out the best course of action. The PPE is just meant as another control when needed. Another tool in the box.”

PEF is hopeful that Oakview complies soon. In the revised notice of violation, PESH gave the agency until January 29, 2025, to provide the recommended PPE.

PEF is also hopeful that all members at the Office of Mental Health (OMH) and other agencies where workplace violence is a paramount concern, like the Office for People with Developmental Disabilities (OPWDD), see the approach the union has taken to address it at Oakview in the hope that similar outcomes might be helpful in other facilities.

“This is why members and leaders should be reaching out to PEF Health and Safety,” said Stella. “If they want to make a PESH complaint, we can really help them finesse the complaint and get results.”

Kemp said that workers at OMH, OPWDD, and other agencies are exhausted and fed up with the danger their job poses, but he believes this approach could work to bring effective controls and much needed conversation to health and safety committees.

“The people who work at these agencies love the work they do, but many believe that getting attacked is just ‘part of the job’ and that there is nothing they can do,” said Kemp. “We really want to change the entire culture to protect our members.”

Editor’s Note: If you have a health and safety complaint related to your worksite, please contact your Field Representative. Call your Regional Office if you don’t know the name of your field rep. You may also reach out to HealthandSafety@pef.org.



PEF leaders and staff pose for a photo before all the hard work began at Escuela Montessori Manuel Elzaburu y Vizcarrondo on Nov. 8, 2024.

PEF promotes combatting workplace violence, saving SUNY Downstate at Somos conference

By **KATE STICKLES**

PEF leaders joined elected officials, other unions and community organizations at the 2024 Somos Conference. This year's theme was Navigating Change Together: Fostering Collaboration for a Sustainable Future, and PEF went with a full agenda – participating in and leading workshops on community healthcare delivery and workplace violence, as well as taking part in the annual Day of Service.

Somos is dedicated to uniting the Latino community and raising awareness by advocating and elevating social consciousness surrounding public policy. The conference attracts thousands of participants annually who represent a cross section of the state's Hispanic community, including federal, state, and local elected officials as well as community, labor and business leaders.

President Wayne Spence joined a panel discussion on community healthcare on day one, highlighting the fight to Save SUNY Downstate, as a community resource and as a workplace for PEF members.

"SUNY Downstate Medical Center was first targeted for closure in 2011," President Spence said. "A coalition of unions, clergy, and the community rose up to fight back and saved it in 2012. But in the dozen years since, the state has not invested enough to adequately serve a primarily Black and Brown community in central Brooklyn."

Downstate is vital to the surrounding community, President Spence said, serving as Brooklyn's only kidney transplant center; boasting the region's only level 4 NICU and ECMO units for newborns; and more.

Somos

"We need to show elected officials and all New Yorkers the faces of citizens who are being denied the healthcare they deserve and the obstacles they must overcome to receive quality care," President Spence said. "The community served by Downstate has high incidence rates of diabetes, kidney failure, heart failure, and other high-risk illnesses. They don't have another convenient option for healthcare."

President Spence also addressed workforce challenges at Downstate, including short-staffing, mandated overtime, and unequal pay compared to the private sector.

"PEF nurses and doctors at SUNY Downstate face daily challenges caring for a population that has acute needs," he said.

Workplace violence

PEF co-hosted with SSEU Local 371 a panel discussion on workplace violence, focusing on how worker protections have been de-prioritized in recent years and how unions are fighting back to make governments do more to ensure worker protections and implement tougher standards.



President Spence outlined three priorities to improve workplace safety that the union plans to pursue in the next legislative session:

Build capacity: New York must increase staffing at agencies that support at-risk New Yorkers.

Deploy technology: Body scanners at OASAS, OCFS, OMH and OPWDD facilities will reduce the flow of weapons used to commit assaults.

Increase accountability: Enhance penalties on individuals who willfully and knowingly assault state employees.

The panel discussion gave PEF leaders a chance to educate elected representatives, form broader coalitions with fellow organizations and unions, and start conversations to begin addressing widespread workplace violence.

“Somos is a real opportunity for us to raise visibility around legislative campaigns and make sure that our priority issues this year around workplace violence are discussed,” said PEF Vice President and Statewide Political Action Committee Chair Randi DiAntonio. “We partnered with other unions, in particular NYC-based union Local 371, to talk about legislation from several years ago, Raise the Age and HALT (Humane Alternatives to Long-Term Solitary Confinement), which, while well intentioned, were poorly implemented and have led to a lot of problems in our facilities for our members.”

VP DiAntonio shared scenarios where Raise the Age and HALT implementation are falling short and said the goal isn’t to do away with them, but to amend them so they work hand-in-hand with hard-working PEF professionals to best serve the people of New York.

“The workshop was very well attended,” she said. “We are always stronger when we are working in solidarity, and form coalitions around common interests with other unions and our electeds. I think the whole concept of Somos being an opportunity to build partnerships and move together makes it an important place for us to be. We are hoping sharing information leads to broader support and a willingness to work on these issues.”

Day of Service

On November 8, PEF staff and leaders also participated in the annual Somos Day of Service, this year at Escuela Montessori Manuel Elzaburu y Vizcarrondo, a school outside of San Juan, where they helped install new basketball hoops, landscaped, and distributed backpacks and books to children.

Secretary-Treasurer Joe Donahue joined the host of volunteers at the school.

“My favorite part of Somos is always the Day of Service,” he said. “We are giving back to the community.”

“It was really about the kids,” said Vice President Darlene Williams, who helped landscape the school grounds. “They and their teachers just kept saying, ‘oh my God, it’s so beautiful,’ in Spanish. That’s all we kept hearing, ‘oh my God, it’s so beautiful!’ That really made our day.”

President Spence said the experience is always rewarding.

“I get such personal satisfaction from this,” he said. “I like it when they come out at 3 o’clock and see the transformation. It makes me feel good.”



RELATED STORY: [AFT sees resilience at Somos 2024](#)



Mixed feedback on Anthem dental from PEF members

By **KATE STICKLES**

Anthem is now the dental insurance carrier for New York State employees. And while there have been kinks to work out since they officially took over for EmblemHealth on Oct. 1, many members responded positively to PEF's recent solicitation for feedback.

"As with anything new, there are issues cropping up, but our Contract Administration Department is working hard to address each concern that is brought to their attention," said President Spence. "We have received both positive and negative feedback and we are reviewing each one. If you have had a positive experience with a provider in your area, we urge you to email Communicator@pef.org so we can share it with other members."

Several members have reported being able to return to their longtime family providers.

"So far, so good," said Lauren B., in Region 8. "My family and I finally got back with my favorite dentist. My entire family celebrated when we found out we could go back to Potvin and Potvin (Hudson Falls, Washington County)!"

Another member said she had a good experience at [Washingtonville Dental Group](#) in Orange County, PEF Region 9.

