



**Binghamton PEF Division 399**  
**OTDA – DDD**

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Glendale Technology Park–Bldg 16 · Endicott, NY 13761-9009  
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Thursday, February 20, 2007

To: Acting Commissioner David Hansell  
From: Kathy D’Arminio; Council Leader 399, Executive Board Member, PEF Chair Article 18  
Joint Statewide Health and Safety Committee  
Re: January - February 2007 Snow Fall

I am asking OTDA to **request from Civil Commissions a waiver of the time and attendance rules** to allow the employees that were unable to come to work to use EXA. These employees were not able to find a way to work due to blizzard conditions and road closures. Some of our members were instructed by law enforcement to return home.

This request is for all counties in NYS that have been affected by the unusual amount of snow that has occurred during the months of January and February 2007. Specifically, Oswego County has endured over 100 inches of snow. **February 6-8<sup>th</sup>**, our employees were physically unable to safely travel. Governor Spitzer was present in Oswego County, and declared a state of emergency on February 8, 2007. [Attached is Governor Spitzer’s Press Release]. In addition, the Broome County and surrounding areas received close to two feet of snow on February 14<sup>th</sup> and were unable to safely travel to work. Counties in upstate New York were under a state of emergency and there was an order that no one should be on the streets. The Montgomery County Building was closed February 14-15, 2007 and the Tioga County and Broome County Buildings were closed on February 14, 2007.

Our members are **NOT** considered essential employees. I am requesting the waiver of the time and attendance rules for February 6-8, 2007 in Oswego County and for February 14, 2007 in the upstate counties for our OTDA Employees and February 14-15 for Montgomery County.

What I would like to see is an immediate resolution regarding this matter and **not** for it to be tied up in **grievances for months**. I would find this **unconscionable** for the Governor’s office **not** to take **immediate action** on this matter.

Thank you for your assistance in this matter.

Cc President Ken Brynien  
Mark Diefendorf  
Paul West  
Ed Ray  
Tom Privetere  
Roger Scales  
Robert Carrothers  
Paul Rickard  
Mary Twitchell  
Senator Libous  
Assemblywoman Donna Lupardo