



Law Enforcement Officers Union, Council 82

AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO

HOLLIS V. CHASE BUILDING

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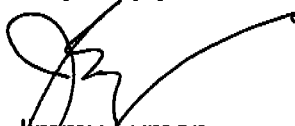
Larry Flanagan, Jr.
President
NYSCOPBA
102 Hackett Boulevard
Albany, New York 12209

Dear Larry:

I write in response to your letter to me dated October 12, 2006 in which you requested consent to permit NYSCOPBA to resume negotiations on behalf of the titles involved in PERB Case Nos. C-5339 and C-5443. Incredibly, in your phony and self-serving letter, you whine that the employees in those titles have been living without any pay raises since 2002 and imply that all of the parties in the proceedings bear responsibility for that situation. That situation is the fault of NYSCOPBA and no one else -- you know it, I know it, and every one of those employees knows it. NYSCOPBA represented these employees from 2002 through the commencement of the carve out proceedings (September 2003 and August 2004, respectively) and up to July 2006. The fiasco with regard to your lawyer situation delayed the proceedings for at least 18 months, and the proceedings have again been stalled by NYSCOPBA since August because of NYSCOPBA's frivolous appeal of the Judge's ruling.

Frankly, while you say that NYSCOPBA has concern for the employees in those titles, I don't believe it and I'll bet that these employees don't believe it either. Actions speak louder than words, Larry. Why doesn't NYSCOPBA stop this nonsense, drop its appeal of the Judge's ruling, and allow PERB make its decision on the proper placement of these titles (a decision which, had it not been for NYSCOPBA's conduct, would certainly have been made almost two years ago). In the alternative, if that course of action is unacceptable to you, why don't we jointly ask these employees who they'd like to have negotiate on their behalf pending the conclusion of the carve-out proceedings. If these employees choose NYSCOPBA over Council 82, I will gladly agree to your request. If you truly believe that their plight is an "unacceptable" situation, you'll do the right thing. I won't, however, hold my breath waiting for that to happen.

Very truly yours,



Jimmy Lyman
President

cc: Gerald McEntee, AFSCME
Danny Donohue, CSEA
Roy Lester, Jones Beach Lifeguards