"The coverage was great," said Amanda T. "I need a crown and tooth pulled; they stated that both procedures are fully covered. I believe this is awesome and a great plan."

Anne Y. also returned to a previous provider, [Very Gentle Dental](#) in Fayetteville, which is in PEF Region 4 (Onondaga County).

"Thank you so much for changing our insurance to Anthem," she said. "My longtime dentist who stopped accepting our previous insurance plan due to low reimbursement rates now accepts Anthem, so I am able to return as a patient and I am so excited. Thank you for fighting for this change."

Much of the negative feedback received by the union was about not receiving a physical ID card from Anthem; difficulty finding in-network care in rural parts of the state; discrepancies with the list of providers on the Anthem website, with some listed not actually accepting the plan; and reported delays in transfer of information from Emblem to Anthem.

With the goal of building and maintaining a robust network, New York's contract with Anthem requires monetary penalties if Anthem fails to meet specified geographic standards for employee access to network dentists.

"While this does not guarantee every member access to network dentists it does far more to hold Anthem accountable," said PEF Director of Contract Administration Debra Greenberg. "Of course, there are some areas in New York that simply have too few licensed dentists. PEF will be monitoring to make sure that the state holds Anthem to these contractual requirements."

[You can visit the Health Benefits section of the PEF website](#) and scroll down to the Dental dropdown for more information, including a phone number dentists can call for details on joining the network. Members missing cards must call Anthem directly at (833) 821-1949 to obtain one. If you received a card with a missing number in the zip code, please call the number for a new one.

Many calls and emails are also coming in from PEF retirees about Anthem for active dental coverage or members who are newly retired and still on COBRA. The new provider has **no** impact on retirees who are off COBRA coverage and may have chosen Emblem Direct as their private carrier. Retirees on Emblem Direct Dental still have Emblem after the change.



Contract benefit allows OPWDD members to strengthen patient handling skills

By **NAJEE WALKER**

Employees at the Office for People with Developmental Disabilities (OPWDD) are charged with handling their patients with care. Sometimes, that care means physically lifting and moving patients around the facility. To do so safely for both the patient and the employee requires not only proper knowledge and training, but proper equipment.

For PEF member Scott Dobe, the Head Physical Therapist at OPWDD Western New York DDSO and other healthcare workers at the agency, having access to education and training is important.

"I'm a PEF executive board member, I'm a delegate, and I'm always looking for ways to help get more training to members," said Dobe.

When Dobe learned that Craigmile Health, a Safe Patient Handling consultant and equipment provider, was holding a conference to help educate employees in the healthcare field on best practices, he shared the information with delegates attending the PEF Convention in September. One month later, 10 members, including Dobe, attended the Safe Patient Handling and Mobility Summit in Utica, N.Y.

Dobe said it would have been difficult for him — or any member — to participate in the conference had it not been for Article 15 of PEF's contract with the State.

"So much of what we had to do for the conference had a cost associated to it," said Dobe. "The conference itself costs money. People do not always have that money in their pockets."

But thanks to PEF's contract, members can receive reimbursement for costs related to continuing education that allows them to do their jobs. Through the use of Article 15 of the PEF contract, Dobe and his colleagues were able to take advantage of the Workshop and Seminar Reimbursement Program, which allows members to apply for reimbursement for fees to attend conferences, workshops and other forms of educational events.

Additionally, PEF's contract allows members to take up to three days per year away from their day jobs to pursue professional development. This benefit requires proof of attendance and typically requires some involvement and approval from the agency.

Dobe and his fellow PEF members received hands-on training at the conference, featuring real-world scenarios where therapists and nurses learned to work together to take care of patients, as well as how to use techniques and equipment to make sure patients are handled safely and securely. The training was geared towards nursing home and group home settings.



PEF members and physical therapists (left to right) Christopher Musilli, Anthony Thomas, Helen Kaden, Megan Otis and Scott Dobe pose for photos at Safe Patient Handling and Mobility Summit

"Direct care workers can lift the weight of a 747 aircraft in a day's work," said Dobe. "This can cause fatigue, burnout and injuries. With safe patient handling techniques and devices to work with, we have found improvements in recruitment and retention and fewer workers' compensation claims. It is a proven success."

For Dobe, the training and the contract benefit go hand in hand.

"I see these benefits as intangibles," Dobe said. "Most members focus on salary increases in their contract, which is important. But these benefits treat you like a professional and help you keep money in your pocket. Unions are meant to support and do good for their members. These intangible benefits do incredible good for members."

Dobe said he will be pushing for more people to take advantage of the reimbursement benefit to accommodate whatever training and licensing their job requires.

"I am looking forward to making this an annual commitment," he said. "I am glad that members are really looking at what this union can do to provide for them as professionals."

Editor's note: Members interested in taking advantage of the Workshop and Seminar Reimbursement Program should visit this Office of Employee Relations web page for guidelines. PEF Training Specialist Kim.Loccisano@pef.org is also available to answer questions.

Clock is ticking on PEF priority legislation in 2024

By **NAJEE WALKER**

With a little more than a month until the New Year, there are still hundreds of bills waiting for Governor Kathy Hochul's signature or veto. Two of PEF's key legislative priorities are in that pile.

TOXIC TALES

The first centers around toxic work environments and is often referred to as "the bullying bill." PEF launched an anti-bullying campaign during the [September 2023 meeting of the Executive Board](#) and has made it a top priority since. The union shared "[Toxic Tales](#)" from members to show the scope of the problem, and held rallies at troublesome facilities such as [Kingsboro Psychiatric Center](#) to call out toxicity.

The bill PEF has supported was introduced by Senator Jessica Ramos and Assemblymember Harry Bronson and would add "abusive conduct" and "bullying" into the state's workplace violence prevention law. The bill would mandate training of employers and employees to identify the risks and signs of bullying and how to prevent it.

Regulate AI in State Agencies

Another bill PEF had a hand in getting pushed through to the governor focuses on Artificial Intelligence (AI). As AI continues

