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GEORGE E. PATAKI
GOVERNOR

REGIONAL OFFICE
BINGHAMTON

STATE OF NEW YORK

DEPARTMENT OF CIVIL SERVICE
THE STATE CAMPUS
ALBANY, NEW YORK 12239
www.cs.state.ny.us

DANIEL E. WALL
COMMISSIONER

JOHN F. BARR
EXECUTIVE
DEPUTY COMMISSIONER

June 28, 2005

Mr. Joseph Laughney
Building Superintendent
Office of General Services
Binghamton State Office Building
44 Hawley Street
Binghamton, New York 13901

Dear Mr. Laughney:

Mary Martha McSweeney, the Employee Health Service (EHS) Director of Nursing, forwarded to me your memorandum requesting a full time EHS Nurse at the Glendale facility. Unfortunately, I am not able to act upon your request without the approval of the Governor's Office of Employee Relations (GOER) and the Division of the Budget.

A Public Employee Review Board (PERB) decision in 1994 determined that EHS nurse stations were an employee benefit. As such, no EHS nurse station could be closed without negotiation with the unions representing the persons working in the building where the nurse station was located. Subsequently, GOER has advocated for an agreement with the unions allowing for the closure of the EHS nurse station without prior negotiation. Therefore, the first step in creating a new nurse station is to speak with the person(s) at GOER representing the agencies in the building.

Secondly, it must be decided where funding for the EHS nurse's salary will be obtained. The Department of Civil Service is not approved for another EHS nurse. Therefore, a new position must be requested from the Division of the Budget. The position could be added to EHS's fill level and the agencies in the Glendale facility could reimburse DCS for the salary expense.

I would be pleased to assist with this process, if you decide to move forward. Please let me know how you intend to proceed. I can be reached at (518) 457-6142.

Sincerely,

Maria C. Steinbach
EHS Administrator

Cc: M. M. McSweeney