

# Court Officers Benevolent Association Of Nassau County, Inc.

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Billy Imandt  
President

Honorable Committee members; I am so proud and happy that we live in a country and state where members of the public, of all walks of life, myself being a citizen, civil service worker for 32 years and now a labor leader can testify and be heard by members of such a powerful and important committee such as yours in an attempt to hear all sides.

Peter A. Piciulo  
1st Vice President

My name is Billy Imandt and I am the President of COBANC the Court Officers Benevolent Association of Nassau County representing not only Court Officers, but approximately 65 different job titles including Court Clerks, Court Attorneys, Reporters, Interpreters, Analysts, Judges Secretary's and what we call the "back office" workers, who really should be called the "backbone of the system" office workers, to name a few.

Michael Riveiro  
2nd Vice President

Robert M. Abarno  
Treasurer

Rosemarie Hacsí  
Secretary

I asked to speak to you today to give you a report from the trenches and let you know how well my members are equipped and supported, to handle the business of serving the public in their vital role as support staff in the administration of justice to the citizens of Nassau County and, of course, NYS

My message to you is: We've been just holding on for over five years with lay-offs and an attrition based budget; that being when someone retires, no one is hired to replace them and the responsibilities of their job are spread out to the remaining workforce. We have been getting the job done, as I said, for years now. In my bargaining unit, COBANC, we have 20% less workers then 7 years ago and we are still getting the job done. We have been spread thin - working harder than ever without a decent compensation package offer to any of the court unions. In fact, we have been offered the worst compensation package of any municipality in NYS that I know of. Over the past five years inflation has increased by almost exactly 10%. Ours, and all court union workers, compensation package offer has been 0%, 0%, 0% 2% and 2%, or 4% over those same five years. And again, this is with 20% less workers, still getting the job done.

In 2011, when our contract expired, the state was just beginning to come out of the worst period of the worldwide recession and when it came time to discuss a new contract, we knew that it would probably be less then we deserved, and we understood. Working with no contract and the prospects of 0% compensation we forged on with still getting the job done even as desk after desk became vacant and more and more work was put on OUR desks. Again, we understood. We are extremely professional and prideful and our work ethic wouldn't allow us to have work back-log or to "slide the window closed" at exactly 5:00, leaving members of the public to go home and try again tomorrow, because we weren't getting compensated past that time. Many of my members, unsanctioned by their union, were actually coming in earlier, working through all or part of their lunch hour and leaving well after 5:00. All off the clock. There was, and is, virtually no overtime and

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my members, and I say God love them, refused to let the demoralizing conditions affect their work product. They were, and are, doing this "to make it work". To make it work, until the cavalry comes to the rescue.

Well it's been five years and it's time. We cannot hold our breath under water for too much longer. Sick leave usage is up, disciplines are up, grievances are up and morale is way down. Senator Savino said at Chief Justice DiFiore confirmation hearings not to be afraid to ask for more money for the budget and said, "We want to help." Committee members, we need your help. I'm hoping you can help now because COBANC is at the impasse stage of negotiations with the Office of Court Administration and unless something changes dramatically, we will be back to you, in Albany, to settle our contract. We don't have binding arbitration as do many of our police and peace officer and brother officer organizations and our remedy to resolving our contract, when all else fails, is you here in Albany. It doesn't have to come to that. Being that the court system has had three or four "flat budgets" or 0% increase while the Governor was calling for a 2% cap, we feel that this vital segment of society, the court system, is owed more than the 2.4% increase it is asking for now. As you know the courts are not a discretionary agency, we are included in the US and NYS constitution as an absolute right that society is entitled to; an important part of life, liberty and the pursuit of happiness. How would we function if the criminal courts did not have funding to complete their task? There would be the potential for anarchy. Wouldn't society be soon crippled if, due to lack of funding, there were not enough court workers and Judges on staff to interpret and enforce contracts? They wouldn't be worth the paper they are written on. What about the havoc that would reign down if our matrimonial courts were not funded to the point where there could be swift resolution to one of the more volatile divisions of what the court system handles.

