



# THE ADVOCATE

Cayuga-Onondaga BOCES  
Office of Personnel Relations  
1879 West Genesee Street Road  
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Providing comprehensive  
employment and personnel  
relations services to local  
school districts for over  
40 years.

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# WELCOME NEW CHIEF SCHOOL OFFICER



The Cayuga–Onondaga BOCES Office of Personnel Relations welcomes and wishes much success to the newly appointed Chief School Officer:

**MATTHEW SICKLES**

the recently appointed  
Superintendent at the  
PHELPS–CLIFTON SPRINGS  
CENTRAL SCHOOL DISTRICT

## A Word on TOSAs

In the last month the Office of Personnel Relations has fielded several calls regarding the desire of school districts to place a teacher on special assignment (“TOSA”). The special assignment has often involved technology related duties or responsibilities, or administrative duties, such as acting as the Dean of Students. The TOSAs are often experienced teachers who are asked to provide educational support services that do not involve instruction. While the use of a TOSA often allows a school district to cover important responsibilities, there are potential risks and pitfalls, which should be discussed prior to the actual assignment.

First and foremost, all parties must be aware of the legal implications when entering into a TOSA arrangement. Appointments made by a board of education must be to a recognized Part–30 teacher tenure area, an administrative tenure area or an approved civil service

title. TOSA does not fall within any of these three areas.

Many TOSAs will actually be performing duties that fall within the “instructional support services” tenure area. Recent amendments to Part–30 allow properly certified teachers the ability to accrue tenure and seniority rights if they are performing instructional support services, defined as professional development, pedagogical support, technical assistance, consultation and program coordination, for the benefit of other school personnel. If the duties fall within the instructional support services tenure area, then a TOSA would not be necessary. If the teacher was previously appointed to tenure or to a probationary period in a recognized Part–30 tenure area, then he/she could be credited with tenure and seniority rights while performing instructional support services. A newly hired teacher would receive a probationary appointment in the instructional support services tenure area.

If the duties of the TOSA fall within an administrative tenure area, then the proper course of action would be to hire a certified administrator. If a TOSA is appointed to perform administrative duties, such as student discipline, then that teacher would not receive any tenure or seniority credit, unless the teacher is a full–time employee devoting at least 40% of his/her time working in a Part–30 teacher tenure area.

Similarly, if the duties of the TOSA do not fall within the instructional support services tenure area and are not administrative in nature, then the proper recourse would be to make an appointment to an appropriate civil service title. However, if the school district elects to appoint a teacher as a TOSA, then that teacher would not receive any tenure or seniority credit, unless the teacher is a full–time employee devoting at least 40% of his/her time working in a Part–30 teacher tenure area.

# What You Need To Know, Legally, If You Hate The Rise Of Hate

By Charles E. Symons, Esq.  
Ferrara Fiorenza  
On Board

The march of white supremacists in Charlottesville, Virginia on Aug. 12 has called attention to Americans who are openly proud to be racist and raised questions about how everyone else (including President Donald Trump) should respond.

Overt racism appears to be an issue for public schools, too. Groups that track incidents involving hate symbols and racial slurs have reported an increase in bias-related incidents in school districts across the nation this year, including swastikas spray-painted on Syosset High School in August.

When incidents involving expressions of racial animus occur in schools in New York State, district leaders will be under scrutiny for how they react. This article will cover the relevant legal standards.

## The Dignity Act

Acts of racism are so reprehensible that school officials might want to severely punish such behavior. However, any disciplinary response must be consistent with your own school district's policies and New York's Dignity for All Students Act (the Dignity Act).

The Dignity Act imposes an array of obligations on school districts aimed at reducing the prevalence of bullying and discrimination in schools. It discourages responses to incidents that involve one-

time interventions that focus on imposition of a punishment. This does not mean that discipline cannot be imposed when incidents of bullying or discrimination take place, but rather that discipline should be viewed as one of many tools that may be called upon when responding to such situations. This is called a "restorative justice" approach to discipline. (See NYSSBA's report on this topic at [www.nyssba.org](http://www.nyssba.org).)