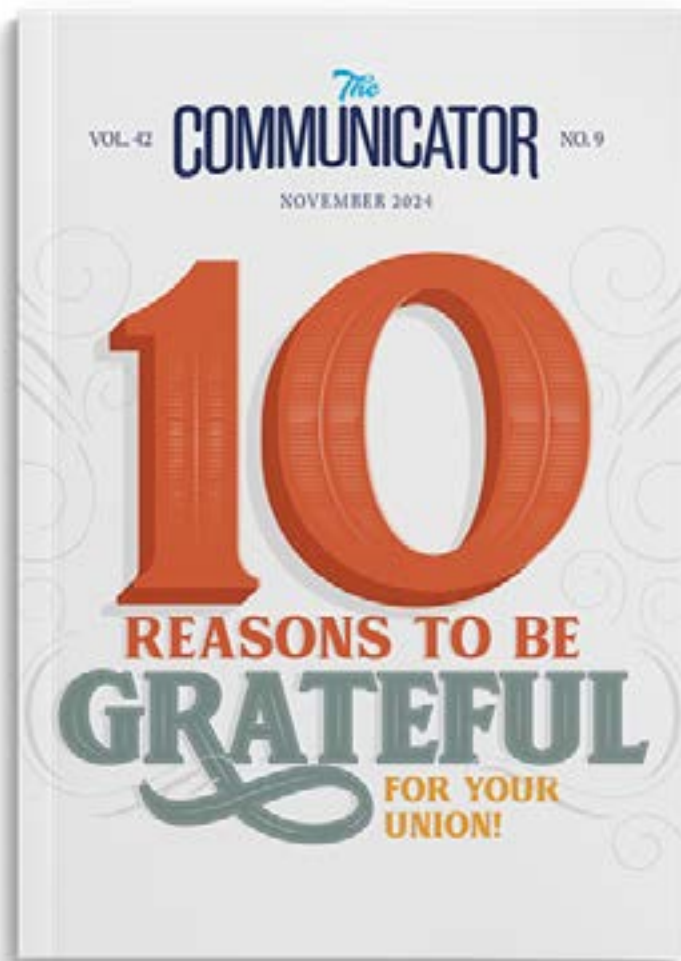
to become more widely used across the nation and the state, PEF and other unions are fighting to make sure there is proper human oversight.

The bill, which was dubbed the "Legislative Oversight of Automated Decision-making in Government" Act, or LOADinG Act, was sponsored by Senator Kristen Gonzalez and Assemblymember Steven Otis.

PEF believes it is critical for New York to monitor the acquisition and implementation of any AI systems used in the public sector. If signed, the LOADinG Act would ensure that New York disclose which AI systems are being used at state agencies and protect employees against displacement or job losses. It would also provide for meaningful human oversight and periodic reviews of all AI systems acquired or operated using taxpayer dollars. Additionally, the act would prohibit AI from determining the delivery of benefits, to make sure that any biases built into the machine learning do not impact New Yorkers.

PEF members are encouraged to urge the governor to sign these bills. PEF has made it easy for members to [copy and paste pre-written letters](#) and submit them via the Governor's website.





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PEF Nurse Coordinator Nora Higgins, right, poses with member Sharese Mair, after she signed her new member card on Sept. 20 at Sagamore Children's Hospital.

PEF members at Sagamore show strength, value of the union

By **NAJEE WALKER**

Nurses at Sagamore Children's Hospital on Long Island work tirelessly to provide quality care to their patients. So when they felt management was violating the union's collective bargaining agreement and impacting that level of care, they took action.

The issue centered on shift changes and work schedules. Nurses at Sagamore must have schedules that line up with one another so that there is always a nurse on duty as another nurse ends their shift. Management at Sagamore has recently issued shift changes to nurses without sufficient notice and in violation of the PEF contract.

"There is supposed to be at least 30-days' notice when a new shift change is being implemented," said Jennifer Hall, a Registered Nurse 2 at Sagamore. "Additionally, management should be providing justification for the shift change and shifts should be selected according to seniority."

Hall said that shift changes and other forms of overreach by management lead nurses into burnout and ultimately quitting.

"There has been a lot of union turnover recently," said Hall, who is one of three recently elected PEF Stewards at Sagamore. "We want to do something to change the culture and let people know that we're here for them."

Sagamore (PEF Division 178) is still without a council leader and an election will be held soon to hopefully fill that vacancy. In the interim, Hall and her fellow Stewards, with the support of PEF Statewide Field Services and Organizing, are providing much-needed leadership on the ground given the current climate.

On September 20, they organized a tabling event. The goal was to let members know all the various ways PEF has their backs.

"We pulled the event together in less than a week," said Hall. "Due to limitations placed on us by hospital management, we were forced to hold our tabling event outside of the front entrance to the building."

The event was a big success and the new faces who showed up were delighted to learn about and become reacquainted with the union.

Two members signed their union cards that day to become dues-paying members.

"So many of our members have tried speaking up and fighting management mostly without union resources," said Region 12 Field Representative Andrew Solar-Greco. "We really wanted to make sure that the employees at Sagamore that we represent know that they are not alone. They have the backing of their union."

It is thanks to the help of Solar-Greco and Hall that negotiations have begun to make sure management adheres to the PEF contract when making shift changes. The nurses are also negotiating for a change to nursing shifts in general.

Across the nation, most nurses follow an industry standard that offers nurses a three-day, 12-hour work week. With few exceptions, nurses at Sagamore work four-day weeks.

"Sagamore has experienced high rates of turnover and staffing shortages in the nursing department," said Hall. "The goal of the three-day work week is to improve retention rates and offer a more appealing schedule for nurses."

As negotiations continue, Hall said she is optimistic. The culture at the facility is slowly changing, especially now with a more visible union presence.

"Many more nurses are finding their voice and engaging in their own advocacy," said Solar-Greco. "They are engaging with us to file grievances and make sure management is held to the collectively bargained contract, which was agreed to by the State and PEF."

Hall hopes to give dignity to all the nurses at Sagamore. She said that they deserve a workplace where they feel respected.

"The nursing department at Sagamore is filled with hard-working, talented people who are dedicated to providing a safe, positive and nurturing environment for their patients," said Hall. "What we ask for in return is fair treatment and good-faith negotiations from management."



Tabling event at Sagamore Children's Hospital on September 20 sees new members and current members stop by to get involved in the union.

NYC Health and Hospitals hearing focuses on the impacts of potential SUNY Downstate Hospital closure

By **NAJEE WALKER**

The campaign to save SUNY Downstate is nearly a year old, and although PEF, other unions and members of the NYC clergy have worked to halt its immediate closure, the future of community hospitals like Downstate are still unclear. That's why the New York City Council held a joint hearing on Oct. 29 with the Committee on Hospitals and the Committee on Health to hear concerns and find solutions.

Committee Chairs Mercedes Narcisse and Lynn Schulman delivered opening statements that welcomed participating panelists while also calling out government officials who have made the decision to close hospitals like SUNY Downstate without recognizing the impact on communities.

Councilmember Narcisse is a registered nurse who has worked in Central Brooklyn, and whose son attended SUNY Downstate's Medical School.

"As a city council, we must consider the needs of the surrounding communities that would be disrupted by closures," said Councilmember Narcisse. "And to ensure that everyone has access to high quality healthcare."

Hospital closures in New York City happen all the time, according to Councilmember Schulman, with about 20 percent of closures occurring between 2003 and 2014. The state has been working to close "unprofitable" hospitals since 2005 after the findings of the Berger Commission recommended ways to save healthcare costs. Councilmember Schulman stressed that closing hospitals in that way helps no one.

"That mentality is unacceptable today," said Councilmember Schulman. "And we will not allow that mentality to be the leading voice of this city or state."

