



Around the Perimeter...

Apprehended: The CCA is pleased to congratulate Captain Frank Serafino and Correction Officers Joseph Paribello, Anthony Finnochio, Jerry Isermia, Roberta Timpson and Jose Suarez for arresting a known felon for criminal possession of stolen property and driving without a license. While returning from an Honor Guard detail in a Department vehicle, Captain Serafino and the Correction Officers were passed by an erratic driver. Captain Serafino and the group pulled the motorist over and held him until NYPD officers could respond.

Grievance Update: Shift reduction and rescheduling grievances are now moving to Step IV, or binding arbitration. Once the hearing is set and the verdict given, the determination of the arbiter is final. We have filed an Article 78 proceeding for the 31 captains whose test scores were adjusted, thereby setting back their appointment dates prior to the effective date of the five-step pay plan. Also, a scope of bargaining petition has been filed on the civilianization of the Administrative Captain position. It is our position that the union's contract was violated.

FLSA Lawsuit: All delegates have lists with which to check and identify members who have not yet joined the lawsuit. Once identified, members will be given a final chance to become involved in the lawsuit. Remember, you have to file an application to be part of the lawsuit.

Congratulations: The CCA would like to congratulate the newly-elected board members of the following fraternal organizations:
Guardians Association: Diane Kevelier, President; Jacqueline Perry, 1st VP; Andrew Roane, 2nd VP; Dorothy Alston, Executive Secretary; Michael Henry, Treasurer; Isom Patterson, Financial Secretary; Lavora Bacon, Recording Secretary; Arthur Polite, Corresponding Secretary; Wayne Lamont, Business Manager; Charles Baker, Sergeant-at-Arms.

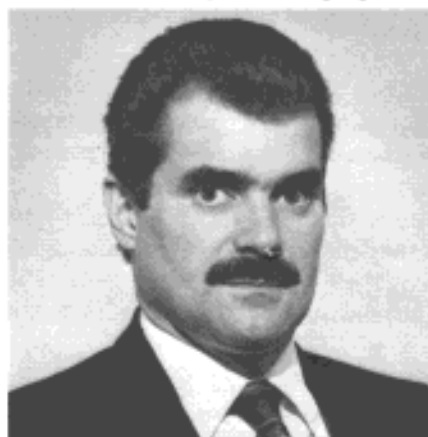
Hispanic Society: Wigberto Norat, President.

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Members' Support Paves the Way For Pension and Grievance Action

by PETER D. MERINGOLO
President

I am extremely pleased to see, for the first time in a long time, our captains coming together in unity. The membership's constant support of the executive board is extremely encouraging and drives us to work even harder for you.



Nothing comes easy, but one thing is for certain: we are striving to achieve for our membership all that has been lost over the years. Management must realize that it is the captains who make this Department run.

As this issue of CAPTAINS' QUARTERLY goes to press, the Department is about to experience yet another major change in the highest level of management. How many times have we seen this happen before?

Despite the disruption these changes cause, I look forward to meeting with the new commissioner and with the chief of the department to bring to their attention the problems facing us. I hope to establish a working relationship that will cut both ways.

This CCA executive board has never once been unreasonable in its requests,
(Continued on Page 2)



THE PENSION PUSH: 2nd Vice President Ron Whitfield, 1st Vice President Joseph Dike, President Peter Meringolo and Legislative Chairman Louis Fisher are seen with Assemblyman Anthony Seminerio (D-C, Queens), who sponsored CCA's 20-year retirement bill in the State Legislature together with Senator Serphin Maltese (R-C-RTL, Queens), not shown in photo.

Members' Support Paves the Way

(Continued from Page 1)

but we do demand that all our members be treated fairly and receive the respect they deserve. I can only hope that the new administration keeps an open mind, and that its doors remain open so that we can solve our union's problems. This executive board will never stop fighting for its members.

Needless to say, we will continue to pursue our grievances on rescheduling and shift reduction. We are currently compiling information on the way the Department reduces and reschedules shifts. And we are now waiting to go to Step IV of the grievance procedure on both these items. The decision rendered at this step will be binding on both the union and the Department.

The executive board has been pushing hard on the 20-year pension issue. Our lobbyist Floyd Holloway and special counsel Harry Greenberg are working together to make this pension a reality. We know how important it is to our membership and we are concentrating our efforts toward complete success. We cannot, however, accept percentages that will create undue hardships on our members.

