

Judge upholds suspension of union officials at center

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A Brooklyn Federal Court judge yesterday approved the continued suspension of seven union officials from the Staten Island Developmental Center, Willowbrook.

The officials were suspended last month without pay and barred from the Willowbrook institution following "sick-out" by employees and a five-day sit-down demonstration at the center's administration building.

In refusing a request by union attorneys for a temporary restraining order against the suspension, Judge Edward R. Neaher said the state was justified in its action. Administrators at the center, the judge said, believe that the continued presence of the union officials at the center would "threaten the safety and welfare of the patients in residence at the center."

The suspensions were authorized by Mental Retardation Commissioner James E. Introne following a noisy sit-down demonstration in August at the center's administration building, allegedly led by leaders of Local 429 of the Civil Service Employees Association (CSEA).

CSEA attorneys have maintained that the state violated the rights of the suspended officials and left the union in a position where it could not adequately serve the interests of its constituents, about 2,400 center employees. They said only three elected union officials were available at the center to serve the concerns of the workers as a result of the suspension of union officials, all of whom were on the state payroll.

"It may be that, as plaintiffs protest, the three elected officials are too few and too inexperienced to handle the work they are facing now," Neaher stated in his seven-

page decision. "Nevertheless, the court is not able to say under the circumstances that they are wholly inadequate to serve the membership's needs."

The sick-out of state employees and noisy sit-down demonstration followed union charges of severe understaffing at the center.

Theodore Ruthizer, a CSEA lawyer, said the union would continue to press a \$1-million civil suit against the state, and would seek to reinstate the suspended employees in arbitration proceedings scheduled to start in the next few weeks.

The union maintains that the state, in suspending the seven union officials and seeking penalties against other protesting state employees, violated First Amendment rights to free speech, engaged in racial discrimination and waged a political vendetta. Most of the penalized workers and union officials are black.