

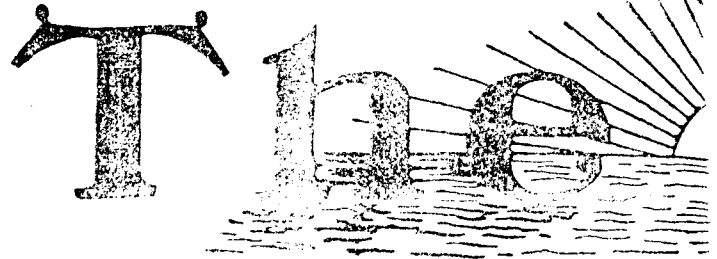
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Civil Service

THE CIVIL EM

106th YEAR—Vol. CVI, No. 29

NEW YORK, F.

Added Coverage In Whistleblower Law Considered

Those Reporting To 'Outside' Agencies Lack Protection

By MARK DALY

Amid concerns that the city's whistleblower statute doesn't go far enough to protect employees, the City Council is mulling changes to broaden its scope.

The reform is enthusiastically endorsed by legal and safety officials at District Council 37, who contend the existing law fails to protect workers who report mismanagement or government waste that falls below the level of a crime.

Risk to Bypassing DOI

Under the current wording of the law, workers who bypass the city's Department of Investigation and report abuses directly to state and Federal agencies also can find themselves left out in the cold when they are demoted or fired for their actions.

With Mayor Bloomberg's ardent backing, DOI has stepped up its efforts to educate workers about the existing law. Investigations Commissioner Rose Gill Hearn recently spoke in support of a Council proposal to expand the statute to protect witnesses who report non-criminal wrongdoing.

However, Ms. Hearn contends DOI must retain its central role as the chief investigator of corruption in agencies, so it can guarantee

Raises Penalties

Driver Assault Law A Victory for TWU

By MARK DALY

Handing a major victory to Transport Workers Union Local 100, Governor Pataki has signed into law legislation that raises the criminal penalties for assaulting a Bus Operator, Train Operator or Conductor.

Effective Nov. 1, a physical attack on a transit worker in one of those titles will be treated as a second-degree felony punishable by up to seven years in prison.

Grouped With Cops, Fire

The new law caps a decades-long effort by the union to include its members under the same statutes aimed at deterring assaults against firefighters, police officers and emergency medical service workers.

Previously, assaults on transit workers were treated as a misdemeanor punishable by a year in prison.

A spate of well-publicized assaults on Bus Operators this summer—including one in which the driver mortally wounded his attacker with the man's own knife—brought new attention to a problem that transit workers had complained of for years.

Last year alone, 190 Bus Operators were physically assaulted, and 79 were injured so severely they could



ROGER TOUSSAINT: Culminates 30-year push.

not return to work the next day, according to the union.

"This victory was the result of a hard fight," Local 100 President Roger Toussaint said after Governor Pataki signed the bill delivered by the State Legislature last month.

The new law comes as Local 100's New Directions leadership is seeking to prove itself in its first contract talks with the Metropolitan Transportation Authority.

Mr. Toussaint was elected less than two years ago, along with many other New

(Continued on Page 8)

Pataki Gets C Support; UF Sitting on De

Unions Blunt Mc Claim Governor Hurting School

By RICHARD STEIN

The Council of Supervisors and Administrators Opposed endorsed Governor Pataki's re-election, offering him the education union seal of approval at a time when record in that area is a prominent target of his Democratic opponent, State Comptroller Carl McCall.

Mr. Pataki is expected to produce an even bigger victory Oct. 9, when the United Federation of Teachers delegates to the assembly votes on an endorsement. It has been widely reported that UFT President Randi Weingarten will recommend that Mr. Pataki be given their backing, a decision she gave credence to when she noted it has been the union's policy to support incumbent elected officials who have "a good record in education, labor and human rights."

Timely Inoculation

CSA President Jill L. delivered her blessing to Governor just half an hour after Mr. McCall blasted Pataki's record on education and his role in contesting a lawsuit that charges the state has systematically shortchanged the city school aid and in doing so been guilty of racial discrimination.

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est came on the scene. 1015 have not taken sides in the race to date.

Bus, Subway Assault Bill

(Continued from Page 1)

Directions members, in a tide of reform that engulfed the union's previous leadership.

Long before the introduction of the MetroCard, when Bus Operators were required to handle exact change for fares, the union tried and failed to raise the assault penalties as a deterrent to robbers, Mr. Toussaint said last week.

"For 30 long years, TWU had tried to get this legislation. Now we have succeed-

ed," the union president said.

The law protects bus drivers for the Metropolitan Transportation Authority and any private company authorized to provide service within the state, as well as subway operators and conductors and ticket inspectors on commuter railroads.

Earlier versions of the assault bill were introduced in Albany on a regular basis, but never managed to clear the Assembly and State Senate in the same session.

Democratic Assembly leaders in particular were skittish about adding new sanctions to the penal code, fearing that prosecutors and judges might use them disproportionately against racial minorities, a legislative source said.

Things changed in the Assembly this year when the union enlisted the support of Brooklyn Democrat Roger L. Green, the chairman of the Black and Hispanic Caucus.

The State Senate passed the bill three times as it churned through various changes in the Assembly.

The original bill covered a dozen NYC Transit job titles under the new penalties, including the Station Agents, Cleaners, and skilled tradesmen. Ultimately, the list was narrowed to employees directly responsible for safety conditions on their vehicles.

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