When incidents of bullying or discrimination occur on campus or during school sponsored events, the Dignity Act requires school districts take effective steps to address the situation at hand and also consider whether other action may be necessary to alter the school's culture so as to minimize the likelihood of similar incidents going forward.

In other words, the Dignity Act imposes a duty on school officials to take steps to address school climate, not just the perpetrator of a specific infraction.

## Do Bullies Have Free Speech Rights?

Fulfilling the Dignity Act's mandate to foster a school environment free of discrimination and harassment can be fraught with legal hazards. For instance, school administrators must be cognizant of the need to respect students' First Amendment free speech rights.

The U.S. Supreme Court ruled in *Tinker v. Des Moines Independent Community School District* (1969) that students' First Amendment rights do not stop at the schoolhouse door. However, school officials can, depending on the circumstances, lawfully intervene to prevent certain forms of student speech, and they can discipline students for forms of speech that violate school policies or legal standards for permissible discourse.

School boards have broad authority to

dictate what type of student expression is permissible in the context of curricular/school-sponsored student speech. In terms of non-curricular/non-school sponsored speech, it is well-established that schools may restrict student expression that is vulgar or lewd, speech which encourages illegal drug use and speech which constitutes a threat to harm others. Other forms of student expression can be restricted when it is reasonably foreseeable that the expression may materially and substantially disrupt the work and discipline of a school, according to the U.S. Court of Appeals for the Second Circuit, which has jurisdiction over New York State (see *Wisniewski v. Bd. of Educ. of Weedsport Cent. Sch. Dist.*, 2007 and *Doninger v. Niehoff*, 2011).

While every school situation is different, court decisions can inform administrators' decisions. Recent U.S. Supreme Court decisions in various contexts have prioritized free speech rights over governmental concerns about the offensive/discriminatory nature of certain speech and harm caused to those offended by such speech. For example, in *Snyder v. Phelps* (2011), the Supreme Court ruled in favor of religious protestors who yelled offensive and outrageous anti-gay comments at funerals of military personnel.

### **Offensive Images On Clothing Pose Challenges For Schools**

One particular challenge for school officials involves expressions on the clothing that students wear, particularly depictions of the Confederate flag (See "Out-of-state court rulings offer clues on handling Confederate flag displays," *On Board*, Jan. 23, 2017).

Lately, among some young people, clothing with offensive words or symbols has become fashionable. Swastika-themed clothing is available on Etsy.com. According to Reuters, a company called Snowflake Enterprises has submitted applications

to trademark a version of the "N-word" to appear on clothing, hard liquor and beer, and "intends to turn the slur into a brand." And if you type "Patriotic Clothing for Proud White People," into Google, you'll be taken to a site selling T-shirts for \$23.88 with Klan images. One of the shirts reads, "My boss is an Austrian painter," and the website tempts customers to "Test others' historical knowledge and show your pride at the same time!"

Not only is it lawful to sell such clothing, but such products can be protected by trademark or copyright, according to the U.S. Supreme Court in a June ruling. In *Matal v. Tam*, the court said that individuals or companies may trademark symbols or phrases considered offensive.

The case involved an Asian American music group that sought to copyright their band's name, "The Slants." The U.S. Patent and Trademark Office (PTO) denied the band's application for copyright protection because it concluded that the term "slants" was disparaging to Asians. The Supreme Court ruled in favor of the band. It stated that the statute relied upon by the PTO "violates the Free Speech Clause of the First Amendment. It offends a bedrock First Amendment principle: Speech may not be banned on the ground that it expresses ideas that offend."

The court further ruled that it is unconstitutional for a federal law to prohibit the registration of trademarks that may "disparage ... or bring ... into contemp[t] or disrepute" any "persons, living or dead."

