

Object to 3-Year Pay Freeze

Larger Unions Questioning Cuomo's First Settlement

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By MARK TOOR |

Governor Cuomo's administration announced April 13 that it had reached its first labor settlement, a three-year deal with Council 82 of the New York State Law Enforcement Officers Union that includes a three-year wage freeze, eliminates step increases, doubles health-care premiums while increasing co-payments, and reduces overtime compensation.

The state's two largest public-workers' unions made clear that they were not prepared to take a similar settlement.

Council 82, an affiliate of the American Federation of State, County and Municipal Employees with 1,160 members, has been without a contract since 2005, and if members approve the agreement they will see a substantial increase in their paychecks and receive sizable checks for back wages.

'Model for Other Unions'

"I applaud Council 82 and its leadership for understanding the problems of the state, and realizing that through shared sacrifice, we can get New York on the road to recovery," Mr. Cuomo said in a statement. "This is a model the other unions negotiating with the state can follow. If similar contract terms were adopted by New York's other public-employee unions, the state could achieve the \$450 million in savings needed to avoid the 9,800 layoffs projected in the enacted budget."

No thanks, said the larger unions, which have been negotiating with the layoff threat hanging over their heads.

"The state offered PEF a similar proposal," said Kenneth Brynien, president of the Public Employees Federation. "PEF has not accepted the state's initial offer because it would impose an unfair burden including long-term hardships on our members and their families. The state's proposal would require an average PEF member to give up as much as \$10,000 in salary and benefits every year of the contract. Additionally, the state made it clear that accepting these concessions would not ensure PEF members would not be laid off anyway."

He said PEF had offered a counter-proposal, but gave no details. The union is "willing to accept short-term hardships for what may very well be a short-term fiscal crisis," he said.

CSEA: Forget It

Danny Donohue, president of the Civil Service Employees Association—which like Council 82 belongs to AFSCME—said, "The Cuomo administration's agreement with Council 82 represents a settlement with a very small number of specific state law-enforcement officers who haven't had a contract for six years. CSEA will continue to negotiate in good faith at the bargaining table on an agreement that will fairly address the state's fiscal situation, while respecting the needs of the 66,000 CSEA members who deliver a wide range of essential services to the people of New York every day."

Mr. Cuomo, talking to reporters April 14 in Tonawanda, responded: "I think the Council 82 contract is a fair and reasonable contract. I think it recognizes the economic reality that we're in...The state is basically functionally bankrupt...So if the public employees think that they can get a big raise from the state, they can't—we don't have the money. And we're in a position where we're not going to be raising taxes in this state to pay higher costs for public employees."

The April 13 agreement covers members of the State University of New York Police, Park Police, and Department of Environmental Conservation Officers and Forest Rangers.

Long on Back Pay

The announcement from Mr. Cuomo's office said the contract contains "zero wage increases for fiscal years 2011-2012, 2012-2013, and

2013-2014.” However, it does contain raises for fiscal years 2006 through 2011 of 2¼, 2¾, 3, 3, 3 and 4 percent, respectively. That’s an increase of roughly 20 percent over the wages in the 2005 contract; neither the union nor Mr. Cuomo’s office would respond to questions about whether members’ paychecks will reflect an increase of that size. PEF and CSEA long ago negotiated contracts that expired at the beginning of this month.

Mr. Cuomo’s office said the contract gives Council 82 members the same wage increases received by the two larger unions over that six-year period. “The one-time cost to the state of \$48 million was reserved for this purpose in the enacted budget,” his office said. Again, neither the union nor the Governor’s Office responded to questions about how much back pay the average worker would receive.

Highlights of the Deal

Beyond the wage freeze and the elimination of step increases in 2011-2012 and 2012-2013, highlights of the contract, as outlined by the Cuomo administration, include:

- Raising the percentage of health-care premiums paid by union members. Individuals will pay 20 percent, up from 10 percent. Families will pay 35 percent, up from 25 percent. Projected first-year savings if applied to the entire unionized state workforce: \$178 million.
- “Redesigning” medical coverage. Co-payments will be charged for inpatient hospital services, emergency-room visits, radiological and lab work and other hospital services. Co-pays for out-of-network medical services will increase. Employees will be encouraged to fill their prescriptions through less-expensive mail-order services. Projected first-year savings: \$196 million if applied statewide.
- Reducing the amount of unused sick leave that can be applied to lower health-care-insurance premiums in retirement. Projected annual savings: \$45 million if applied statewide.
- Excluding sick days taken during the pay period when calculating overtime. Projected first-year savings: \$11 million if applied statewide.

A letter to Council 82 members signed by union General Counsel Ennio J. Corsi said, “No attempts by anyone on the Council 82 staff or the ALES negotiations team will be made to ‘sell’ this tentative agreement to you. The agreement speaks for itself and the choice in the matter is entirely yours. If it is acceptable to you, vote for it, and if it is not acceptable to you, reject it.”