

One such attempt was quashed nearly a year ago. A live-in counselor and union activist at an apartment in Manhattan was dismissed from his job on the unproven charge that he hid dynamite under his bed, supposedly for use by a Puerto Rican terrorist organization.

The counselor, Edwin DeLaCancela, said he was mystified by the accusations against him. "It was really insane. To this day I still don't understand," he said in a recent interview.

But during a hearing on the case, where Rickles represented United Cerebral Palsy, the counselor connected his dismissal to his role as the leader of a "human rights committee," formed by six employees who toured the apartments to discuss joining a union.

An administrative law judge, Leonard J. Richman, ruled DeLaCancela's testimony was "credible," leading him to "reject the hearsay testimony of the employers," according to a transcript of the proceedings.

The hearing was conducted Nov. 10 in the Unemployment Insurance Administrative Court at 2 World Trade Center, and the judge granted unemployment compensation to DeLaCancela.

Walter Rosenthal, a spokesman for United Cerebral Palsy, denied that the agency had reacted illegally to union organizing.

"I will try to be calm about this response," he said. "We are very careful not to be in conflict with legal operations at all. But let's face it, every management faced with a union possibility is not going to stand still. Management likes people who are in sympathy and in concert with management's point of view."

Reached by telephone at his home on Tuesday, Rickles, the agency's attorney, declined comment.

In interviews with the Advance, administrators of the seven buildings at the Warner Center said Rickles had instructed them to privately question workers about the union and to document the conversations.

Administrators also said they were required to lecture workers on the disadvantages of a union using a 10-page manual compiled by Rickles.

Section 2180 of the federal Medicaid rules and regulations forbids Medicaid reimbursement to cover the cost of distributing anti-union literature or of coaching supervisors to discourage union activity.

Both the Karl D. Warner Center and the community-based apartments are funded through Medicaid.

Tom Maul, director of Medicaid revenues in the state Office for Mental Retardation, said auditors plan to investigate whether Rickles's salary of \$21.43 an hour and other union-related costs are improperly allocated to the Medicaid program.

He said the state has hired a private auditor, Deloitte, Haskins & Sells, to review the finances of United Cerebral Palsy.

Rickles' former law firm, Jackson, Lewis Schnitzler & Krupman, has been hired as a management consultant by the nursing home industry. Assemblyman Frank Barbaro, a Brooklyn Democrat, chaired hearings in February in Manhattan on the allegedly improper use of Medicaid funds to pay the law firm.

The firm was characterized as a "union-busting firm" in testimony from Peter Ottley, president of Local 144 of the Hotel, Hospital, Nursing Home and Allied Services Employees Union.

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*This is the fifth article in a six-part series.*