Does the First Amendment also protect disparaging forms of speech in the unique setting of a public K-12 school system? Yes, according to the U.S. Court of Appeals for the Seventh Circuit. In *Zamecnik v. Indian Prairie Sch. Dist.* (2011), the court emphasized that the First Amendment protects offensive expression when it issued a permanent injunction barring an Illinois

school district from restricting shirts or buttons with the phrase “Be Happy, Not Gay.”

The issue arose when the school observed an annual “Day of Silence” to draw attention to harassment of homosexuals. Students and faculty participated by remaining silent during the school day and wearing shirts that said, “Be Who You Are.” But some students instead wore shirts or buttons saying, “Be Happy, Not Gay.” The school district contended that the latter violated a school rule forbidding “derogatory comments,” spoken or written, “that refer to race, ethnicity, religion, gender, sexual orientation, or disability.” It asserted that by banning the “Be Happy, Not Gay” shirts, it was “just protecting the ‘rights’ of the students against whom derogatory comments are directed.”

The court disagreed, ruling that “people in our society do not have a legal right to prevent criticism of their beliefs or even their way of life.” The court said that to justify prohibiting their display, the school would have to present “facts which might reasonably lead school officials to forecast substantial disruption.”

### Analysis

Responding to student expressions that may denigrate a particular religious, racial or other group will likely present an ongoing challenge for educators. School districts have a legal responsibility to protect the rights of students to free expression as well as a mandate to provide a school environment free of discrimination and harassment.

If student expression results in substantial disruption to a school’s operations, disciplinary sanctions may be imposed. When offensive expression in question does not satisfy the “substantial disruption” standard or other standards established

by federal courts for limits on free speech, educators should embrace the Dignity Act mandate for schools to respond to discriminatory expression using a variety of strategies beyond mere discipline.

In general, a response that is educational in nature would be consistent with the law.

For instance, if a student wears a T-shirt stating that “the Holocaust is a hoax,” what should administrators do? One option would be to invite a rabbi or individuals with a personal connection to the Holocaust to speak to students about how the rise of Nazism impacted their families and others.

What if administrators become aware that students are engaging in biased or otherwise offensive discussions online? Perhaps they could inform students about what happened to 10 high school seniors who had been accepted into Harvard and posted items in a Facebook group titled “Harvard memes for horny bourgeois teens” in the spring of 2017. The university withdrew their acceptances.

Consistent with their mission to ensure students are college- and career-ready, school officials might want to invite local business leaders to explain how employers demand civility and respect in the workplace and how they have dealt with discriminatory expressions and conduct.

Furthermore, school-wide training or presentations aimed at fostering empathy for those subject to discriminatory treatment may help improve school climate and promote tolerance and civility. School board members may find that relatively small investments in such programs can help avoid incurring large legal costs.

By adhering to the Dignity Act and the principles of restorative justice, school districts can meet their legal duty to provide

a school environment free of discrimination without violating students' constitutionally protected free speech rights. By rising to this challenge, schools can foster the type of civil and respectful learning environment that all students deserve.

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**This article, written on behalf of the New York State Association of School Attorneys, originally appeared in the Sept. 4, 2017 issue of "On Board," the newspaper of the New York State School Boards Association. Reprinted with permission.**

**The editorial staff of "The Advocate" gratefully acknowledges this contribution.**  
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## Dependent Eligibility Audits

All school districts would likely list the increasing cost of health care among their greatest challenges. In recent years, many school districts have begun conducting dependent audits in order to reduce claims and lower premium costs.

As the name suggests, a dependent eligibility audit is performed to ensure that all the dependents belonging to a particular health insurance plan actually meet the plan's definition of a dependent.

Ineligible dependents can be found on health care plans for various reasons. Not all ineligible dependents are the product of willful attempts to game the system. This does happen, but honest mistakes or forgetfulness frequently occur. Some employees do not understand their plan's eligibility criteria and mistakenly believe that nieces, nephews, or even any other person residing in the household is entitled to coverage. Dependents who were once eligible may lose eligibility as circumstances change. Parents whose children age-out of dependent eligibility may neglect to remove them from the plan. Divorcees may neglect to remove their ex-spouses.