Dr. Michelle Morse is the Interim Health Commissioner at the New York City Department of Health. She and Chief Medical Officer for Elmhurst Hospital, Dr. Laura Iavicoli, presented on behalf of NYC DOH.



From left to right: Region 11 Coordinator Bernadette O'Connor, PEF Political Director Leah Gonzalez, and PEF Council Leader Joan Rosegreen, an RN at SUNY Downstate.

Dr. Morse said that currently Kings County Hospital is one of the busiest hospitals and emergency rooms in the state and that while she cannot predict the full impact that a SUNY Downstate closure would have, she can safely say that Kings County – located just down the street in Brooklyn -- will be affected.

"Were SUNY Downstate to close, we don't need a study to tell us the ripple effects," said Dr. Morse. "The State Department of Health is responsible for planning, in partnership with any hospital that closes, to mitigate any impact on the community that uses that hospital."

SUNY Downstate has the only kidney transplant program in the borough of Brooklyn. During the hearing, Councilmember Narcisse expressed concern that patients would not be able to receive this kind of life-saving care at other hospitals within the NYC DOH system.

"Health and Hospitals does not have a kidney transplant program," said Dr. Iavicoli.

Dr. Morse described the inability to access specialty care only found at SUNY Downstate, like kidney transplants, as a critical health equity issue for Brooklyn.

"This is certainly a serious health equity issue. Access to kidney transplants is a major challenge in the city at baseline," said Dr. Morse. "As far as we're aware, the SUNY Downstate kidney transplant program has transplanted over 3,000 people in the Brooklyn area since it was established."

Also present at the hearing were State Assemblymember Jo Anne Simon and State Senator Zelnor Myrie, who both represent districts in Brooklyn. Simon said the way the state makes decisions on closures does not make sense, which is why she introduced the "Local Input in Community Healthcare," or LICH Act.

"This bill passed in both houses and is borne out of my experience as a community leader when Long Island College Hospital was closed in 2013," said Assemblymember Simon. "I have been fighting ever since that time to make hospital closures make sense."

Senator Myrie has co-sponsored the LICH Act. He said that his community is in danger and that SUNY Downstate, a hospital that helped save the community during the height of the COVID pandemic, deserves better than a misguided proposal.

"The proposal included a 'public outreach process' that was rushed, opaque and wholly insufficient. There were closed-door, invitation-only, focus groups and a last-minute report, thrown together, that summarized its pre-ordained conclusion," said Myrie. "It was frankly an insult against my community, and I am proud that we mobilized to fight back against this plan."

Joan Rosegreen a PEF Executive Board Member and Registered Nurse at SUNY Downstate for more than 20 years, also spoke at the hearing. She told the council that she knows that the closure of the hospital will hurt the community which has a high incident of diabetes, kidney failure, heart failure and other high-risk illnesses."

Rosegreen also told the council that this potential closure would affect her own family.

"My mother, as I am speaking to you here now, is a patient at the hospital. I use the hospital for my entire family and have had my own treatment there," said Rosegreen.

In addition to offering services like pediatric dialysis, Rosegreen called SUNY Downstate the "epicenter" teaching hospital that produces diverse graduates who go on to become high quality doctors serving the community.

"The closure of this hospital, which produces 90% of the doctors serving in this community, and minority doctors, is going to be impacted tremendously for the neighborhood in and around," said Rosegreen. "There is no resource for these people to travel to the city for their care."

Rosegreen and the other panelists all agreed, like the campaign slogan says, that "Brooklyn Needs Downstate!" On Nov. 25, 2024, Governor Kathy Hochul appointed an [advisory panel](#) to study the future of SUNY Downstate. The panel will hold public hearings and recommend a "reasonable, scalable, and fiscally responsible plan for the financial health, viability, and sustainability of SUNY Downstate Hospital and SUNY Downstate Health Sciences University" by April 1, 2025. PEF and the rest of the "Brooklyn Needs Downstate" coalition plan to keep the pressure on and demand real results in the months ahead.



State Assemblymember Jo Anne Simon and State Senator Zelnor Myrie testify.

SALARY

State increases pay for thousands in professional traineeship titles

By KATE STICKLES

More than 2,100 state employees in professional traineeships at 46 state agencies, many of whom are PEF members, will see pay increases of either 5.7% or 11.6% in salary, depending on their title. According to a [bulletin from the State Comptroller's Office](#), the increases will raise the salary of those in Trainee 1 titles from Grade 13 to Grade 14, and those in Trainee 2 titles from Grade 14 to Grade 16.

"We commend the Governor for continuing to invest in the state workforce and recognizing the value of competitive salaries as a recruitment and retention tool," President Wayne Spence said in Gov. Kathy Hochul's press release on the salary changes. "These pay increases are a good first step toward bringing state salaries in line with the private sector and retaining and recruiting highly skilled public servants. It's critical that we address chronic understaffing, and we look forward to the continued review of compensation for state employees as a tool to bolster our ranks and strengthen our workforce."

The salary increases are expected to have the greatest impact at the Department of Environmental Conservation, Department of Health, State Insurance Fund, Department of Transportation, Office for People With Developmental Disabilities, Office of Mental Health, Department of Civil Service, Office of Medicaid Inspector General, Department of Motor Vehicles and Office of General Services.

More than 280 trainee titles will be impacted, including specialty and language-related titles. Job titles that utilize traineeship paths include Human Resources Specialist, Administrative Specialist, Contract Management Specialist, Health Program Administrator and Business Systems Analyst.

"The union is well aware that salaries need to be adjusted to reflect the skills and education of our members, and we have advocated and fought hard for change in this case," said President Spence. "The PEF Civil Service Enforcement/Research Department continues to pursue salary restructurings and upgrades for various titles, and we look forward to continued collaboration with the New York State Department of Civil Service."

Traineeships are used for entry-level professional positions to provide on-the-job training and hands-on experience while individuals acquire baseline skills. Professional traineeships typically last two years and trainees receive salary increases based on performance and achieving milestones. Most professional two-year traineeships require a college degree or equivalent work experience.

Employees whose salaries are below the hiring rate of the new equated grade will have them adjusted to the hiring rate of the new grade, effective November 7 (Administration) or November 14 (Institution). Performance advancements will be restructured as well. There is no impact on duties, probationary status, or leave rights.

"To better align with jobseekers' expectations and to assist state agencies in an ever-increasingly competitive labor market, New York State is increasing the traineeship salaries to attract and retain more candidates to assist state agencies in fulfilling their hiring needs and provide the public with valuable and necessary services," Department of Civil Service Commissioner and Civil Service Commission President Timothy R. Hogue said in the Governor's release.





Expedited review allows PEF to challenge suspensions at the start of disciplinary cases; aims to restore members to payroll

By **KATE STICKLES**

For members who are suspended without pay, time is of the essence – the longer the case goes, the harder it is to stay financially afloat, and in some cases, that hardship leads to members settling cases they otherwise would have contested.

