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PUBLIC HEARING

before

SPECIAL COMMITTEE OF THE GENERAL ASSEMBLY  
TO INVESTIGATE PERSONNEL POLICIES OF THE  
NEW JERSEY TURNPIKE AUTHORITY [created  
under Assembly Resolution No. 17 (1965)]

Held:  
July 21, 1965  
Court House  
New Brunswick, New Jersey

MEMBERS OF COMMITTEE PRESENT:

- Assemblyman Frank X. McDermott [Chairman]
- Assemblyman Joseph C. Doren
- Assemblyman Nicholas St. John LaCorte

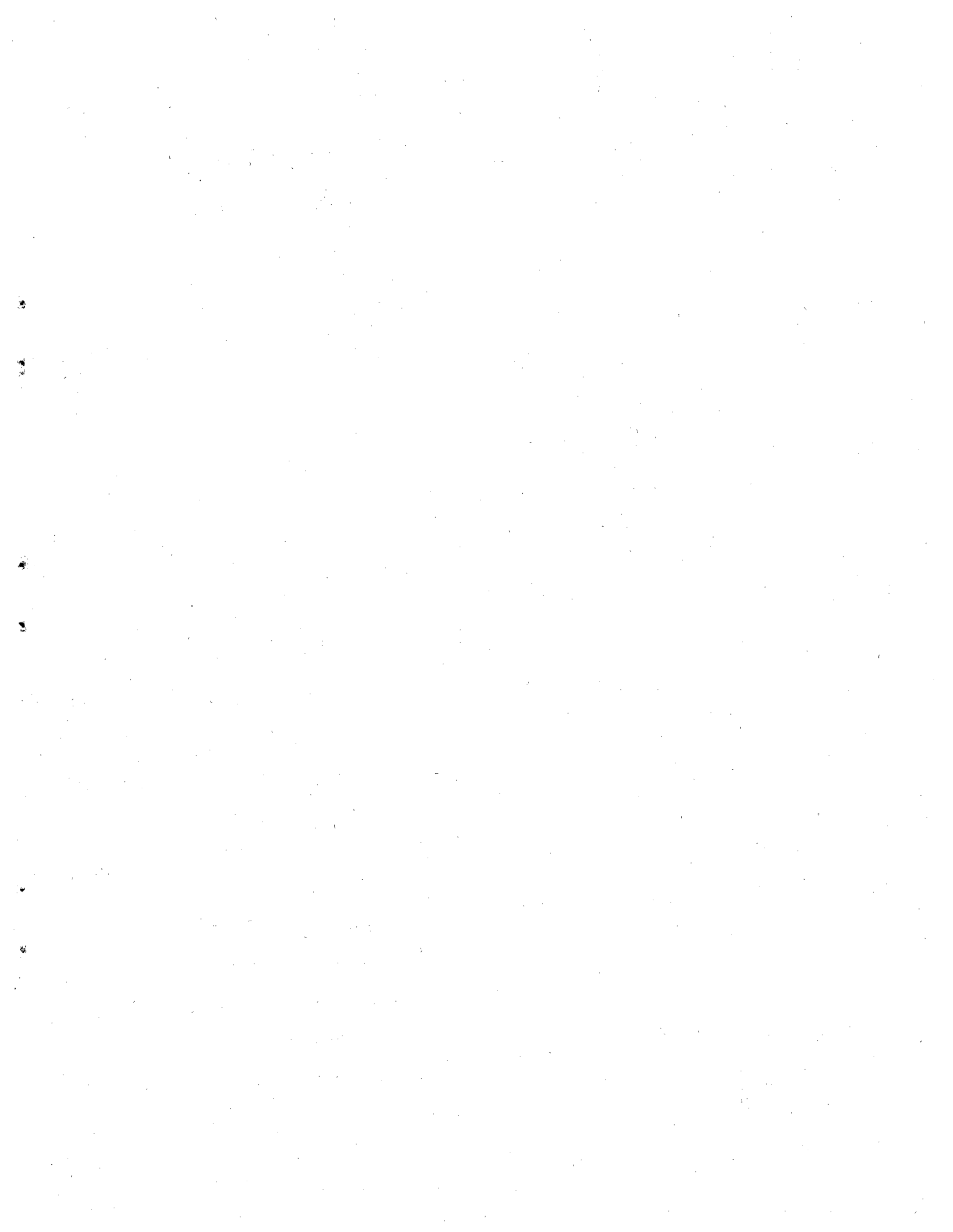
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ASSEMBLYMAN FRANK X. Mc DERMOTT [Chairman]: Gentlemen, this meeting will now come to order. This is the second meeting of the Special Assembly Committee, constituted under Assembly Resolution No. 17, for the purposes of making an investigation and a report to the entire Legislature with regard to the personnel policies of the New Jersey Turnpike Authority.

The first meeting of this Committee was held at the Union County Court House on June 30, 1965. This is the second meeting. The purpose of this meeting will be the same as our first meeting. We will interview the witnesses to listen to their complaints.

When the witnesses are called, will they please come up here to the desk with the two small microphones on it and please speak into the microphone because your testimony will be recorded. When you come up, would you please identify yourself by stating your name and your connection. If you are an employee of the Turnpike, tell us what your specific job is and how long you have been employed. So, to save time, I won't ask that question of each witness but will you please remember to so identify yourself - name, employee classification and how long you have been employed.

The first witness is Mr. Al Benvenuto.

For the purposes of this meeting, I would like to inform the group that to my right is Assemblyman Nicholas St. John La Corte, who is a member of this Committee; and to my left is Assemblyman Joseph Doren of Middlesex County, who is also a member of this Committee; and I am Frank X. McDermott, the Chairman.

A L B E R T B E N V E N U T O, called as a witness, testified as follows:

BY ASSEMBLYMAN McDERMOTT:

Q Would you please proceed, Mr. Benvenuto.

A My name is Albert Benvenuto.

Q How do you spell your name?

A B-e-n-v-e-n-u-t-o. I'm a toll collector at Interchange No. 6 and 6A.

Q How long have you been employed? A I've been employed with the Authority, well, a little better than 8 years. Most of the testimony that I would have given has already been put into the record but I want to add something about the safety and the unconcern of safety and whatnot by the Authority of the collectors and the patrons. I say the patrons because we have at Interchange No. 6 now - an addition has been put up, opened about - well, not quite a year. They call it Interchange No. 6 A. It's an approach from Route 130 to the Pennsylvania Turnpike via the Turnpike Bridge. The traffic at this Interchange 6A is - although I should say it is picking up slightly - is very, very light, I'll grant you that, - it's picking up but what it has done, in effect, is on the entry side, coming from the Pennsylvania Turnpike we have this confounded machine for the class 1 vehicles, which is the passenger car, but in order to get the trucks, buses and trailers and those other than passenger cars onto the Turnpike they are using what they call lane 11 as an entry.

Now, they have to use the man who is working interchange 6A in lane 12 to operate both 6 A and entry in 6 for the trucks

and other than passenger cars. So that man works a double door.

BY ASSEMBLYMAN DOREN:

Q Just a moment. I'm confused. Are 6 and 6 A two separate interchanges and booths? A It's two separate interchanges and booths only in this respect, that we have to, after we make a deposit we have to make two deposits, one for -- and there is one collector who works both interchanges every day and that's the man who relieves the man in 6 A.

Q But is one booth called 6 and 6 A, is that it?

A That's right.

Q All right. A So, in effect, what happens is that when the patron comes off the bridge, if he's coming onto the Turnpike and heading north or south on the Turnpike he has to get a ticket from this man who is working this double booth. And as people are funny, they will keep to the right so he gets most of the passenger cars too, but by the same token he's got to watch this other lane, this 6 A, where he collects 15¢ from cars and 20 and 30¢ from trucks. And he's got to watch both these lanes.

Now, the problem is this, when we have these big trucks like Strickland, these big cab-over-engine jobs, the driver will not and cannot reach over because of the width of the truck. So, there for a while they had us walking out in front of the truck on these charge account jobs, walking out in front of the truck, taking the ticket from the driver, going back into the booth, validating the ticket, making any change

that had to be made, walking back out, handing it to the truck driver and walking back into the booth. Well, that, as you can see, is damn unsafe. So I went to Mr. Flanagan with Mr. Corollo and I told him about the situation, after we had had quite a few discussions about it with Mr. Snyder and Mr. Lescher, to no avail I must say, and told him what was going on. So Mr. Flanagan told us that we were not to walk out in front of these vehicles or any other vehicle at any time. Well, I did that and went down and told the people that they weren't to do that. They were told that if the truck driver did not cooperate in coming out of the truck himself, walking out in front and giving it to the collector to validate the ticket and then walk back himself and get the traffic going, that we were to call the State Police. I brought this up to a State Trooper and he said, "Now, what the hell am I supposed to do. In the first place, we know nothing about this, and in the second place, this guy is paying for his ride, how can you ask him to do something like that and what am I going to do if he doesn't come out." I said, "I don't know. Those are our orders."

Well, we come to an impasse with certain trucking companies who have these charge accounts. What they do is, they stop and they wait, and I can't blame the guy for waiting, why should he get out of his vehicle to come to give you a ticket to stamp. He's buying the right to ride on this road, why should he work for it. So, in effect, that's what we've got.

Now, another thing in this situation is, this point system comes into effect. As I say, in interchange 6 A, you get 100 - 150

maybe a little bit more vehicles through there in a day. A guy can foul up because the situation - the men who are working this, it's a lot different that over in 6, there's no tickets involved in this thing, you collect your 15¢ and you push a button. Over in 6 you work with a ticket and you validate the ticket as you collect, and whatnot. If you forget to push a button, you got a point against you. Or if you accidentally push a number 2 button instead of a number 1 button you've got a point. In order to get that point erased from your record you have to have - is it 10,000 vehicles? 10,000 vehicles that you take off on exit side to eliminate 1 point. And you can work there a year and a half and not get 10,000 vehicles through there. So, that's where it's unfair. It's unfair to collectors in a lot of respects, especially in abuse you have to take. We have a colored collector there who was called a damn nigger because he wouldn't come out and get the ticket, and punch the ticket and bring it around to the truck driver. Now, if I was that guy I'd go out and punch that guy in the mouth. There would go my job, right?

BY ASSEMBLYMAN McDERMOTT:

Q Would that be from a truck driver? A That's from a truck driver. Another woman told one of the other boys - she said, "Why can't you be like the white collectors and come around and give us a ticket the way you're supposed to." I mean, these people expect that from the Turnpike, they're paying for a service.

BY ASSEMBLYMAN DOREN:

Q They must have been coming up from Alabama?

A No, they weren't. No, they weren't. That's just the problem. It's not just down in Alabama that this crap comes out. So, what's a guy supposed to do in a case like that? Is he supposed to hit the guy? Is he supposed to sit there and wait? Sometimes they'll wait and then they'll call the Turnpike Supervisor and he's got to walk clear across the plaza, 12 lanes, go to the truck driver, take the ticket, go in and punch it and walk around and give it back to the truck driver.

Q What's your suggestion? A There's only one way to resolve it and that's put another man on there to work another entry. And the two entries are separated. The entry where the machine is is over in lane 9, 8 rather, and this is over in lane 11.

ASSEMBLYMAN McDERMOTT: Excuse me, I see the representatives of the Turnpike here. We are discussing 6 A and 6 interchange, up by the Pennsylvania Turnpike, and the testimony has been about the hazardous conditions these fellows have, walking in front of cars and getting a lot of abuse if they don't.

MR. POSTIZZI: Excuse us for being late, but I wonder if we could inquire - we did not receive a list of the individuals who are going to testify here today. We would like to know. Some have called in to the personnel director.

ASSEMBLYMAN McDERMOTT: That was Mr. Postizzi of the Counsel's office in the Turnpike Authority.

I'll be glad to give you the list of those who signed up. This is a new list. The former list we had is unavailable today.

MR. POSTIZZI: Well, we are interested in those who will testify today.

ASSEMBLYMAN McDERMOTT: Right. While you are looking at that we may as well continue with Mr. Benvenuto.

THE WITNESS: I am willing to stand by if they want to read the testimony I've given.

ASSEMBLYMAN McDERMOTT: No, that's all right.

Q Continue. A Getting back to these machines again, we have one in lane 8. It's a hazard in many ways, not only from the point of view where anybody can take a ticket and ride out there, but we had an instance - we have these machines - these machines are about 4 foot high. We have a toll collector there who is about 5'2 or 3, something like that. When he's working the double door over this machine he's not only working the exit side, which is pretty busy, but he has to also turn around and work the entry side whenever a truck goes in there, when they can't see this big sign that's lit up and a truck goes in there, or in other cases where lunch reliefs are being made or something like that, he has to work a double door.

We've complained about the extra length of wiring from the connection to the machine that is always in the way, but in this instance the man was rather busy and, as I say, he's a short man, he reached over for a truck ticket, reached to

give it over to the truck and accidentally knocked his glasses off and they broke. Well, we asked if they would be paid for by the Turnpike Authority and we were given a negative answer. Right off the bat, at the first step they went to their legal department and the legal department told them they're not liable for this \$28.00 that the guy's got to put out of his own pocket for glasses broken on the job.

Now, the funny thing, the ironic thing about this is if the guy cut his eye or something like that then he would be paid. In other words, you've got to become maimed and then I believe you get paid for the glasses you broke on the job. He was working with his glasses all day long. They know that. The supervisor was there. He saw that. But yet we've gone all the way up to Mr. Lescher and we were told that the guy just won't get paid for his glasses.

I guess just about everything else has been covered.

BY ASSEMBLYMAN McDERMOTT:

Q Do you have any recommendation to this Committee as to how some of these matters can be cured? A Well, as far as I'm concerned, there's only one way to cure it and that's to hire more people. If they want a second entry to have that man there for a second entry, period. Incidentally, the man who does make the reliefs from interchange 6 to 6 A, he has to make two deposits. So he makes that first deposit for 6 A after he takes the last break and he makes that deposit so that he doesn't have to make two deposits and get them fouled up at the end of the shift. He makes that deposit on his last break. In effect, he's giving up his last break so he can make

this deposit and he's not compensated for it in any way. I suggested that they compensate him for it by giving him an additional 15 minutes, or something like that, to make that deposit but that was ignored and, in effect, he's giving up his last break just so he doesn't have to make two deposits and get things all screwed up at the end of the day. He makes that on his break.

BY ASSEMBLYMAN DOREN:

Q Have you had any injuries? A Yes, we had a collector hit when he was working the double door. His name was Felix Stone. A Greyhound bus hit the dutch door and cut his pants and cut his leg.

Q Hit the door? A Yes. Well, you see when they're driving off the driver's side, they have a tendency to come as close as they can because he has to reach over quite a ways too, and they just come a little too close.

Q That would be negligence of the driver, right?

A I guess you could call it that but by the same token --

Q I mean, was anybody hurt walking in front of these trucks or cars? A No, not yet. One guy almost got it, that I know of.

ASSEMBLYMAN McDERMOTT: Have you any questions?

ASSEMBLYMAN LaCORTE: No.

ASSEMBLYMAN McDERMOTT: Well, thank you very much, Mr. Benvenuto.

THE WITNESS: Thank you.

ASSEMBLYMAN McDERMOTT: The next witness is

Ed Sheenan.

E D W A R D S H E E N A N, called as a witness, testified as follows:

BY ASSEMBLYMAN McDERMOTT:

Q All right, go ahead. A I'm Ed Sheenan from District 4 in Milltown.

Q How do you spell that? A S-h-e-e-n-a-n. And I have been with the Turnpike for about 3 years. I'm the Shop Steward down there.

Q Which union? A 723. I might add they only have one man in the other union. The only reason he's in there is because he's getting a call in at time and a half so actually he makes \$30 a month for joining the other union, roughly. Sometimes more, sometimes less. He doesn't represent anybody but himself.

Q How many men are at the interchange?

A It's a district. Well, there have been transfers in the last couple of weeks, I'd say there's roughly 18 now.

BY ASSEMBLYMAN DOREN:

Q Are you a toll collector, sir? A No, it's a maintenance group.

BY ASSEMBLYMAN McDERMOTT:

Q What do you mean, get a call in? A Well, the second man called in on emergencies is supposed to be the shop steward and, although he represents no one but himself, he's the second man called in. I've had a grievance in on this for 3 years but it's been in the file some place.

Q In other words, you are alleging that he gets preferential treatment.

A He does.

MR. POSTIZZI: May we identify that employee, Mr. Chairman?

THE WITNESS: Frank Castelano is Shop Steward for 1511. He just took it over about 3 months ago.

BY ASSEMBLYMAN DOREN:

Q How many are there in that union? A He himself. He's the only one.

Q You mean that district but there are other people in that union. Right? A You'd have to ask Sam Bardash how many's paid up. But I wanted to bet him once in December--

MR. BARDASH: You seem to know, why don't you tell the Committee.

THE WITNESS: I don't know, Sam. I don't have your records.

BY ASSEMBLYMAN McDERMOTT:

Q Go ahead. A And he's the only man in the district. He got a good job out of joining the union so he took it. But what I'd like to bring out first is - well, one of the hazards I get in representing 723 is, well, one thing, at that last hearing there, there were 2 of us that went up there from our district and we were marked with unauthorized absence. I wouldn't sign the pay slip. I told them they could keep the sixty bucks for a couple of weeks and they finally changed it to authorized absence. That was only on Friday after I refused to sign.

Q You mean after you were at the last hearing?

A Yes. And another thing was in April I put in for a leave of absence to build my house, 2 weeks, and I was turned down, yet there was nobody on vacation out of the district; they had equipment operators polishing delineators. Men have got leaves of absence before to go to Europe, Las Vegas, the races in Florida, but they didn't want to set a precedent for a guy building a house, so I didn't get my leave of absence. I'm still building the house and it's still costing me extra money. And there's actually a guy up in 5 there, he averages 150 days off a year, sick leave and --

BY ASSEMBLYMAN DOREN:

Q What's his name? A Duffy.

Q What's his first name? A I don't know his first name. He's on a leave of absence now for 6 months.

Q For what reason? A I believe he's sick, a rheumatic heart or something like that, but Bill Lyons didn't get that consideration anyhow.

BY ASSEMBLYMAN McDERMOTT:

Q Are you alleging that they are discriminating against you because of your union activities? A Yes.

BY ASSEMBLYMAN DOREN:

Q Well, what are the specifics? What makes you say that? A Well, people can go to Europe and Mr. Flanagan himself put out a letter and said there was to be no changes in policy until he issued something else but yet our Superintendent, Mr. Lover, has changed that.

Q When did you ask for your leave of absence?

A About a week before - it was in April, the 26th of April I wanted to start it.

Q Well, would you say the Turnpike business is greatest in the summer months, greater than in the winter months?

A Well, as far as traffic or maintenance work, yes. In the summer we're blacktopping. There is actually no such thing as a paper picker anymore, we are losing that title. That was a good job.

Q I'm staying on the subject - I just want, for my own information, the fact that they do have more business and I assume vacation times spread over the summer months?

A Right. That's why I asked for it in April.

Q Well, I mean, don't you feel that certain times of the year it would be difficult to get replacements?

A Right. That's why I asked for the leave of absence in April. I figured it would be in between the snow and the busy season. And there was nobody out, and if they were that busy they would have had the equipment operators working rather than polishing delineators.

Q Had you had any sick leave or time off?

A No, very little sick leave.

BY ASSEMBLYMAN LaCORTE:

Q Mr. Sheenan, may I interrupt for a moment. Can you give me the names of the persons who were given a leave of absence to go to Europe, Las Vegas and the races?

A The Europe bit, I'm not sure. That down south, I think it's what-do-you-call-it. Frank might be able to give me a name on that. But the one that went to Las Vegas was Joe Dunch

and Sidney Shotwell.

Q Joe who? A Dunch.

Q How do you spell it? A D-u-n-c-h.

BY ASSEMBLYMAN DOREN:

Q Where is he, what district? A 4th. My district. This was a couple of years ago. Up until I asked for a leave of absence all you had to do was write a letter and you could get a week or so off without pay, like an added vacation or something like that.

BY ASSEMBLYMAN LaCORTE:

Q Do you know whether he revealed to the Turnpike Authority that he was going to Las Vegas? A I believe he was out in Las Vegas when he asked for it. I'm not sure.

Q Well, do you know whether the Turnpike Authority was aware of the fact that he had gone to Las Vegas for entertainment or illness or to visit a member of the family? Were any reasons given that you know of? A He was on vacation. Now, I don't know whether he was gambling or anything else. He might have been out there swimming for a week.

Q The point I want to get to, and the only basis for a complaint we would have here -- A No, he wasn't sick, I know that.

Q Well, was the Turnpike Authority informed that he was taking time off or had requested a leave of absence to attend Las Vegas for entertainment purposes? that you know of.

A No, not that I know of. I know he didn't take it on sick leave.

BY ASSEMBLYMAN DOREN:

Q Well, how did you get this information?

A Oh, I work with the guys. I knew he was out there.

BY ASSEMBLYMAN LaCORTE:

Q You don't know the representation he made to the Turnpike Authority?

A No. He just said he wrote them a letter.

Q All right. How about the fellow that went to Europe, what representation did he make, if you know?

A I don't know that either. Him I'm not sure of. Frank Corollo could probably tell you the man's name.

MR. COROLLO: His name was Joe Carney. He worked at interchange No. 7. He went to Ireland for a month.

ASSEMBLYMAN DOREN: Joe--

MR. COROLLO: Carney.

ASSEMBLYMAN DOREN: Is he still with the Turnpike?

MR. COROLLO: Yes. I might say that he applied again a couple of years later and then was denied.

ASSEMBLYMAN LaCORTE: Do you know the basis for his request? Did he tell them why he wanted time off?

MR. COROLLO: To see his family in Ireland.

Q Now, when you get time off like that, is it time off without pay?

A Yes.

Q And that's what you had requested too.

A Right.

Q And how about - I think you said it was Europe, Las Vegas and the races in Florida.

A Dick Shotwell.

Q Florida?

A He's the boy that got hit out on the Turnpike a couple of weeks ago. He's from district 4.

Q Do you know the reason he gave for taking the time off?

A Well, he's either a mechanic or he might possibly have been a driver then, and this year here he took a vacation to go, but the year before was the leave of absence.

Q And do you know the reason he gave to take the time off?

A No, I don't. He just told us he was going down there.

BY ASSEMBLYMAN DOREN:

Q In the summer months?

A No. January, snow storms. Then the second point I would like to bring out, there's no seniority on jobs lasting over 5 days, and they have a blacktop, clear drains and stuff like that, and this is at a time in the summer when you get overtime, meal money, and you can afford to take your family down the shore. You're off weekends. And this here - and they leave it to the supervisor to pick who they wanted, they didn't work according to seniority or skills or anything like, they took who they wanted. A lot of men who had time on the Turnpike, like this one in our district, Ivans, he was there 11 years, he run the rollers and stuff like that the first year but I guess the second year he had a falling out or something, he didn't get to work down there, and when you work in any shop or any place

nowadays, you start out at a young age, you figure by the time you're 60 or 50 you should have an easier job, you shouldn't have to compete with the young guys, your seniority should hold up, but it doesn't there.

BY ASSEMBLYMAN McDERMOTT:

Q Excuse me, Mr. Sheenan, this 5 days' seniority you are talking about, are you saying that if there's a specific project that lasts under 5 days they could pick anybody they feel like?

A They can pick anybody they feel like if it lasts under 5 days. If it's over 5 days, it would be considered more or less a permanent job and the men with the most seniority should be entitled to that. But it didn't work out that way.

Q Well, do you bid on these jobs -- A No.

Q -- or are they assigned? A They're assigned.

Q Well, suppose somebody gets a job out of line of seniority, can you present a grievance on that?

A They've been presented but - I even have the number, it's 770. I forget the date on it but it's 2 or 3 years old. They just leave them up there and they die.

Q When you say "they" - what level of supervision?

A About the third level, I believe, Mr. Hayden, and then that's all you hear of it.

Q What's the first level? A The foreman. But they're all the same, actually, because the foreman can't give you an answer without going to somebody else.

Q Then where does the foreman go? A Well, in

the last year they've had a change where - I'm not sure whether he'd go to Mr. Desimon or to Mr. Hayden. Mr. Desimon is Mr. Hayden's subordinate.

Q And What is Mr. Hayden's title? A He's director of maintenance.

Q For the Turnpike? A For the Turnpike.

MR. POSTIZZI: Mr. Chairman, could we have further identification on this?

Q What was it about? A It was on the blacktop, about the men being denied --

MR. POSTIZZI: Who filed it?

THE WITNESS: I did.

MR. POSTIZZI: And what date?

THE WITNESS: I don't have it here with me.

I have it home.

Q Approximately. A Oh, about two years ago.

MR. POSTIZZI: Thank you.

BY ASSEMBLYMAN LaCORTE:

Q 770? A Yes.

