

NEW YORK
STATE
SENATE

ALBANY, NEW YORK 12247



Governor David Paterson
State Capitol
Executive Chamber
Albany, NY 12224

March 30, 2009

Dear Governor Paterson,

In the current economic crisis, we are keenly aware that it cannot be business as usual this year. We understand that adjustments are needed in response to the large deficit facing New York. This challenge offers the opportunity to make choices that uphold our values as New Yorkers. Among these is the need to keep our people working so that their families and communities do not suffer from large numbers of layoffs.

We know that your proposed decision to lay off 8900 state workers was not made lightly. In our opinion, however, resort to such a drastic measure is rash since reasonable alternatives exist that should be tried first.

The alternative of asking state employees to re-open their collective bargaining agreements, in our opinion, is not a reasonable alternative. Such an approach sets a dangerous precedent for all workers who negotiate for extended periods, make concessions, and expect their employers to uphold their end of the agreement. This proposal strikes at the heart of federal and state labor laws under the National Labor Relations Act and the Taylor Law. Once a contract is forced open, it becomes easier for an employer to expect the same from workers during the next fiscal crunch. Respect for established contracts is enshrined in our federal constitution which prohibits the state from impairing any contract.

Since this alternative has been rejected by the organizations representing the affected workers, other alternatives should now be considered to achieve the cost savings you are seeking. As members of the Senate Labor Committee, we believe that the State as an employer should use all means available to avoid laying off state employees. One of these alternatives includes eliminating the use of private consultants, which reportedly costs New York more than \$400 million annually. Our state constitution establishes a civil service system to ensure that qualified individuals are chosen to deliver public services. The use of private consultants evades this constitutional intent and to our knowledge, cannot be justified by a lack of qualified civil servants within the state workforce.

We urge you to sit down with representatives of the public employee unions and seriously discuss this alternative along with others they may propose in an effort to avoid layoffs. The impact from the proposed layoffs will directly impact the Capital District by decreasing the sales tax revenues generated by state workers and local businesses. The ripple effect from secondary job losses at other businesses that rely on state workers is expected to be significant. Albany's tax base already is constrained due to the large proportion of tax-exempt state buildings located in the city. The Capitol Region's unemployment rate has jumped to 7.6%, compared to 5.1% a year ago. Laying off more workers will hurt the local economy, their communities and make it harder for workers and their families to make ends meet. These consequences should be avoided if at all possible.

Sincerely,



George Onorato
Chair
Senate Labor Committee
12th Senate District



Diane Savino
Chair
Civil Service & Pensions Committee
23rd Senate District



Neil Breslin
46th Senate District
