

## Union vs. New York State

# Willowbrook showdown near

By SYDNEY FREEDBERG

Willowbrook Developmental Center, until five months ago an entirely public-run institution, is being "carved up and handed out to the private sector."

That is the position of the state's largest public union and the crux of a complicated lawsuit that, in essence, charges Gov. Carey and his designees with abandoning the cause of handicapped persons by turning their care over to private organizations.

Some decision in the suit, brought by the Civil Service Employees Association and now pending in Brooklyn federal

court, is expected shortly, and the outcome will likely leave the losing side reeling over it for years.

Specifically at issue is the state's surrender last September of seven buildings at Willowbrook to the United Cerebral Palsy Association of New York — a group that has undisputed expertise in dealing with some types of physical afflictions.

But never before has UCP, a so-called not-for-profit group, operated a facility this size, and the transfer of power from the public to private realm was unprecedented.

The seven buildings — one-quarter of Willowbrook's residential facilities — house 625 persons, many of them multi-handicapped, who are under the care of nearly 1,000 privately hired staff.

The takeover directly affected 700 of the institution's 4,000 workers, many of whom were given new assignments in still publicly operated facilities. Morale was — and in some circles remains — at an all-time ebb, with many state employees fearing a loss of jobs. Major changes in organization that followed undeniably had an impact on patient care.

Was it legal? Did the relinquishing of state control over the buildings — and the residents — violate any principle of the state constitution? In making a deal with UCP, did the state violate existing collective bargaining agreements with its union of 135,000 workers?

These questions may soon be answered by Federal Judge John R. Bartels, who has before him thousands of pages of sworn statements, briefs and documents submitted by the CSEA, the state, UCP and other interested parties

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