BY ASSEMBLYMAN DOREN:

Q That's the number of the grievance? A Yes. Oh, and on that blacktop there, there was one night, it was around 7 o'clock and we still hadn't eaten, and myself and this Dick Colby were shop stewards and we asked them about eating and they give us a hard time and we were going to leave the trucks there. So then they finally did go out and get something for us to eat.

Q What were you doing at the time? A We were putting down blacktop but we hadn't eaten since noon, on the Pennsylvania extension this was.

BY ASSEMBLYMAN McDERMOTT:

Q Does the Turnpike's maintenance crew exclusively do all of the blacktop? A No. They are in competition with the contractors, so to speak, and that resulted in overloading our trucks.

Q What do you mean, in competition with the contractors? A Well, they knocked the price down, I guess, on the contractors, you know, per ton, something like that. That's the rumor we heard. I couldn't confirm or deny it.

Q What contractors are you talking about? A Outside contractors. We were paving right alongside of them. We did one part, they did the other.

BY ASSEMBLYMAN DOREN:

Q Well, a certain amount of work, I assume, has to be contracted out on the facilities. Right? A Oh, sure. But our trucks are overloaded. This John Cosman there, I guess he was the first man to actually dump a load of blacktop into the machine. And we have a valve on there - there is no neutral, it's like a stick, you just have to hit neutral, you can't tell whether you're in it or not, and with the overload that truck looked like an inverted camel. So they took him off of the job but actually it wasn't his fault. He's a good driver. He used to be a bus driver for Public Service in Camden but he got bounced off. None of the trucks were --

Q What was his name? A John Cosman.

Q Cosman? A Yes. None of the trucks were fishplated at that time, or reinforced, so to speak. I guess they are now. I know they reinforced a lot of them after that. And we had a man just picked up recently on the Turnpike for driving a truck with an invalid inspection sticker. The State Trooper out there gave him a ticket, and we thought the Trooper was, you know, a little hard - we work with the guy and stuff like that - but it turns out, from what he told us, if we were to have an accident, he said, they would sue the Turnpike and then you would be next in line. That's something we didn't know.

Q Who told you that? A The Trooper told us.

Q What do you mean, one of your own trucks didn't have --

A It was an invalid inspection sticker. It had been turned down. I don't know what it was for.

Q One of the Turnpike's trucks? A Yes.

Well, maybe six weeks old, it had been turned down. And when this Trooper - the next day, you know, he was talking to us and he said, I only did it for you guys' own benefit, actually. He said that if you were to have an accident in a truck like that, maybe somebody get killed, they would sue the Turnpike and then they would have an alternative to sue you.

Q I have news for you, don't worry about it.

A Well --

BY ASSEMBLYMAN McDERMOTT:

Q What he means, they would join you as co-defendant.

A They wouldn't stand much chance on suing me.

BY ASSEMBLYMAN LaCORTE:

Q In your experience, Mr. Sheenan, is this an unusual thing or a usual thing to have Turnpike vehicles without proper inspection tags on them? A I never noticed it until the man got the ticket. I honestly couldn't say.

BY ASSEMBLYMAN DOREN:

Q Who was the man again, was this Cosman?

A No, it was Joe Madalin.

Q How long ago did this happen? A Two or three months.

BY ASSEMBLYMAN McDERMOTT:

Q Who paid for the ticket? A The Turnpike did. He could have gave it to either. That's something else he told us, he could have ticketed the driver but, of course, I think he's a nephew of D. Kelly.

Q Who is D. Kelly? A He's Chief of the State Police.

BY ASSEMBLYMAN DOREN:

Q Well, you're not sure of that, are you?

A No. I know he's a nephew but I mean that doesn't make any difference there, I mean, he wouldn't give an employee - any company, you know, you'd give the ticket to the company, ordinarily, unless maybe the employee gave you a lot of noise or something like that. And then another thing I'd like to bring out is during these snow storms I myself have driven at least 30 hours, I know, at a clip without no sleep.

Q Do you do that alone? A Yes.

Q Or do you have somebody in the cab with you.

A No, alone.

Q When was this that you drove 30 hours?

A Oh, there was several times.

Q Approximately when?

A I can give you a rough idea - January 12th through the 15th of 1964. We had a man that ran the grade-all then about 40 hours at a clip, and he's no kid.

Q What was it, a heavy snow storm?

A It was a heavy snow storm. But if we are going to work that long, they ought to at least tip off the public. Nobody can drive that long and be alert. I mean, you drive that long, you come close. I've had millions of close calls.

Q Did you have any sleep within that period?

A No.

Q The 12th to 15th? You didn't work continuously.

A You know, I drove 30 hours before I finally went to sleep.

Q You had no break?

A That's another thing. If you behave yourself, they'll let you go out and eat on the outside. If you don't, you have to eat at Howard Johnson's. And I don't know whether you've ever eaten there on the Turnpike or not but for a buck and a half you can't make it. And the food isn't the greatest in the world. I mean, it's not like Howard Johnson's over here on Route 1 or something like that. It's altogether different. You get 5 ounces of Coke for a quarter.

Q You're looking at something. Is this a grievance

that you submitted as a result of working 30 hours?

A Yes.

Q When did you submit that? A I don't have the date.

Q Approximately, I mean. A It wasn't the result of that, it was another one about calling the contractors into work before us.

Q I'm referring to the 12th to 15th. Did you tell anyone, object to anyone, the fact that you didn't want to work. A No. It was standard practice.

You worked. When you got tired, so tired you couldn't move --

Q What? A Well, you would sleep on the floor, in the truck or something like for a little while.

Q Well, you could quit, couldn't you stop if you were tired. Say you worked 20 hours and you got tired, couldn't you stop. Would anybody object to it? A Oh, they'd object.

Q But they'd replace you, wouldn't they? A There weren't that many men to replace.

Q Because of the fact that everybody was on the road, everybody had to put in extra efforts because of the weather condition? A Yes. There was an extra effort. I think anything over 10 hours would be an extra effort.

Q How often does this occur where you work 30 hours?

A It depends on --

Q Have you done it ever before? A Oh, yea. I've done it a couple of times a year. It depends on the snow.

MR. POSTIZZI: Could we get the dates?

THE WITNESS: No, I don't have all the dates here. They have a snow record they keep over at work. They could give you an accurate report on that. But there should be some plan for a replacement or something like that.

Q You mean, some relief? A Some relief.

Because once it snows it seems like everybody rides the Turnpike and you wait sometimes 20 minutes to a half hour to make a U-turn out there, and just looking at those lights is enough to drive you blind.

Q Did you complain to anybody, your foreman or anyone, about this? A They all know it, it's standard.

Q But did you make a formal complaint about this?

A I made it to the -- I told the Union about it but I don't believe there's too much they can do at this point.

Q When you work 30 hours, what is your pay? After 8 hours do you get paid extra? A After -- no, from 8 to 4:30 we get straight time, then at 4:30 tonight I would get time and a half and tomorrow morning at 8 o'clock I'd go back on straight time. Every 8 hours I get \$1.50 to eat with. That's mighty thin eating after a while.

Q The time and a half doesn't run after 8 hours, consecutive hours. A No. It runs from 8 to 4:30 is straight time. Any time after that is --

Q And if you work another 8 hours overtime then the next 8 - the third 8 goes on straight time. A Yes.

BY ASSEMBLYMAN McDERMOTT:

Q Mr. Sheenan, you made a statement that if you behave

yourself they let you out to eat, otherwise you eat at Howard Johnson's. What do you mean by, if you behave yourself?

A Well, if you don't complain too much about how long you've been driving and stuff like that, they let you go downtown and - well, there's a couple places down there, there's no comparison to Howard Johnson's, either one of them.

Q Well, as a matter of regular routine, can you go off the Pike to eat? A On lunch hour and - which is something else. You don't know when your lunch hours are. They had contended it was every 8 hours.

Q You mean a lunch hour every 8 hours. A You got paid every 8 hours therefore you're supposed to have your lunch every eight hours but you could sneak a coffee or something in between.

BY ASSEMBLYMAN DOREN:

Q You don't have a break, say if you are on the midnight shift, you don't have a break, an hour off for lunch after 4 hours? A No. I'm not on the midnight shift, Mr. Doren. I work - in maintenance I work days.

Q In maintenance, don't you have a regular fixed schedule? A Unless there's a snow emergency.

Q All right. If there is no emergency. I can see if there is an emergency. If there is no emergency can you go out and eat a lunch. A Oh, yes.

Q But if there is an emergency which requires you to go out there and work, you don't, naturally you don't eat right. A You have to eat, but where you eat that's --

Q Do you get paid for that lunch hour where you don't take off for lunch?

A You get paid for it whether you take off for lunch or if you don't. Your time runs continuous as long as it's a snow emergency.

Q And that only happens in an emergency. A Yes.

BY ASSEMBLYMAN LaCORTE:

Q Now, Mr. Sheenan, I stepped out for a moment -- do you get paid extra compensation for a 30 hour stretch such as this, beyond your 8 hour day?

A Oh, yes. If I work 30 hours I get - well, the first 8 hours would be straight time and - what will it be, 16 hours at time and a half, and then I will go back on straight time again.

Q I see. All right, while you're on that, can you suggest a remedy for meeting these emergencies, the snow emergencies?

A Well, I think if they were to sit down and negotiate a contract with the teamsters - they've had experience in this before and they could come up with something. I'm a little new at this, so I don't know that much about it. Then another thing I'd like to bring out --

MR. POSTIZZI: May I ask, did the witness testify that he had difficulty with the grievance he submitted for calling contractors in before --

THE WITNESS: No. I have an answer here on that.

MR. POSTIZZI: Was that resolved to your satisfaction?

THE WITNESS: No.

MR. POSTIZZI: What grievance were you referring to, then?

ASSEMBLYMAN DOREN: Mr. Chairman, we're going to get confused here.

MEMBER OF AUDIENCE: If I may, this is not a grievance meeting. They had ample time to justify the situation and answer the grievance. They haven't done so up to this point so I mean, take the man's testimony - that's what we're here for, if the Counsel wants to cross examine him --

BY ASSEMBLYMAN McDERMOTT:

Q Well, for the record, state the number of the grievance. A The number of the grievances were 461 and 463. This was relating to the contractors getting in before us.

BY ASSEMBLYMAN DOREN:

Q What dates? A Well, June -- this is Mr. Hayden's answer. It was June 10, 1964. My grievance originally - I guess it's down with the teamsters, I don't know.

Q What were they about? A It was about the contractors getting called in to work before us.

Q What do you mean, being called in before you? A Well, they don't go on the road until there's an inch and a half or 2 inches of snow, yet they were called in the yard before us. So they're sitting around drinking coffee. I came in at 8 o'clock in the morning. I go right

out to plow snow till 11 o'clock, I guess it was, when they put them on the road, but they were in since, oh, 4 or 5 o'clock in the morning.

Now, Mr. Hayden sent a letter here and it said that all the men in district 4 were there. Well, I for one, and Wells for another wasn't. I don't know how many more weren't called in. It says in this letter we were but I know I didn't get paid for it.

BY ASSEMBLYMAN LaCORTE:

Q Mr. Sheenan, do you recall the duration of that storm?  
A Actually it was about 3 days, I think, you know, on and off.

BY ASSEMBLYMAN DOREN:

Q Was that '64 or '63?  
A '64.

BY ASSEMBLYMAN LaCORTE:

Q Now, you are talking about the contractors being called in before you fellows.  
A Yes.

Q At the time of the big storm in '64 or '63.

A Yes.

Q Is this a customary practice for them to call in the contractor.  
A No. I believe that was the first time it ever happened.

Q Do you know if it has happened since then?

A It hasn't happened this year.

Q I see. How about prior to that? Well, you've only been there three years, is that correct?  
A Yes.

Q Now, when they call in the contractors and, of course, you men, this is in anticipation of a big storm coming up.

A That's right.

BY ASSEMBLYMAN DOREN:

Q What's your objection to calling them in?

A Well, I think they should call in the men in the district first. After all, we work for the Turnpike. We have to go out there first. The first inch, or inch and a half or two inches of snow on the Turnpike are ours, so to speak. After that the contractors take the main stem and we move in to the interchanges and service areas.

Q Then you really don't complain about extra work, right? You yourself, you said you worked 30 hours, you have no objection or you would like to get in more hours when there's an opportunity? You'd rather be called first to get the overtime.

A First. But by the same token - well, since then times have changed. Well, like my father, he probably didn't complain when he worked 60 hours a week when he first went to work but I don't think he'd do it now, if he were alive.

Q My father used to do that too. A Well, times have changed.

BY ASSEMBLYMAN LaCORTE:

Q To get back to this, Mr. Sheenan, when these contractors are called in, do you know the basis on which they are called in?

A I don't know what you mean.

Q Well, are they called in for a day's work or hourly work?

A Oh, I have no idea what it is.

I know they work in teams, different sections of the pike, and according to the weather report they would be called in in those sections. But no matter which section they are

called in, the maintenance man would have to be on the road first, for the first couple of inches of snow. So I can't see the reason for calling them ahead of us. And then another thing I'd like to bring out, a month or so ago there was an accident across from the yard --

Q What yard? A In Milltown, about 2 miles outside of New Brunswick, going south.

(Discussion off the record)

BY ASSEMBLYMAN DOREN:

Q 461 was specifically a grievance on what?

A 461 and 463, I believe, were the same grievance. I put one in, the man from District 3 --

Q Is that where they were calling -- A The contractors into work.

Q Although there are two grievances, they involve the same instance. A Right, they both involve the same instance.

Q And that was calling the contractors in before you fellows. A Right.

Q And did you get a reply? A This is the reply I have here.

Q And you stated that you were on the job?

A No, I wasn't on the job. It says here I was but I wasn't paid for it.

ASSEMBLYMAN DOREN: That's all I have.

Thank you.

BY ASSEMBLYMAN McDERMOTT:

Q Do you have anything further to say, Mr. Sheenan?

A There was an accident across from our yard, as I said, at 7:30 in the morning. It was a tanker truck with acid on it and it involved 5 lanes being closed there at one time. Now, there were men in the yard at the time, and with these five lanes closed they still didn't call any of those men out until 8 o'clock. It was only a matter of 20 minutes and they would have had to pay them call-in pay, but in 20 minutes a lot of cars pass there and the people are paying to ride the road and they should be entitled to the maximum protection. When I myself came to work, which was maybe 5 minutes of 8, the only thing that was open for me to ride was the shoulder, and there were maintenance men out there, you know, with flares and stuff like that, that had stopped, the troopers had called them but they didn't get any call-in for that.

Q You mean they didn't get paid for their services?

A No. And this happened that day but since then what you have building up is, don't stop, you're risking your neck and you're not getting anything out of it. So, actually, this tends to build up where the public isn't getting what they are paying for.

BY ASSEMBLYMAN DOREN:

Q Well, this involved an automobile - a truck accident?

A A truck accident.

Q Well, do they have a wrecker that comes out? Don't they have a special --

A The wrecker wasn't there yet. They call depending on --

Q What about the State Troopers, don't they come out?

A The Troopers were there.

Q What other protection could you give the public in an instance like that, would you say? A They were pulling debris off the road. This Joe Dunch, he stopped. He was the flag man up ahead. Another guy was putting out flares, Mike Hall, and Sammy was pulling parts of the cab off the road so they could at least open up a lane or two.

Q Well, isn't there a wrecker called for these accidents?

A The wrecker was called only to move the vehicle itself off the road. But as far as debris goes, and stuff like that, your maintenance man usually hauls that off.

Q You're called to do that. A Yes.

Q And what's your objection to that? A Well, it was 20 minutes or so there that actually they could have been started on that accident. And the people that were riding the pike, I think they were paying enough to warrant that thing cleaned up. And the men that didn't get paid - I know myself if I got burned once - pulling a hunk of tin or something off that Turnpike is risky business. So, if you do it once, if you don't get paid for it why do it the second time. And this is going to build up where people will be riding past the accidents, the maintenance men themselves.

ASSEMBLYMAN McDERMOTT: We'll take a 5 minute recess.

(Recess)

(After recess)

ASSEMBLYMAN McDERMOTT: Mr. Sheenan, and other witnesses who will testify, we have quite a few people who wish to testify and we would like to expedite the course of these hearings so, when you come up here to testify, try to be as specific as you can so that a lot of questions don't have to be propounded to you. And would you please try to be concise, hit on the main points, and it will be very helpful for the record. And please avoid repetition wherever possible.

BY ASSEMBLYMAN McDERMOTT:

Q Go ahead, Mr. Sheenan. A Then, there is no job classification. We have a clerk over there now and a man helping him. This man helping him, he's been working there for a year or so but it was never posted on the board. We had a man that helped the welder, he cracked his glasses, not knowing the job, but he didn't get a new pair of glasses either. And all this results in not having the right man for the right job. With this job classification it would help straighten a lot of this out. And then, well, we lost a man about a week ago. He had been there about 2 years, he was a tremendous worker but he couldn't support his family on the 68 bucks a week.

BY ASSEMBLYMAN DOREN:

Q Who was that? A John Spees. He knew - he used to wire the trucks in the winter for the snow storms, you know, put the lights on them and stuff like that. And \$68.00 for a minatenance man to start - you have to do either a little moonlighting or have your wife work or something like that. And I know the foreman's gotten raises in the last couple of years

but I guess they figure we've got enough. Well, that's about it here.

BY ASSEMBLYMAN LaCORTE:

Q Well, while you're on that, Mr. Sheenan, are you a foreman? A No.

Q Well, what was your take-home pay, let's say, your gross pay in 1964? A I think it was around \$60 a week.

Q No, I mean your year's gross. A I have no idea. They take out four dollars and some cents --

Q No --

ASSEMBLYMAN McDERMOTT: What do you put down on your income tax form?

Q Your W-2 form gave you your gross income for the year. A I believe it was \$5800, with almost 500 hours overtime.

Q That includes overtime. A Yes.

ASSEMBLYMAN LaCORTE: Thank you.

ASSEMBLYMAN McDERMOTT: Thank you, Mr. Sheenan.

Mr. Sam Bardash.

S A M B A R D A S H, called as a witness, testified as follows:

I'm Sam Bardash, President of Local 1511, AFL-CIO, better known as ASCME, American State County and Municipal Employees. I have been employed with the Turnpike Authority since December of '51. My present job there is equipment operator.

BY ASSEMBLYMAN McDERMOTT:

ASSEMBLYMAN McDERMOTT

Q '51, you say? A That's right. I realize that there are many inequities out on the Turnpike which I have been part and parcel in trying to correct, but the main purpose that I'm sitting here for is that though I represent a local and I do know that the relationship between the employee and employer sometimes reaches an impasse, but being in labor I always felt that labor itself should handle its problems in a way best suited for it. We did have memorandums of understanding out there and we also had contract agreements. The unfortunate thing is that in the State of New Jersey it can work both ways. I wrote to the International, and with the indulgence of this Committee I would like to see entered, if it's at all permissible, what our opinions - what we can change the public employee, it's status, in the State of New Jersey. If the Committee can bear with me, I have some statements here that I would like to read.

ASSEMBLYMAN DOREN: Would you want to leave it with us.

Q Do you have a complete report that you can leave with us on the recommendations of what should be done with public employees in this area? A Yes, I do.

I have some here that will be beneficial and there are some in here which is not for edification in the sense of - it is for edification but its meaning is twofold. But what I wanted to point out is what we could do in trying to help the public employee with reference to the Authority, Garden State Parkway and your hospitals.

BY ASSEMBLYMAN LaCORTE:

Q Do you have that in writing? A Yes, I do, sir.

Q Why can't you submit that to us in writing and save a considerable amount of time.

BY ASSEMBLYMAN McDERMOTT:

Q Why don't you mail it to us and we can make it part of the record, if you don't want to give us all of it.

A I have some here that you could have for the record. You can take the whole thing, if you want to.

Q You see, the record being taken here today will be in transcript form and we will eventually get a booklet, and if we make this part of the record then all of the members of the Committee will have this.

A Why not? You're welcome to it.

BY ASSEMBLYMAN LaCORTE:

Q We can save a lot of time if you let us have it.

A Right.

MEMBER OF AUDIENCE: Part of it is irrelevant to this.

ASSEMBLYMAN McDERMOTT: Well, why don't we use our discretion and that which is irrelevant we can ignore. We are just trying to save time.

THE WITNESS: I understand that.

BY ASSEMBLYMAN McDERMOTT:

Q May I suggest this, Mr. Bardash. Why don't you mark those paragraphs that you want us to read. We will accept this sheet of yours, this report of yours, on the basis that they

will only include in the record those paragraphs that are so marked and they will return the whole report to you. Is that agreeable to you? A All right, if you want to do that, I imagine we can.

Q Well, it would then become a permanent part of the record. A All right. There are things

that I will keep out for edification and then just those that you want --

BY ASSEMBLYMAN DOREN:

Q You could mark it and have it typed over again and just mail us what you want us to read. A That's

right. Well, then that about winds up my statement, except like I said before, prior to this, there's inequities out there, unfortunately, but as a labor man a lot of times I feel that with the right statutes on the book most of our problems could be solved.

Q Now, you've been there a long time. A Yes, I have.

Q Let me ask you this, do you feel, being there since '51, since the first time you went out there things have gradually been ironed out - it takes a little time, it was a new baby for the State, this Turnpike, when you first went on it in '51, - do you feel that conditions have improved any as time goes on? Of course you get new problems. A Yes. We've got problems every day. We had inequities in the beginning. An employee would start at \$1.26 and through the efforts of the local that was there and has been there yet we brought the starting rate up to \$1.96. Of course, the

inequities I speak of is those individuals who do get promoted sometimes getting a little too big for their own britches and they feel that all the employees should measure up to what they want them to measure up to.

Q They change their personalities when they become bosses.

A That's right. Their personalities are different.

Q We have politicians like that too.

A Yes, the unfortunate part about it. That's the whole structure out there. If you have any questions I will try to help you by answering them.

BY ASSEMBLYMAN McDERMOTT:

Q I have one question that I want to ask of you. You mentioned this report that contains proposals to improve the lot of the public employee.

A That's right, sir.

Q Now, is there any one proposal that stands uppermost in your mind, which would be helpful to this Committee, with regard to the Turnpike employees and how their lot can be improved.

A Well, yes I could. The fact is that if we have proper legislation enacted through the Assembly and through the Senate, if those who are representing a union or representing a group would not have the feeling that, well, I'm going to go in the doorway and nothing is going to happen. With proper legislation we would be able to sit down and express your thoughts, or if you have what we call grievances, you would be able to get them done quicker.

Q You mean if you had a legally established grievance procedure, you think this would cure many of the problems

that now exist?

A Yes, most certainly.

Q You do not include in there, of course, the right to strike?

A Well, the right to strike is a two-way street. Sometimes it's a necessity more than anything else. Now, if we can clarify the fact, what is a public employee, how far can he go, is it detrimental to the State, is it detrimental to the welfare, then I say he don't have the right, but if it pertains to an individual group that has nothing - no bearing whatsoever on the welfare of the people itself, where do we go then, Mr. Assemblyman?

ASSEMBLYMAN McDERMOTT: Thank you very much, Mr. Bardash.

THE WITNESS: Thank you, sir.

ASSEMBLYMAN McDERMOTT: You will give us that report?

THE WITNESS: Yes, I will.

MEMBER OF AUDIENCE: We'll mail it to you.

THE WITNESS: Yes, can we mail it to you?

ASSEMBLYMAN McDERMOTT: Yes. Mail it to Mr. Alito. He will give you his card.

Hirma Olan Craver, please.

H I R A M O L A N C R A V E R, JR., called as a witness, testified as follows:

My name is Hiram Olan Craver, Jr., I'm a toll collector at Deepwater Interchange No. 1.

BY ASSEMBLYMAN McDERMOTT:

Q How long have you been employed by the Turnpike?

A Five years, sir. One of the main things that I want to bring out here is this point system. I was at the last meeting and I know several things were brought out about it but there are several others that I didn't hear. We had to leave early to get back to work, so all this I have here such as reclassification. A card given to a truck that has a trailer could go up the Turnpike - you give him the correct ticket - now he could stop in a service area and not knowing this new system or the system that they have of getting a parking permit providing he had trouble with the truck, could leave his trailer, continue on up the pike under his own power, go off the next interchange with the wrong ticket. Now, if the collector didn't have initiative or didn't think to ask the truck driver if he had dropped the trailer, he would reclassify this entry ticket and he would receive one point. Now, upon returning on to the pike --

BY ASSEMBLYMAN LaCORTE:

Q I don't understand that, Mr. Craver. A He could leave part of his equipment on the turnpike, possibly, go off at an interchange minus this trailer and it would be a different class vehicle.

Q Would he pay less money? A No, because he would have the ticket that he was supposed to have when he come on but he wouldn't be that same class vehicle.

Q So? A He would be a lesser class. Well, the collector could reclassify him and you would receive a point.