Under President Spence’s leadership, PEF’s Contract Team zeroed in on the issue and negotiated and entered into a Memorandum of Agreement (MOA) with the state allowing for an Expedited Suspension Review process.

“Being suspended without pay is an incredibly difficult thing for anyone to go through and we used to have to wait until the conclusion of the state’s case-in-chief at an arbitration hearing before we could argue that the standard of probable cause had not been met for suspension,” said PEF Assistant General Counsel Alison M. Thorne. “This MOA allows us to challenge probable cause for suspension at the beginning of most disciplinary suspension cases. Prior to the MOA, it could have taken several months before the suspension could be reviewed by an arbitrator. The addition of this process has been an incredible benefit to our members who are suspended and facing disciplinary action.”

PEF Director of Contract Administration Debra Greenberg, who worked closely with the PEF Contract Team, said: “Having the quick suspension review, if successful, can free the employee facing a notice of discipline to contest/defend it at arbitration instead of being financially pressured to settle, since they remain at work (or at least on the payroll) while the disciplinary case is pending.”

This contract provision applies to Article 33 cases where an employee served with disciplinary charges is suspended, while the Notice of Discipline (NOD) is pending, due to the agency’s determination that the employee’s continued presence on the job is either a danger to persons or property, or a severe interference to operations. It does not apply to cases where charges allege patient abuse/neglect or in cases where the member has been charged with a crime.

Within five business days of an employee’s suspension or the union’s receipt of the NOD, the union may request that the arbitrator review the suspension. PEF and the state then have five business days to submit a position statement as to whether the contractual standard has been met. The arbitrator reviews and renders a short email decision deciding if probable cause for suspension has been met.

Since the program became effective in 2021, the Office of General Counsel has requested expedited review in more than 160 cases.

“Even if we had been successful in getting just one member returned to payroll, it’s worth it,” Thorne said. “However, on average, the arbitrator has found that the State had no probable cause for suspension and returned the member to the payroll in close to half the cases we have filed. These members have been ‘made whole,’ which means they receive back any accruals used, as well as any back pay.”

Most of the time, by the time a decision is received on the expedited review, a member has been off the payroll for three to four weeks. Members must be proactive in their own defense.

“As soon as a member receives notice of suspension and/or a notice of discipline, they should immediately contact their Field Representative who will then forward the information to the Legal Department,” Thorne said. “The member can expect the assigned attorney to reach out to them to discuss the expedited suspension review and it is the member’s decision whether to move forward.”

Information on the MOA can be found on page 110 of the current PEF/State Collective Bargaining Agreement.

Public Sector unions struggled to find footing throughout history

By **NAJEE WALKER**

Unions in the U.S. have seen an explosion of support over the past few years, from Amazon to Starbucks to Hollywood. New York State boasts the most unionized workforce in the country, with just under 21 percent of workers belonging to a union, according to the annual [State of the Unions report](#) from the CUNY School of Labor and Urban Studies.

Public sector and government employees, however, have historically had a hard time establishing themselves, in part because government employees were appointed by political parties until the Civil Service Reform Act of 1883.

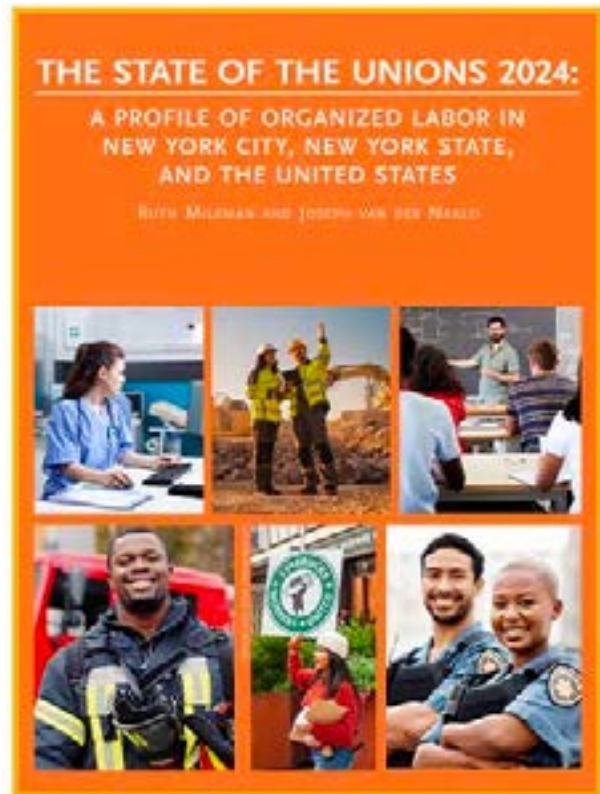
Following the 1883 legislation, Postal Office workers formed the National Associate of Letter Carriers in 1889. A few years after its formation, the union was able to win \$3.5 million in back overtime pay for its members. Other postal unions would rise throughout the years and eventually the National Association of Letter Carriers would join the American Federation of Labor (AFL) in 1917.

It would still be a few decades before unionization seemed a little less uncommon. While President Franklin D. Roosevelt was a supporter of collective bargaining in the private sector, he generally opposed bargaining in the public sector. Although the 1935 Wagner Act protected the right of employees in the private sector to join unions, engage in bargaining and take collective action, no such protections existed for public sector employees.

For many years, public sector unionization was seen as a state's rights issue — and in many parts of America, that is still somewhat the case.

In New York, Mayor Robert Wagner, Jr. issued the “little Wagner Act” in 1958, which established small protections for public sector unions in New York City and gave city employees union representation regardless of if they were members of the union or not. Although it seemed New York was leading in broadening rights for its public employees, Wisconsin would be the first state, in 1959, to permit collective bargaining for the public sector across the state. New York followed suit in 1967 after passing the Public Employees’ Fair Employment Act, also known as the Taylor Law.

Today, 15 states either have no law or have repealed or outlawed attempts to collectively bargain. Attempts to introduce legislation to break up unions or take action against collective bargaining are ongoing. Despite these attacks, the number of public sector employees joining unions in states where they are permitted has only increased since the 1960s.



In 2018, unions—including those in the public sector—saw some impact to membership after the Supreme Court’s Janus decision, which ruled that public employees have no obligation to join a union. Still, more than five years later, public sector unions have managed to blunt the impact of that decision.

According to the U.S. Department of Labor, union membership in the public sector was more than five times higher than the rate of private sector union membership in 2023.

In 2024 alone, PEF has welcomed 6,500 new members to the union. Since the Janus decision, PEF’s membership has grown 3% and as of November 2024 the union has nearly 54,000 dues payers.



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The New York State Public Employees Federation (PEF) is a diverse and powerful labor union committed to creating a better working life for its members. PEF staff work in various departments in collaboration with PEF's elected union leadership to serve 50,000 members employed in professional, scientific, and technical titles across the State. Some of PEF's departments include: Communications, Contract Administration, Field Services, Finance, Health & Safety, Legal, Legislative and Organizing. If you believe in workers' rights, justice and equality, then a career in the labor movement may be right for you. To see what opportunities are available at PEF, please visit our [Careers Page](#).

