

# Workers without jobs wait for day in court

By BRUCE ALPERT  
Advance Albany Bureau

ALBANY — Seventy professionals who lost their jobs Friday at the Staten Island Developmental Center will have to wait at least three more weeks to learn if a court will order them re-hired.

A state Supreme Court justice, Harold Hughes, yesterday postponed a scheduled hearing on a legal challenge to the layoffs by the workers' union, the Public Employees Federation (PEF). Most of those laid off are teachers.

Hughes said he would try to

reschedule a hearing quickly, but added that he could not do so until the state is given at least 20 days to respond to the union charges.

The hearing had been scheduled for yesterday by another justice, Lawrence Kahn, who said he wanted the case heard expeditiously because of the importance of the case to the fired employees.

"I also would like to hear the case quickly," Hughes said, "but the rules of litigation require that we give the state 20 days to respond."

PEF, which filed the suit on behalf of the laid-off workers, maintains that the layoffs are illegal because of a clause in the workers' contract. That clause provided for the workers to defer two weeks pay in exchange for no layoffs.

"We were prepared to argue the case today and hope it will be scheduled quickly," said Chris Grosse, a spokeswoman for the union.

The state Office of Mental Retardation and Developmental Disabilities maintains that the layoffs were mandated by budget restraints and a drop in the Willowbrook center's resident census that resulted from the state's deinstitutionalization efforts.

Last week, Kahn refused to sign a temporary order blocking the layoffs, saying a trial could be scheduled quickly to determine whether the union arguments have any merit.