A Benefit for Thousands of Correction Officers

I appreciate all the patience and support you have shown on the pension issue. A fair pension will not only benefit our captains, it will right a wrong committed against our union by New York City. By correcting the pension problem we will enable thousands of correction officers to once again pursue a sensible career path.

We also have begun negotiations with the City on our contract, and have asked the City to produce the manpower model they will use in evaluating the costs of our contract. We will not accept their figures without thoroughly checking every detail. We will keep you informed on our progress, and no action will be taken without your approval.

The CCA has many goals, and I believe we are on the right track to achieve a new, highly-professional union. Management may feel they have the right to mismanage. But we as a union will be there to constantly remind them of the unnecessary hardships they impose on our members, and how their actions jeopardize the security of our facilities and the safety of our captains.

This union will not go away. We are the backbone of the Department of Correction.

Around the Perimeter...

(Continued from Page 1)

Augustin Quinonez, Executive Vice President; Israel Rexach, Vice President Finance; Segundo Schribs, Vice President; Rafael Rodriguez, Executive Secretary; Aida Medina, Corresponding Secretary; Ralph Morciglio, Treasurer; Evelyn Mirabal, Sub-Treasurer; Albert Seda, Sergeant-at-Arms. *Maccabee Society*: Phil Greis, President; Louis Dixel, 1st Vice President; Bob Donn, Treasurer; Ernest Braver, Secretary; Harvey Borc, Sergeant-at-Arms. We are proud to have 10 captains on these executive boards and to have a captain as president of each of these organizations. Congratulations and good luck!

Second Delegate/Alternate Seminar: 2nd Vice President Ronald Whitfield is working on plans for our Second Delegate/Alternate Seminar. The first seminar was a huge success, and Ronnie will be working to make the follow-up seminar a greater success.

Basketball Benefit: Our Sergeant-at-Arms, Michael Sassano, is organizing a basketball benefit in honor of Captain Rhem. The proceeds will be given to Mrs. Rhem to be used for the children's college education. The tentative date is April 17th. The benefit will feature the New York City Department of Correction Olympic basketball team against radio station WBLS.

Captain Rhem: The CCA is still actively pursuing the line-of-duty death benefit for Captain Rhem's family. We have received the support of the Correction Department, and the case is now being reviewed by the New York City Worker's Compensation Division. We also have submitted Captain Rhem's name to the American Jail Association and the American Correctional Association for consideration for their meritorious service awards. The CCA will not stop until we obtain everything we can for this hero.

CAPTAINS' QUARTERLY

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CORRECTION CAPTAINS ASSOCIATION

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**WATCH FOR
CCA
BULLETINS**

In An Investigation: Be Aware of Your Rights

by MARIO BIAGGI, Jr.

It is inevitable that a majority of captains, at some point in their careers, will be called by the investigator general's office to discuss some incident that occurred on the job. There are certain rights you should know about in connection with this procedure, and I would urge that you clip this article and keep it for easy reference if the need arises.

When you are questioned, or are about to be questioned, by anyone from the investigator general's office, you have the right to know what the investigation is about, and whether you are the subject of the investigation or a witness in it.

When Counsel Should Be Present

If you are the subject of the investigation, then you are being questioned about alleged misconduct on your part. If this is the case, you can and should request that an attorney be present during the interview.

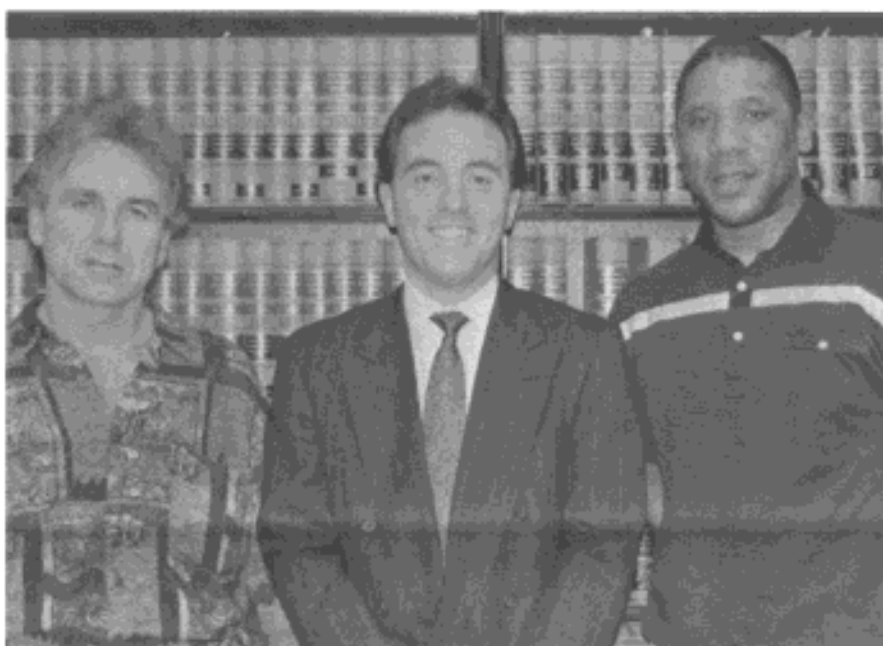
If you are being questioned merely for informational purposes, it may still be advisable that you consult with an attorney before answering any questions. This way a determination can be made as to whether you need representation.