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Enrollment opened Nov. 1 for Dependent Care benefit

If you pay for childcare, elder care, or disabled dependent care, you may be able to set aside pre-tax money in a Dependent Care Advantage Account (DCAA). Eligible employees can even enroll without having to set aside any of their own money and still receive the contractual employer contribution.

The open enrollment period for this 2025 benefit begins Nov. 1, 2024, and ends Dec. 9, 2024.

PEF advocated for increases to the employer contribution and as a result, the state agreed to increase their contribution by \$100 per participating employee for 2025. The following salaries and employer contribution rates will be in effect for next year:

- Under \$30,000 - \$1,100 contributed by the employer
- \$30,001 to \$40,000 - \$1,000 contributed
- \$40,001 to \$50,000 - \$900 contributed
- \$50,001 to \$60,000 - \$800 contributed
- \$60,001 to \$70,000 - \$700 contributed
- Over \$70,000 - \$600 contributed

Additionally, please note:

- If you use the “Married Filing Jointly” tax filing status, the IRS \$5,000 maximum contribution rule is applied to households.
- If both you and your spouse participate in a DCAA, the total household contribution is limited to \$5,000.
- If you file “Head of Household,” the IRS maximum contribution is \$5,000.
- If you or your spouse earn less than \$5,000 annually, you cannot put more money into the account than your income or your spouse’s income, whichever is less.
- If you use the “Married Filing Separately” or “Single” tax filing status, the IRS limits DCAA contributions to \$2,500.

The DCAA provides a grace period, which allows for an additional 2.5 months to incur dependent care or adoption-related expenses. You can use any funds remaining in your account after the plan year ends to pay for expenses incurred between January 1 to March 15 of the following year.

Complete enrollment at <https://app.mybentek.com/nysfsa/>. You will need your NYS EMPLID number, located on your paystub.

For information, visit <https://oer.ny.gov/fsa>, call 1-800-358-7202, or email fsa@oer.ny.gov.



Enrollment opened Nov. 1 for HCSA, carryover details explained

The open enrollment period for the Health Care Spending Account (HCSA) benefit begins Nov. 1, 2024, and ends Dec. 9, 2024.

The HCSA allows you to set aside any amount from \$100 up to a maximum of \$3,300 for the 2025 plan year to pay for health care expenses that are not reimbursed by your health insurance or other benefit plan.

Only medically necessary medical, hospital, dental, vision, hearing, prescription drug, and certain over-the-counter drug expenses for you, your spouse, and your eligible dependents can be reimbursed or paid by your HCSA.

There is a HCSA carryover provision. Unused contributions will carry over to the next plan year for the participant to use. During the plan year runout period (January 1 – March 31), the previous year funds may still be used for previous year expenses. Any remaining funds up to the IRS limit from the previous year will then carry over into the current year's account balance after the runout period end date.

During the runout, the new plan year election will be depleted first, then carryover funds will be accessible for reimbursement. For participants who did not re-enroll, carryover funds will be available after the runout period ends.

The IRS carryover limit from 2024 into 2025 is \$640 and will increase to a carryover limit of \$660 from 2025 into 2026.

Enrollment must be completed online at <https://app.mybentek.com/nysfsa>. Even if you're enrolled before, you must reenroll for the new plan year. You will need your NYS EMPLID number, located on your paystub. For more information, visit www.pef.org/benefits or <https://oer.ny.gov/fsa>. You can also call 1-800-358-7202.



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Blast from the Past: Safe patient handling is still vital to members, patients

By **KATE STICKLES**

In this issue, you'll find a story about 10 members at the Office for People With Developmental Disabilities (OPWDD) taking advantage of reimbursements provided by the PEF contract to attend a training to educate themselves on best practices for safe patient handling.

Check out this 2014 *Communicator* story about PEF's advocacy to improve the safety of patients and health care workers, culminating in the state's passage of the Safe Patient Handling Act, which required health care facilities to establish safe patient handling committees.

State budget includes safe patient handling law

By **SHERRY HALBROOK**

Years of dogged efforts by PEF and its nurses to improve the safety of patients and health care workers suddenly paid off this year when a safe patient handling provision was added to the 2014-15 state budget that was passed and signed into law April 1.

"We applaud the legislators who had the vision and leadership to make safe patient handling the law in New York," said PEF President Susan M. Kent. "It will protect patients when they're most vulnerable, keep health care workers safe from injury and keep them on-the-job, which will save money and improve care."

"During the past two years, our administration has worked with our coalition partners to get this legislation passed," Kent said. "Last year, we had a bump in the road when nursing homes were proposed to be exempted and we could not support that change. This year, we tried a new approach, working with the Assembly to include the measure in the budget."

According to the federal Bureau of Labor Statistics in 2007, 29 percent of all workplace injuries requiring time away from work were musculoskeletal disorders and the rate of these injuries for nursing

aides, orderlies and nursing attendants was seven times higher than the average of all occupations.

In 2010, according to the federal Occupational Safety and Health Administration, the health care sector reported more injury and illness cases than any other sector.

Manual patient lifting causes fear, anxiety and discomfort for the patients and increases slips, falls and drops. In New York state, health care workers experience far more strain and sprain injuries than even construction workers or truck drivers. The top source of these injuries is moving and handling patients.

Some health care facilities are already using safe patient handling methods and are reaping the benefits. For example, the state Veterans' Home in Batavia reported patient handling accidents were reduced 69 percent from 2002 to 2008, and lost work days fell by 95.8 percent.

"Recognizing the importance of such measures," said state Assembly Speaker Sheldon Silver, "this year's budget establishes the Safe Patient Handling Act, ... which (requires) health care facilities to establish safe patient handling committees (to) design a specific program for safe patient handling."

Health facilities must implement safe patient handling by January 1, 2017.

State Assembly Member Aileen Gunther, a former nurse who has been sponsoring this legislation for several years, said, "The Safe Patient Handling Act is a smart, much-needed initiative that will help improve the safety and quality of health care delivery in our state. During an eight-hour shift, a nurse lifts an average of 1.8 tons."

Gunther added, "This legislation will help address the high cost of injury associated with this profession, including lost days and high Workers' Compensation costs, as well as improve patient comfort and care. Its inclusion in the budget is a great achievement for the Assembly and for all the advocates that have fought for many years to get the measure implemented here in New York."

State AFL-CIO President Mario Calento said, "Without the leadership of Speaker Silver, (Assembly Health Committee) Chairman (Richard) Gottfried, Assemblywoman Gunther and their majority (party) colleagues, this would not have been possible. We thank them for making safe patient handling a reality in New York."

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Division 357 announces fall scholarship winners

PEF Division 357 at the Office of Information Technology Services awarded \$600 scholarships to 13 students enrolled for the fall semester.