During an audit, each employee is required to submit written proof that the dependents listed under his or her policy actually have a qualifying relationship. Marriage certificates, tax records, utility bills, or other joint account records are submitted to show an existing spousal relationship. Birth certificates, adoption papers, or other official records may be submitted to provide proof of parentage. All personal information on those documents may be redacted to protect privacy. Dependents who are found to be ineligible may be retroactively removed from the plan, without a COBRA notice. In some circumstances, employers can demand reimbursement for costs paid on behalf of an ineligible dependent.

Many school districts that have performed audits have been shocked by the number of ineligible dependents who have received benefits through their plans. According to the American Association of School Administrators, audits often find that around 4% to 8% of the dependents being covered by certain plans are actually ineligible. The numbers are highest for school districts offering the richest benefits.

Large corporations have been conducting dependent eligibility audits for some time.

More recently, audits have become more prevalent among smaller entities, including public employers and school districts. For example, the state of Ohio has adopted regulation mandating that all public school districts conduct periodic audits.

Self-insured school districts or consortia clearly have the most to gain by conducting a dependent eligibility audit, as the elimination of every improper claim leads to direct and immediate cost savings. School districts or consortia who obtain coverage from an insurance company also typically see long-term savings, through a reduction in premium costs.

In 2009, the New York State Department of Civil Service conducted its first system-wide dependent eligibility audit on all policyholders receiving benefits through the New York State Health Insurance Program (“NYSHIP”). The audit affected around 1.2 million individuals. The initial phase of the audit uncovered nearly 27,000 persons listed as dependents who did not actually qualify for coverage. Most egregiously, the audit found nearly one hundred policyholders who had listed between seven and twelve dependents each—none of whom were actually eligible for coverage. The audit was considered so successful that the Legislature ordered the Department of Civil Service to conduct a repeat audit in 2015.

Another example is a recent large-scale audit conducted by the Non-Monroe County Municipal School District Program, a consortium of around 38 school districts and other entities in western New York. Over 18,000 enrolled dependents were audited. The consortium found that 7.6% of the dependents failed to meet the eligibility requirements or failed to show appropriate proof of eligibility. The elimination of those ineligible dependents was estimated to have saved the consortium over \$3.5 million.

A school district wishing to perform a dependent verification audit has several

options. Numerous human resources firms can be hired as contractors to perform the audit. Costs generally range from the low to mid five figures, depending on the employer’s size. Alternatively, small school districts can conduct their own audits in-house.

Best practices have evolved to make dependent eligibility audits a smooth process, and to prevent or minimize the impact on labor relations. Before the audit begins, school districts should:

- Communicate with employees. Explain what the process is, why the audit is being performed, what will be required of each employee, and what privacy measures will be employed to protect their personal information.
- Clearly define the plan’s dependent eligibility requirements. Remind employees of exactly who may be covered as a dependent under the terms and conditions of the plan, and provide a contact person to take eligibility questions.
- Provide an “amnesty period” for corrections. Give employees 60–90 days before the audit to review their policy status and voluntarily remove ineligible dependents. Employees who correct mistakes during the amnesty period are generally held harmless and not required to repay costs incurred on behalf of ineligible dependents.

