

# Willowbrook workers sue to save jobs

By JOHN E. HURLEY

The union representing doctors, teachers, psychologists, nurses and other professionals at the Staten Island Developmental Center (SIDC) in Willowbrook has filed a lawsuit that seeks to block the layoff of 83 union members at the institution and the transfer of others to off-Island, state-run facilities.

A hearing on the lawsuit, filed on behalf of the Public Employees Federation (PEF) in state Supreme Court in Albany, was scheduled for Tuesday, three days before the layoffs and transfers at the developmental center are scheduled to take effect.

According to PEF President Elizabeth Hoke, the layoffs and transfers at the Island institution are illegal because of the state's continued practice of "contracting out" to the United Cerebral Palsy (UCP) Association responsibility for care of approximately 650 mentally retarded residents on the SIDC grounds.

Ron Peretti, the union's director of staff, called the termination and transfer of state employees while UCP workers continue to work on SIDC grounds "a clear and material breach of the PEF contract."

In a separate but related lawsuit also filed Friday in state Supreme Court, the union also is seeking to block the implementation of a "lag payroll system"

scheduled to begin for all state employees in November. Under that system, the state would basically be allowed to withhold two weeks' worth of an employee's salary over a 10-week period and return it to the employee upon his or her retirement.

PEF President Hoke said the union agreed to the "lag payroll" only after receiving a "letter of agreement" from the state that it would not lay off any PEF employees during its current contract, which expires next March 31.

"Because of the state's blatant disregard of the collective bargaining agreement, we are seeking an injunction to stop the state from instituting the lag system," Ms. Hoke said.

William Knowlton, a spokesman for the state Office of Mental Retardation and Developmental Disabilities, declined to comment on the lawsuit, saying only: "They'll have to prove their cases in court."

Employees in state-run institutions for the mentally retarded throughout the state are finding that their jobs are threatened by a combination of state budgetary constraints and the continued move toward community residences for the retarded, many of them operated by private agencies.

But the impact is most severe at SIDC, where officials are under a federal court order to transfer all but 250 mentally retarded patients into apartments and group homes by April 1985.

Exact figures on the latest number of SIDC workers scheduled for dismissal or transfer at the end of next week could not be determined yesterday. Two weeks ago, officials placed the number at 155.

Union spokeswoman Christine Grosse said yesterday that of the 91 professionals — doctors, nurses, teachers, therapists and others — now slated for dismissal at four state-run institutions, 83 of them are at the Staten Island facility.

That doesn't include a smaller number of non-professional SIDC workers, members of the Civil Service Employees Association (CSEA), who also are threatened with layoffs. The CSEA has filed a formal grievance protesting the layoffs and transfers, but its members are not being as severely affected as the professional PEF members, officials said.

An undetermined number of both professional and non-professional workers at the Island facility are due to be transferred to other state-run institutions in Manhattan, Brooklyn and the Bronx beginning next Monday under a seniority-based "bumping" procedure that allows them to fill jobs of less senior workers.

But some SIDC workers who have spent long careers there are now facing termination because they chose not to be considered for transfer off Staten Island. Several of those workers called

the Advance recently to complain that their dismissals would fall days short of their becoming eligible for pension benefits after 10 years of service.

State officials said the number of SIDC workers due to be laid off would have been even more severe if the state had not agreed to regain control from UCP of two buildings on the SIDC grounds housing 117 residents. That takeover is to take effect Friday.

UCP will continue to operate the five remaining buildings that constitute the Karl Warner Center on SIDC grounds.