Q Who receives the point? A The collector

that let him on originally.

BY ASSEMBLYMAN DOREN:

Q Well, how does the guy get back on. What kind of a ticket does he get when he comes back on without a trailer.

A Well, the way I always handle it, just to clear myself, if a trailer comes on, what we call bobtail, that is without the box on the back, I always give him a class 3 if that's what it calls for, and I put T O on there, which means trailer only -- tractor only, see. That way with that ticket with my number on there, if he picks up a box and goes off at least I have that to go back on, that he came on without the box. Because in turn he could come back on after he repaired his troubles and if he didn't have the system of parking permit he could pick up his box and go off and then he'd be the wrong class again. That would be another error for another collector. I mean, points, mind you, 1 point it takes 10,000 vehicles that you handle through exit to erase this 1 point. And these points are the things that are worked against you. I mean, your job, your security is based on the point system we now have in effect. And we have one collector at our interchange, he's a married man, has a mortgage, has children, and his job - I don't know whether it's a -- he's been warned, been given a written letter --

Q What's his name? A Oscar Hovelby -- due to the fact that his job is being jeopardized by this new point system.

Q What do you suggest to supplement that or change that?  
A Well, I think supervision and I think now we have this

Local 723 the business agent should go down and work this out. These men that come to work, I think most of them are honest and sincere, they want to make an honest living.

BY ASSEMBLYMAN LaCORTE:

Q That's not the point. What do you suggest to correct the situation that you've just depicted, that is where a man comes on and drops a trailer and goes off with the tractor only and then a point is charged against you. How are you going to correct that? Do you have any suggestions?

A No, really I don't.

BY ASSEMBLYMAN DOREN:

Q Do you have any suggestions about the point system?

A Yes, sir.

Q Would you do away with the point system?

A No. I don't want to go on record as saying I'd do away with it but I'll say this, I think the employees should be brought in on this. I mean, this has just been thrown upon our shoulders. We have had no say as to this rating of this point system. I think we should have some - at least be asked something on it.

Q Would it be difficult to arrive at an agreement on the point system between the employees and the head of the Turnpike?

A Not to my knowledge.

Q Don't you think it would be an almost impossibility to keep everybody happy?

A That I don't know.

Q Well, do you have any suggestions on the point system.

A I think it's very unfair.

Q Specifically, where do you feel it is wrong? You've

already mentioned one instance where you get a point for something that could happen to anyone, even if he's alert. What other suggestion do you have to eliminate the point system?

A Well, I don't know. I think things were going all right before.

Q How long have you had the point system?

A About a year, 6 months.

Q What did you have before then? A Well, there, that was another thing too - general rating, appearance, everything.

MEMBER OF AUDIENCE: Could I interrupt?

ASSEMBLYMAN McDERMOTT: No. Are there any more questions on this?

BY ASSEMBLYMAN LaCORTE:

Q I gather from what you say and from what others have said that there is a feeling that the point system is unfair and yet you have had no opportunity to discuss with management the areas in which it is unfair and be successful. Is that about what you are saying? A That's correct.

Q That you as a toll collector feel that there are certain things that arise with respect to the application of the point system, that if they heard your side of the story it might work a little differently? Is this what you are saying? A Yes, I would say so.

Q But you don't object to the fact that the point system is used as a merit system in itself. You feel that some merit-rating system is necessary. A That's right with any business. I mean, they have to expect so much

out of an employee. You can't just go and dictate to them. I mean, you have to give them a fair day's work for a fair day's pay. But this - well, not intentionally you can get yourself fired by making a few of these errors.

Q All right. Now another thing, I think some of the collectors there could be - well, it could be caused up in the office, not due to anyone's fault but everybody is subject to make errors. This we are not given credit for. In the bank, if we bank our money, deposit it into the shoot which goes up to the bank and they come back a week later and say you're five dollars short, you're five dollars short. You have no means of coming back against it.

BY ASSEMBLYMAN DOREN:

Q How would you correct that? A Now, that's a very hard thing to do. But I say, is there a possibility of us being given the benefit of the doubt once in a while. We always have to be on the bottom of the list.

BY ASSEMBLYMAN LaCORTE:

Q Mr. Craver, and Mr. Doren, I think this is not an unusual situation where employees handle money and it leaves them and goes to another source. There are methods to check it out and in all fairness I think this is an area that could be corrected. In other words, you never know whether or not it's going to come back short - your day's collection, yesterday, is going to come back short \$5.00. A No matter what you put down.

BY ASSEMBLYMAN DOREN:

Q You could be right and then it comes back wrong and

you get blamed for it. A The points - I mean, it's a point for every dollar.

Q Whereas somebody else could be tapping the till and you'd get blamed for it, in plain English, right?

A Right. Well, in plain English, yes.

BY ASSEMBLYMAN McDERMOTT:

Q Well, are you notified each time your record receives a point? A Oh, yes. Well, yes, and your errors. We have a copy. I talked with my immediate supervisor because in my bank deposit I was \$1.00 over what I had deposited. In other words, the bank came back in my favor that time and said I was a dollar over. Well, like they say, I was a dollar over. I myself thought that I wasn't. Now, who is to be the judge. I got the point.

BY ASSEMBLYMAN LaCORTE:

Q Is there a mechanical device that counts out your money when you finish up your work at the end of your day?

A Well, we have this electronic mechanism on there. I don't know how it -- they have some form of system.

BY ASSEMBLYMAN DOREN:

Q When it leaves your hands - when you put it in the bag - do you put it in a bag at the end of the day?

A That's correct, sir.

Q Is the bag locked? A Yes, that's correct.

Q Before you put it in the bag, what do you do, do you weigh it or -- A Oh, no.

Q Do you count it out yourself? A That's correct. We deposit it and the deposit slips are all made out

in the denominations, the amount, totals and the grand total. It goes into the bank and we have this four or five sets of copies and we have a green copy which is the last copy, a carbon copy, that we keep for our records, which I think is a joke because it doesn't do you any good. If they say you're short, you're short, and that's it. Now, we've had several occasions - that's what I want to bring up. I think I can be correct in saying that within at least a month's period of time 2 collectors were \$500 short.

Q When was this? A I'll say 2 or 3 years ago.

Q And who were the collectors? A Eugene Wescott and Roy Sickler. Also a few days after that there was a money bag missing with somewhere around \$1400. The tellers had signed that they had gotten it, they found out later, and the bag had gotten to the bank and disappeared but --

Q What happened with that? A Well, I would first like to talk about these two fellows that were \$500 - there were 2 \$500 wrappers with \$10 bills missing. They asked these fellows, evidently, if they wouldn't please come in and take a polygraph test, which is the lie detector test, I believe to be correct. One came in off the midnight shift to take it and another one came in off his vacation, at their free will. They were asked. They weren't forced, they were asked. To my knowledge, these men have never yet been cleared. We have heard through the grapevine that in this bank in Elizabeth one or two persons were apprehended or there was money missing and it got to them, but our fellows have never been actually

cleared. Now, this report of money missing got into our local newspaper. You know, that's a big thing. That's \$2400 missing, see. And these men have never been approached and proven innocent.

ASSEMBLYMAN DOREN: Well they are innocent

until proven guilty.

BY ASSEMBLYMAN LaCORTE:

Q Have they lost their jobs? A No, sir.

Q They did not lose their jobs? A No, sir.

They are still employed.

Q What you are saying is the newspaper came out with the statement that they were charged with -- A No, no. It was just in the paper that there had been money missing from the Turnpike. I mean, there was nothing slanderous about it.

Q Was anybody's name mentioned? A That I can't remember. I don't think there was.

Q Well, then, these men, so far as the public is concerned, are not - their reputation is not --

A Not at stake. But I will say this, before they - if they have, I've never been told myself personally that this money has been found, but if it was before - if one of those fellows were to have quit his job of his own free will and say had gone in private employment, a local bank or somewhere where he might handle money, I believe there might be some question as to whether or not he would be hired, due to the fact that the money had been missing.

Q What would be your remedy in this situation?

A I don't know. This is just to clarify the fact that if

our money is being deposited we have no proof of it, where it goes or how it's used.

Q Well, did they get demerits for the loss of the \$500?

A No, I don't think so, yet. Oh, the last thing, they told about the 3A shift on a Sunday. Well, now we have eliminated it at our interchange for the full-time collectors, which is good because it gives two collectors a Sunday off, which we very rarely receive, but the part they give to the part-timers now, but we still have the 3A Friday night. The full-time collectors get the benefit of that, we still receive that. And now we have this 2C shift. That's nothing, I don't think, new to the Turnpike but it is to our interchange, and this has just come into effect within the last month on us. Right now there's only 4 - on our last 30 day schedule we have only 4. But including all the men, on the assumption they are working 20 scheduled days through this 30 day period, there's 560 shifts, 8 hour shifts, and they see where it's beneficial to their being to have these 4 2C shifts.

Q What is a 2C shift?

A Oh, I haven't even worked it yet. 2 in the afternoon to 10 at night.

Q Do you object to the 2C shift?

A Well, no, I mean, I haven't had it yet, I don't see where -- Another thing I have, now this is going back a year or better, I guess. When President Kennedy was killed, there was quite a going-on down in Washington and I think some of the administration got off this one particular day and part of maintenance, but the toll collectors were never compensated for this particular day. I

don't believe there was a grievance written on it because at the time I don't know where you would have wrote.

BY ASSEMBLYMAN DOREN:

Q What do you mean, you didn't get a day off, for what?

A Well, evidently some people had got off during this time when Kennedy was assassinated. I believe it was like a Monday or Tuesday, the day of the funeral or something there where everybody stayed home and looked at television. It was news at the time. Now at our interchange we received an awful lot of traffic that day. It was an added burden and we didn't even so much as get an extra thank you.

Q It was a regular working day? A Right.

Q Regular working hours? A Yes.

Q And you felt you should have been given additional compensation because you worked during your regular hours?

A All right. Some fellows got the day off, and some didn't.

BY ASSEMBLYMAN LaCORTE:

Q Do you know who got the day off and the basis for getting the day off?

A Well, I wouldn't want to list names. I mean, there'd be several names.

BY ASSEMBLYMAN DOREN:

Q Could it have been his day off, that is anyone's?

A No. These were actually, from what I heard, some administration and things like that. Another thing in our division, our clothes, the Turnpike supplies them for us, which is nice, but we have to maintain them. It gets quite expensive, especially with the untidy conditions of the booths out there. Of course, we know it something it's hard to do because diesel

fuel and stuff like that, but if we could get some small compensation for the money that we have to put out to have our clothes cleaned we'd feel it would be --

BY ASSEMBLYMAN McDERMOTT:

Q How frequently are the booths cleaned?

A Well, that -- I mean, I'm only there an 8 hour shift but I know --

Q You mean they are not cleaned once during each 8 hour shift?

A Well, the booths aren't cleaned - I just don't even want to go on record on it. I mean, it's just lousey service.

Q Who does the cleaning job? A New

Brunswick something.

MEMBER OF AUDIENCE: New Brunswick Window

Cleaning.

BY ASSEMBLYMAN LaCORTE:

Q Well, apropos of that, you're stating that you would like to have some compensation for clothing allowance, for cleaning clothes.

ASSEMBLYMAN DOREN: Like the police get.

A Well, I think the police --

Q They clean their own clothes. A Plus

they have to replace their clothing, don't they.

Q Well, it varies in municipalities. A Well,

we don't.

Q You get Turnpike clothing. A Right.

Q But you must maintain it. A Maintain it.

And with the unclean conditions it gets very expensive.

Q Now, I would like to have from you, if I may, what your position is. You're a toll collector?

A I'm a toll collector.

Q What was your pay for 1964, gross? A Around \$6,000 or a little better.

Q Does that include overtime? A Yes. No, it must be more. I think around \$6800. That includes overtime and I do not know how much overtime I worked. I don't keep a record of that. But I do have a record of this next thing. We have a man - if you want his name, his name is Edward Robbins, he's worked for the Turnpike about a year - this is what has gotten to me - I mean, nothing official, no record, but he is said to have worked this year over 400 hours overtime and it has been repeated to him on several occasions, due to his work record with the point system, that if he doesn't continue this cooperation that it would cost him his job. Now, 400 hours so far this year. We've gone through our 29th week, I figure, and that would average 14 hours a week, that's working a 7 day week. And if a man is working with money, as fast as we have to, won't make mistakes working 7 days a week --

BY ASSEMBLYMAN DOREN:

Q What does Robbins do? A A toll collector.

BY ASSEMBLYMAN LaCORTE:

Q Where? A At my interchange.

Q Why don't you ask him to come up and testify.

A I don't know whether he will or not, and I might be making an enemy by saying it, by bringing this up, but I feel it's

my duty to bring this thing up.

Q Is it also possible - now, I have to look at two sides of the coin - that he wants the overtime?

A Possible? Yes. He needs it, I would imagine. I would imagine everybody needs it.

Q Are you inferring that if he's making mistakes in the handling of money that the Turnpike is overlooking the mistakes and not charging him with points?

A They say this cooperation is helping him to maintain his level.

Q I don't follow you. A By cooperating, by working this overtime his points were at the lever wherever you have to maintain it - has helped.

BY ASSEMBLYMAN McDERMOTT:

Q In other words, the more hours you work, you would get the benefit of a decrease in the point system.

A Well, this cooperation is where your immediate supervisor has the authority to scale you. I mean, that's not through your work level.

BY ASSEMBLYMAN LaCORTE:

Q How long has he been with the Turnpike?

A He just got his raise, just got his increment.

Q Is he getting more overtime than any other member on the --

A Oh, we have a fair system there. I mean, we have a rotating overtime list. Any man can take it or refuse.

BY ASSEMBLYMAN DOREN:

Q Is he the exception, then, Robbins? A He's

taking a fair share. I mean, I don't deny any man to work overtime. We have no fairness as to who works how many hours.

Q What is your point then? Why do you raise this issue. You say that you have a fair system and you say that Robbins is getting his fair share - what is it, he's getting more than he should get or what? A No.

Q Then why do you raise this point? A I'm just saying this fellow right now, he's at the point where he's going to have to work this overtime to keep his job.

BY ASSEMBLYMAN LaCORTE:

Q I don't understand that. A They have told him - now this I was not present when this was said but this is what I have heard, that he was told that providing he kept up his good cooperation that would build up his points in that part and hold down his errors.

Q He gets points for overtime which will offset any errors - any points he would get for errors. Is this what you are saying? A Well, evidently without this cooperation he was on --

BY ASSEMBLYMAN McDERMOTT:

Q Let me see if I can follow this. You're saying that if a man works overtime then that's considered a factor for getting good points for cooperation, the foreman can then rate him as being cooperative because he works overtime.

A Correct.

Q And the fact that he works a lot of overtime makes him that much more cooperative and he gets that many more good points. Is that right? A Right.

BY ASSEMBLYMAN DOREN:

Q One offsets the other. A That's correct.

BY ASSEMBLYMAN LaCORTE:

Q But then you also say that every man has the opportunity to do this overtime work. A That is correct. I say that any man that wants to fatten his pocketbook, well and good. Another thing that I have is, I would like to know they're 6 months behind - I think I know the reason why but still I would like to know why we're six months behind - approximately 6 months behind in our vacation schedule.

BY ASSEMBLYMAN McDERMOTT:

Q What do you mean, six months behind in your vacation schedule? A Well, in other words, the way I gather it for this year for your vacation you can go as far -- we have, you know, they have a thing you pick and it goes up to June of next year for this year's vacation.

Q You mean, you take your 1965 vacation in 1966?

A You could, up to around June.

Q You could, but do you have to? A Well, the last ones get what's left, you know, I mean you go by seniority.

Q Oh, you mean they will. Some people will take their '65 vacation -- A They'll have to.

Q Because of scheduling problems. A Well, there's not just enough weeks on the slip.

BY ASSEMBLYMAN DOREN:

Q Well, they put a lot of new people on, don't they,

during the summer months for vacations, college students and others?

MEMBER OF AUDIENCE: Not everybody gets the same vacation.

Q All right. A I have 2 more points. My next one is, part-time employees in tolls - I don't know anything about maintenance - received a 15¢ increase in their wages. We have received no raise.

BY ASSEMBLYMAN McDERMOTT:

Q Do they get more than you? A Oh, no. I think their rate now is \$1.90. Last year it was \$1.75.

Q What's the rate of the permanent toll collector, full-time toll collector? A Full-time, I believe to be \$2.89.

BY ASSEMBLYMAN DOREN:

Q They get paid \$2.89 an hour? A I believe that to be the correct sum. But the part-timers last year received, I believe, \$1.75, and this year \$1.90, and we haven't even got anything from the Turnpike so far as being given a raise.

And the last thing I have is, in tolls, working 8 1/2 hour day - we work, like 7 to 3, 3 to 11 and 11 to 7, - now, at the end of the day we have to check out. It takes approximately a half hour, if you're busy, to check your money out and check it out correct. So out of the 8 hours, a half hour lunch we get, the way I gather it they say actually it's your check-out time - in other words, you're eating on your own time.

BY ASSEMBLYMAN McDERMOTT:

Q Do you get paid a flat 8 hours? A A flat 8 hours.

Q You get a half hour off for lunch? A A half hour off for lunch.

Q And then you spend an additional half hour --  
A You spend an additional half hour after you come in at night to check your money out.

Q But you are paid for only 8 straight hours.  
A That's correct. And I thought - maybe I might be wrong - I know before I was employed here I was an employee at Dupont's and I thought shift workers were to be given a half hour paid lunch. Now, maybe I might be wrong.

Q It might be under their union contract. A Well that I don't know.

Q Well, you're claiming that you work a half hour at the end of the day for nothing. A Well, I want them to declare whether the last half hour is checkout time or our lunch period. If it is our lunch period why aren't we compensated for the half hour checkout time.

Q Right. A Thank you.

ASSEMBLYMAN McDERMOTT: Your welcome.

Mr. Stephen Van Werk.

STEPHEN VAN WERK, called as a witness,  
testified as follows:

BY ASSEMBLYMAN McDERMOTT:

Q Go ahead, please. A My name is Stephen

Van Werk. I work at Interchange No. 9. Toll collector.

Q How long have you been employed? A Going on 6 - 6 years. To begin with is the harassment that the men are put under by receiving these letters from the supervision, the Authority. We've had a man down at No. 9 who worked there 12 years on the Pike and if he took a day off --

BY ASSEMBLYMAN DOREN:

Q Now let me ask you this -- Mr. Chairman, there's a lot of hearsay, I think, for the record. I don't know what we are going to do with the record if we are going to continue in the vein of saying this happened or he heard something. Is there any way of getting these people up here?

A Fred Stocker works upstairs now, in the Authority building, as a janitor.

Q It would be better for the record rather than giving us a lot of hearsay, what somebody said and what the true facts are may be another thing even though you may believe one side of the story, but for our purpose I think we would be better or the testimony would be more beneficial if what you say is something that occurred to you specifically, what you know of your own knowledge. These people, we can get them here if you know who they are. I think the Turnpike would give some relief to produce them.

A There's something you've got to realize. A lot of these men, they are afraid to come and testify because I have men now right down at my interchange that would have liked to have taken a day off to come but they are afraid because eventually, sooner or later, they'll wind up getting letters or something

saying they made these errors and then they'll go into this harassment. I got them myself.

Q All right. Tell us what you got yourself.

A Well, myself, when I first started on the Turnpike I worked up at the George Washington Bridge. I worked maybe 3 hours at one interchange, 2 hours at another, 4 hours they shift me around. And then my money errors were, well, pretty bad, I admit. They were \$60 for the whole year but that was money over and money short, and they never gave you credit or took into consideration the amount of moving around that you did. By the time you were used to collecting tolls at, say, number 18 they shipped you down to number 16 which made a difference and if you made a mistake they never took this into consideration.

BY ASSEMBLYMAN LaCORTE:

Q Isn't the change from \$10 the same at number 9 as it is at number 16? You have to make change in each instance. Isn't this the way it works? A Oh, yes, if you get on at number 9 and get off at number 16, yes.

Q I mean, what's the difference whether you work number 9 or -- A It's the same, it's 90¢ coming either way but if you're working up in the northern end - they don't have 18 like they used to, but worked at interchange number 18 and then worked the number 16, there was a difference.

BY ASSEMBLYMAN DOREN:

Q When you look at the card you know what you are supposed to collect, don't you? A Right, when you

look at the card but during the rush hours --

BY ASSEMBLYMAN LaCORTE:

Q It's the traffic, is that the idea? A The traffic and say you're working 4 hours you get to know what you're collecting and all of a sudden you forget where you are.

BY ASSEMBLYMAN DOREN:

Q You wouldn't collect the same from every car. What difference would it make? If you are at number 9 - is that Woodbridge? A No, that's New Brunswick.

Q New Brunswick. A lot of cars go on from number 11 to number 9 and then come off, and a lot start from the beginning and go off there. A That's right. You know them. You get to memorize these.

Q What do you memorize? A Well, a car that comes from Deepwater, I know. I know it's 90¢.

Q You don't have to look at the card? A You don't have to. It sits right in there, you know, and you can see a car coming in and maybe just happen to see the card in the window and right away you know 90¢ or hand him a dime, he gives you a dollar.

Q All right. A Now, on this point system, I was one of the men that was upstairs in the Authority building when we were going to discuss it and I think Sam Bardash was one of them. When we discussed the point system we were called upstairs - when it was first put into effect they called 5 or 6 of us and we were upstairs with Mr. Lescher, I believe Mr. Compton was there, and we were going to discuss

the point system. They were going to put something into effect.

BY ASSEMBLYMAN McDERMOTT:

Q Are you a representative of the workers on the Pike?

A I represent interchange No. 9, and I was a shop steward of 1511 at the time and I'm shop steward now in Teamsters No. 723.

Q And you were called to this meeting as a representative of --

A We were called upstairs. We sat down and they showed it to us and we agreed that they needed some kind of system but not what they handed us. Then after we negotiated or talked, I should say, for a good hour or so we asked them if we could come back up and negotiate some of the points on it to more or less bring them in our favor. In other words, if a man who works entry - that's handing out tickets - he does not get no credit but he does get a demerit or one point charged against him if he hands out the wrong ticket. In other words, I could put 5,000 cars on today and not get a darn point but let me hand one out wrong, I've got an error.

BY ASSEMBLYMAN LaCORTE:

Q How can you hand out a wrong ticket?

A Well, you see a truck coming in and figure it as class three and give him the wrong ticket or give him a class 4 instead of a 3.

BY ASSEMBLYMAN DOREN:

Q How is that spotted or how do they find out?

A Well, when it gets to the collector at the other end, the collector at the other end would have to reclassify him.

So he reclassifies him and they wind up giving the entry - you know your key number is on there and they'll give that entry man an error. But I could put on 5,000 or 15,000 and still not get any credit. And also our paper work, our tickets. We bank them out. We put it in the vault and we send it upstairs. We have treadle exceptions, cars towed off, you know, with a wrecker, one axle raised. Now, how do we know the girl upstairs that is handling our paper work is giving us credit. They claim they do but I have myself caught them where they made a mistake. I have had a class 4 vehicle being towed off with a lost ticket which - a lost ticket from Delaware we charge \$1.80. Now a class 1 ticket is 90¢ for lost ticket. But they never gave me credit for the axle that was raised and they charged me for 90¢ over. The girl gave me credit only for a class 1 ticket instead of she should have gave me credit for a class 4 which was \$1.80. So there's 2 points charged against me. But to get that straightened out I had to holler and argue and call up and finally they done something about it. But if it happens once, how many other times has it happened to the rest of these toll collectors out here on the Turnpike.

Now, even right now at the interchange the men are being charged with 17 axles that they didn't catch. In other words, each axle is money to the Turnpike. Now here's one man they claim was 17 axles over - he should have had 17 more axles, in other words, he 's missing them, he's short axles. The tickets claim he should have - I mean, the

axles claim he should have had larger tickets. Instead of a class 5 ticket he should have had a class 6, that's 4 axles. Now, the man's entry record is pretty good. We all make mistakes. I think I made about 4 last year. Some of us make a little more, some less. But if his entry record is good - automatically when a man sees a truck or a car coming in he registers what it is, if it's a 5, 6, 1, 2. It's not like on entry where he, more or less, is always looking. He sees them as they come in and it registers on your mind, that's a car 2 coming in. He'll look. You just glance at the ticket and you know right off the bat whether it's right or wrong. Now they come down and say this man is 17 axles and every 2 axles is a point against the man. So if he had 16 there would be 8 points against the man right there, if he had 16 axles. And a lot of these we can balance out. I have taken the copy of my treadle exceptions and balanced out, the days that are money short or money over and axles over or axles short and had them balance out.

BY ASSEMBLYMAN McDERMOTT:

Q The time you spend trying to correct these errors charged against you, is that on your own time? A Well, most of it is.