## RECENT AREA TEACHER CONTRACT SETTLEMENTS

CAYUGA-ONONDAGA BOCES												
	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	AVG.
BOCES	4.50	1.50	1.75	2.25	2.25	2.25	2.50	2.70	2.75	2.80		2.53
Auburn	3.00	3.00	0.00	2.25	2.25	2.60	2.60	2.60				2.29
Cato-Meridian	3.80	3.80	2.00	2.00	2.00	2.70	2.60	2.50				2.68
Jordan-Elbridge	3.90	0.50	2.01	2.18	2.50	2.50	2.50	2.80	2.80	2.80		2.45
Moravia	4.00	2.00	2.00	0.00	2.50	2.50	2.50	2.90	2.85	2.80		2.41
Port Byron	3.70	2.00	2.00	2.00	2.00	2.50	2.60	2.70	2.60			2.46
Skaneateles	3.75	1.50	1.50	1.50	2.50	2.60	2.75					2.30
So. Cayuga	2.00	2.00	2.00	2.00	2.25	2.25	2.75	2.75	2.75			2.31
Union Springs	4.25	2.00	2.00	2.00	2.00	2.50	2.50	2.50				2.47
Weedsport	4.50	0.00	2.00	2.00	2.00	2.50	2.50	2.75	2.75	2.75		2.38
	<b>3.74</b>	<b>1.83</b>	<b>1.73</b>	<b>1.82</b>	<b>2.23</b>	<b>2.49</b>	<b>2.58</b>	<b>2.69</b>	<b>2.75</b>	<b>2.79</b>		
BROOME-TIOGA BOCES												
Chenango Vall.	2.50	2.75	2.75	2.75	2.75	2.75	2.75	2.75				2.72
Deposit	2.50	2.50	2.00	2.50	2.50	3.00	3.00	3.00	2.99			2.67
Maine-Endwell	4.50	4.50	4.50	2.60	2.80	2.95						3.64
Owego-Apal.	2.95	2.95	2.95	2.00	2.00	2.95	2.85	2.75				2.68
Union-Endicott	\$2,253	2.70	2.70	2.70	2.70	2.60	2.90	2.90				2.74
Vestal			\$1,500	2.60	2.95	2.95	2.95					2.86
Whitney Point	3.30	3.50	0.00	2.20	2.20	2.50	2.60	2.70				2.38
	<b>3.15</b>	<b>3.15</b>	<b>2.48</b>	<b>2.48</b>	<b>2.56</b>	<b>2.81</b>	<b>2.84</b>	<b>2.82</b>	<b>2.99</b>			
GENESEE VALLEY BOCES												
Geneseo	4.20	2.00	2.00	2.00	3.00	3.00	3.00	3.75	3.60	3.50		3.01
OSWEGO BOCES												
Hannibal	3.50	0.00	1.75	1.75	2.20	2.20	2.20	2.75	3.00	3.00	3.00	2.30
Oswego	4.00	0.00	1.75	2.00	2.00	2.00	0.00	3.00	3.00	3.00		2.08
	<b>3.75</b>	<b>0.00</b>	<b>1.75</b>	<b>1.88</b>	<b>2.10</b>	<b>2.10</b>	<b>1.10</b>	<b>2.88</b>	<b>3.00</b>	<b>3.00</b>	<b>3.00</b>	
TOMPKINS-SENECA-TIOGA BOCES												
BOCES	4.00	4.00										4.00
Candor	3.00		2.00	2.00	1.5 + \$1000	1.5 + \$1000	2.0 + \$500					2.33
Dryden	2.60	2.60	3.00	3.00	3.00	3.00	3.05					2.89
Groton	3.50	3.50	3.50	2.50	2.60	2.70	2.70	6.00	6.00	6.0/5.0/4.0		3.80
										% depends on years		
Ithaca	2.00	2.00	2.00	2.00	2.00	2.00	4.50	\$1,930	3.00			2.44
Lansing	3.50	3.50	2.70	2.70	3.00	3.00	3.25	2.85	2.90	2.65		3.01
Newfield	2.50	2.00	2.00	3.00	3.50	2.75	2.50	3.25	3.00	3.25		2.78
South Seneca	4.00	1.50	1.50	2.45	2.45	1.45	2.75	3.25	3.25			2.51
Trumansburg	4.20	2.70	2.70	3.00	3.00	2.50	3.00	3.25	3.50	3.50		3.14
	<b>3.26</b>	<b>2.73</b>	<b>2.43</b>	<b>2.58</b>	<b>2.79</b>	<b>2.49</b>	<b>3.11</b>	<b>3.72</b>	<b>3.61</b>	<b>3.13</b>		