The recipients and their associated PEF members are: **Babacar Seck** (Mamadou Seck), **Isabelle Griswold** (Timothy Griswold), **Andrew Lee** (Todd Lee), **Isadora Lee** (Todd Lee), **Victoria Duplan** (Ronald Popo), **Macy Sawicz** (Mary Sawicz), **Faizaan A. Khan** (Asim Khan), **Medha Neti** (Sangeeta Neti), **Sneha Majo** (Deepa Majo), **Laura Duval** (David Duval), **Sydney Alverson** (Michael Schoeppler), **Ahmed S. Arif** (Syed Arif Masood), and **Lemma Khogali** (Nazik Elhag).

Division leadership thanked the Scholarship Committee, chaired by Tony LaPointe, for its work in bringing this year's program to the members, and extended congratulations to the winners.

Scholarships can only be awarded once per student, but there is no limit on the number of awards per family.

Check the union [scholarship page](#) for current opportunities.



Your list of 2025 legal holidays all in one place!

For your convenience, below are the 2025 observed legal holidays for eligible state employees.

- Wednesday, January 1: New Year's Day
- Monday, January 20: Dr. Martin Luther King Jr. Day
- Wednesday, February 12: Lincoln's Birthday
- Monday, February 17: Washington's Birthday (Observed)
- Monday, May 26: Memorial Day
- Thursday, June 19: Juneteenth
- Friday, July 4: Independence Day
- Monday, September 1: Labor Day
- Monday, October 13: Columbus Day
- Tuesday, November 4: Election Day
- Tuesday, November 11: Veterans' Day
- Thursday, November 27: Thanksgiving Day
- Thursday, December 25: Christmas Day

Legal holidays listed are those contained in the state's General Construction Law. The state will update the calendar to reflect floating holidays once they have been designated.

The [full list](#) released by the New York State Department of Civil Service also includes days of religious significance.

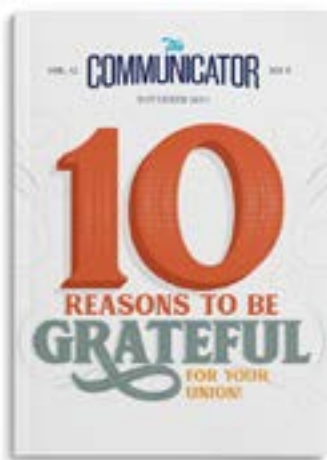
Caribbean-American Committee seeking new members

The union is seeking new members to join the PEF Caribbean-American Committee to advocate for issues important to public employees in that community, to share their experiences, and to enjoy good food and music together!

The committee was created to support members with Caribbean heritage, to educate all PEF members about the Caribbean and to share stories and struggles. There are 26 countries in the Caribbean and its people speak several different languages, hold diverse beliefs, and observe unique traditions.

“It is my hope that the committee will showcase what ties PEF members to this beautiful part of the world,” said Executive Board member Keith Browne, an assistant environmental at the Department of Environmental Conservation, who put out the call for members after speaking with PEF President Wayne Spence.

The PEF Caribbean-American Committee is open to any member. If you’re interested in joining, there will be an introductory meeting via Zoom at 6:30 p.m. on December 10. Please [register here](#) and the Zoom link will be sent to you.



Sign up **TODAY** for the Communicator

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PEF will never email at your work address.

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The 2024 Election: A Postmortem New York State Perspective

By **JIM CARR**

By Barry A. Kaufmann, President, New York State Alliance for Retired Americans

Editor's note: Reprinted with permission from the New York State Alliance for Retired Americans. First published Nov. 11, 2024, and edited to reflect vote counts as of Nov. 19, 2024.

The 2024 election did not further the objectives of seniors in New York or the nation. The results were disappointing to many NYSARA members who know that attacks on Social Security, Medicare, Medicaid and the Affordable Care Act are likely to be forthcoming. Let's take a look at what occurred.

Donald Trump won the popular vote 76,611,196 to 74,026,485 (as of Nov. 19) and the Electoral College 312-226. But let's analyze those votes. According to the AARP, voters over the age of 50 comprised 52% of the total voters in this election. Of those voters, those 50-64 voted for Trump by a margin of 56% to 43% for Harris and those over the age of 65 split evenly at 49% for Trump and Harris, which was an improvement over 2020 when Trump held a 53% to 47% advantage.

The Senate flipped to 53 Republican Senators and 47 Democrats. This might enable the Democrats to stop particularly egregious legislation unless the Republicans get rid of the filibuster. The House majority also went to the Republicans, with 218 seats to 212 seats decided as of Nov. 18.

In New York State we voted for Harris for President, albeit by a significantly lower margin than we voted for Biden in 2020. We returned Kirsten Gillibrand (D) to the Senate and did yeoman's work to flip three House seats, an accomplishment unmatched by any

other state in the nation. Through NYSARA members and labor's efforts we flipped the 4th Congressional District on Long Island with Laura Gillen defeating incumbent Anthony D'Esposito, the 19th Congressional District in the Mid-Hudson Valley where Josh Riley defeated incumbent Marcus Molinaro, and the 22nd Congressional District in Central New York where former NYSUT member and Chapter President John Mannion defeated incumbent Brendan Williams.

The blame game has begun. While Trump convinced more people of color, especially Latinos, to vote for him, and won all seven swing states, he got only about 400,000 votes more nationally than in 2020. The real difference was the voters that didn't show up for Vice President Harris. In 2020 Joe Biden received 81,283,501 votes compared with Kamala Harris' 74,026,485 votes in 2024, a decrease in turnout of a little more than 10 million people. The jury is out on why that was, whether the messaging the Democrats used was not reaching those people or struck people as elitist, or whether it was misogyny, racism, all of the above, or none of the above.

The fact is that certain functions and programs of the federal government are in jeopardy under the Trump Administration according to their rhetoric and Republican positions on senior issues. Since the Republicans control all sectors of government (Executive, the Senate and the House as well as a VERY conservative Supreme Court) their ability to change the direction of this country is real.

"There will likely be renewed attempts to slash seniors' hard-earned Social Security and Medicare benefits and roll back the progress the Biden-Harris administration made in lowering drug prices," said Barry A. Kaufmann, President of the NYS Alliance. "However, we



are ready for the battles ahead. We will continue to work with our friends and especially with our opponents in the NYS delegation of the House to defend against all attacks on Social Security and Medicare, allow Medicare to negotiate lower prices for more drugs, keep the cap on insulin prices at \$35 per month for Medicare beneficiaries, and maintain the \$2,000 cap on drug co-pays that is set to kick in January 1, 2025.”