Q Most of it is on your own time. A Yes. You call or you come in early, you call them up, or you wait until you get a 15 minute break. That is about the only time you can leave the booth besides when you eat and if you talk to a section chief or something like that, that's the only time you got to talk to them because you wouldn't be able to talk to him standing

outside working with traffic coming through.

BY ASSEMBLYMAN LaCORTE:

Q Do you have any idea of the number of men who have lost their jobs because of the point system? A No, I don't, but down at number 9 I know of two men that have almost. I represented John Yeager on one of them and this Fred Stockham, a man that worked there 12 years - after 12 years they told him he didn't know the job.

Q Well, do you know of any instances where a man has lost his job on the basis of the point system? A No. I only can go by what I know down at number 9. I honestly couldn't tell you what goes on in the other interchanges.

BY ASSEMBLYMAN McDERMOTT:

Q How many points do you need?

BY ASSEMBLYMAN LaCORTE:

Q Well, I was going to say, this point system has been in effect about a year, is that correct? A No. I'd say almost 2 years now. Roughly 2 years.

Q Yet in the 2 year period of time you don't know of anybody who has lost his job because of the point system.

A No. I only know about my own men. I can't say - I've heard --

Q That's all right. You don't know of anyone but you have heard of a few. A Right.

Q I was trying to get to this. I recognize it's a new system. Now I want to know what the effect has been on the men - how many men have lost their jobs. You don't know of any. A I don't know of any but I do know where they

send these letters out telling these men that if they don't shape up they'll ship out.

BY ASSEMBLYMAN DORAN:

Q Have they been more alert since the point system has been in effect? A Well, right now I think most of the men down at my - I'm only talking my interchange - we don't give a hoot no more.

BY ASSEMBLYMAN McDERMOTT:

Q You don't give a hoot? A No. It's like hitting your head up against a stone wall. If it was fair, if it was fair, you know, they wouldn't have no gripe but right now they know no matter what we do or how hard we argue it's not going to change it. So if we are being charged with an error you take it with a smile and keep your fingers crossed.

BY ASSEMBLYMAN LaCORTE:

Q Can you think of any one or two or three ways that would help make this point system more fair? A Yes, by giving a man credit for working on entry. Also every time you work exit you're charged with an exit. Now there are times when a man is supposed to be an entry man and he has to go over on exit. He may only take 10 cars off but he is being charged with 1 exit. And if you happen to make a nickel mistake that's an error and he's charged with another exit and when they figure out the monthly average per interchange this man, even though he only handled 50 or 60 cars, his average is liable to be lower for the month than it normally should have been. In other words, I know when I work these different lanes I know I'm going to take off 1200 or 1500 every night but when my

monthly average comes around I'm below average. Sometimes I make above average by 1 vehicle because they add up the amount of vehicles that have crossed the interchange, they add up the amount of exits that have been worked, and divide. They don't take into consideration that I maybe worked 1 exit where I only handled 40 vehicles and then that would bring my average - I could be below average almost 7 months out of the year but I know when I go down there I take off what normally goes through that lane, 1200, 1100, or whatever it is.

BY ASSEMBLYMAN McDERMOTT:

Q Do you get points if you are below average?

A It goes against you at the end of the year when they figure it all out.

Q You mean, you do get points? A Yes. Not exactly as points as where they would write you're 1 point but at the end of the year when they add it all up and they do their conniving it depends on whether they want to --

BY ASSEMBLYMAN LaCORTE:

Q Well, I don't understand this. You can't control the flow of traffic through your booth, can you? A No. They're going to go where they want to.

Q That's right. So whether you have 4,000 cars at the end of the month or 7,000 cars, you can't control that.

A No, we have no control.

Q So what you are saying then is the fact that you've only taken care of 4,000 cars should not affect you.

A It shouldn't but they use it against you at the end of the

year.

Q In what way? At the end of the year what do they do?

A Now the harassment, these pink letters - John Yeager, he was put on probation. I was there. I seen the letters. I was up at the meeting. We pointed out to them that he had a very good average of handling vehicles. Right? But he had a poor money average.

Q What do you mean by that?

A His money was kind of high. His shortages and overages combined was pretty high - I don't know, about \$60.00. I can't remember exactly but it was high compared to the interchange. Now, John said, I'm going to take more care in handling my money, which he did. In other words, he slowed down to make sure he had the right amount. Three months after this went into effect John gets a letter that his handling of vehicles average is dropping too. In other words, produce more and don't make no errors.

BY ASSEMBLYMAN McDERMOTT:

Q What do you mean, produce more?

A Take more cars off.

BY ASSEMBLYMAN LaCORTE:

Q Move faster?

A Move faster.

Q Don't let them back up on your lane or they'll move to another lane.

A Right. So when John tried to make his money balance out better he was slower in handling each car but they don't buy that because if his money dropped that would be good but as long as his vehicles per exit didn't drop it's all right.

BY ASSEMBLYMAN McDERMOTT:

Q There are some exits where the booth is so set up that the driver wouldn't be able to pass the money unless he leaned over.

A That's an off-driver lane.

Q And I have noticed in my own experience and from that of others that we avoid that particular lane because I can't reach across my car and pass the money out so I always patronize the lane where --

A The driver's lane.

Q -- I can sit and hand it out my window. Right. Now this fellow manning this particular booth, is he charged with the same responsibility as you fellows are?

A That's right.

Q He is?

A Sure. Now, down at number 9 maybe once in a while we get a little backup. They have to take an exit man that's supposed to be normally working handing out tickets for 8 hours - they put him over or they change the cones and put him in an exit lane. Now that man, he may only handle 50 cars to clean up that traffic and these other men may handle over a thousand cars. He is being charged the same as they are. He is being charged 1 exit when he shouldn't have been. He was an entry man. Now these were some of the things we wanted to negotiate upstairs but as they told us, they said, well, yes, we'll come back and talk. We come back and talk, - two weeks later they put it into effect and it was either that's it or else. And, like I say, the treadle exceptions that we write up, where we have paper work to do, we have no way of knowing whether we are getting credit for it or not.

BY ASSEMBLYMAN LaCORTE:

Q Do you know the basis on which a man is discharged from the Turnpike?

A Well, one of the biggest ones is his money errors.

Q With respect to that, do you know of any cases where you could have justified the retention of a man in his job in spite of the money errors he had made?

A Well, yes. When you make money errors, say if you make a \$2.00 money error - no, wait, they changed it to \$5.00 now - they send you a letter.

Q \$5.00 in the day?

A Yes, at one clip. It could have been 50¢ at a time, you don't know, but it adds up to \$5.00 so they send you a pink letter. And the way the letters are worded it states, you know, you've got to either shape up or they'll take action against you.

Q No, what I'm saying is, do you know of any instance where a man was fired because of money errors and you would have kept him on the job if you --

A Yes, John Yeager almost was. If they would have deducted his shortages from his overages to find out how much money he was out there wouldn't have been no problem. There was only a difference of, I believe --

BY ASSEMBLYMAN DOREN:

Q Excuse me. Do you mean give him credit for what he charged people over?

A How do we know if he charged them. We have no way of knowing if the ticket's got the right holes in when they come.

Q Don't you think you would leave the door wide open

for a fellow who is short, the next day for him to have a tendency to shortchange somebody? A I could shortchange you and you would go through and may not know it if you didn't come back.

Q But there's no reason to encourage it, is there?

A Well, you wouldn't be encouraging it.

Q Your theory is to give credit for his overages - if he's \$10.00 over and then he's \$15.00 short then he should only be \$5.00 short. Right?

A That would be more fair.

Q But aren't you encouraging -- A No, because we have no way of knowing whether we're over or short.

Q That's another thing, I mean as to where the money goes after it leaves you, whether you are properly being blamed, but I can't see your theory of being given credit for overages. It could always balance out. A We don't know until a month later - like now, myself, I'm \$2.75 out for last month. Now I could have sworn every day I worked that I was either right but I don't know.

BY ASSEMBLYMAN LaCORTE:

Q How much money do you handle in the whole month?

A I honestly couldn't tell you. I know every time we work exit we bank out roughly, well \$800 every exit right now.

Q You mean \$800 a day? A Right, well, a little more. When we only had 7 lanes the man in lane 7 used to bank out on an 8 hour tour \$1,000.

Q In other words you are saying, for 20 days he might

have handled \$20,000 and he's \$2.75 short. A Right. That's actual money but we might have handled \$50,000 in making change and they do not give us an allowance. I'm not saying they should give us an open hand. And the overtime - we all work overtime but I've known where, if they cannot get anybody they come around and they tell these men, even these part-timers, which happened recently, that if you don't work this overtime we'll have to mark you down as refusing which means you are uncooperative. Now, uncooperative would mean maybe next year if you wanted a part-time job again you may not get it. Now, I was called down to a meeting at interchange number 6 where the Turnpike wanted to put into effect a mandatory overtime which would mean, today is my day off and if they wanted me at home and I didn't answer the phone they could say I was faking, I just didn't want to answer the phone. And if I and the senior collector didn't see eye to eye and it happened two or three times with him being the supervisor he could wind up requesting I have a day's suspension. Also if you work midnights and they want you to work a through shift - midnights is from 10:30 to 6:30 at our interchange, and 6:30 to 2:30 is the 2 shift. Now, if somebody is out on midnights and they can't get anybody to come in for the 2 shift, they say they can make you stay whether you want to or not.

Q Have they done that to you? A They would never do it to me because I would just turn around and walk off.

Q Do you know of any instance where they did do that?

A No. They tried once but it wound up the senior collector had to stay in the booth and that was a midnight shift. But you have to realize we have some men that if they said if you don't stay you're going to be fired, the man would stay whether it killed him or not.

BY ASSEMBLYMAN McDERMOTT:

Q Would they bring in another collector 4 hours early to cover? A If they could get him.

BY ASSEMBLYMAN LaCORTE:

Q Are you saying, sir, that the Turnpike is understaffed? A Yes. Let's face it. This job I have and we all have there is a political job, one way or another. Most of us were appointed by knowing somebody who put an application in for us. Now, all these moneys they have in reserve, why don't they hire more men. It's not costing the State of New Jersey one dime. We have to work double doors on midnights, down on number 8. God help a man down there if he ever had a heart attack of hit over the head or even fell down before somebody would know it or notify the State Police. Half of these people today, if they see a man laying in the road there they would drive the other way, they wouldn't do a blasted thing about it, and a man's life is at stake.

BY ASSEMBLYMAN McDERMOTT:

Q Mr. Van Werk, you said this is a political job, you only get the job is somebody puts in a request. A Right.

Q Did you get your job through this manner? A Yes.

Q Who do you get it through? A Mr. Morecraft. He handled my application.

Q And do you know of anybody who just goes up and applies and gets a job? A I have yet to hear of one.

Q You mean you've got to be approved by --

A Let's face it. I worked in Westinghouse. For me to get a job in Westinghouse I had to go see somebody, not a politician but I had to see somebody in power in Westinghouse. No matter what job it is today, this is normal. I mean, let's face it.

Q You mean, no more gate applications? A Heck, no. You're liable to get killed in the stampede. Now, talking about our vacation, we work a vacation that I imagine comes under, not the calendar year, comes under, I believe, the fiscal year of the Turnpike which is from June to June, or something like that.

BY ASSEMBLYMAN DOREN:

Q That has been covered, hasn't it? A It has been mentioned. But see, we don't work a calendar year for vacation. A calendar year is from January to December. Now if a man with only 2 years seniority - how could he go, take his family away and go away on vacation during the winter months if he has children and they're in school? Now, what is wrong with having vacation run from January to December like everybody else? If the traffic warrants it, hire more men. Also our vacations, now interchange number 9 and number 8 work together. What do we have to do with interchange number 8? We have nothing. So they hire a vacation relief man for interchange number 8 and 9. Why don't they hire one for each or two for each interchange. And they pay these men only \$1.90. Then we all could have summer vacations.

BY ASSEMBLYMAN LaCORTE:

Q What was your take-home pay last year?

A Over \$7,000.

Q This is with overtime? A That is with overtime but you've got to realize when you say overtime, when we work a holiday, if we're scheduled for a holiday this is actually a day's pay plus time and a half, in other words, double time and a half for the day. And I worked on an average of say 6 of them.

Q Six holidays? A Yes. Almost all holidays we work. Very seldom we get off.

BY ASSEMBLYMAN McDERMOTT:

Q Do you have anything further, Mr. Van Werk? A Yes. At one time we used to have a hard time making tour swaps. In other words, if I wanted to make a tour change to attend a meeting or anything - an example is, I wanted to make a tour swap to attend a father and daughter dinner for the Brownies. My daughter was a Brownie. I tried and they told me it wasn't important enough to make a tour swap. Now what difference does it make to them whether I work or John Doe works in my spot, we're both collectors, we're both getting paid the same amount of money, and if he is willing to work one day for me, why can't he? If I put down I want a tour swap for personal business, there is no such thing as personal business with the Authority. I bought a bungalow down in Bay Head. I didn't dare tell the Authority that I was buying it because I'd be afraid they'd be checking up on my money record and if I was \$25.00 short they'd be liable to start

investigating where did I get the money for the down payment.

It sounds ridiculous but you've got to work there to realize what you have to go over with. And I've got letters in my file where they say I am very uncooperative, I'm a trouble maker, but it's not in the file downstairs, you see, it's in the file they keep upstairs and you can never see it. I have yet to see it but I know these letters are there because I've seen them. And I've seen letters that senior collectors - when they tell us we're allowed 3 days off without a doctor's certificate, I come back on the 2nd day and they insist I have a doctor's certificate and I had a cold or something. Why should I go to a doctor? I call the doctor up and he says, I'm so busy, stay home and take aspirin.

Q Are you saying that they have a double set of files on each man? A I'm pretty sure because you can't find those records of mine, these letters where they say I'm very uncooperative. Some of the letters were written by Mr. Costello, Mr. Parker.

BY ASSEMBLYMAN DOREN:

Q If you didn't see them, how do you know what's in the letters? A I seen some of them before they got upstairs, but how I seen them is my own business, but I know I seen them. By telling you I'd --

Q I don't want to know. A But I know they are there. I've seen the blue copy signed by Irving Parker or Costello, or the time Eddie Mack wrote me up just because I didn't have a doctor's certificate. I was out 2 days with a cold or - I forget what but I was out and I come back and

he insisted I had to have one and I insisted I didn't. He insisted I give him the doctor's telephone number, which I didn't know. Then he wanted the address. The address is Edison, New Jersey. I mean house number or what, I don't think there is one. All I know is the doctor is in Edison, New Jersey. It's a medical group. And I know how to get there. I'm home and I need the doctor, the number is right in front of me. Then when I remembered I had a receipt from a doctor with his name and telephone number on it, he then wrote up a letter saying I had a receipt in my pocket or the letter in my pocket and wouldn't turn it in. And then they marked me up as being very uncooperative.

Q Do you have anything further? A Well, that would be about it. The other gentlemen covered the whole works.

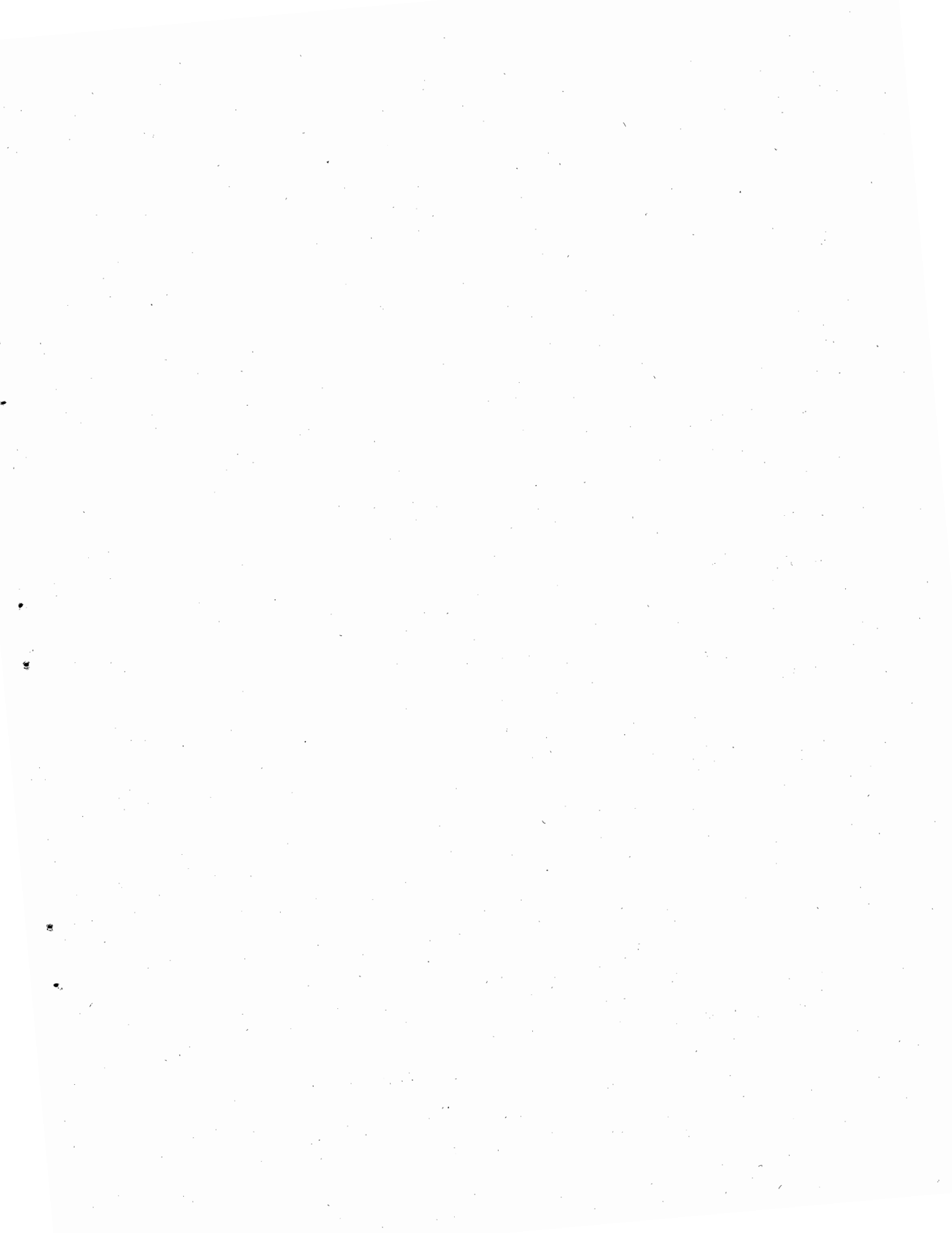
ASSEMBLYMAN McDERMOTT: All right. Thank you very much.

Mr. Hugh Cleary

(Discussion off the record.)

ASSEMBLYMAN McDERMOTT: We will recess now for lunch.

(recess)



AFTERNOON SESSION

[Discussion off the record]

ASSEMBLYMAN McDERMOTT: Now back on the record. We are going to commence the afternoon session of the second meeting of the Special Committee under Assembly Resolution No. 17. The first witness is Mr. Hugh Cleary. Mr. Cleary?

H U G H C L E A R Y: My name is Hugh Cleary and I am a Toll Collector employed by the New Jersey Turnpike Authority at Interchange 15. I have been an employee for six years and three months and I have been President of the New Jersey State Employees Council and I have been President of Local 1511 of the New Jersey Turnpike Authority employees, both of which are affiliated with the American Federation of State, County and Municipal Employees, AFL-CIO. Therefore, I speak with some knowledge of the problems.

I joined 1511 after completion of my first six-months' rating period and I have been a member of that Local since that time and I still am, and the reason I had not joined the Union the day after I was employed was because I was advised by the then President of the Local, Mr. Robert Gardner, that it would be wiser for me to wait until after I had passed my six months' rating before joining the Union because of the Turnpike Authority's anti-labor attitude and if I were to show an interest or become active in the Union before the completion of my six months' rating, the Turnpike would very easily find reasons to have me removed from the payroll under the pretense of my not having passed my six months' rating period. By the way, this very thing happened to Mr. Jerry Battaglia, who you

will remember testified at the last hearing and is present here today, and Local 1511 was successful in having him reinstated to the payroll.

I took Mr. Gardner's advice and my loyalty to my Union today is as strong as it was at that time.

At the previous hearing I sat in the room in the Union County Court House, Elizabeth, and I heard many derogatory and sly remarks made against my Local. The charge was made and the implication given that almost without exception any member of Local 1511 who has ever held any office in our Local did receive a promotion or a better job with the Turnpike Authority. This, of course, would imply that there has been a constant romance between Local 1511 and the New Jersey Turnpike Authority down through the years. So in defense of myself as a Past President and many officers in strong support of Local 1511, I call these accusations and assumptions unfounded, ridiculous and downright stupid on the part of anybody making such accusations.

There are in every organization the malcontents who have a negative outlook on everything. No policies of the Local, the rules or regulations or bylaws of any organization, would be satisfactory and no officer or group of officers would be satisfactory to them; no amount of dues would be sufficient or any amount would be too much - this type of thing.

Now, we always expect criticism and to be an officer you have to expect it. So I'll make just this one point with reference to exofficers of the Local who have obtained better jobs and promotions with the Authority. Out of the

last five Presidents, only Mr. Dan Donohue was promoted, and this covers a span of about six or seven years. The present President of Local 1511, Mr. Samuel Bardash, is still working in the Maintenance Department. Mr. Frank Morro, who testified at the previous hearing, is still in the Plumbing Department. Mr. Robert Gardner is working as a Union Organizer and was an electrician until the day he left the Turnpike, and I, myself, am still a Toll Collector, so that it hardly seems that expresidents receive promotions. There are many more who held positions as executives, shop stewards and committeemen who still hold the same job as they held down through the years, so that these charges that to be an officer of 1511 in any capacity is a sure step to a better-paying job or promotion of any type are ridiculous.

By the way, all the past officers of the Local and all the present officers and future officers of 1511 will always be elected by the membership of the Turnpike employees; therefore, it seems rather foolish to me for anybody to cry about an officer who may have taken a promotion when he was elected by the rank and file who may later complain about his promotion or complain about his taking one.

Now, I realize it is hardly the business of this Committee to determine which Union should represent the employees on the Turnpike, but I felt it was necessary to open my testimony by defending my Local.

There are many gains ahead, there are many gains accomplished by our Local down through the years, and we may have taken small steps, but we were moving forward nevertheless. For the last 20 months, we have lost everything that we had accomplished in the

years before and it is my opinion that the Turnpike employees are becoming more aware of this every day.

Now, while I am on the subject of distortions, I would like to bring up an article which appears in the Jersey Journal on Tuesday, July 6th-

MR. FRANK COROLLO: I would like to say one thing.

ASSEMBLYMAN McDERMOTT: Well, you'll get your opportunity, Mr. Corollo.

MR. CLEARY: I believe he follows me.

I would like to make reference to an article that appeared in the Jersey Journal on Tuesday, July 6th, of this year, the week following the last hearing. The article was supposed to have been written by a Mr. Hudson Trent. The article was "Pike Probe Proves Flanagan Doing Job". I don't know if Mr. Trent was in the room during the last hearing or not, but if he was, there were many legitimate complaints on the part of the employees who testified. And if he came up with the title that Executive Director Flanagan was doing his job, he wasn't the one who wrote the article. And I would like to quote from one distorted paragraph. The reason I picked this out, again it is a matter of defending my Union: "So far the committee has not brought out what Flanagan did for the turnpike. They have not yet pointed out that when he took the job a couple of years ago the turnpike was on the verge of a labor explosion. Represented by a union whose officers said they could no longer control the men, Flanagan acted promptly. An old union man himself, (he was a member of the Hudson County Newspaper Guild) he talked turkey to the vacillating leaders. His advice could be summed up thus: 'If

you can't control your members, get out and let officers come in who can control the members.'"

Now at that time our Local was at its strongest point in terms of membership. We had just completed the most elaborate democratic election imaginable. The defeated officers, including myself, still remained loyal to their Local, so if this is a sign of a labor explosion, then I plead ignorance to the meaning of the term. And when the article quotes Mr. Flanagan as stating, "If you can't control your members, get out and let officers come in who can control the members," I can hardly believe that the then president, Frank Morro, would have ever said that it applied to Mr. Flanagan that he was unable to control the men. Now, Frank and I have had our differences down through the years, but I can hardly imagine him saying that.

The Union-busting tactics implemented by the Turnpike Authority shortly after Mr. Flanagan's appointment were the reasons for any Union explosion, but the explosion was not within the Union; it was against the Authority.

ASSEMBLYMAN DOREN: May I interrupt for just a moment? Can you tell us what the Union-busting tactics of Mr. Flanagan were?