## RECENT AREA TEACHER CONTRACT SETTLEMENTS

### WAYNE - FINGER LAKES BOCES

	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	AVG.
BOCES	2.50	1.90	1.90	2.50	2.45	2.45						2.28
Bloomfield	3.85	3.60	3.35	1.98	2.00	2.00						2.80
Canandaigua	4.10	3.85	2.00	2.69	2.65	2.57						2.98
Clyde-Savannah	5.00	5.00	2.25	2.25	2.25	2.25	3.50	3.25	3.25			3.22
Dundee	4.00	2.60	2.50	2.50	3.00	3.30	3.40	2.50	4.00	3.25	3.25	3.12
Gananda	2.75	2.75	2.60	2.60	2.75	3.00	3.00	3.20				2.83
Geneva	4.22	4.15	2.00	2.00	2.00	3.00	3.50	3.50	2.50			2.99
Gorham-Middlesex	3.50	2.25	2.25	2.50	2.50	2.50	3.00	3.00	3.00	3.00		2.75
Honeoye	2.60	2.50	2.50	2.50	2.75	2.75	2.90	3.30	3.30	3.35	3.45	2.90
Lyons	4.66	3.37	3.88	2.50 + \$1,000	2.50 + \$600	2.70 + \$300	2.90 + \$700	2.90 + \$300	2.90 + \$200			3.97
Manchester-Shortsville	4.00	1.80	2.00	2.00	2.00	2.50	3.00	2.50	2.50	2.50		2.48
Marion	3.50	2.80	2.00	2.00	2.40	2.25						2.49
Naples	4.00	2.25	2.25	2.25	2.25	2.50	2.50	2.60				2.58
Newark	2.50	2.50	1.25	2.50	2.50	3.00	3.00	3.00				2.53
N Rose-Wolcott	4.27	1.00	2.47	1.90	2.00	2.30						2.32
Palmyra-Macedon	3.90	3.90	2.48	3.90	2.50	1.75 + \$500	2.75	2.75	2.75			3.12
Penn Yan	4.00	2.29	2.29	1.90	2.00	2.00						2.41
Phelps-CI Springs	2.89	2.89	2.89	2.00	2.00	2.00	3.00	3.00	3.00	3.00		2.67
Red Creek	4.50	2.75	2.75	2.50	2.40	2.40	4.00	3.25	3.00	2.50		3.01
Romulus	3.33	3.50	3.50	1.50	1.50	5.00	3.00	3.00	3.00			3.04
Seneca Falls	3.91	3.50	3.45	2.00	2.00	3.00	2.75	2.50	2.00			2.79
Sodus	3.80	3.80	2.00	2.00	2.20	3.00	3.00	3.30	3.30			2.93
						* 2015-16 and 2016-17 3.0 percent settlement for on-step unit members						
Victor	4.30	4.00	2.00	2.50	2.50	3.10	3.10	3.10				3.08
Waterloo	3.89	3.72	2.00	1.50	1.75	1.95	3.00	3.00				2.60
Wayne	4.00	3.00	2.00	3.00	2.00	3.50	4.00	2.50				3.00
Williamson	3.00	3.00	2.00	2.25	2.50	2.50	2.60	2.50				2.54
	<b>3.73</b>	<b>3.03</b>	<b>2.41</b>	<b>2.29</b>	<b>2.27</b>	<b>2.70</b>	<b>3.11</b>	<b>2.93</b>	<b>2.97</b>	<b>2.93</b>	<b>3.35</b>	

