



## Binghamton PEF Division 399 OTDA – DDD

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Glendale Technology Park–Bldg 16 · Endicott, NY 13761-9009  
Leader – Kathy D’Arminio 607-741-4170  
Assistant Leader – Richard Fletcher 607-741-4663

**To:** Commissioner Robert Doar

**From:** Kathy D’Arminio

**CC:** Mark Diefendorf, Deputy Commissioner Gloria Toal, Paul Rickard, President Ken Brynien, Paul West, Ed Ray, Tom Privetere, Roger Scales, Robert Carrothers, Mary Twitchell, Senator Thomas Libous, Assemblywoman Donna Lupardo

**Date:** October 27, 2006

**Re:** Time Accruals due to Flood Disaster and Overtime Compensation

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First, I would like to thank DDD/OTDA’s intervention with GOER in approving EXA for the time that our members were asked to vacate the Glendale facility on Wednesday, June 28th. On June 30<sup>th</sup>, I issued a memo to DDD requesting that DDD/OTDA request from GOER a waiver of the time and attendance rules. My sources at GOER inform me, to date, that OTDA **has not** made this request. I am **appealing** to you, Commissioner Doar to assist in making our members/employees whole by **requesting GOER for a waiver of the time and attendance rules for Wednesday, June 28th-Friday, June 30th**. This will allow our members/employees to receive EXA for their lost accruals during this flood disaster. It was **unsafe** for travel on these days due to the devastation caused by the flooding. These employees were not able to find a way to work due to hazardous conditions caused by these raging waters. Some of our members who were searching for a safe route were instructed by law enforcement to return home.

Around 12:30 PM Wednesday, June 28th, Governor Pataki was on our local news while visiting the Broome County area. Governor Pataki announced that he declared a **state disaster emergency** for nine counties, including Broome, Chenango, Delaware and Tioga counties. He stated that the “County Executive has announced **No unnecessary travel – no travel going to work unless essential services should be undertaken**”. [*If necessary, I can provide you with a DVD of this newscast*]

I know that you are very aware of the disaster that this area has encountered and the devastation that **continues** to be rebuilt. As you know, on July 6, 2006, OTDA issued a memo that the Governor’s Office of Employee Relations had notified OTDA that the State Emergency Management Office (SEMO) had asked agencies to identify employees willing to volunteer for participation in recovery efforts in the disaster areas. As are you, I am **proud** of our members’/employees’ overwhelming response to this request. They were many of the **very volunteers** that worked in these Centers. Many of these individuals had **literally volunteered** their time, some 12-hour shifts – 7 days a week and **most** are not overtime eligible.

What I would like to see is a timely resolution regarding this matter and **not** for it to be tied up in **grievances for months**. I find it **preposterous** that the Governor’s office **has not** to date resolved this matter. In addition, I am requesting that the individuals that were **not overtime eligible** be compensated for their long hours of **hard work and dedication** during this disaster.

Please feel free to contact me to discuss this matter. I can be reached best at 607-727-1257. I would like to **thank you** in advance for your assistance in this matter.