

Willowbrook supervisor wins fight to keep job

By ROBERT MIRALDI

A Willowbrook Developmental Center building supervisor who was suspended for allegedly not following proper procedures after the December disappearance and subsequent death of a resident has been reinstated because center officials could not prove their charges.

Rosalie Branch, employed at the center for eight years, was suspended Dec. 29—five days after 20-year-old Luis Ramirez had wandered away from his building and the same day his frozen body was found in a wooded area near an administration building.

Acting Director Dr. Stanley Slawinski, saying that "heads will roll," charged that Mrs. Branch was guilty of miscon-

duct for failing to notify the Willowbrook safety department about Ramirez's disappearance.

Mrs. Branch, along with three other suspended employees, claimed that she had called the safety department and had, in fact, followed all procedures, including underlining in red in a building log book a notation that Ramirez was still missing when she left work on Christmas Eve.

An arbitrator for the American Arbitration Association, Jonas Aarons, has concurred with Mrs. Branch's contention and said in his decision, a copy of which was obtained by the Advance, that "the state has not met its burden of proof."

West Brighton attorney Louis Mauriello, who defended Mrs. Branch at a March 5

hearing, said the only reason she was suspended was that "the state had to take action because a death was involved."

If Ramirez had been found unharmed, Mauriello said, no disciplinary action would have been taken. "The facts available to the administration should have made it clear that no disciplinary action was necessary."

"The suspension was a political kind of thing," he said.

Dr. Slawinski, the deputy director who made the suspensions, would not comment on the arbitrator's decision. He said he did not have a copy of the decision before him and did not want to comment "without input" from state

Department of Mental Hygiene officials.

About Mauriello's charge of "political" motivations for the suspensions, Slawinski said: "He can say what he likes. He is an attorney and he has a client. His comment is really not to the point."

Slawinski said that "administratively we have done everything within human power" to see that current reporting procedures would make another Ramirez incident highly unlikely.

But, Slawinski cautioned, "we could have the best mechanisms in the world, but if one step is not followed the whole procedure could fall apart."

Ramirez, who was moderately retarded, wandered from Building 5 at the center about 7 p.m. on Christmas Eve. Building supervisor Mrs.

Branch testified that she called the Police Department, sent a telegram to the resident's parents, and also called the safety department.

Based on testimony from the safety department officer on duty Christmas Eve, Willowbrook officials concluded that Mrs. Branch had never made the call to the safety department, which had no record of the call in its log book.

Mauriello, however, presented testimony at the March 5 hearing from two Building 5 workers who said they overheard Mrs. Branch making telephone calls to the safety department. The witnesses, the arbitrator found, were "credible."

When the four employees were suspended by Slawinski, union officials charged that he was "covering up" for his friends, the unit chief and team leader, neither of whom was suspended.

The administration, the union said, was putting the blame on low-level staff when it was administration officials who were at fault. Slawinski said that high-level officials were not informed about Ramirez for four days. Doctors feel Ramirez died on the fourth day of his sojourn in the woods adjacent to Willowbrook.

Mauriello also is defending attendant James Young also suspended after Ramirez's death. He said he expects a favorable decision shortly on the Young case.