Over the past half a decade our courts have been funded at an average of 1.15% increase per year when the Governor has capped everybody else at 2%. It's time to put the proper amount needed back in the system to make it work. I ask you to not only grant the requested 2.4% increase, but to determine how much funding the courts actually need to get back on its feet; be it an increase of 3%, 4% or whatever is needed to properly serve the citizens of NYS. During negotiations we were told that OCA had no money, at all, to increase the compensation for a respectable, somewhat "close to" cost of living offer, so we started digging to see how the budget has been spent. You don't have to dig too far before you find that a whopping \$115,000,000 is budgeted for fiscal 2016-17 for a program that is known as Civil Legal Services. As you know this is a program to help the public that cannot afford counsel for important civil legal matters; foreclosures, family court matters and landlord-tenant matters to name a few. A noble and worthy program, however we feel it has no business being funded through the court budget. The office of court administration budget is 90% paychecks to people. We don't have trucks and tractors like the DOT. Ninety percent of that budget money goes to workers paychecks, which then of course gets circulated back into the communities and to paying taxes. We can't afford to fund a program of this magnitude through the court budget. It even has a sense of impropriety that court budget money is going to attorneys that appear before the same organization that funded them, to represent people of need. We have been reading that the state is so flush with money now that we feel this should be a program that is financed through the Executive branch and not the Office of Court Administration. We can't afford it. Our buildings

are in horrendous condition, our staffing needs to be reinforced and our workers, who are the foundation of the court system, need to be treated with the respect they have earned by being compensated fairly and equitably. We are the middle class. We fuel the economy. If we do well, history has shown that society does well. You can't fund programs from money intended to make the courts work, on all levels, on the back of the middle class workers in that system. In fact, the Civil Legal Services program was formally created and expanded at the same time we were being laid off and offered zero compensation. Like I said, on our backs.

If it must, for now, remain part of the court budget I am calling for you to authorize and direct the principles at the Office of Court Administration to scale back the civil legal services program from \$115,000,000 down to \$45,000,000 and redirect the remaining \$70,000,000 to all 15,000 state court workers in the form of "expanded duty pay". Two thirds of the state court unions were beaten down with lay-offs and the threat of more lay-offs and the "no money" mantra into signing the woefully pitiful 0%, 0%, 0%, 2% 2% contracts. I am calling for you to fill in the zero blanks with \$1,500 for each of those years, or \$4,500 per state court employee for exactly what I called it, expanded duty pay; whether they have a parity clause or not. That would total about \$67,000,000 of our money going to us, not to private agencies outside the court system. It would most probably instantly resolve the contracts of the remaining one third of the unions without a contract, COBANC included. It would not burden future budgets with reoccurring monies owed and it would show appreciation and recognition for how hard and long ALL state court employees have been working and sacrificing. I believe that Chief Justice DiFiore could require that the approximately 60,000 non-municipal NYS bar association attorneys donate 14 hours "pro bono" a year, or a half a day per quarter to keep the program operating as it has been; or she can caucus with the legislature, her OCA experts, bar association representatives and union leaders to figure out how to take this program out of the court budget, or make it work with \$45,000,000 seed money. We can do it - if we all work together.

Honorable committee members, please don't kick this can down the street because as I said, if we don't resolve this situation now, very soon we will be back in a number of months asking you to impose what would be a fair contract on us and the Office of Court Administration. We don't want to give you more work, but we may have no choice. We are willing to roll the dice as to what you think is fair. We don't think ANYONE would fathom, with a 20% reduction in force and the job still getting done every day in every courthouse around the state, that reasonable people, such as you, would think that the fair number is 0%. Due to low paying salaries I have been told by human resources that the courts are having a retention problem. Couple that with the fact that the state has the ability to pay.

We've done our share for over five years now. It's time for the Governor, the Legislature and the Office of Court Administration to do theirs.

I am Billy Imandt, the President of COBANC, and we are the proud employees of the NYS Court system and we are the middle class of NYS and America. We deserve it and, it's time. Thank you.