If you feel hesitant about asking for legal representation yourself, contact my office and we will request that the investigation not proceed without representation.

Understanding MEO 16

You must comply with Mayor's Executive Order 16, and accurately and truthfully answer all questions that are related to your employment. Failure to do so may result in disciplinary charges or dismissal.

However, you are not required to answer any such questions until you have first been advised that neither the statements you make, nor any information or evidence derived therefrom, will be used against you in a subsequent criminal prosecution other than for perjury or contempt arising from such testimony.



ATTORNEY KEN GOMEZ (c.) meets with captains Gleason and Phillips after they were completely exonerated on charges of an alleged assault.

It's Over! Gleason and Phillips Are Reinstated with Back Pay

by GEORGE AUFIERO

Financial Secretary

On Friday, December 20th, after almost two years of tremendous stress, Correction Captains Robert Gleason and Craig Phillips were fully cleared of all charges in the alleged 1989 assault of a prisoner. Correction Officers O'Rourke and Poccio also were cleared the same day.

The unflinching effort and professionalism of CCA attorney Ken Gomez, who represented Captain Phillips, and Bruce Smirti, who represented Captain Gleason, were responsible for this victory.

Captains Gleason and Phillips have been reinstated and assigned to modified duty at the Transportation Division until the Department completes its investigation of the incident and closes the case. Both captains received all their back pay for the period they were suspended.

The CCA congratulates the captains and thanks the lawyers for their excellent work. No one should have to endure an ordeal of this type, but we are all happy that it worked out well in the end.

It is most important that you contact my office if someone from the investigator general or district attorney's office wishes to question you concerning any involvement you may have in an incident. The best road is one of caution. Let us help guide you along it.

Mario Biaggi Jr., Esq. is legal counsel to the CCA.

**SUPPORT
YOUR
CCA**

CCA-ADW Party Is A Big \$uccess

by GEORGE AUFIERO
Financial Secretary

The Correction Captains and Assistant Deputy Wardens held their annual holiday party on Wednesday, December 11th, at Antun's on Springfield Boulevard in Queens. The party was a huge success. The food was great and DJ Love Smith had everyone on their feet doing the electric slide all night long.

A Financial Success

The holiday party was a financial success also. Thanks to you, the CCA was able to save \$7000 over the costs of last year's party. The \$20 guest fee generated \$2,000 and offset many expenses. We thank you for your support.



CORRECTION CAPTAINS AND ASSISTANT DEPUTY WARDENS enjoy themselves at the Christmas party at Antun's in Queens.

Update: The 20-Year Pension Bill

by JOSEPH A. DIKE
First Vice President

We are progressing toward our goal of an affordable 20-year retirement bill. After conferring on numerous occasions with New York City's Office of Labor Relations, we are unable to reach an agreement on the amount of additional members' contributions.

Our attorney, Harry Greenberg, drafted a 20-year bill which we delivered to Albany during the last week in February. When this edition of **CAPTAINS' QUARTERLY** appears, the bill will have received a fiscal note, and it will have been assigned Senate and Assembly bill numbers. The sponsors of the bill are Assemblyman Anthony Seminerio and Senator Serphin Maltese.

Seeking City Council Support

The CCA will meet shortly with the office of Mayor Dinkins and City Council President Peter Vallone to urge their support of this critical legislation, and to remind them that the New York City Correction Department is the only agency in New York State that does not have a uniform pension system.

