

# Were politics behind layoffs of state workers?

By Barbara Naness

Patronage and politics are *not* behind the layoffs of some 322 state employees, according to the State Department of Civil Service and the Office of Mental Retardation and Developmental Disabilities (OMRDD), the agency slated to lose the positions due to budget cuts.

The layoffs, scheduled to take place on Sept. 20, directly affect eight Staten Islanders presently employed at the Institute for Basic Research in Developmental Disabilities (IBR) and Staten Island Developmental Disabilities Services Office (DDSO). And, while the majority of those whose jobs will be eliminated are expected to be relocated at other OMRDD facilities, opponents of the cutbacks claim the move could set in motion a snowball effect as those with less seniority are "bumped."

In addition, they contend, all of the positions being eliminated are in the competitive class, while noncompetitive, exempt and labor-class titles are not affected at this time.

According to the Organization of NYS Management Confidential Employees (OMCE), which represents the senior level clinicians affected (chief of services, deputy director for community services and pathologist at IBR and DDSO), "OMRDD wishes to politicize this professional position. 'Clients come first' will be replaced by 'what is more popular, cheaper, more expedient, current'."

There will, claims OMCE, be a shift from "service to clients" to "how to prevent fallout from the marginal delivery of service." In addition, the layoff of these permanent, civil service employees, who have been appointed on the basis of competitive testing, will put an end to the concept of the "career

ladder" and allow for discretionary appointments with "no standards."

"We don't accept the fact that these positions are not needed," said OMCE President Barbara Zaron. "These are people who are directly responsible for the care of the developmentally disabled. Many of them have been working for a long time in their positions...positions they've gotten through competitive testing. Under the civil service law, they have some rights."

For the last 10 years, Zaron told the *Register*, OMRDD has been reclassifying some competitive job titles in the noncompetitive and exempt classes.

Referring to Zaron's contention as "wrong" and "shortsighted," Civil Service spokeswoman Lois Uttley explained that there has also been a "steady increase in the number of competitive positions. The percentage of positions other than competitive has remained constant since 1984, she maintained.

More than 80 percent of state titles are competitive, Uttley said; of those, less than four percent are provisionals. In addition, 12.7 percent are noncompetitive, 1.4 percent are exempt and 5.2 percent are in the labor class. Only those jobs in the exempt and labor classes are considered discretionary, Uttley added, since noncompetitive jobs require candidates' qualifications to be measured against agency standards.

Critics, however, claim the announced layoffs are part of a long-range plan to slowly replace competitive titles with discretionary ones. The state civil service system, they maintain, will eventually mirror that of New York City, where, through a variety of methods including the widespread use of patronage and proliferation of discretionary titles, the system is being subverted and undermined. Uttley dismissed allegations that the state is attempting to politicize OMRDD.

"The governor," Uttley ex-

plained, "is a strong advocate for the merit system. And [Civil Service] Commissioner [Walter] Broadnax strongly believes in testing. Because of this commitment, the numbers show that most of the jobs in the state are competitively tested for."

## Civil Service In Crisis

Uttley added that it is equally "unlikely" that OMRDD itself is attempting to subvert the system. "OMRDD decided which jobs were to be eliminated based on programmatic concerns," she told the *Register*.

"Determining which positions were to be eliminated," concurred OMRDD spokesman Louis Ganim, "was based on a process of determining which positions we can operate without because of the changing structure of the system. The positions are the issue, not who holds them."

A state employee, who asked to remain anonymous, told the *Register* politicization would prove, in the future, to have been a factor in this year's layoffs. "They are eliminating only competitive civil service titles," the employee explained. "And, while they won't be replaced by discretionary people right away, this gives them the opportunity to bring in more discretionary people in the future...people who serve at the pleasure of the appointing authority...not right away, but a year or two from now."

OMRDD's goal, according to Ganim, was to eliminate the affected positions through attrition, as has been done in the past. But with the move away from institution-based care and the increase in community-based facilities, he said, it became clear there would be some positions that would have to be cut. "As it is," Ganim noted, "OMRDD has avoided about 60 additional layoffs originally anticipated for this year. Last year

only 18 individuals were laid off despite the fact that 230 jobs were eliminated.

In addition to the effects on staff, the budget cuts have forced the cancellation of OMRDD's plans to add 123 beds to community residences this year. Subsequently, a total of 400 positions will not be filled.

Opposition to the cuts has come from several legislators, including Westchester Senator Nicholas Spano, Mental Hygiene Committee chairman. In a recent letter to Webb, Spano referred to the situation as "particularly irresponsible," pointing out that the legislature had determined that layoffs originally proposed were unacceptable. The legislature Spano pointed out, had subsequently made revisions in the budget to prevent layoffs.

"The legislature is committed to maintaining filled positions...It is disappointing that you pretend otherwise," Spano stated. "I can well understand your unwillingness to have to work within the constraints of a budget that does not allow you the flexibility you have become accustomed to. But given the choice between providing community services for the developmentally disabled and providing for a comfortable departmental surplus again for OMRDD, I think the legislature's path was clear...It is time to end political gamesmanship...and put our energies toward working together on behalf of the mentally disabled of New York."

The Island research scientist being laid off is one of 133 members of the Professional Employees Federation (PEF) who will lose his job next month. Union spokesman John Townsend explained that OMRDD will suffer "a great loss, since many of our titles are professional. There are vacant positions that could have been reduced," Townsend told the *Register*. "But they're actually looking for a reduction in bodies. They're trying to deprofessionalize and de-skill the workforce." PEF, he said,

plans to fight the layoffs in court.

The remaining four titles - laboratory technician, senior laboratory technician, histology technician and radiology technician - are represented by the Civil Service Employees Association (CSEA). Union spokesman Steve Madarasz called it an "unfortunate situation that will obviously cause some inconvenience. It can't help but have a negative impact on staff morale." He added, however, that CSEA expects its 100-plus members being laid off to be relocated within the state." (About half of the CSEA layoffs are due to the closing of facilities in Manhattan and the Bronx, rather than budget cuts, he explained.)

"We don't anticipate any actual layoffs," Madarasz said. "We expect our members to find other employment opportunities, and we fully expect comparable salaries."

OMCE is apparently not so sure its members, particularly the chiefs of services, will be offered comparable salaries, however. (The job commands anywhere from \$61,991 to \$78,461.)

In an Aug. 7 letter to OMRDD Commissioner Arthur Webb, Zaron says elimination of some of the positions "may be counterproductive" and calls for a postponement of the layoff date. She has also asked Webb to "immediately appoint, prior to any layoff, all chiefs and developmental service managers to other department titles at the same salary grade level which are currently vacant or filled provisionally or on a temporary basis."

In addition, Zaron has requested, among other things, a "strong push" for comparability for additional titles and more help, by OMRDD's internal service officer program, in helping laid off employees locate other positions.

Broadnax, Uttley said last week, "will be doing everything possible" to insure that laid-off OMRDD employees are offered comparable jobs within the state.