MR. CLEARY: Well, there was a time, I believe in and about September or October of 1963 - it was shortly after Frank Morro had become president, about 6 or 8 months, that our dues deduction that we had negotiated in our previous agreement was taken away from us for a period of about 6 weeks. There was argument between Mr. Morro, who was then the president, and Mr. Flanagan. It seems that there was an article in the

Elizabeth newspaper, the Elizabeth Journal or some paper, stating that the Turnpike Authority was showing prejudice against an employee in the Administration Building, the only one that we represented at the time, who was blind. His name was David Cox and everybody in the Administration Building received a salary increase but Mr. Cox. It was rather coincidental that he was the only member down there that 1511 had always represented. It was in the paper. There was an argument about whether it should be a retraction - Mr. Flanagan wanted a retraction on it, claiming that they didn't show any prejudice against the man; Mr. Morro said he didn't know how it got into the paper, so, of course, our punishment was "take the candy from the baby," and take the dues deduction away. Now, we had this in the agreement; it was negotiated approximately 2 years earlier. So they took it away for a period of 6 weeks, and the problem was eventually resolved, I understand. Mr. Morro told me that he sent a letter to Mr. Flanagan, the contents of which I don't know and am not familiar with, but anyway they gave us our dues deduction.

Now, any labor man will tell you that to take dues deduction away after negotiation and agreement is a Union-busting tactic. That's what I referred to.

ASSEMBLYMAN McDERMOTT: Were there any other things?

MR. CLEARY: Well, there were subtle things that could hardly be classified as Union busting but the Turnpike Authority in the last couple of years has instituted what they call an EREC program. It's an employees' recreation program. They have a suggestion program where you get paid for suggestions; they have a program that takes in such things as bowling, banquets and

dinners and that sort of thing. Of course, to explain how this is Union-busting, you would have to go back possibly 50 years in the labor movement to know that this is a subtle way of taking the loyalty of the employee away from its Union and bringing it more to the Turnpike Authority. But I would only give the first example, the elimination of our dues deduction, as Union-busting. The other stuff is very subtle, but it was evident nevertheless.

Now, there was one slight breath of truth in the article when it states, "A quick study of the labor situation showed him," meaning Mr. Flanagan, "that the great irritation was at the foreman level. The working men with little gripes would take them to a foreman who did not know how to handle them. Either the gripe would be passed through channels and an inordinate amount of time wasted on a petty matter or it would just be let lie with nothing done so that it festered and created an even worse situation.

"Flanagan's answer was to set up with the state university a series of courses for his lower echelon executives so that minor gripes could be handled promptly and fairly."

Now, I don't mean to belittle Rutgers University's courses on labor relations or employee-employer relations courses, but to attempt to teach the mechanics of fine labor relations to some men who to start with had no sense of fairness and are plagued with all types of prejudice is a fruitless endeavor.

Now the slight breath of truth I refer to in the article is the first sentence that states, "A quick study of the labor

situation showed him that the great irritation was at the foreman level." I imagine that from the testimony you would rather figure that out yourself. By the way, Mr. Flanagan's answer to improve on the grievance machinery was to eliminate the agreement we had to use the facilities of the American Arbitration Association for a fair and impartial binding decision.

Now, the article goes on to state in glowing terms the good paying, fine benefits, and lack of hazardous work conditions that the employees of the Turnpike are blessed with, but I need not go into any detailed criticism on these points, since you certainly heard the points that were made at the last hearing.

The next point I would like to bring up is the Turnpike's racial policy. There is a Mr. Roper employed on the Turnpike as a toll collector. Mr. Roper was discriminated against in applying for a position.

ASSEMBLYMAN LaCORTE: We have Mr. Roper here. He is going to testify.

MR. CLEARY: No, he's not.

ASSEMBLYMAN DOREN: He is going to testify for him.

MR. CLEARY: Mr. Roper was discriminated against in applying for a position -

ASSEMBLYMAN LaCORTE: Just a minute. I understood Mr. Roper was going to remain to testify himself.

MR. CLEARY: He may have comments to add to what I have to say.

ASSEMBLYMAN LaCORTE: We can save a considerable amount of time if we get the story from Mr. Roper himself. Now if you can skip that part of it, we will save some time.

MR. CLEARY: Mr. Roper is familiar with everything that's here. There has been some amount of study done on my part to explain the type of job for which he was discriminated against, not in detail - it's a matter of possibly 3 or 4 minutes. Mr. Roper isn't prepared -

ASSEMBLYMAN LaCORTE: Let's hear from Mr. Roper, Mr. Chairman, and then if there are any details to add you can do that. Wouldn't you rather do that, Mr. Cleary?

MR. CLEARY: Well, I'm working the midnight shift tonight and I'd like to get some sleep. But if Mr. Roper follows me.

ASSEMBLYMAN McDERMOTT: All right, we will ask him to follow you.

MR. CLEARY: As a matter of fact, if he follows me and you can hear his testimony, we can eliminate that part of mine and I won't have to testify on that. But for him to come up and verify and make comments on what I have to say, he is familiar with everything that is here and can verify what I would say -

ASSEMBLYMAN LaCorte: I would rather hear from him. Can we go on to your next testimony, Mr. Cleary, and save some time?

MR. CLEARY: All right. Now, about the 9th or 10th of July, a notice was distributed on the Turnpike dated July 8th. It made reference to Directive 65-7-2. The directive has to do

with non-revenue passage on the turnpike. This particular notice amends a previous directive so that now toll collectors have been informed that newspaper reporters will be added to an already long list of those permitted non-revenue passage on the turnpike. Now I would like to quote from -

ASSEMBLYMAN McDERMOTT: What was the date of this?

MR. CLEARY: The notice was dated July 8th.

ASSEMBLYMAN McDERMOTT: Of this year?

MR. CLEARY: That's right, this month.

ASSEMBLYMAN LaCORTE: And what is the effect of that notice, that newspaper reporters are added to the list?

MR. CLEARY: Right, that newspaper reporters will be permitted non-revenue passage on the turnpike. This goes on to explain that it will be for covering an accident and so on.

ASSEMBLYMAN LaCORTE: Well, let's hear that. That's important. What's the number of that notice? Do you have it?

MR. CLEARY: It's in reference to a directive 65-7-2. Now, I don't know if that is this directive or if this is an amendment of that directive that was issued many years ago.

The laws of New Jersey - I did some research on this. I wish I had been a law student.

ASSEMBLYMAN DOREN: You don't know how lucky you are.

MR. CLEARY: Volume 1 - Chapter 206, page 745 - "No tolls shall be charged for the passage of any ambulance, first-aid or emergency aid vehicle, vehicular firefighting apparatus, or other similar vehicle operated for the benefit of the public by the State of New Jersey or by any county or municipal

corporation or charitable or non-profit corporation or organization, first-aid squad, emergency squad, or fire company of this State upon any highway operated by or under the control of the New Jersey Turnpike Authority, and any such vehicle shall be entitled to pass thereon without the payment of tolls."

Now, I am not an attorney, but it would seem to me that the organizations here mentioned have access to non-revenue passage on the turnpike. It would seem that that would be exclusive of everybody else. The Turnpike is in the midst of investigation and we all know the results or the announcement of this investigation in a press release, and with the exception of the Hudson County Jersey Journal, the press has not been too favorable toward the Authority, so they can understand the Turnpike Authority's desire to be somewhat of a Santa Claus in July, but I have more confidence in the press than to think they would sell their integrity for about half a buck or what could amount to about half a buck.

Now, on a number of occasions in the past, Local 1511 has attempted to secure passes for the employees and receive non-revenue tickets for their use on their days off or otherwise. We don't have this privilege now. But, of course, we were advised that it's a violation of the law. Now it appears to me that the turnpike may have been violating the law by the issuance of non-revenue passes to unauthorized people. I might add that our State Senators and State Assemblymen don't have this privilege.

ASSEMBLYMAN McDERMOTT: I know.

MR. CLEARY: I know you know.

ASSEMBLYMAN McDERMOTT: I paid you one day.

MR. CLEARY: Thirty cents, I think.

Now, for about the last 20 minutes or so you have heard me expound on the problems that the public employee has in his employment with the Turnpike Authority and you heard at the last hearing many legitimate complaints of the employees. Nepotism was mentioned, favoritism, poor working conditions, unsanitary working conditions, racial discrimination, and I realize that this committee was not created to act as a negotiating committee for the turnpike employees to the Authority. However, I feel that some constructive criticism is appropriate.

All the problems that the public employees in all levels of government, state, county and municipal, have could well be alleviated by some meaningful legislation in reference to the right to organize, bargain collectively, fair machinery for representative elections and impartial arbitration. So simply what I am talking about is Assembly Bill 27. Now it would appear that my testimony up to this point has been rather anti-Democratic Party in New Jersey but I want to make note right now that the five sponsors of this bill are all Democrats, and in my opinion it's a good bill.

ASSEMBLYMAN DOREN: We are not in control of the Assembly or the Senate the last 2 years.

MR. CLEARY: You almost read my next sentence.

ASSEMBLYMAN McDERMOTT: Well, you're in control of

the Executive Branch of the government and also in control of the Turnpike.

MR. CLEARY: Here would be an opportunity for the Republican Party -

ASSEMBLYMAN LaCORTE: These are only recent problems--

MR. CLEARY: Here would be an opportunity for the Republican Party to show their interest in the plight of the public employee by rendering support to this bill.

ASSEMBLYMAN LaCORTE: Is Mr. Flanagan a Republican or a Democrat, do you know?

MR. CLEARY: You're kidding me. You obviously don't get the Jersey Journal.

ASSEMBLYMAN LaCORTE: No, I don't.

MR. CLEARY: Now, employees in private segments in our society had their Norris-LaGuardia Act, the National Recovery Act, and finally the Wagner Act, but the public employee has never had, on a federal level, such beneficial legislation. The first breakthrough, however, in wiping out the spoils system which characterized all levels of government employees came about in the federal service when people began to attempt to extend, at the levels of state government and its subdivisions, the right to organize and acquaint it with the legal ability of workers to form and join unions. Essentially such rights are seen to be extensions of the freedom to assemble as provided by the Federal Constitution and most State Constitutions. But having the right and being able to exercise it are entirely two different matters. Because of this, a number of States, including California, Connecticut,

Delaware, Florida, Massachusetts, Minnesota, Oregon, Rhode Island and Washington and Wisconsin, have enacted legislation which expressly permits workers in public employment to join and form unions and be represented by them, but the federal government by far leads in this area.

Early in 1962, our late President, John F. Kennedy, Democrat, issued Executive Order 10988, directing the right of employees of the federal government to be able freely to organize and bargain without interference on the part of the employing agency.

ASSEMBLYMAN LaCORTE: Will you give us that number again?

MR. CLEARY: It was an Executive Order by the President - 10988. The order affects federal employees. The order also establishes mechanism for providing recognition of the Union for the purpose of bargaining. The fact that the Federal Government moved in this direction provided great impetus to the states to follow suit.

In addition to the states I just mentioned, a number of other jurisdictions have attained the same ends through these means - resolutions, ordinances, civil service rules, charter amendments, executive orders, and departmental codes. One of the most important of these is the Mayor's Executive Order affecting public employees in New York City.

ASSEMBLYMAN LaCORTE: Has there been any request addressed to Mr. Flanagan or anybody at the state level to permit this bargaining or to assist you in getting legislation passed to this end?

MR. CLEARY: Are you suggesting that we ask Mr. Flanagan to assist us in getting legislation?

ASSEMBLYMAN LaCORTE: Yes. Has anything been done by your Union or any other Union or their officers to get the cooperation of the Turnpike Authority management?

MR. CLEARY: Well, I think before we can go to the bar and have drinks together, we have to beat them in the fight.

ASSEMBLYMAN LaCORTE: I see. In other words, you feel that it would have been fruitless for you to have attempted this?

MR. CLEARY: Well, I better not comment on that. I don't know.

ASSEMBLYMAN LaCORTE: Well, my thinking is that if such legislation is in existence in other states, has the request been made by your group, Local 1511, or any other group, of Mr. Flanagan or anyone else on the Turnpike Authority, to assist in obtaining such legislation?

MR. CLEARY: Not that I know of. I certainly wouldn't be interested in - if it was myself to do, we would support this bill and we would hope that the Republican Party would put their backing behind this bill. This solves the problem of the public employee in New Jersey. It has collective bargaining provisions in it and all other things we've heard of at the last hearing and at this hearing, and you will probably hear after I'm finished. Even negotiable items would be between the Union and the employing agency.

ASSEMBLYMAN LaCORTE: Well, I'm speaking apart from the negotiable items; in other words, if legislation is to be passed

very frequently we find in the Legislature that if the head of the department, the head of the division of government which may be affected by this type of legislation, will sit down with the Governor or whomever else is responsible, say the Majority Leader or the Minority Leader, and say we would like to have this legislation passed, then the legislators very often have a guide and say this has the blessing of the department head, or this has the blessing of the executive branch of this particular division.

MR. CLEARY: Well, I hope the Assemblymen in the State of New Jersey and our state Senators don't wait for any help - well, of course, it would be helped, there is no question about this, The labor unions in New Jersey are the people who will - I'm sure our International intends to do some lobbying for this bill; we intend to make it quite clear that we support this bill. I don't speak for the International now but I am aware of their interest in it. The rest of the labor movement, the AFL-CIO of New Jersey -

ASSEMBLYMAN LaCORTE: I want to get to the point. I want to get an answer if I can.

MR. CLEARY: I'm only trying to make a point.

ASSEMBLYMAN LaCORTE: I want to get a direct answer, if I can. Has an approach been made to the present administration of the Turnpike Authority to assist in the passage of this legislation?

MR. CLEARY: By me? The answer is negative.

ASSEMBLYMAN LaCORTE: Or anyone in your organization that you know of.

MR. CLEARY: Not that I know of.

ASSEMBLYMAN LaCORTE: Do you know why you haven't done it?

MR. CLEARY: You will have to ask the president of the Local; that's Mr. Sam Bardach. He testified before.

ASSEMBLYMAN LaCORTE: But you never did it yourself?

MR. CLEARY: No. I would never consider asking management to help pass legislation for -

ASSEMBLYMAN LaCorte: You see, I'm a little naive in this area because I have no labor practice whatsoever, but I am interested in knowing why legislation is or is not sometimes put through the legislature. Now if there is a reason for this.

MR. CLEARY: Well, those who are interested in the legislation, of course, are the ones who would support it and back it and lobby for it. Now the labor movement in the State of New Jersey, and our International in particular, is interested in this bill and we like it and we would expect as much support as we can get and we intend to try to get it.

MR. COROLLO: You asked a question, and I was present at one of the meetings.

ASSEMBLYMAN LaCORTE: We can get to that later on.

MR. COROLLO: You wanted some information.

ASSEMBLYMAN LaCORTE: I want to get it from this gentleman if I can.

MR. CLEARY: I have never myself, personally, now or when I was an officer of 1511, ever asked the Turnpike

Authority - of course, the officers have changed, but it wouldn't have made any difference. I have never asked any representative of the Turnpike Authority to help us support - well, in the first place I don't know if Bill 27 existed at this time - I was President- well, that goes back about 3 years ago.

ASSEMBLYMAN LaCORTE: Similar legislation. Did you ever ask support from them on similar legislation?

MR. CLEARY: No.

MR. EDWARD SCHULTZ: It would take an exceedingly enlightened management to support the employees in securing legislation to help them better their conditions when its basic structure of administration is to keep costs down, and the Union attempts to increase the employees' portion of how much they make, and so I think it is illogical to go to management to assist in giving it to the employee. Maybe it could be done but I doubt if Mr. Flanagan is that type of enlightened individual.

MR. POSTIZZI: Mr. Chairman, I have not objected up to this point but this is not responsive to the question. This is argumentative and it should be stricken from the record. This man is not qualified to testify as to the thinking of the Executive Director in the administration of the Authority.

ASSEMBLYMAN McDERMOTT: You are talking about Mr. Schultz?

MR. POSTIZZI: Mr. Schultz' remarks should be stricken from the record.

ASSEMBLYMAN McDERMOTT: I suggest that we restrict this to the man who is testifying. We will go ahead with the witness.

MR. CLEARY: Now the State of Texas has a statute which states that it is all right for representatives of public employees to make their views known to public employers -

ASSEMBLYMAN McDERMOTT: Excuse me. I don't like to interrupt you, but are you going to continue along this vein for a while? You have made your point on this.

MR. CLEARY: Possibly another 5 minutes.

ASSEMBLYMAN McDERMOTT: Is it all on this particular type of legislation?

MR. CLEARY: Well, I haven't really made my point. I haven't completed my - I haven't made my point.

ASSEMBLYMAN McDERMOTT: All right.

MR. CLEARY: Now where was I?

ASSEMBLYMAN McDERMOTT: You were in Texas.

MR. CLEARY: To be in Texas, of course, would be the same as being in New Jersey in reference to public employees' right to organize. Now, the State of Texas has a statute which states that it is all right for representatives of public employees to make their views known to public employers, but that is as far as the situation is permitted. It becomes illegal to oblige a public employer to bargain and to sign an agreement with a public employee labor union.

If you gentlemen would refer yourselves to Judge Wick's decision or his interpretation of Article I, paragraph 19 of the State Constitution, you will find that Texas and

New Jersey are very much alike in their suppression of public employees' rights to organize and bargain collectively.

Now in Alaska's legislation there is an act which is the base of the concept of collective bargaining in both the state and its subdivisions. Public employers there are permitted by law to sign bargaining agreements. Municipalities in Connecticut are permitted to do so. This is true in Delaware, Massachusetts, Minnesota, Oregon, Washington, Wisconsin, Idaho and New Hampshire. In many public employee jurisdictions, labor organizations have represented only those members - and this is the situation we have today in Jersey - belonging to the Union or, at most, the workers in those departments in which their members were found. Now only occasionally were unions successful in getting representation rights for all employees of a given city or a given agency of government. And this situation was not always accidental. The employer frequently found that he could stop the Union's growth by permitting it to represent a minority of his employees while making certain whatever benefits the Union may have obtained for their members would be spread to all the employees.

ASSEMBLYMAN LaCORTE: Mr. Chairman, I think we're wasting time in going into this. We are here to study the complaints of the employees with respect to Turnpike Authority practices. We don't need this history at this time. It is redundant.

MR. CLEARY: Well, maybe you and I, Assemblyman, disagree, but I think in all situations such as this

constructive criticism - and what I am doing is simply trying to tell this Committee that in my opinion the way to solve the problem that you've been hearing for the last hours and the last hearing is by the passage of Assembly Bill 27.

ASSEMBLYMAN LaCORTE: Well, we've already heard that. Now you're being repetitive. In other words, I know that other states permit collective bargaining from what you have told me. I have taken down who they are, I know about your executive order that exists, and A 27. So now I would like to get more specific because it's 2:30 and there are several other men that would still like to testify.

MR. CLEARY: Well, if you are going to cut me off, sir, I can just go on to say that -

ASSEMBLYMAN DOREN: What committee is A-27 in?

ASSEMBLYMAN McDERMOTT: It may be the State Government Committee. When was it introduced?

MR. CLEARY: It was introduced January 18, 1965, and it's in the Committee of State Government.

ASSEMBLYMAN McDERMOTT: I don't think it's in Labor. I'm pretty sure of that. It's in the State Government.

The Governor never put that in his message to the Legislature, did he?

MR. CLEARY: I don't know.

ASSEMBLYMAN DOREN: What's that?

ASSEMBLYMAN McDERMOTT: Recommending that.

ASSEMBLYMAN DOREN: Of course, Mr. McDermott, I think being in the Majority - there's no use kidding these people. You're in the Majority and if you want that thing out of

caucus, you go in your little room with the other Republican Assemblymen and get it out on the board and I'll vote for it if you put it on the board.

MR. CLEARY: That puts Mr. Doren on record-

ASSEMBLYMAN McDERMOTT: It doesn't put the Governor on record though.

ASSEMBLYMAN DOREN: I'm sure the Governor has shown his feeling toward Labor and if you show your feelings as well as he did we'll have no trouble with Labor and these people probably wouldn't be here if you passed A-27. When you are in authority and you've got the right to get this bill on the floor, let's get the bill on the floor and not fool around and kid these people.

ASSEMBLYMAN LaCorte: I would suggest, Mr. Chairman, that we get down to specific complaints.

ASSEMBLYMAN DOREN: All right, but I just wanted to say that if you want the bill passed, put it on the board.

ASSEMBLYMAN McDERMOTT: I haven't seen any pressure from anybody to pass this bill.

ASSEMBLYMAN DOREN: Well, you're in control.

ASSEMBLYMAN MC DERMOTT: It's been around a long time, Mr. Doren, and we haven't heard from you.

ASSEMBLYMAN DOREN: My pressure means nothing to you fellows.

ASSEMBLYMAN LaCORTE: Who's on that bill? Who are they? Who sponsored it?

ASSEMBLYMAN McDERMOTT: Kijewski, Brady, Sweeney, Farrington and Lynch.

[Discussion off the record]

MR. CLEARY: I can see that some members of the Republican Party in the State of New Jersey are interested in solving the problems of public employees. I'll mention the Turnpike and will stick to the Turnpike, but all state employees. We have seen the administration's own records in reference to \$3500 salary for State Hospital employees. This bill would solve the problem as Mr. Doren said would be necessary in the future.

ASSEMBLYMAN McDERMOTT: You have made a very strong point, Mr. Cleary, on that.

MR. CLEARY: Well, I notice you ended up arguing politics for five minutes and you cut me off my last five -

ASSEMBLYMAN LaCORTE: Mr. Cleary you have made a good point. You said we need legislation and you have suggested the names of othe states that have such legislation. Now, let's go on to the next point.

MR. CLEARY: That about concludes my testimony. I would like to mention before I go, with reference to Assembly Bill 27, that as I read the first paragraph here from line 1 to 9 - again not being an attorney I don't know if that would include an anti-strike - I don't know if this bill provides an anti-strike provision.

ASSEMBLYMAN McDERMOTT: That bill does not provide for that. I am familiar with the provisions of the bill. It provides for a grievance procedure, with terminal grievances handled by-

MR. CLEARY: That's another credit for the five Democrats who sponsored the bill. To have an anti-strike law, of course, is ridiculous. It's like having prohibition.

That was ridiculous too.

That about concludes my testimony.

ASSEMBLYMAN McDERMOTT: Thank you very much.

[Discussion off the record]

J E R R Y B A T T A G L I A: I was going to suggest, Mr. Chairman, that in light of what Mr. LaCorte said about him not being too familiar with labor policies that, if it would be O.K. with Mr. Cleary, I think it might be a good idea to leave his testimony as part of the evidence.

ASSEMBLYMAN McDERMOTT: He has already refused to do so, Mr. Battaglia.

MR. BATTAGLIA: Oh, I didn't know that he had.

ASSEMBLYMAN McDERMOTT: We agreed to put Mr. Roper on because he wants to talk about an individual act of discrimination against himself. We will call Mr. Roper.

L E E R O P E R: My name is Lee Roper. I am employed by the New Jersey Turnpike Authority at Interchange No. 13. I have been employed approximately one year and nine months.

Last summer a job was created by the Authority, Radio Dispatching. I applied and several others applied and I felt that my qualifications were practically unmatchable by any other person who applied for the position. I never received an answer as to my test score or my standing on a waiting list if one was made up, and I feel that I have been discriminated against. I have a number of things here with me and I will -

BY ASSEMBLYMAN McDERMOTT:

Q You say you were discriminated against - on what grounds? A I feel I was discriminated against because I am a Negro.

BY ASSEMBLYMAN DOREN:

Q What were the qualifications of the other men?

A The qualifications? Well, the qualifications called for a basic knowledge of radio equipment. That was one of them.

Q What about the other men? What were their qualifications? You say there were others who took the exam.

A I heard tell there is one that has experience as a cab driver for approximately about 5 years. That's one. Most of the cab drivers that I know and truck drivers that I know that dispatch trucks and cabs do not have the basic knowledge of radio equipment nor do they know the proper radio procedure.

Q What is your educational background? A I have had 5 years experience as a radio operator in the Navy.

Q What is your educational background? A I finished high school. I have had experience setting up transmitters, tuning transmitters and receivers. My main job was operating.

Q Who got this job? A A number of other employees. I don't recall their names.

MR. BATTAGLIO: Will you please have

Mr. Doren let the witness complete his testimony?

ASSEMBLYMAN McDERMOTT: You are not telling Mr. Doren how to run this hearing, Mr. Battaglia. He's a member of the Committee.

A (continuing) I don't recall any of the names. I believe there was one man named Mr. Adams who was supposed to have got on. Now I don't know the qualifications of either of the others, but before I was employed by the Turnpike

I was the first officer of the operating equipment.

Q With whom? A U. S. Navy.

Q You say you were first offered the job?