The Watch Sheet

Coming up in our next issue of Captains' Quarterly:

✓ 20-year Pension

Continuing our update on the progress of our 20-year pension bill. Reports from 1st Vice President Joseph Dike, Legislative Chairman Louis Fisher and Lobbyist Floyd Holloway.

✓ Collective Bargaining

Continuing our update on the progress of contract negotiations, reported by Financial Secretary George Aufiero, Secretary Kathleen Perugini and Special Counsel Harry Greenberg.

✓ Nominations

Reporting on the nominations for the upcoming CCA elections. As you have been notified, nominations will be conducted for the CCA executive board, and for delegates and alternates, at the April 15th general membership meeting.

✓ By-Laws

Presenting the updated edition of the Constitution and By-Laws.

Counsel Lists Highest Priority Pension and Labor/Mgmt. Issues

by HARRY GREENBERG

I would like to introduce myself and inform you of some of the critical issues that your Executive Board and I have been addressing.

As a former New York City Police Detective, I received my undergraduate, graduate, and law degrees while attending school at night. From 1984 to 1987 I served as Assistant Director of Labor Relations, New York City Mayor's Office of Labor Relations. I have been intimately involved in labor relations in the City of New York for the last 15 years.

Since I was retained by your Executive Board, these are a few of the critical issues that we have aggressively pursued with the leadership and cooperation of President Meringolo:

- A fair and equitable 20-year pension bill, which is now before the State Legislature

- A reasonable and uniform application of the rescheduling rules

- Elimination of the shift reduction of security posts and any other posts that affect the safety of our members

- The civilianization process
- Timely completion of contract negotiations resulting in a fair contract.

I will continue to devote my energies to the goals of the CCA as directed by your Executive Board and intend to keep the membership of this union informed on the progress of all its legal matters. Finally, on behalf of myself and the members of my firm, I thank you for the opportunity to represent this fine organization.

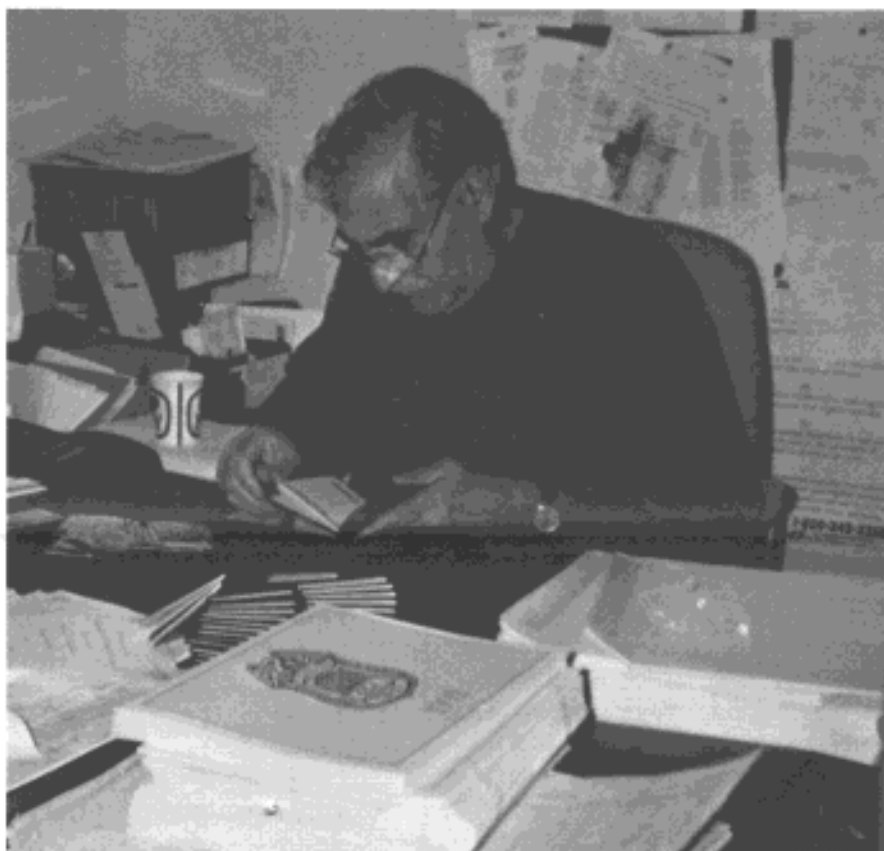
Harry Greenberg, Esq. is special counsel to the CCA.