Immediate concerns are the push to reduce funding for the Social Security Administration. This is used to make the program less popular and more likely to be changed. We just came off a five-year effort to raise the Social Security age to 67. Republicans now want to increase it to 69 or 70. If they are successful, all retirees who won't reach full retirement age until 69 will see their benefits cut in their lifetime by 13%. Donald Trump has promised to stop the taxes on Social Security benefits. These taxes contributed \$50.7 billion to the Social Security Trust in 2023. Trump has also promised to reduce FICA taxes or institute a FICA holiday as he did in his first term. Be aware this is a thinly disguised way of starving the Social Security Trust and just another long-term way of compromising the program. The major source of income for Social Security lies in the FICA tax of 12.4% of payroll up to \$168,200 of salary. To “fix” Social Security we need to scrap the income cap of \$168,200 and not tamper with the FICA tax.

The prospects of Medicare Advantage being made the default Medicare option or Medicare being changed to a premium support/ voucher system, which would increase costs for seniors, and cutting Medicare by making seniors pay more for premiums, co-pays or deductibles, could all be on the agenda. The Affordable Care Act could be gutted so millions of people and especially those ages 50-64 could not afford health coverage.

What can NYSARA do? We can stay informed. We can write constant letters and emails to our electeds including the opposition to let them know we are watching and WILL hold them responsible at election time. We can visit our elected representatives to keep the pressure up. We can vote like our life depends on it. “Woe is me” and despair over this election won't help us prevent the Draconian changes proposed, but turning up the dial on our activism, agitation and vigilance will maximize our ability to impact programs that are critical to seniors. We will prevail in the long term. NYSARA members are strong and resilient. Let's go out and become that force of nature.



Letter to the Editor

To the Editor:

I'm writing to express my heartfelt gratitude for awarding me the “Pete Singapore College Scholarship.” It is an honor to be selected, and I'm deeply appreciative.

This scholarship alleviates some of the financial burden of pursuing my education but also motivates me to work even harder to achieve my academic and career goals.

Your generosity is a testament to your commitment to supporting students like me, and it inspires me to give back to my community in the future.

Thanks to PEF's support, I am more confident and excited about the path ahead.

Once again, thank you for believing in my potential and for your support. I look forward to the day when I can contribute to helping others, just as this scholarship has helped me.

Aaron A. Hernandez

Editor's note: You can access [PEF's scholarship page](#) for information on PEF's scholarship offerings, as well as Union Plus scholarship opportunities.



Letters to the Editor

Sending letters to the editor is a powerful way for members to get answers to their questions, express their opinions, and contribute to public discourse. They can raise awareness, spark dialogue, and influence public opinion on various issues.

We want to hear from you!

Send your letters to to thecommunicator@pef.org. Please include your name and location. Letters may be published in upcoming issues of *the Communicator*.

Your fellow 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.

Barbara Bertucio is a curatorial visitor services specialist 1 at the Office of General Services in Albany.

Cassandra Bradford is a registered nurse 2 at SUNY Upstate Medical Center in Syracuse.

Kevin Bromley is a registered nurse 1 with the Office of People with Developmental Disabilities in Norwood.

Rhonda Carroll-Eldridge is a dairy products specialist 1 at the Department of Agriculture and Markets in Steuben County.

Brian Cellery is an information technology specialist 3 at the Office of Information Technology Services in Albany.

Lori DeVito is an administrative specialist 1 at the Office of General Services in Albany.

Kimberly Ernst-Harris is a supervising offender rehabilitation coordinator at the state Department of Corrections and Community Supervision central office in Albany.

Heather Farthing is a registered nurse 2 at Capital District Psychiatric Center in Albany.

Sally Fontana is social work supervisor 1, LCSW at Mohawk Valley Psychiatric Center in Utica.

Wayne Green is a maintenance supervisor 3 at St. Lawrence Psychiatric Center in Ogdensburg.

Cherie Griffin is a taxpayer services specialist 2 at the state Department of Taxation and Finance in Albany.

Rishona Haynes is a registered nurse 1 at SUNY Stony Brook on Long Island.

Ann Krenn is an Offender Rehabilitation Coordinator at Groveland Correctional Facility in Sonyea.

Roxeen Mundy is an information technology specialist 2 at the state Office of Information Technology Services in Albany.

Rose Niang is an investigative specialist 1 at the Department of Education in Manhattan.

Danielle Porter is registered nurse 1 at SUNY Upstate in Syracuse.

Darlene (Gemma) Rose is an employment counselor for the state Labor Department in Amsterdam.,

Vexilla Quinlan is a registered nurse 1 at Bronx Psychiatric Center in the Bronx.

Christine Thayer is a manager of information technology services 1 at the state Office of Information Technology Services in Schenectady.

Kathleen Vonk is a veterans education program representative 2 at the Department of Veterans' Services in Albany.

Jennifer Wells is a registered nurse 2 at SUNY Upstate in Syracuse.

Roslyn Williams is an economic development program specialist 2 at the Department of Agriculture and Markets in Albany.

Jennifer Zullo is a research scientist 2 at the Office for People With Developmental Disabilities 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 174 and 175 of the [2023-26 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 communicator@pef.org, or call 518-785-1900.



November 13, 2024

PEF's Labor-Management Advisory Council, chaired by Vice President Bruce Giddings, held its final meeting of 2024 on November 13. The session featured a budget priorities presentation by Legislative Director Patrick Lyons, a telecommuting roundtable led by Western NY Field Director Eric Kwasniewski, and a roleplaying activity with Statewide Director of Field Services Katie Vorwald to enhance leadership skills at the labor-management table.



November 14, 2024

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November 2, 2024

A big shoutout to the dedicated stewards in Region 9 (Hudson Valley) who spent their Saturday in training to strengthen their roles at PEF. Thank you for your commitment and service to the union!



November 23, 2024

PEF leaders and Region 8 members joined the Capital District Area Labor Federation to help the Northeastern Regional Food Bank distribute food to people who need it this time of year. Their goal across the region is to provide enough food to feed 30,000 on Thanksgiving Day!



November 23, 2024

Region 2 hosted a blow-your-own Christmas Ornament event along with guests from Regions 3 and 4! Members and their families created their own unique ornaments while enjoying time with their union siblings and learning from the pros in Corning, N.Y.



November 13, 2024

On the Empire State Plaza concourse, PEF hosted a table near the food court. This week's handout was an FAQ about the State's new dental provider, Anthem!





November 22, 2024

New PEF Council Leaders pose for a photo during their day of training in Albany on Nov. 22, 2024. From left to right: Kelly Lame, Chris Jordan, Heidi Bazicki, Kristie Chatterton, Michael Sclafani, Eileen Pucci, Tayo Kuku, Anthony Barton, Leslie Apacible, Karen Taylor, Rocco Citen, Jonathan Short, Christine Body, Mohammad Junaid, Sonia Moulahoum, Myron Getman.



November 25, 2024

Members stopped by the PEF table outside 125th Street at the Harlem State Office Building. The table has since moved inside to the 11th floor. All members who work in the building or nearby are welcome to stop by and learn the latest about union activities and campaigns, and have their questions answered.