A No, I was first officer. I had just come out of the Navy. I have heard many calls made on the Turnpike by Cities Service, other collectors and dispatchers from the maintenance building and they don't use any type of proper procedure for the job as a radio operator. I have handled many emergencies in service, SOS, etc. - we had to call other ships to transfer patients, hospital ships and such. We had planes out, jets, for drops on the Atlantic. We had to give them certain variances to come by, latitudes and longitudes, and such. I sent my records to the Admin. Building. I don't know how I come out on the test but I would challenge any other operator on the Turnpike with proper radio procedure, which I do know, and that would be of great help in handling emergencies on the Turnpike such as accidents. I have heard calls like, say someone is transmitting on the radio, and if a call came over for maybe Signal 11, an accident on the Turnpike, a dispatcher may just tell you to wait a minute while he is transmitting or such, and an accident on an express road such as the Turnpike would have priority over any other thing being dealt with at the time.

Q The people who got the job over you, what seniority did they have? A Well, they have year's seniority. I've only been on the Turnpike, like I said, a year and 9 months.

Q You say they have had years and had some knowledge of dispatching, whether it was a taxi or a truck, or something; they had some basic knowledge? A Yes.

Q Now, you are a toll collector. What is your base pay, sir? A My base pay? Well, I gross \$101.60 a week.

Q \$101.60 a week. What did you make last year for the entire year, overtime and everything? A I couldn't remember, but I put in quite a bit of overtime.

Q Approximately. A \$5900 or \$6000, around there, because my wife worked and we grossed \$8,000 all together. She's a nurse.

Q Do you have anything you want to tell us? A Well, I took a test Monday for the job also and I was assured - I told them of the circumstances at the time I took the test, what I didn't agree on, what I have just told here, and they assured me that this time a list will be submitted to me of how I stand on the roll. That's about it, except I really wanted the job when it first came out because I had a good chance to advance myself then.

Q Personally, do you feel - I know how you must feel on seniority, but do you feel that a person who has seniority over you and has some basic knowledge of the subject matter should be advanced rather than you? A Well, if seniority prevails, yes. But if there is a test, I say the highest one that comes out in the test. But seniority prevails on mostly any job.

BY ASSEMBLYMAN LaCORTE:

Q In government service usually, they consider, where there are not civil service requirements - they usually consider seniority and test. Now in your instance you may have been up pretty high in marks but someone may have been close to you but may have had 5 or 6 years more experience

than you, or 3 or 4. A They have a new list out now, the test I just took Monday, and it has one word in there - "commercial" experience. I was told that service experience wouldn't be considered commercial. If you work the TWX line with Western Union, isn't that commercial? If you have to bill someone for a telegram and you have to draft the form and send it out, isn't that commercial? If it isn't, I don't know what it is.

Q As a dispatcher, what do you do, talk over the -  
A Just talk, receive certain aids from certain cars, Cities Service, collectors, and you dispatch a wrecker out to them, dispatch Cities Service to them or whatever help they need.

Q Do you have any basis for saying that you have been discriminated against because you are a Negro?

A What other basis can I come upon? I haven't received notice of my test. I haven't seen any other Negro in the building so far since I have been on the Turnpike. I believe there is one now. I believe Mr. Turner got promoted to a certain job. I don't know what the job is. I believe he has an office in the Admin. Building now. I couldn't say for sure.

BY ASSEMBLYMAN DOREN:

Q Do you know how many have applied for jobs on the Turnpike, colored men? A Well, my brother applied when I applied. He applied for Maintenance; he was a truck driver at the time. He never got it. I don't know why.

BY ASSEMBLYMAN McDERMOTT:

Q Did he apply through a politician? A No, sir.

Q Did you get your job through a politician?

A No, sir.

Q You heard the testimony today that everybody who gets their job is recommended by a politician? A I don't recall they said everybody. I know there are a great deal of them out there who have gotten their jobs through politicians.

BY ASSEMBLYMAN LaCORTE:

Q Mr. Roper, this situation where you were not informed of the results of your test, do you know whether others have not been informed of the results of their test? A No, sir.

Q You mean that everyone else has been informed?

A I could not tell you; I don't know. But I am the type, I would speak up for what I think is right. There's many that won't.

Q My point, Mr. Roper, is this: It's possible that there is a failing on the part of the Turnpike here in not announcing results of tests, if this is to be considered a failing. However, if they have not advised everybody of the results of tests, then they haven't discriminated against you by not having advised you. Is that correct? A Well, I feel it is a form of discrimination. I might have come out top on the test; I don't know.

Q But my point is that possibly you are saying discrimination because you are a Negro, because you were not advised of the result of your test. There may be many others who are not Negroes who were not advised either.

A Well, I am aware that in this world not only Negroes are discriminated against; there are many types of discrimination. I have heard about certain ones getting jobs from politicians, political pull and such. Now, that is a form of discrimination. I have no political godfather nor do I wish one. If I see a good man on the polls I would vote for him, regardless of Republican or Democrat.

ASSEMBLYMAN DOREN: You really are a politician.

A What I get I would like to get on my own, on my qualifications.

Q My point is that to your knowledge though, the results of tests are not announced at all to anybody?

A To my knowledge.

BY ASSEMBLYMAN DOREN:

Q That is the only basis you use - the fact that you were not notified - that you were discriminated against -

A Correct.

Q Even though nobody else was notified, you still feel that you should have been notified? A Well, we cannot come to that conclusion that no one else was notified, because we don't know.

Q Well, you can't come to the same conclusion that you have, because if you don't know whether they were or not -

A I did not say I was discriminated against. I said I feel I was discriminated against. There are two differences in the words.

ASSEMBLYMAN DOREN: To make him happy, is there any way he can get his results?

MR. KENNEY: He can take another test.

A I just took another test and I was assured my results would be sent to me.

ASSEMBLYMAN McDERMOTT: You might pass this time.

THE WITNESS: I might.

MR. CLEARY: There is no question about it. His qualifications are much better than they were the last time, I'm sure.

T H A D D E U S G R A B O W S K I, called as a witness and testified as follows: My name is Thaddeus Grabowski - G-r-a-b-o-w-s-k-i. I am a Toll Collector close to six years now. For the past six years I have never received any kind of a letter saying that my record has been bad, my axles have been bad, so I got the shock of my life yesterday. About 10 minutes to 9 , Plaza Supervisor Major Kirk, Richard Major Kirk, come in and said, "Close down, Ted, and lock up your drawers, lock up your tickets, your receipts. You have to be down at Mr. Lescher's Office at 9:30." I closed down, I walked into the Plaza Supervisor's Office, and asked what this was all about. He says, "Well, I can understand. I got a call from Mr. Amson that you're supposed to be in Lescher's Office." I called Mr. Amson up on the gray line and says, "Bob, I hear I'm supposed to report down at Mr. Lescher's Office at 9:30. What for?"

BY ASSEMBLYMAN McDERMOTT:

Q Who is Mr. Lescher? A He's Director of Tolls. He's up in the AD Building. He said, "Ted, I don't know what this is all about. All I got was a call to go down there." I said, "Do I need representation?" He says, "I don't know.

I can't tell you." I says, "Well, I'm not going down there without representation by a Shop Steward." He said, "Well, stand by and I'll call Mr, Cullinane up." So we stood there about 15 minutes and a call finally come through. He says, "Well, who's the Shop Steward?" I said, "We have one available. He's working at an entry, Mr. Bob Hubert." Well, we took a Turnpike truck and we went down to the Administration Building, we saw the receptionist, and I said, "good morning, I'm Mr. Grabowski." She says, "Who's the fellow with you?" I says, "He's a Shop Steward." So she asked Mr. Hubert, "What local?" He said Local 723. Oh - she got on the gray line and called Mr. Lescher, and she says, "Mr. Lescher has to go to a commission meeting. Mr. Cramer will be down." I don't know what his title is. After waiting three minutes or so, three to five minutes, Mr. Cramer come down and introduced himself, I introduced myself; Mr. Hubert knew Mr. Cramer. He said, "We'll take a walk." They take me across to the Detective Bureau of the State Troopers. He just told me to walk in; Mr. Cramer walked out and we were waiting there about half an hour or so. Then two detectives come out from the State Troopers' Division. I just recall one - I was all shook up - what's all this about - you know. Mr. Roscoe said, "Mr. Grabowski, we'd like to interview you." "Why, certainly, interview me." "Will you come in the room?" I said, "Sure." So Mr. Hubert says, "Do you mind if I go in? I'm the Shop Steward." He said, "No. We just want to interview him for a few minutes." "Good." I walked into the room, they gave me the soft soaping. How's Mr. Grabowski? How old are you? How long on the Pike?

Do you have a family? "Yes, I have two." "Good. How are they?" "Fine." "What's your boy doing?" "My boy. He finished pre-med but wasn't heavy enough to get him in the medical college so he's studying law, a Catholic." He said, "What school?" I said, "Georgetown, he's finished, and now he's starting at Catholic University, Washington." "What about your daughter?" "My daughter's married. She's on her own." "We'd like to get your cooperation, Mr. Grabowski." I said, "Certainly, if I can help you I'll gladly do it." "Is there any possible way of exchanging tickets on the Pike?" I said, "Well, I heard at the last hearing there's a possible way. I'm surprised at anything; I don't know anything about it." He said, "Have you ever done anything?" "No, I haven't, and I wouldn't touch it with a ten-foot pole." Well, then he started rattling off some names at 14-C, at Airport. A few names I can remember. If you gentlemen want me to, I can tell you the names. He said, "We have proof that they're pulling something." I said, "Look, if you have proof, all right. If this is a rumor, I don't take no stock in rumors." "Well, how about you?" I said, "I wouldn't touch it." He said, "We've been checking you and we see that you're stealing." That was just like putting a knife in me, gentlemen, believe me, because financially I'm successful. Between my wife and I and my investments and outside activities, I don't need Turnpike money to steal a dollar or two, believe me. So then he told me, "we want your cooperation. Tell me what's going on." I'm dumbfounded, actually dumbfounded. I don't know what's going on. When he mentioned stealing, I says, "Look, if you're going to accuse anybody of stealing, I want my Shop Steward

here." They refused me. They kept on harping, bringing out tickets - some tickets are pre-stamped like we usually do, every collector, and he knows it. When you open up that lane, you pre-stamp, and the first two minutes you can pre-stamp anywhere from 150 to 300 tickets and they will be all the same time. They showed me 10 or 12 tickets at one time - they reached Airport. How did they get there? I don't ask people where they go, you know. People travel. So then he accused me again of being a thief. I said, "Call my Shop Steward in." Gentlemen, aggravation - you talk about police-state tactics. That was it yesterday. If you gentlemen will excuse me - if you will permit these women to leave, I'll tell you what they called me in that room. That's up to you.

Q How many were there? A. There were two state troopers. One was Lieutenant Roscoe and I just don't recall - I was all shook up, I don't know the other name. He is a red-headed fellow, a state trooper.

BY ASSEMBLY DOREN:

Q When was this? Yesterday morning? A Yes. This happened yesterday morning.

Q Did you ever have any difficulty before? A Never. This is the first time.

Q How about the money? Did you ever have any shortage or overage? A Yes, I'm a collector and I get days when I'm a nickel short or 10¢ over. I just had one major error this year, short five dollars, and that's possibly by making change or not collecting from the -

Q Well, how many tickets? Did they show you the tickets they had? A He rattled off names and he had

tickets from all over.

Q As far as it related to you, how many tickets did they have? A He had a stack of them, he said. He just showed me a few.

Q By a few, you mean what? A 12, 15, or 16.

Q All stamped at one time? A That's right.

MR. POSTIZZI: Excuse me, but this is entirely - this matter the witness is referring to is entirely within the hands of the State Police. They are not employees, servants or agents of the Authority. It is completely a police matter, and I would respectfully suggest that it be not pursued publicly any further.

A I was under the impression that I was to see Mr. Leshner. I never saw Mr. Leshner yesterday. Mr Cramer comes out and just put me right in there.

BY ASSEMBLYMAN McDERMOTT:

Q Let me ask you a question. Were you arraigned?

A No.

Q Were you formally charged with anything? A Not yet. Not that I know of.

UNIDENTIFIED MEMBER OF AUDIENCE: Every collector including myself they did the same thing to.

Q Are you presently going to work now? A Yes, I'm supposed to be working today. I took off, purposely.

Q Now, at the conclusion of your interrogation, what

was said to you? A Like I said, I asked for my Shop Steward three times. Mr. Roscoe said, "I'm not letting no Mickey Mouse shop steward come in here and tell me what to do." And, like I say, gentlemen, if you excuse the women I'll tell you what he called me.

Q We presume that he used a certain amount of profanity. Right? A Right, much.

Q Now, what was the final culmination of your interview by these detectives? A After he refused for the third time to let my shop steward in, I walked out of the room.

Q You walked out? A I did.

Q Did they make any attempt to stop you? A No.

Q Have you heard anything further from these people? A No, the first thing I got ahold of was my regular shop steward Mr. Mattiello.

Q Did you go back on the job? A Yes.

Q Well, it appears that it is a police matter right now and I don't think it is a proper subject of investigation for the Committee. Other than we have heard testified so far, we also have received indication from members of the audience here that they have been subjected to the same sort of treatment. I think as of right now, because your case is still being investigated, we won't take any further testimony on it. It's in the record, Mr. Grabowski, and you have told us everything that has transpired since then. Right? A Right.

Q And you are going back on your toll collector's

job? A Well, as far as I know, I am.

BY ASSEMBLYMAN DOREN:

Q Do you have anything else, Mr. Grabowski?

A No, I just wanted to bring out those tactics. They told me I was to see one man and I've never seen him, then they bring in these police state tactics. You talk about the Gestapo - that was it yesterday.

ASSEMBLYMAN McDERMOTT: Thank you, Mr. Grabowski.  
Mr. Ralph Mattiello.

R A L P H M A T T I E L L O: My name is  
Ralph Mattiello, Department of Tolls

BY ASSEMBLYMAN McDERMOTT:

Q Didn't you testify last time, Mr. Mattiello?

A Yes, sir. I have another little point that I want to bring up.

Q What is this point on? A Vacation.

Q Is it on the vacation scheduling that has been brought up before? A Yes, but it wasn't brought up the way I wanted it submitted.

Q All right. Can you be brief? A Yes, I'm going to be brief. It is in reference to all collectors on the Turnpike, and they go on a seniority basis in giving out the summer vacations to all the collectors with the seniority and some never really have a chance to get a summer vacation. Now is the time most of us desire and need a vacation in the summertime with children. When they are grown up and married, we don't desire it.

BY ASSEMBLYMAN DOREN:

Q How would you work it out? It's very difficult.

A I want you to look into that and see how it can be done.

Q Somebody is going to get hurt no matter what you do. A Well, not necessarily. They can put more help on and give these fellows a chance to have a summer vacation, I believe. And now we have also the supervisors. I want to talk about the supervisors. As one supervisor told me, we have a lot of supervisors in our northern division, which are 32 - our immediate supervisors. And above them they have 9 supervisors above them. Those 9 above them get all the summer vacations and the other 32 have to revolve around the list and they get a vacation once every 4 years in the summertime, but the 9 above them all get summertime vacations.

BY ASSEMBLYMAN McDERMOTT:

Q Are you charging discrimination in treatment?

A Yes.

Q What would be the reason that these others would be discriminated against? A Well -

Q Well, the fact you've got a few who are given preferential vacation periods and others aren't - A As far as the supervisors are concerned, I say having a revolving list for those 9 -

Q No, I'm saying that you charged there were some supervisors who got preferential summer vacations while others didn't. A Right.

Q You also said that there was discrimination. Now what would be the reason for the Turnpike discriminating against some and giving preferential treatment to the others.

Is there any particular reason to your knowledge? A No, their rating. They would be the higher supervisors.

Q You mean, the ones who get the preferential time have more seniority? A No, they have higher ratings as supervisors.

Q Higher ratings? A Yes. I'll explain it this way: Thirty-two are our immediate supervisors; the other 9 are their immediate supervisors and above, so they should be on one revolving list, while the other 32, which are my immediate supervisors, should be on another revolving list so they could get a vacation every 2 years or so. As far as the toll collectors are concerned, we would like you to look into it and see what you can do so that we can get vacations in the summertime and let our children enjoy summer vacations.

Q Very good, Mr. Mattiello. A I'm finished.

Q Thank you.

ASSEMBLYMAN McDERMOTT: Mr. Battaglia.

J E R R Y B A T T A G L I A TESTIFIED AS FOLLOWS:

BY ASSEMBLYMAN McDERMOTT:

Q You testified at the last hearing, did you not?

A Yes, sir.

Q Are you going to add something new and different by your testimony today? A Yes.

Q What topics are you going to touch on so that we may have some idea? A Well, first and foremost is the sickness procedure, sick benefits which we don't receive.

Q Now what's the next one? A The next one would be - I'd have to explain it. It's relative to the point system but I think it would enlighten you gentlemen as to the actual inequities.

Q And do you have any other points besides these two? A Yes, with reference to the revenue that is turned in to the Turnpike when it's left at the toll booth and when a man is suspended a day.

Q You say "revenue." What kind of revenue? A Well, when a man leaves a ten dollar bill and he takes off, and it's only a quarter toll, and we turn in that \$9.75. We want to know what happens to that money?

Q You have already told us your story about the five dollars, when you got points one day and you got them the next day when you returned- A This has nothing to do with that.

Q Nothing to do with that? Any other subject? A Yes, I have a list of names of those who have been fired through the point system. I think you would be interested in that.

Q Mr. LaCorte discussed that this morning. If you could make your testimony as brief as possible we would appreciate it, because we still have another witness, Mr. Frank Corollo. And some other gentlemen came in. Mr. Battaglia, for the record, will you spell your full name and again tell us where you are employed? A My name is Gennero Battaglia and I'm a toll collector at Interchange No. 10, and have been employed by the Turnpike approximately 6 years.

Q Mr. Battaglia, could we interrupt your testimony for just a few minutes. The secretaries have had a long and tiring

day and we'd like to give them a very short break, because then we'll run to the end. There are just two witnesses remaining, you and Mr. Corollo.

[Recess]

BY ASSEMBLYMAN McDERMOTT:

Q Mr. Battaglia, will you proceed with your testimony, please? A Yes, sir. This has reference to do with our sick benefits, Mr. McDermott and gentlemen. We have a case right now and I am bringing up this case because it will summarize the point I am trying to make. We have a collector, Mr. Frank Montenegro, who has been a collector for approximately 12 years. Right now he's at home convalescing from an ailment which dates back to March 1, 1965. On March 16, 1965, he received a letter from the Turnpike Authority advising him that as of April 1st, 1965, he would be placed on leave of absence without pay for a period of 6 months. As a result of this, this collector at that time became destitute because, as you gentlemen are aware of, we have absolutely nowhere to turn to for any benefits, nowhere under the sun.

Q What kind of benefits do you presently get for sick leave? A Well, the Turnpike pays you under their policy, which is secret. We don't know what their policy is. They claim that when you reach a certain point, they cut off your pay.

Q Just a minute, Mr. Battaglia. When you say their policy, are you talking about an insurance policy or a policy of the Turnpike? A A policy of the Turnpike.

Q It is not insured? A No, sir. What I am

referring to - they pay your salary for a certain amount of time.

BY ASSEMBLYMAN DOREN:

Q For how long? A No one knows.

Q How long was Montenaro paid? A I think approximately 7 weeks. I will say this, I believe he had been ill a few years back during his employment with the Turnpike and I believe he received his full payment at that time, but the point I am trying to make here, gentlemen, is what does a man do when he has a recurrence and it's now become prolonged; he becomes destitute. As a result of this, he sent me this letter as the representative of his Local at the time and I set up a meeting with Mr. Compton on April 3, 1965. Mr. Compton heard our case and we went up there hat in hand and I appealed to their sympathy to at least show Mr. Montenaro some sort - give him some sort of benefits whereby he's not destitute, and he said that he would take it under advisement. Now on April 5, 1965, I received an answer from Mr. Compton and in substance this is what his answer was: "Mr. Frank Montenaro's case has again been reviewed. Your plea in his behalf and for others who may find themselves in the same situation is appreciated and acknowledged. However, it is felt that the original determination made in this situation is consistent with the existing policy and to institute any alternative would be detrimental to other employees. Your concern with present policy and suggestions offered thereto will be taken under advisement."

He was taking it under advisement. That was on April 5th and I haven't heard anything.

BY ASSEMBLYMAN LaCORTE:

Q Is there any written document or printed document that you have seen distributed by the Turnpike Authorities that sets forth the sick benefits? A No, sir.

Q So that none of you in this room would know what the sick benefits are that you would receive if you were ill? A No, sir. In fact, at this hearing that I had with Mr. Compton, pleading Mr. Montenaro's case, we asked him if we could at least in the future have some sort of a by-line by which way we can determine as to when we are going to become destitute. There is a magic number that they cut it off on, a certain amount of days. No one knows what this is. We don't know what their policy is. This is what I'm concerned with.

BY ASSEMBLYMAN DOREN:

Q Have you discussed insurance with them? A This is what I suggested to him when he said he was taking it under advisement. I said even if it has to be borne partly by the employees, we need some sort of protection.

BY ASSEMBLYMAN McDERMOTT:

Q Mr. Battaglia, were you ever in Local 1511?

A Yes, sir, I was.

Q Didn't 1511 have a contract with the Turnpike at one time? A It still has, it's the same one we had.

Q Is there anything in that contract? A No, sir. Now as a result of this, gentlemen, when I received this answer, I advised Mr. Montenaro that there was no more

we could do for him in our capacity as a Local. I told him we pleaded his case, we pleaded for the sympathy of the Authority, I told him the answer, and I need not tell you he broke down like a baby. At the time he was in traction. He was a complete cripple at the time. As a result of that, I undertook to set up some sort of a program where I could get pledges from current collectors to forward to his family to at least have food. As a result of that, we accumulated anywhere from twenty to thirty dollars a week. This went on for some 7 or 8 weeks and I have a list of the men who were contributing. I also have a card of thanks from his wife. This is the way Mr. Montenaro and his family have been eating up until this time. That's all I have to say on that, gentlemen, and the point I would like to make is that I think definitely what we need is some sort of protection in this field.

Q You need some sick benefit plan -

MR. CLEARY: There is in the old agreement provisions for sick - I have it here if you want it. Of course, that is the old contract. The date is up -

A Well, it stipulates in place of any sick leave, calculated in days, the Authority will continue to pay full salary to any employee absent from work because of injury or sickness not covered by workmen's compensation but subject to the following conditions: An employee will not enjoy this privilege until after 3 months. In the event of prolonged absence from work due to such injury or sickness, each case will be reviewed

at reasonable intervals to determine whether, in the opinion of the Authority or its designated representatives, full payment will be continued. The Union will be notified of any action taken.

What I am trying to say here is what are the provisions and when do they cut it off?

BY ASSEMBLYMAN McDERMOTT:

Q Is that contract still in effect? A Yes, sir, to the best of my knowledge, it is.

STEPHEN VAN WERT: I am a Toll Collector at Number 9. I had 2 slipped discs; I was in the hospital and they paid me for 3 months, full pay which is equal to the amount I would have collected from disability insurance if I worked some place else. Disability insurance amounts to roughly to \$50 a week for a period of 30 weeks or more and they paid me for three months; that's 12 weeks.

ASSEMBLYMAN McDERMOTT: Full pay.

MR. VAN WERT: Full pay.

ASSEMBLYMAN McDERMOTT: Then what happened?

MR. VAN WERT: Then they cut it off. Then they said I could appeal to the Authority for additional time, which I did. I was out a total of 17 weeks. Five of those weeks I couldn't collect a dime. I tried from Unemployment - Disability Insurance - nothing.

ASSEMBLYMAN McDERMOTT: But they do have a policy.

MR. VAN WERT: This is what they told me: The first 3 months they would give it to me but if I had a recurrence or continuance and had to go back in the hospital I would probably only get paid anywhere from one week to three weeks.

ASSEMBLYMAN McDERMOTT: You mean, if you went back on the job and then -

MR. VAN WERT: If I went back to work and then all of a sudden my back started bothering me again, I would be lucky I got paid for 3 weeks. This is what it boiled down to.

BY ASSEMBLYMAN McDERMOTT: Thank you. All right, Mr. Battaglia, you may continue. May we have the next point.

MR. BATTAGLIA: The next one is revenue. It seems like the toll collectors are continuously harassed with shortages and overages and I thought it was about time we started asking some questions about revenue. For example, on February 19, 1965, a patron came through a lane and gave Collector Ageri a twenty-dollar bill. The toll was 60¢ and the driver got the 40¢ and while the collector was counting out the nineteen he took off, evidently assuming he had given the collector a dollar bill. Collector Ageri made out the necessary forms, and disbursed the money in the proper way, and to this day - that was February 1965, he has no knowledge as to whether the Authority received this \$19, where it went, who got it -

BY ASSEMBLYMAN McDERMOTT:

Q What is the procedure, Mr. Battaglia? A Well, the procedure is it is to be sent in an envelope accompanied by a UO, which is known as an unusual occurrence report; which is a UO. It is to be sent, accompanied by a UO, to Mr. Lescher, Collector of Tolls - any money that's left at the booth. Now, to this day, like I said, he hasn't even got an acknowledgment that it reached Ad Building.