Wake Up and Feel the Tension

by PETER KOUTSOUKOS

In my 19 years in Correction, there is one problem that has never been seriously addressed: the well-being of our uniformed staff. Ever since the 1970 and 1975 riots, when hostages were

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RETIREE CONSULTANT ALFRED "MANDY" MANDANICI busy at work during the holiday season. Mandy had his hands full preparing the CCA union cards, calendars and memo books for distribution to delegates and mailing to retirees.

CCA Mounts A Legal Battle Vs. Involuntary Retirement On Behalf of Two Members

President Peter Meringolo has directed Arthur I. Strier, legal-medical counsel to CCA, to aggressively oppose the Correction Department's move to terminate two members under Section 71 of the Civil Service Law, which pertains to the right of employers to medically separate workers who are allegedly incapable of performing full duty.

The Department had intended to terminate captains Benaducci and Goody on the grounds that they were medically unfit to perform full duty. Both members claimed otherwise and sought the union's help to remain on the payroll in full-duty status.

According to Mr. Strier, under Section 71 an employer does have the right, under certain circumstances, to terminate an employee where it can be shown that the employee is medically incapable of performing full duty. Members who dispute the medical judgment rendered on this issue by the Department physicians, however, may contest an involuntary retirement.

Mr. Strier immediately notified the Department that Captains Goody and Benaducci were capable of working full duty pursuant to all of their objective medical evidence and sought an immediate due-process hearing. He

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Wake Up and Feel the Tension

(Continued from Page 5)

taken, there has been more concern for the treatment and welfare of inmates than ever before. Naturally, if concern for the staff is overlooked, then morale will be down, as it is today.

Correction workers, air traffic controllers and others have a much higher stress level, which of course comes with the territory. There are ways to release this stress and tension for the improvement of physical and mental well-being, but management has never seriously addressed this issue.

Management must catch up with the real world. Corporations now provide employees with the time and place for a good workout to unwind during lunch break or after a grueling day at the office. This practice has proved to be very helpful for releasing anxiety and tensions. Statistics show that this makes for a more productive employee who is less likely to call in sick. Coming to work is a more pleasant experience, knowing that you can take time out to improve your mind/body and relax. A healthy mind/body does not abuse alcohol or drugs, thinks straight and comes to work with a smile.

Peter Koutsoukos, Correction Captain #731, describes himself as "a dinosaur with hope for the younger ones."

CHAPLAIN'S CORNER

by The Rev. WINSTON M. CLARKE

"A family that prays together stays together."

The Reverend Winston M. Clark wanted **CAPTAINS' QUARTERLY** to convey the above quote to all our members. The Reverend is on military duty in Guantanamo Bay, Cuba. But, as always, he is writing to us with concerns about the membership and with blessings to everyone.

The Reverend has always been there for our members. His phone calls, his visits and his prayers have helped many of our members in time of sorrow and need. The best wishes of the entire CCA are with Reverend Clarke as he continues to give of himself for the American military in Cuba. We wish him a safe journey.

Sounds of New York

I awaken each morning as the silence of the night gives way to the early dawn noise of New York.

I don't hear children laughing

I don't hear peace and love

I hear the garbage truck's engine roaring,

Cans and dumpsters banging.

I don't hear children laughing

I don't hear peace and love

I hear the early morning traffic, horns beeping, wheels screeching.

I don't hear children laughing

I don't hear peace and love

I hear the metal gates rising, revealing stores locked behind them, the sounds of New York awaken.

I don't hear children laughing

I don't hear peace and love

I hear people arguing, guns firing, sirens and red lights sweeping, and in the silence of the night, parents and families weeping, the sounds of New York.

I don't hear children laughing

I don't hear peace and love — New York.

— Captain Louis N. Fisher



The Reverend Winston M. Clarke, CCA Chaplain.

**CCA:
WORKING
HARD
TO
SERVE
YOU
BETTER**

Know Your Executive Board

The CCA Executive Board would like to take the time to let the members know exactly who we are and what we do. The CCA is run through the combined efforts of the entire Executive Board, which meets regularly to discuss all issues affecting our union.



PETER MERINGOLO

President

Chief officer of the CCA and Chairman of the Board of Trustees. Presides at all meetings and runs the daily operations. Appoints and oversees all committees and handles disbursements.



