

Willowbrook union firings upheld

By ANEMONA HARTOCOLLIS

Independent arbitrators have upheld the decision of the state's mental retardation commissioner to fire the president and two ranking officers of a union local representing 2,400 workers at the Staten Island Developmental Center.

Felton King, the local president, and his two subordinate officers of the Civil Service Employees Association (CSEA) were dismissed from their jobs at the state-run facility for the mentally retarded by a series of arbitrators' rulings culminating on Friday.

A union spokesman said yesterday that it is the first time arbitration has resulted in the firing of CSEA officers.

The arbitrators concurred with Commissioner James E. Introne that the union officers engaged in and incited "misconduct" during a five-day sit-down strike in the administration building of the developmental center last August.

King, the president of Local 429 since June 1977, yesterday accused the state of pursuing his ouster for political reasons, using his participation in the building occupation as a pretext.

He said the state was trying to silence his persistent criticism of its policies at the developmental center in Willowbrook. Among his complaints, he said, were administrative racism, uncertainty about the future of hundreds of jobs and the "dumping" of the mentally retarded from the institution into the community.

Introne said yesterday he was "absolutely" convinced the termination of King's employment was justified. "Essentially, Felton King made a choice to operate outside the system rather than within the system, and basically his termination is a consequence of that choice," the commissioner said.

"In some ways I admire Felton as a leader," Introne added. "It's unfortunate that he became a disruptive force."

King vowed that he would "take action within the next few days or couple of weeks" in response to his firing, although he declined to elaborate on his plans. "If it means hitting the bricks, we're going to do it," he said.

An arbitrator found that King "violated the spirit" of collective bargaining by acting as the leader of the 100 workers who occupied the administration building on Aug. 21.

"The first day of the occupation brought chaos and pandemonium and resulted in the paralysis of the activities of staff in Building 1," the arbitrator, Simon J. Liebowitz, wrote. "This staff, including clinical control personnel, was the pipeline of control for all of the facility . . ."

Liebowitz upheld three charges brought by the state Office for Mental Retardation and Developmental Disabilities, those of provoking a disruptive demonstration; abetting and participating in the forcible occupation of a building, and insubordination through refusal to comply with management's order to vacate the building.

A fourth charge, that King was absent without authorization from his work location, was dropped by Liebowitz.

Based on similar charges, different arbitrators upheld the dismissal from their jobs of the two ranking officers of Local 429: Roy Hargrove, second vice president and grievance chairman, and Michael Hicks, third vice president.

King, who is 32 years old, was hired by the institution in 1970, as a mental hygiene therapy aide. The majority of his Local members are therapy aides, assigned to wash, dress and feed the institution's residents. Elected president of the Local four years ago, he became contractually entitled to work full time for the union while remaining on the state payroll.

Asserting that his influence extends beyond Staten Island, King noted that he is the second-ranked black official within CSEA, the first vice president of the union's 28,000-member metropolitan region, and the vice chairman of the union's coalition of mental hygiene Local presidents.

"When they got Felton King, they got a big fish," he said.

The union leader accused his superiors in the CSEA hierarchy of shrinking from a confrontation with the state over his and his officers' terminations. "The union played a wait-and-see role and didn't come to our rescue when we

need it," King said.

Gary Fryer, a CSEA spokesman, vehemently disagreed with King yesterday. Noting that disputes are submitted to an arbitrator at the discretion of the union, rather than automatically, he said: "If Bill McGowan wanted to sell somebody down the river, it certainly never would have come to arbitration." William McGowan is the top-ranking CSEA official.

King is the first CSEA officer to lose his job through arbitration, according to Fryer. Calling job termination "the capital punishment" of grievance proceedings, he said it is upheld in only 10 percent of the labor-management disputes resolved through arbitration in New York state.

Also stemming from the sit-down strike, arbitrators upheld the state's suspension for two weeks without pay of Otis Daymond and Minnie Fann, rank-and-file members of Local 429.

Arbitration is still pending in the cases of Tyrone Daniels, the Local's executive vice president, and Terry Rouse, a member of the

Local's executive board. The state has charged them with misconduct during the building occupation and seeks to end their employment. Daniels is in line to succeed King as the Local president.

The sit-down was staged from Aug. 21 to Aug. 25 to protest the docking by the developmental center of three days' pay for 371 employees. The workers' salaries had been withheld to penalize their participation in a July "sickout." According to union members, the earlier job action was held to dramatize their allegations of understaffing.

STATEN ISLAND ADVANCE, Wednesday, March 11, 1981

Under a 1975 federal court order, the Willowbrook Consent Decree, the institution is scheduled to virtually close operations later this year. All but 250 of the current 1,000 mentally retarded residents are due to be transferred into small facilities in the community. The court-ordered changes at the institution are primary causes of the unrest among its non-professional employees, 75 percent of whom are black.