BY ASSEMBLYMAN LA CORTE:

Q Did he get points for being over? A No. That's the point I'm trying to make.

Q He didn't put it in the bag, so he wouldn't -  
A I say this: He should at least have some acknowledgment that it reached the Ad Building.

Q I thought if he got points, then he would know that they received it. A I see.

ASSEMBLYMAN DOREN: This is a profit.

A The same way, gentlemen, where a man was suspended for a bank slip error; he was suspended for a snow day or he is suspended at the will of the Authority. What happens to this money that is docked from this man's pay? We don't know. We understand we're on basic salary. Another thing, gentlemen, that I think needs looking into is by what right does the Authority have to touch a man's check, when they can't touch it when it comes to dues deduction, they can't touch it when you want bonds deducted, but if they feel -

BY ASSEMBLYMAN McDERMOTT:

Q Just a moment. If you want to have U. S. Savings Bonds deducted from your pay, they won't do it? A Well, yes. No, I'm not implying that at all. I'm saying that what they require is some authorization from you to deduct it. But where it comes time that there is a question about whether a man should be suspended or not without pay and the Union proceeds to question it, they just go ahead and deduct it from your check. What I would like to know is who gives them the right to touch this man's check, to deduct 2 days out of his pay before the TP's disposal of his case. They just go ahead and deduct it, and that's it.

Q Well, he's off 2 days, isn't he? A Without pay.

Q They don't deduct it. They just don't pay him. They don't touch the check; they don't make out the check. A Well, who gives them the right to do this?

This is a question I'd like to know.

Now, getting back to the point system, gentlemen, and I'll just touch on it for a second. This hasn't been brought out yet. At the end of the month, there's a monthly report compiled on our work for the whole month. Well, all the data on all the work we have accomplished that month is projected on this one sheet. We don't see the sheet. In other words, this is July. We don't see July's sheet until about September 15th. The work is that far behind. We have just seen our May sheet. We won't see June until August. That's how far behind we are. Now, on this sheet it shows our overages, our shortages, and our job security is dependent on this work sheet. It is very important. What they do is they come out with the sheet 2 months later and they show it to us while we're working and they say, "Sign it." Well, most of us who are interested in our job and feel that we need some security would like to look over our record for the month. We are coerced into hurrying up - you know, look at it quick. And if you've seen this sheet - I have a sheet home and I'm going to send it in as part of the record. It's so complicated that I'm telling you you will need 2 days to look at it - the terms, the abbreviations, their charges, as to what we have done during the month. I have found personally a number of errors they have made, because I took

an interest in my sheet.

I would like to read for your edification just one note of apology I received, dated April 13, 1964, signed by Section Chief Robert Ramsen: "With reference to the letter sent you in March of this year, covering the items shown on your collector's evaluation report" - that's the report I'm referring to - "as needing further improvement, be advised that the information given you at the time of the review of your report was correct and that due to a typographical error, two of the items listed in this letter and on your report you received were not correct. The two items were your axle overages which were given in the letter and on the report as a total of 32, while the actual total was 29. In the same manner you were listed as having had six bank slip errors... when in fact you had none. It should be noted that the above corrections have been made and that your interest in your work records, which led to the checking of these two items, is commendable."

That is only one. I found a number of others. So as a result, I sent the letter to Mr. Ramsen, who is our Section Chief, on June 7th and I stated: "Because of the reasons outlined below, I am submitting for your careful consideration a request to furnish all collectors with a permanent copy of his monthly work record for his file.

"I need not elaborate on or emphasize the importance these records have on a collector's future job security.

"I, as well as many other collectors, are concerned with the many facets, both human and mechanical, connected with

the job of applying the necessary data used in compiling this monthly report.

"Consequently, because of the complexity involved, elements other than the collector may unintentionally be responsible for errors, whether they be typographical or otherwise.

"Therefore, it is our contention that with the availability of these records for reference and with the opportunity to study them in detail, they would best serve our purpose in detecting any discrepancies which we are not responsible for.

"On the other hand, it would afford us the opportunity to note these deficiencies from month to month in certain phases of our job and concentrate our effort toward curtailing and correcting same.

"Your understanding and cooperation in this pertinent matter will be appreciated."

I received a negative answer. I sent that letter to Mr. Ramsen, Mr. Cullinane and Mr. Leshar and I mentioned it to Mr. Flanagan and he said he saw no reason why we shouldn't get one, but we still haven't got one. They have three copies, gentlemen. They keep all three copies. Now, on a matter so important to our job security, I can't under the sun see why we can't have a permanent copy for our files. What's so secret about it?

ASSEMBLYMAN DOREN: When did you ask Mr. Flanagan for it?

MR. BATTAGLIO: Two weeks ago this Thursday. That would be July 3rd. It was two weeks ago this coming

Thursday.

ASSEMBLYMAN LaCORTE: Mr. Battaglia, what do you call this sheet? A Monthly work sheet. And I will say this, gentlemen: There have been a number of errors found where a man was interested in looking at his sheet instead of just signing it, although I must say, in all fairness to the collectors, they look at it under trying conditions while they're working, and you should see the complexity of the sheet.

ASSEMBLYMAN McDERMOTT: Will you send us one for our records?

MR. BATTAGLIA: Yes, I will.

ASSEMBLYMAN McDERMOTT: You were going to give us the name of people who were discharged under this point system.

MR. BATTAGLIA: Well, I for one.

ASSEMBLYMAN McDERMOTT: Suspended, you mean.

MR. BATTAGLIA: No, fired.

ASSEMBLYMAN McDERMOTT: You have been fired?

MR. BATTAGLIA: Yes.

ASSEMBLYMAN McDERMOTT: You're not with them anymore?

MR. BATTAGLIA: I'm back again. I had to come back as a new man. I lost one year's seniority because of it.

ASSEMBLYMAN DOREN: For what?

MR. BATTAGLIA: Because I was fired.

ASSEMBLYMAN DOREN: I mean, what did you do to get fired?

MR. BATTAGLIA: The point system, allegedly.

ASSEMBLYMAN LaCORTE: Overs and unders on your toll collections?

MR. BATTAGLIA: Yes. I might add that all my testimony that I have here is all on record, my grievances that I submitted and all after being fired, and to this day I'm still on probation. This is the fourth time I've been put on probation. I only make that statement in connection with Mr. Cleary's testimony about "Stay away from Unions or else." This is definitely their attitude, no question about it.

BY ASSEMBLYMAN McDERMOTT:

Q Do you want to give us the names of those people?

A Yes, I for one, and I am in the throes now of handling another grievance of Joseph Annillo.

Q He was fired? A Yes, sir, under the point system.

Q For shortages and overages too? A Right.

Q How old a man is he? A Joe, I believe, is 36. Then there is Mr. Gary Dorrell from Interchange No. 1. He has been fired; he's been off the job now about a year. What I would like to ask you gentlemen is - if we have any more hearings, I understand Mr. Dorrell would like to testify.

Q On these discharges under the point system, do you have the right to grieve them? A Yes, we do.

Q Do both Mr. Annillo and Mr. Dorrell grieve their discharges? A Mr. Dorrell I can't speak of, but

Mr. Annillo, we are in the throes of grieving it now.

Q Which step are you in? A At the fourth step now.

Q What step goes to arbitration? The fourth or the fifth? A After the fourth.

Q How long has this period of grievance handling - I thought you did go to arbitration. I say that in the past - didn't you go to arbitration? A In the past, yes, but I understand with this new work policy that is coming up shortly - I think in the next few days - we won't have that right any more.

Q You will just have the fourth step and that will be it? A That will be it.

Q And who is at the fourth step? A I think he has instituted a new program now - Mr. Flanagan. We haven't been notified. Nobody's been notified.

Q Who's at the fourth step? A I don't know. I mean, he has to appoint four men.

Q Who used to be at the fourth step? A Mr. Compton.

Q Who is Mr. Compton? A He is the assistant to the Director. Assistant Director.

Q Now, Mr. Darrell, you don't know whether or not he grieved his? A No, sir, I don't.

Q Mr. Annillo is now at the fourth or final step according to your testimony? A Right.

Q Do you have any other discharges? A Those are the only ones I have right now. I do know of others. I have their names at home. I can let you have those.

Q We would appreciate it. Do you have anything further? A Yes, sir, I do. You've been hearing all day, I guess, about this point system and I just want to read one letter I sent to Mr. Leshar relative to the point system. It is dated January 18, 1965:

[Reading] "Be advised that after lengthy discussions with our executive board members, Local 723 I.B.T. is making known its opposition to the point system now being implemented by the Authority.

"We have concluded that because of many reasons, which we are prepared to elaborate on, we can not recognize it, and accordingly I have enclosed a grievance on this most important matter.

"For the purpose of alleviating the indignation, dissatisfaction, and insecurity created by this point system, I am asking your cooperation and indulgence in facilitating the processing of this grievance."

Now, I just want to read, gentlemen, just to show you our viewpoint on this point system.

Q Did you get an answer to that letter? A No, I didn't receive any answer; I just submitted the grievance. I just want to show you what our solution to this problem would be, to show you our contentions here. We understand there has to be some sort of a guide-line, but God knows how many times we have appealed to the authorities, "please sit down with us over such an important matter, discuss it, negotiate this one point, and then we can come up with an equitable program." This is all we are asking. We have appealed to them a number of times, and when we submit a grievance we always put what we think the solution would be. As a solution - "The immediate rescinding of the present point system now being employed in favor of a more equitable plan agreed upon by both the Union and management." Now, by

God, gentlemen, is this asking too much?

BY ASSEMBLYMAN DOREN:

Q What plan do you suggest in place of the point system?

A On January 2, 1965, we submitted a plan to the Turnpike Authority and to this day I have - in fact I was told by Mr. Cullinane, Mr. Lesher, Mr. Compton and Mr. Flanagan that they would take it under consideration, and to this day we haven't heard a word. Now, all we are asking for here, gentlemen, is that if they don't have the right to sit down and bargain with us collectively on something as important as this, something as important as a man laying up in the hospital destitute, I think they have a moral duty, if nothing else, to sit down and negotiate with us on items such as this. I think they have a moral - they preach about moral responsibility that we have to the public. Don't they have any moral obligation to their employees? I ask you, gentlemen. This is where we are going to need your help in the passing of this bill 27. We are not asking for a Utopia on earth. All we are asking for is to sit down and talk it over with us in situations such as this. They will listen to you; they'll tell you they will take it under consideration; we appreciate your efforts. But 999 times out of a thousand, the answer is no. And I leave that other one open very, very reservedly.

Q Will you leave that, please?

A Yes, I will. All the stuff I have now is all new testimony and I'll leave all of it. In closing, gentlemen, I would like to say this: I believe I am in accord with Mr. Cleary and I think that the only way to resolve the problems that I have discussed here,

and I think you realize they are serious enough where you are dealing with an employer such as we have, is the passage of legislation, of a bill, which would give the Authority - or which would give the employee organizations the right to demand that an employer like the Authority sit down and discuss situations such as I have outlined here. And I'm asking your indulgence, gentlemen, when you go back to keep what I have said here in mind.

Q Thank you very much, Mr. Battaglia.

F R A N K C O R O L L O, called as a witness, testified as follows:

My name is Frank Corollo, I am Business Representative for Local 723, and I was assigned specially to the New Jersey Turnpike to take care of the members that belonged to 723 and in their behalf to see that they get a just and fair break, if possible.

BY ASSEMBLYMAN McDERMOTT:

Q Where is your office, Mr. Corollo? A My office is located on Main Street, Passaic, New Jersey. We have another office in Elizabeth, which is Elizabeth on one side of the street and Linden on the other. I don't know whether it's Elizabeth or Linden - I'm not sure anymore. First of all I want to apologize for the fact that our attorney, Mr. Goldberg was unable to present the matter you asked for from Washington, which was delayed but I am pretty sure it will be here this week or by next week and, as soon as I get it, do you want me to forward it to you people?

Q Yes, forward it to Mr. Alito. A All right,

I'll do that. I have a letter here which was requested by Frank Ho man at the last hearing when he was telling you about the week ends they had off. Well, he asked for a letter verifying the week ends that were taken off by the people on Interchange 1, down near Delaware, and his immediate supervisor requested that this be given to you verifying his statement as to how many week ends they had in rotating the shifts from the first of the year. (Hands letter to the Chairman).

Well, gentlemen, as I was going to say, there isn't much that I could add to what you have heard here on the floor. Some of it might be unbelievable but a lot is a fact. I was assigned to the Turnpike, as I said before, for the purpose of seeing that the people we represent on the Turnpike are at least given a fair shake, as to the working conditions, hours, and whatever they are. As far as I am concerned, being Business Representative of the Local, I think that the New Jersey Turnpike has made up its mind not to recognize Local 723 as far as the employees are concerned. I'm aware of that.

Shortly after I came on the Turnpike, there was a meeting called between the Turnpike Authorities and the local Unions involved for the purpose which I thought at the time was going to be negotiations for a new agreement, or thereabouts. I sat through the meeting and I was very much surprised to hear when I mentioned negotiations that I was promptly told that under no circumstances would there be any negotiations at this point, but it was just a mere

discussion of the Turnpike's work rules that were in effect or would be put into effect. I asked them what do you mean? Well, he says, we have no right to negotiate with any Union. These are work rules that we are going to present to you people and we want you to listen to them. If you have any comments to make as we read them, you can make your comments and suggestions and we will look into it. This "look into it bit" is getting to be a great thing. That's all I hear, "We'll look into it," and that's all there is to it.

At that point, my president and the people I was with asked the Turnpike authorities - they were talking about recognition or something like that, and when I heard that I just figured that was no place for me as far as negotiations were concerned. He asked the question of the Turnpike Authorities, how come that the others are classified as, I think he called them city employees or public employees, or whatever they call them, whatever category -

Q We are not certain. A Well, the Turnpike Authority is certainly certain of the fact that these people are not city employees or public employees. I'm pretty sure they serve as public employees and under the Public Employees act they have no right to negotiate with nobody. At that point, my president asked Mr. Compton how come the school teachers who are public employees under the act are organized and they have a grievance procedure, and so forth? How come they are recognized? Mr. Postizzi, and I'm glad he's here, said "It's not legal. It's illegal what they're doing but they are doing it until they catch up with them." What he means by that, I don't know.

MR. POSTIZZI: Those are not my words. Please don't misquote me.

A According to my memory, that's what you said. Will you please let me go on without being interrupted? You were quoted once before - we asked on wages whether there were any moneys to be given to the employees of the Turnpike and Mr. Compton didn't have a chance to answer at that point. You beat him to the point and you said, "No, there's none." I don't want to get into any discussion with you because you're a lawyer and I'm not. I don't want to get entangled in legal matters with you. You just take care of your business and I'll take care of mine. Now I came out of that meeting. We walked out of that meeting because we gave the authorities some of our proposals, which we thought would be something to look at for consideration of the people that they employed. Well, anyway, the meeting was broken up; we walked out. We went back on several other meetings which I'll come to later on, but that's not relevant right here.

Since that time - that was about a week after I came on the Turnpike - I have devoted my time - I am full-time on the Turnpike, exclusively. I have no assignments other than the Turnpike. Since that time I have devoted my time on the Turnpike; I have been in the Labor movement for 27 years. That's been my business all along, so being an old buck at the game I went on to something new after I found those two Unions involved in the Turnpike. I said that's another problem. The Turnpike is having a great bellyfull about the payment because of the two Unions and they are pitching one against the other. It's a beautiful setup.

I didn't go along too much on the grievance procedure, because as I said, I'm an old buck at the game and I like to find out for myself. I hear a lot of things; I hear a lot of beefs; I negotiate a lot of things but there's nothing like finding out for yourself to get your feet on the ground, which I did. After 3 months, gentlemen, I came to the conclusion that it was a fact that the Turnpike Authority, as of today, has not recognized fully Local 723 in any respect except they'll talk to you; they're the nicest people I ever met, barring none - including Mr. Postizzi. They pat you on the back, they shake your hand, want you to stop by and talk to them in your spare time, and stuff like that, but when you have a grievance or something to bring up with them, they say they'll look into it. That's as far as it goes.

I was then concerned about the grievance procedure and I checked with parts of the Turnpike administration, the lower echelon. I'm talking about the Maintenance Superintendents on down. From the north end of the Turnpike to the south end of the Turnpike is 114 miles and I gathered some information back and forth, the people I represent, and I finally made up my mind that it was about time now that I should go into this grievance procedure because there were a lot of beefs and the boys were telling me that nothing was being done about the grievances, etc. So I went into the Administration Building one day and inquired what can we do to find out how many grievances we got pending and what is the right thing for the employees. This was strictly on the grievance procedure now, see. And they said they would

look into it and give me an answer. So not too long after that -

BY ASSEMBLYMAN LaCORTE:

Q When was this? A Oh, this was about a month ago; maybe a little better than a month ago, six weeks ago.

Q Whom did you speak to? A Mr. Compton, Assistant Director of the Turnpike - assistant to Mr. Flanagan.

BY ASSEMBLYMAN McDERMOTT:

Q Well, you mentioned that before. Is that his title? Assistant Director? A As far as I know, that's what he is.

Q Does he have charge of any particular function? A He's suppose to have charge - he's the first step in the grievance procedure.

Q Well, what is his particular function?

MR. POSTIZZI: He's assistant to the Executive Director.

MR. KENNEY: He handles most of the general administration in the Authority.

A So he says he's going to look into it. About a week or so later on, I got a call from a Mr. Hayden who is the Director of Maintenance. There were some grievances that were going to be discussed according to Mr. Compton's letter up there in Hightstown at the Interchange there, the station, or whatever it is, and they would like to have me there to see in a sense how ridiculous my boys handled grievance procedures.

So I go up there . I said I'll come up there and I don't care who they are if they have grievances to be taken care of, we'll straighten them out if we can. So I went up and we sat down and Mr. Kenney was there, Mr. Compton was there, and Mr. Hayden was there. So we had a few grievances come up at this stage and we discussed them and during the meeting I asked them how many grievances do we have pending in this Turnpike. This was a direct question of Mr. Compton, in charge of the grievances, the first step. He said, "At the present time, I don't know. I think there is one or two, other than the ones we are discussing now, which were three, so that makes five." I think he asked Mr. Kenney if he was aware of the number and he said he didn't know but he was pretty sure that's what it was. Now this was before you gentlemen came down on this investigation. Bear in mind this was 7 or 8 weeks ago, prior to this investigation. So we discussed that business and we went out and that was the end of that. So I said I'll come down to the Administration Building in the very near future to pick up these grivances and sort them out as to which is good and which isn't good. That was my thinking. So I went down to the Administration Building a few days later and they told me there were no grievances that they knew of, pending, other than the three we had discussed. Now, Mr. Battaglia, who is one of the boys at the Turnpike who handles grievances, he's got a briefcase full of grievances. So then I found out that the grievance procedure is handling this matter so far as 723 is concerned and they have 4 copies of a grievance. The Steward writes the grievance and they give the whole 4 copies to the

Turnpike Authority. Well, that's a good setup. I don't blame the Turnpike Authority in the least. If they got away with it, more power to them. And I mean every word I said. I look at it in amazement. I said, "How do you expect to have a grievance procedure when they've got all the copies. So what the hell? Who moves these grievances? They move right from here into the wastebasket." It's very obvious. Right? I said, "That's a nice apple." I went back and I told the boys. I said, "What the heck we got here?" They said that's the way it's been. So that's water over the dam.

What I'm talking about, -I'm giving you an account of my time that I've been on the Turnpike to bring you up to date. My job as compared to other people's job and the way their job should be in taking care of the employees in a nice, decent way of handling employees, with or without a contract. That's what I understand. The State's got its hands in it. That's what makes it tougher for me. If it weren't for that, I wouldn't have any problem. I'll tell you right now, gentlemen, and I don't care who's in this room, that the men on the Turnpike do respect laws. There's no question about, -the law of the land of this State. If they don't do anything else - I know that. I learned that a long time ago. And if it wasn't for the fact - pardon the expression - it was loused up with politics in the Turnpike, there would have been no problem on the Turnpike as of today. It would have been a one-way street now because you know people like that - you're used to negotiating with people like that and all of a sudden you break their back,

you see, then it comes all one way so far as my Union is concerned, any Union I represent. When you negotiate with an employer and he breaks your back for 10 or 13 years, and finally you get a break and then it's dog eat dog and you show him how it looks on the other side eating the grass - you see what I mean? I pull no bones about it.

I'm sticking to grievance procedures. I went off a little bit. So then this investigation came through. We even had a hearing. Lo and behold, I get a telephone call one morning not at my home but at the home office, telling me to come down to District 5, that there were 16 grievances and they wanted me to sit down and talk them over. They had none and then all of a sudden they have 16 grievances. So I said, well, this only came about because of the investigation going on. It had to come out. So you know what I did? I didn't go. I figured what the heck. I mean, this is a game. You know what I mean? After a lapse of 6 or 7 weeks with no grievances, I got to go down there now? For what? So I didn't go. I would have went, I'll tell you about that. I would have went only for the fact that they had some problem at the intersection up there, Gate 7. I'm not too familiar with the names of the fellows up there, up at Hightstown. They are resurfacing there, the center lane, and I was called over there to look at the safety purposes, so I had to be at that place at 1:30. I got the call at about quarter to one. It was a question of you couldn't be at 2 places at one time, you see. I couldn't make that over there, so I went to the most urgent. So

I went there. Now I've been back and forth a few times and I let the grievance procedure lay dormant as far as they were concerned. I figured they'd had it for 2 years, I had no grievance, and as far as I was concerned there was no grievance until the proper time comes.

BY ASSEMBLYMAN LaCORTE:

Q When does the proper time come? A I don't know, Mr. LaCorte. I wish I knew.

Q Well, I don't understand your point. There are men now who would want to have grievances processed. A So the proper time is when they call me again I'll be ready at their convenience, when and if they call again. We had one here not long ago. I haven't heard nothing since.

Q They haven't called you back? A Right.

Q Since the day you had to go to Hightstown. Did you contact them to tell them that you could meet with them again? A Well, I happened to be there. They were having a grievance meeting with 1511 and they brought up this safety problem and the district superintendent contacted the other guys but told them I couldn't be there --"he's over here now." Well, I told this gentleman I had to be there at 1:30 so he contacted him in my presence that I couldn't be there.

Q You see what I'm trying to determine now is when are these grievances going to be processed. If we're in a position where you're waiting for them and they're waiting for you, maybe nothing is going to get done. A Well, I asked them about it. I already thought about the grievance but when they said for me to come up I understand they had 16.

Q No, I mean - A Well, let me finish.

I'll answer your question the best way I know how.

Q I'm concerned. A You see, since that call that I couldn't be there, I found out - and I couldn't be there personally at the time, I phoned that I'm sorry I couldn't be there for the discussions with you today but at the earliest convenience according to them was concerned I would be available. I'm available every day, 7 days a week.

Q You're waiting to hear from whom now, Mr. Compton?

A Right or somebody from the administration building there. I have a grievance, see.

Q And it was a week ago that they communicated with you about these 16 grievances. Is that correct?

A No, this was about many weeks ago. No, no, that's right, right after the investigation.

BY ASSEMBLYMAN McDERMOTT:

Q Well we had our hearing on June 30th. This was before the investigation. A This was before the investigation. The investigation was coming on, you understand? It was called for June 30th.

MR. KENNEY: It was Thursday the 31st, I believe.

THE WITNESS: Of June, right?

MR. KENNEY: Of July.

THE WITNESS: That we had our meeting up there? No.

MR. KENNEY: The first.

THE WITNESS: The first of June?

MR. KENNEY: The first of July.

THE WITNESS: And our meeting was for the

30th of June. Is that right?

BY ASSEMBLYMAN LaCORTE:

Q Well, when were you informed that there are 16 grievances here after you had been told that there weren't any grievances? When were you informed, there are 16 grievances that we want to go over with you? A Well, let's say June 1st I was up there at a grievance meeting and I asked them at the grievance meeting if there was any other grievance that we would like to discuss and they told me, they assured me at that time that there was none.

Q Right. A All right? Now later on they scheduled the hearing and investigation of the Turnpike and I am pretty sure now it was a week before - it could be a week, maybe 10 days or thereabouts.

Q Before June 30th? A That's right. They called me up and told me there were 16 grievances that they would like to discuss at my level with Mr. Compton or whoever was involved up there, see.

Q Right. Now -- A And I told them, I said, what time do you want me there, and he said, 1:30. I said I would be there. Right?

Q All right. That very same day that I was told to be up there at 1:30, I got a telephone call, an urgent call on safety up here at interchange 7, which was Hightstown, and to me that was more important for the safety of the people there.

Q What you are saying is, from sometime around June 20th or June 23d you were to appear to discuss 16 grievances

you couldn't make it that day -- A Right.