JOSEPH DIKE

1st Vice President

Member of the Board of Trustees and Co-Chairman of the CCA Political Action Committee. In the President's absence, assumes his duties. Handles collective bargaining, grievances, 20-year pension and other legislation. Oversees labor issues in AMKC, ARDC, and West Facility.



RONALD WHITFIELD

2nd Vice President

Chairman of Security Benefits Committee and Co-Chairman of Special Events Committee. Involved in collective bargaining, grievances, 20-year pension and other legislation. Oversees labor issues in JATC, OBCC, and NIC.



RAYMOND CASEY

Treasurer

Member of Board of Trustees, Chairman of Retirement Benefits Committee, Custodian of Security Benefits Fund. Involved in disbursements, collective bargaining, administration of Annuity and Security Benefits funds. Oversees labor issues in Transportation, MDC, Manhattan Courts and BHPW.



KATHLEEN PERUGINI

Secretary

Member of Board of Trustees, Chair of By-Laws Committee, and Co-Chair of Collective Bargaining Committee. Transcribes minutes of all meetings, maintains CCA records, involved in collective bargaining. Oversees labor issues in QHDM, Queens Courts, RMSC, Wards Island, Forbell, EHPW, and Adjudication.



GEORGE AUFIERO

Financial Secretary

Member of Board of Trustees and Co-Chairman of Collective Bargaining Committee. Edits "Captains' Quarterly" and is involved in 20-year pension and administration of Annuity and Security Benefits funds. Oversees labor issues in GRVC, BKHDM, Brooklyn Courts, SOD, SSU and RI Operations.



LOUIS FISHER

Legislative Chairman

Co-Chairman of CCA Political Action Committee. Prepares, introduces and pushes all legislation, and is involved in collective bargaining and grievances. Oversees labor issues in GMDC, BXHDM, Bronx Courts, and Central Office Operations.



MICHAEL SASSANO

Sergeant-at-Arms

Chairman of Awards Committee and Co-Chairman of Special Events Committee. Involved in collective bargaining, grievances and Honor Guard and preserves order at general membership meetings. Oversees labor issues in BCF, MTF 2 and 3, CIFM and Academy.

SECURITY BENEFITS CORNER

by IRV MECHANIC

Security Benefits Consultant

At present, your best investment is to put your money into New York City's Deferred Compensation Plan, in which you automatically receive a 40% profit by *not* paying taxes on the dollars you first invested.

If you are in the market for life insurance, then you should purchase a policy that is not loaded with an investment portion.

You will be receiving important information in the mail very shortly concerning a 10-year guaranteed plan that also can double as mortgage protection. For example: a non-smoking male, age 38, will pay \$206 per year for \$100,000 in protection, which is guaranteed for the next ten years.

If you have any questions, do not hesitate to call our benefit fund consultant Jane Hollahan.

Tips to Reduce Stress

Be realistic: Don't set yourself up for failure, establish goals you can reach.

Manage your time wisely: Don't overbook yourself and don't let others overbook you.

Balance your schedule: Adapt your schedule to include time for family, friends and leisure activities.

Deal with problems appropriately: Don't spend a dollar's worth of energy on a 10-cent problem.

One step at a time: Pick one aspect in your life you would like to improve. When you have accomplished this, move on to another goal.

Take a break: Put time between a stressful incident and your reaction to it, even if it is just a count to 10.

Get away: Enjoy moments of solitude each day.

Laugh a lot: Laughter is the best and least expensive medicine. Take liberal doses daily.

Stay in shape: Keep a sound mind in a sound body. Make mental and physical exercise a regular part of your life.



PRESIDENT PETER MERINGOLO MEETS with the security benefits staff at the offices of Irv Mechanic.

CCA's Battle Vs. Involuntary Retirement

(Continued from Page 5)

cited a recent Court of Appeals decision in *Matter of Pruett* in which the Court directed that a pre-termination due-process hearing be provided to the employee who was about to be terminated for medical reasons, and thereby expanded the rights of all civil servants who seek to oppose an involuntary medical separation.

President Meringolo stated that the CCA will not allow members to be terminated against their will, especially

for line-of-duty injuries, when they have objective proof that they can perform full duty.

Members facing such adverse actions should contact CCA headquarters to arrange for a free consultation with attorney Strier concerning their legal/medical rights. Any member who needs representation in connection with a Worker's Compensation claim may also contact the union to arrange for an immediate free consultation.

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