Q And you haven't heard from June 23d until today about getting back together to -- A That is right, and anytime I would be available, from tomorrow on I am available. I haven't heard from them.

MR. KENNEY: May I ask, as a point of information, who was this that you were to meet with, Mr. Corollo?

THE WITNESS: Mr. Desimon, Mr. - Oh, I don't know the other guy's name, a big boy, - Lorber - this was to be taking place in District 5. Since that time we had a few grievances they have instituted at my request.

BY ASSEMBLYMAN McDERMOTT:

Q Are you getting better relationships now since the investigation commenced? A Well, I think if I went down there right now and asked for a good job, I'd get it.

MR. KENNEY: Don't bank on it.

THE WITNESS: I was joking.

Q As a supervisor? A Any kind of a job outside of Mr. Postizzi's job because he's very valuable. I'm calling the shots as I see them. Right now if I went down after a job I'd get it - how long after the investigation, I don't know.

Q You would need a politician to endorse you. Would you want Republican endorsement? A Now I'm going to get off the - the procedure, as I said, was stalemated, there was none, period, and that's it, as of today. In going up and down the Turnpike I found out under no - where's Mr. Doran?

Q He's out making a phone call. A He shouldn't be. It will benefit him. He should listen to this.

Q Well, he's going to the Governor's day - he'll be back.

A By the way, I see you have one newspaper man here, where's he from? May I ask?

Q The Jersey Journal. A Nobody else but the Jersey Journal?

Q That's right. A No reflection on you, sir. I got all the respect in the world for newspapermen, believe me. We get our stories twisted once in a while but that's all right too, that's all in the game.

Q All right. Go ahead. A In my going up and down the Turnpike, I mean finding out for myself, there's certainly, without any doubt, a lot of favoritism played there.

Q This favoritism, it came up before, what's the favoritism based on?

A Well, I'll tell you what I base my opinion on. The first thing is, I have gone up and down the Turnpike during lunch hours and I see that some of the boys are on the job, I mean they're sitting on the grass by the road, or something, and they have to wait for somebody to bring their lunch in. Other guys from the same group, the same gang are up in Howard Johnson's diner there, either two miles away, a half mile away, having their coffee there - I mean, during the day, see. So I ask some of these guys, I said, "How do you guys get off, I mean, how do you get in here?" Well, they don't know who I am, see. That's the beauty part of this job, see. A lot of guys don't know me at all. They

thought I was just another guy paying my fare and asking questions. "Well, if you know the right guys," they say, "this is the best job in the world." Then I go on to find out - with due respect to Local 15 - some of these guys belong to Local 15 - 1115 - 1511, and some belong in my local too and let's not - like I say, I'm calling the shots. That's favoritism.

Other instances of favoritism which I base it on is the fact that some boys are pretty good guys - I mean, the foreman says go ahead and they do it, and they've got some real plum jobs. To me they're not plumb jobs, I mean for them they are because they haven't been on the Turnpike long enough to determine. And I come to a final conclusion that there is favoritism - there has to be, otherwise you wouldn't work. I see some guys cutting grass. I seen 5 lawn mowers on one side of the road there at one time and 3 lawn mowers were working and the other two of them wasn't. So I stopped by, I said, "What's the matter with the other 2, just curiosity, are the lawn mowers down?" He said, "No, they're out having a coffee break." I was there 45 minutes and the guys didn't come back yet. So I said, "How long's this coffee break?" "Fifteen minutes." 1511. That's enough for that.

MR. POSTIZZI: Do you have any names? It sure would help us to --

THE WITNESS: What? To give you the favorite sons? No, you take care of them guys. I'm not going to mention any names here. This is what I observed.

MR. POSTIZZI: I'm sure the Committee would like to know. They're a fact finding body here.

THE WITNESS: Well, if I knew the names I would give it to them but I don't know the names. I mean, this is what I find. See, I don't tell them who I am till I tell them what I'm talking about, see. Then they're surprised - I didn't know that, gee, I'm sorry I shouldn't have been here, but I didn't know that. But look, I'm not here to spy on you guys, I just want to find out for myself.

(continuing answer) Of course, you heard they've been firing employees with no recourse, as far as the employee's concerned, recommendation or anything. That's also a fact.

BY ASSEMBLYMAN LaCORTE:

Q Do you have any record, yourself, Mr. Corollo, of any grievances directed toward you to be expressed to the Turnpike Authority?

A Well, I have 3 grievances presently which are instituted at the first stage which was forwarded to the Turnpike. Another grievance stays behind. That's for my copy. See what I mean? Although it's contrary to the rules, but that's the way it's going to be.

Q When were they filed with you? A Oh, I would say the oldest one must be four weeks old, five weeks old, maybe six weeks old.

Q Are they on the basis of favoritism too? Are they complaints about favoritism? A No, no. They have no grievance brought in as far as favoritism. This is what I find.

I mean, I notified the authorities that there is favoritism in the Turnpike. What I'm telling you right now is not something that they don't know about.

Q Well, isn't there another way? You might call it lax supervision. A Well, I can't call it lax supervision. I call it a poor way of handling an organization. I'm not going to blame supervision. I'm blaming the top guys.

Q How can you say that it's favoritism because a man is 45 minutes away from his machine? Maybe the supervisor doesn't even know that he's 45 minutes away. A Oh, he knows about it. I've just told you. The guys who are working, they're sitting there for a half-hour lunch period. Right? Then you go down a ways and you find a Howard Johnson and some of the guys are supposed to be sitting there waiting for their lunch hour but the rest of the guys, I mean, are still over there eating, well over their 30 minutes. We're not talking about 30 minutes now, we're talking as high as an hour or an hour and fifteen minutes while the guys go back to work except for a few guys who are in there still drinking Coco-Colas and sitting down and smoking.

Q Wouldn't that be lack of supervision?

A You can call it anything you want, sir, to me it's favoritism. The supervisor knows the guy is gone, right? I mean, nothing's being done about it.

Q That's the point. A Well, nothing's being done about it. It goes on right along. There's only a few people that can do this, not everybody can do this. That's why I told one of the supervisors when I spoke to him, I said, "Why can't everybody go to Howard Johnson's and come back when

they please?"

Q You also mentioned before that there were 5 lawn mowers, 3 were in operation and 2 weren't for a period of 45 minutes.

A Right.

Q No supervision around to see that those --

A Don't you think there's supervision around? They got cars to go up and down this Turnpike. They know where the men are working. They go up and down.

Q I'm asking you whether you know. I don't know whether it's favoritism or not. How do I know whether that supervisor on that particular day in charge of that detail may not have been taken sick. I just want to know what you observed, what you know.

A All right, let me give you another instance then. One of the boys in a certain gang was a little more or less - ain't taking too much stuff off the supervisor - you know what I mean? He does his work and everything but he ain't the kind of a guy they could push around. Let's put it that way. Right? So, even though this fellow came out of a district, a certain district, which they do their work in their own district before they invade somebody else's, the way I understand it, - the foreman didn't like him - I mean, he didn't want him in his gang, so he got him out of there and brings another guy down, 50 miles away, and brings him up here to take his job. I mean, what would you call that?

MR. POSTIZZI: Do you have the specifics on that, Mr. Corollo?

Q I don't know, Mr. Corollo. A You don't know. That's what I thought. See, look, when I say something, before

I make a statement I know what I'm talking about.

Q I don't want to argue with you but it would seem to me you have drawn a conclusion. A I said that. I said as I draw the conclusion beyond any facts, beyond any doubts in my mind. I went as far as my mind. I mean, I'm convinced that there is favoritism, I mean, and I brought it to the Authority's attention, not the supervisor, to the top. Let them all look into it, see?

Q Is it favoritism because of politics, do you think?

A I think so, yes.

Q Do you really? A Yes. It's infested with politics, from the bottom up to the top. That's what makes my job that much harder. I said that before. Now, I'll tell you what happened the day that I couldn't make this grievance meeting. With me they're talking about safety. There ain't enough money in the Turnpike that the Turnpike Authority wouldn't spend for the safety of its employees - end quote. Money is no object, see? Money is no object. They almost had me convinced of that, see, until this one day when I was supposed to go up to this grievance meeting in District 5, which Mr. Bardash happened to be there, I was called up here. They were resurfacing the center aisle, 3 lanes on the Turnpike and they were blacktopping the center aisle. The inside lane was open, the right side lane was open. So you've got guys spreading the blacktop, guys with steamrollers rolling it down - I mean, this was hot tar that I'm talking about, see. Naturally, after the guys get through laying it down, spreading it for the steamroller, they can't stand in front of steamroller, you can't

stand on top of the hot tar, so there's only 2 places they can go, step off the center of the lane and get off the hot tar which would be one or two feet from the lane, come off to the right if they are facing south or to the left if they are facing south or to the north if they go off on the other side of the lane. Now, they've got signs posted below- slow down to 35 miles per hour, you see. So when I got there, after I found out what the score was, I said, "This is rough." So I called the supervisor. I said, "What are these guys doing here? The guys are going through not 35 miles an hour, 65 miles an hour." That's true. I'm talking to these guys and my pants are blowing all over the joint - I'm 2 feet from the car. So I said to the Supervisor, "How do you work under these conditions?" I said, "Mister, look, they could be the best drivers in the world, see." Suppose somebody gets a flat tire? These guys - 8 or 10 guys at a time, they just can't run all over the Turnpike, these guys have to go back to work. So I said, "I don't care how good you are, a guy that gets a flat tire at this speed he's going to kill somebody. He's going to ram somebody, in a few minutes or a few seconds he's going to lose control of that car, I don't give a darn who it is." See? "I understand but there's nothing you can do about it," he said. I said, "What do you mean, there's nothing you can do about it?" I said, "I'm telling you right now if I were these men" - I put it to him the best way I know how. You can't tell people how to do anything, you've just got to suggest. I said, "If I were these people, I would not work under these conditions if you gave me \$50.00 an hour." So I guess at that point the boys must

have got wind of what I had in my mind and they just didn't want to work any more. So I was trying to get a hold of the Superintendent, the Director of the Superintendent, that's Mr. Hayden, who happened to be <sup>in</sup> a grievance meeting in gate 7, at that point. Finally we located him by radio and I went down - this location is about maybe 7 or 8 miles, because some of the men were around and said "Let's go down and see him." I told the Secretary that it was very important that I see Mr. Hayden. She went in and came back and said, "Well, Mr. Hayden's in a conference now with grievances with Local 1511." So I said, "Will you please tell Mr. Hayden that this will only take me a few minutes. People are endangering their lives out there. I'll only be a few minutes," I said, "I want to bring it to his attention what's going on and we've got to do something about it." The secretary went back and she came out and she said, "Well, I'm sorry, but he'll come out when he's through with the grievance." I was already burned up, I mean a little bit, and you know that made me feel real great, you know what I mean? So I told her, I said, "Now, you go back and tell him that people's lives depend on this thing, otherwise I wouldn't be here. If I didn't think it was that dangerous I wouldn't be here." So she went in for the third time and told him. She said, "Well, he'll be right out." Well, he came out about 15 minutes later. So I told him what the problem was. "Well," he said, "look, you're a new guy, you're an outsider to come in here." He said, "This is nothing. People work worse risks than these," he said. "If you were familiar with the Turnpike you'd know what I was talking about. But you're an outsider

looking in and not knowing the risks involved in this job, you think it's a big deal, you know what I mean, about these guys why they get hurt and that stuff." And he's laughing, see. He's got that big grin on his face - you know what I mean, and I told him, "Mr. Hayden, are you serious? Are you for real or are you," you know what I mean, "just make believe." He said, "What do you mean, I'm telling you the truth." So then he said to me, "What do you suggest?" So I said, "The immediate problem I could suggest right now which I figure might relieve the situation is get a - you've got a flag man there already, a guy's flagging everybody down and instead of decreasing their speed, they're increasing it. They don't bother about that flag man," I said, "Get a trooper down there and get him down there where the sign says 35 miles an hour." I said, "They'll get down to 35 miles an hour or less when they see a trooper there." "No," he said, "we went through that before. It's just a waste of time." I said, "You mean you're not even going to make an attempt?" He said, "Positively not." I said, "Mr. Hayden, they're not working over there," I said, "they're not working over there right now." He said, "What do you mean, they're not working?" I said, "They're not working." So he didn't know what to say. At that point the heavens opened up and there must have been millions of barrels of rain came down so when I got back to the job everything was knocked off. So that alleviated that problem. See, that's how we alleviated that part of the safety problem. All right?

Q A little rain.

A The good Lord took care of

it, right?

Q Right. A Right. So, I went down to Mr. Flanagan two days later and told him what took place. Mr. Flanagan being the gentleman he is, he just shook his head. He said, "That's ridiculous. That's the most fantastic thing I ever heard." He said, "Nothing was done about it?" I said, "Absolutely not." He said, "I'll see that something's done about it." So I said, "Take your time, Mr. Flanagan, I mean, it's not raining now, I mean, I think the job was going to be finished the next day, probably the job is all over with now anyhow so forget about it." "I'll see that it's corrected." It was corrected all right because I haven't seen anybody working on a blacktop yet since that day so maybe it is corrected in the meantime. But they tell me that they stop at nothing to see that the safety program, which I don't know what it 's all about - they tell me about a safety program - I believed them till I found out different - that they have a safety program. They're spending nothing. Money is no problem. They will have to take the last cent out of the bank to pay these guys for the program. They can't even get a State Trooper to flag the guys down, see. I'm down to Gate 1, 4th of July, Sunday, they got a problem, they got a lot of accidents down there, you see, They got a bunch of people who most of their cars ain't running so they have to herd them all into this - where these guys dress and wash and have their dinner, I mean these booths, not the booths but the wash rooms and stuff like that. So they asked -- there were too many people in there. You couldn't even give a hand in there because there were so many accidents - this is Sunday, July the 4th. Don't tell me I didn't have no place to

go, I had places to go but I had to go down there too and I went down there. I said to these guys, "Why don't you get a couple of benches and put these guys outside. It's nice weather." I said, "I think these people would appreciate sitting outside while they're waiting for transportation." "Who are you? I got my problems without talking to you." He said, "What do you mean?" Now the guys were coming off, they got their lunch break. Where are they going to eat their lunch? They go into the locker rooms. They can't even get in there. They're loaded with people, see. Then they busted the cigarette machine, they cleaned it out, they took the candy out - they really messed that joint up. So I said, "why don't you get a couple of benches and put these people out of here? They're waiting for transportation. Let the people that work here go in there and wash up and do something." Nothing doing. So I figured - well, while I was there that day they showed me around the laboratories. See, I very seldom go in the laboratories, only when I have to.

BY ASSEMBLYMAN DOREN:

Q That's the usual time, isn't it?

A Right. And they're telling me to come in there. Why should I come in there and smell this place? You know what I mean? So I went and I smelled it. That was enough for me. I said, "How long's this been going on?" He said, "Well, this has gone on for months and months." I said, "Well, who does the cleaning here?" I thought that our men do the cleaning, you know what I mean, the Turnpike, maintenance guys, I figured they must have some janitors working. They said, "No, this is

done by a contractor out of New Brunswick, the window cleaning company. But there's no disinfectant in the urinals, nothing. I mean, they don't even wash the floors. So the guy's got a contract and he's getting a lot of money from them.

Q This has all been gone through and rather than be repitious - I know the girls want to get back to Trenton - could we limit it to things that haven't been brought out.

A Well, what hasn't been brought out? I mean, I'm just elaborating on some stuff that I find. If you don't have the time, I mean, it's all right with me but --

Q Unless you want to come back to the next session because it is getting late.

BY ASSEMBLYMAN McDERMOTT:

Q How long are you going to be, Mr. Corollo?

A I'm going to be a little while.

BY ASSEMBLYMAN LaCORTE:

Q Do you have any other specific complaints? I mean, what Mr. Doren is saying is that we heard about the conditions of the laboratories and booths concerning the New Brunswick Window Cleaning, is there anything else you could pinpoint.

A I just want to convince you people that what you heard off the floor, they're facts.

Q Well we don't question that. A I know. But I am verifying what I am confronted with, you see. And when I asked them to do something about these things, nobody does nothing about it. That's the point I'm trying to bring in, as a representative of the union. Whether it's a colored or a white guy, whether they recognize it or not, they are employees.

Q Does your union now represent a majority of employees by an election that's been conducted?

A There's no question about it.

Q However, there's no contract between you and the --

A Well, they tell me there's a contract consummated between 1511 which is in effect up to the time --

Q Well, what I'm driving at is, I am trying to determine your official position with respect to the Turnpike Authority and the men in your union. The Turnpike Authority at this moment does not recognize 723?

A I said they recognize us to pat you on the back and say hello, but when it comes to business, we'll look into it, and that's as far as it goes.

Q Well, now, if they have a contract with 1511, are they not obligated to negotiate or to work grievance procedures through representatives of 1511?

A 1511 has no contract. The contract had expired two years ago.

Q Well, that's what my point is. A They're telling me and they're telling 1511 that the present agreement which had expired 2 years ago will be in effect in full entirety up to the point that they bring out these work rules which they, the Turnpike themselves haven't negotiated.

Q With whom? A With themselves. They just tell us what they're going to do and like it or not that's what they're going to do, see. When I said collective bargaining I almost got thrown out of the joint. See. They said, "Rush them out because we don't do no bargaining with anybody here. These are work rules and we want you to listen to them. If

you have any ideas or suggestions, you tell us and we'll see what we can do about it.

Q This is what the management told you? A That's right.

BY MR. DOREN:

Q Who tells you this, Mr. Corollo? A Well, the first meeting, I went there and everybody and his uncle was there, I mean as far as - outside of Mr. Flanagan - from Mr. Compton on down to the supervisors or the toll collectors or maintenance or what-have-you. There was about 27 people in the room plus Mr. Kenney who is the personnel manager, I think, plus Mr. Postizzi who is the Attorney for the Turnpike Authority. I feel, Mr. McDermott, if you want to adjourn now, if you want to go some place, look, I mean, in order to get my point across --

Q You would need a little time. A I need some time. It might be boresome to you guys but that's the way it has to be.

BY ASSEMBLYMAN McDERMOTT:

Q No, we've accepted the fact that what these men have testified to is fact in each case. What we would like to know is whether or not any election has ever been held on the Turnpike. A Well, as far as I know, I think that Mr. Goldberg gave you the history of the union since it's been in there for a couple of years.

Q Yes. A I'm talking about the teamsters now.

Q Yes. Have the teamsters ever had an election?

A Well, I haven't been there long enough to know. Not

while I was there they haven't.

MR. POSTIZZI: There hasn't been an election I would say in the past 8 years, particularly so since Judge Wick's decision.

BY ASSEMBLYMAN LaCORTE:

Q Let me follow through. As of this moment, legally, either by contract or law, the Turnpike Authority can completely ignore Mr. Corollo or whoever else represents 723. Is that correct?

A Not according to us, sir. They say due to they are public employees, I can represent any employee here, even one at a time. In other words, there's 400 employees working there, 200 employees can represent them, including themselves, whether they're union members, union officials or not. Now you take that for an interpretation.

Q Well, I am trying to find out -- Mr. Postizzi may be able to help me on this.

A The pleasure is all his.

MR. POSTIZZI: In accordance with Judge Wick's decision, employees of the Authority have been considered as public employees. Judge Wick, in his opinion, referred to the provisions of the State Constitution and stated that as public employees they may submit proposals and grievances to this Authority. As such, we have proceeded in accordance with this opinion. The Authority recognizes both unions, treats both unions fairly, and we have sat down with the unions and other representative bodies on the Authority because there are other groups beside

the two unions, there are other representative groups there. We have sat down with all of these representative groups when we have discussed the proposed work rules that will be issued shortly.

Does that answer your question?

ASSEMBLYMAN LaCORTE: Yes. Mr. Postizzi, then you are required, under Judge Wick's decision, to recognize whomever 723 or 1511 sends up to sit down and talk with you.

MR. POSTIZZI: To present grievances and make known their proposals, yes. Judge Wick merely reaffirmed their constitutional rights.

ASSEMBLYMAN LaCORTE: How would you know whether it was Mr. Corollo or Mr. Smith or Mr. Jones that you were to talk to?

MR. POSTIZZI: Under what situation?

ASSEMBLYMAN LaCORTE: In a situation, let's say, to discuss grievances. How would you know whether it was Mr. Corollo or Mr. Smith or Mr. Jones with whom you were to discuss a grievance? Is there any document that says that he is the representative of the organization?

MR. POSTIZZI: We were advised who were the business agents for 1511 and the Teamsters.

ASSEMBLYMAN DOREN: They have an election every year of officers, right?

MR. POSTIZZI: That's right.

ASSEMBLYMAN LaCORTE: So that if Mr. Corollo comes in to discuss a grievance then it is proper for you, for the Turnpike Authority to sit down and discuss the matter with him.

MR. POSTIZZI: Oh, yes.

ASSEMBLYMAN LaCORTE: To try to negotiate it or work it out.

MR. POSTIZZI: Yes.

ASSEMBLYMAN LaCORTE: All right. Thank you.

THE WITNESS: Well, let me give you an instance. I mean, you say that's proper, right? So they have a bidding procedure which they - their work rules haven't come out yet, right? So they say the present contract applies, the job comes out and a fellow bids on the job. Right? Now the job bidding says that seniority and qualifications will determine who gets the job. Right? So we have a fellow down here, the southern end of the Turnpike, who will bid the job. There's other people who will bid the job. So this one fellow was awarded the job and he happened to be a steward. They didn't know that, see, when they awarded the job but they found out he was a steward so, I mean, - so they awarded this job to this gentlemen, right? He had the qualifications, he had the ability, he also had the seniority. Right? So the guy gets the job.

Lo and behold, 7 days later they tell this guy that he don't belong on this job that somebody at the other end forget to put his name on that bid and he's entitled to the job. Arbitrarily they take this guy off the job and put this guy down from the other end to take his job.

ASSEMBLYMAN LaCORTE: Favoritism.

THE WITNESS: That's favoritism? That's bullism. That's taking the bull by the horn with respect to - you're talking about respect for the unions. So I go up there like a gentleman to find out what makes people tick that way. I mean, you got a contract, you got an agreement whether you follow the work rules or what, but under what would any decent human being do a thing like that after the guy was awarded the job on his seniority, on the qualifications and everything else like that. They ain't got no answer for you. They say that's the way it has to be. Somebody down the line made a mistake. At whose expense? At these people's expense over there? Is it their fault because somebody else made a mistake?

BY ASSEMBLYMAN LaCORTE:

Q Can you recall what that job was? A I think it was - no, I don't. I have it somewhere in the briefcase but I have a grievance written in. I put in a formal grievance. This only happened two weeks ago.

Q The next time you come back will you bring the

grievance number on that?           A     Yes, sure. I'm just trying to point out the reception. I don't care whether they recognize you or not, there's nothing being done about these things. I mean, let's assume they don't want to do other things but at least I'm there for one reason, to see that the people that we represent at least try to get a fair shake. Under the present condition, they're not. They ain't getting nothing.

ASSEMBLYMAN McDERMOTT: Mr. Corollo, what we will do is, we will schedule a meeting for September - the exact date we do not have right now - because we wish to call at the next meeting certain officials of the Turnpike Authority so that they may present their position in this. And you are cordially invited to attend this meeting. It will be a public hearing and we will announce the date and place sometime later on.

ASSEMBLYMAN DOREN: And you will permit him to continue his testimony at that meeting.

ASSEMBLYMAN McDERMOTT: I certainly will. I invited him to come to the meeting.

MEMBER OF AUDIENCE: Will 723 be notified when this meeting will be held?

ASSEMBLYMAN McDERMOTT: Oh, certainly. It will be announced publicly.

MR. KENNEY: When do you anticipate that will take place?

ASSEMBLYMAN McDERMOTT: Well, I would like to

talk to you people about convenient days for certain of your officials to attend. I don't want to disrupt your operations and we will make arrangements so that we will have a definite date and bring everybody in at one time. It will be much easier. Is this agreeable to you?

MR. KENNEY: Yes, fine.

THE WITNESS: See, outside of the fact that these people here - I mean, how much can a guy take?

ASSEMBLYMAN McDERMOTT: Yes.

MEMBER OF AUDIENCE: Pardon me, will this be a final hearing, one more?

ASSEMBLYMAN McDERMOTT: Well, we won't be able to determine that until we hear the testimony of the Turnpike officials.

MEMBER OF AUDIENCE: May I interject something here that Mr. Postizzi testified to here about Judge Wick's decision? He left out one important item and I would like to read from the decision. "Although the Turnpike is not obliged to engage in collective bargaining, it is under an affirmative duty to meet with its employees or their chosen representative and consider in good faith grievances and proposals." In good faith, that's what I wanted to bring out.

ASSEMBLYMAN McDERMOTT: The meeting is adjourned.

(Hearing concluded)