Denotes Current Contract  
Denotes Previous Contract

**RECENT AREA NON-INSTRUCTIONAL CONTRACT SETTLEMENTS**

<b>CAYUGA-ONONDAGA BOCES</b>												
	<b>2010-2011</b>	<b>2011-2012</b>	<b>2012-2013</b>	<b>2013-2014</b>	<b>2014-2015</b>	<b>2015-2016</b>	<b>2016-2017</b>	<b>2017-2018</b>	<b>2018-2019</b>	<b>2019-2020</b>	<b>2020-2021</b>	<b>Avg.</b>
<b>BOCES</b>												
Aides (CSEA)	4.00	2.00	2.00	2.00	2.00	2.50	2.50	2.50				2.44
Tchr. Ass't	3.00	2.00	2.00	2.00								2.25
Non-Instructional	4.50	2.00	2.00	2.00	2.00	2.50	2.50	2.70	2.75			2.55
<b>Auburn</b>												
Aides/Clerical (NYSUT)	3.35	3.35	3.00	1.00	2.00	2.00	2.60	2.60	2.60			2.50
Bus Drivers (CSEA)	3.30	3.30	2.90	0.00	2.25	2.25	2.60	2.60	2.60			2.42
Cust/Maint. (CSEA)	3.30	3.30	2.90	0.00	2.25	2.25	2.60	2.60	2.60			2.42
Nurses (SEIU)	3.50	2.00	0.00	2.00								1.88
<b>Cato-Meridian</b>												
Aides/Ass'ts (SEIU)	4.75	4.75	50¢/hr	50¢/hr	50¢/hr	75¢/hr	75¢/hr	75¢/hr				4.75
Bus Drivers (CSEA)	3.30	2.00	2.00	2.00	2.00	2.00	2.00	2.50	2.50	2.25	2.25	2.25
Cust./Maint. (CSEA)	3.30	2.00	2.00	2.00	2.00	2.00	2.00	2.50	2.50	2.25	2.25	2.25
<b>Jordan-Elbridge</b>												
Aides/Clerical(SEIU)	3.00	3.00	3.00	3.00	3.00	2.50	2.50	2.50				2.81
Bus Drivers	3.00	2.00	2.00	2.00								2.25
Cust./Maint (SEIU)	3.00	3.00	3.00	3.00	3.00	2.50	2.50	2.50				2.81
Cafeteria (SEIU)	3.00	3.00	3.00	3.00	3.00	2.50	2.50	2.50				2.81
Transportation				1.00	1.00	1.00						1.00
<b>Moravia</b>												
Aides/Ass't (CSEA)	4.00	4.00	2.00	0.00	2.00	2.00	2.75	2.75	2.75			2.47
CSEA	4.00	4.00	2.00	0.00	2.00	2.00	2.75	2.75	2.75			2.47
<b>Port Byron</b>												
Aides (SEIU)	3.00	2.00	2.00	2.00	2.00	2.50	2.50	2.50	2.50			2.33
Cust./Maint. (CSEA)	3.00	1.60	1.40	2.00	2.00	2.00	2.50	2.50	2.50			2.17
Cafeteria (CSEA)	3.00	1.60	1.40	2.00	2.00	2.00	2.50	2.50	2.50			2.17
Nurse (CSEA)	3.00	1.60	1.40	2.00	2.00	2.00	2.50	2.50	2.50			2.17
Clerical (SEIU)	3.00	2.00	2.00	2.00	2.00	2.50	2.50	2.50	2.50			2.33
<b>Skaneateles</b>												
Aides (CSEA)	3.50	1.50	1.50	1.50	2.50	2.60						2.18
Tchr Ass't (CSEA)	3.50	1.50	1.50	1.50	2.50	2.60						2.18
Cust./Maint (CSEA)	3.50	1.50	1.50	1.50	2.50	2.60						2.18
Nurses (CSEA)	3.50	1.50	1.50	1.50	2.50	2.60						2.18
Clerical (CSEA)	3.50	1.50	1.50	1.50	2.50	2.60						2.18
<b>So. Cayuga</b>												
Aides (CSEA)	2.00	2.00	2.50	2.50	2.50	45¢/hr	45¢/hr	45¢/hr				2.30
Tchr. Ass't (CSEA)	2.00	2.00	2.50	2.50	2.50	45¢/hr	45¢/hr	45¢/hr				2.30
Bus Drivers (CSEA)	2.00	2.00	2.50	2.50	2.50	45¢/hr	45¢/hr	45¢/hr				2.30
Bus Mech (CSEA)	2.00	2.00	2.50	2.50	2.50	45¢/hr	45¢/hr	45¢/hr				2.30
Cust./Maint (CSEA)	2.00	2.00	2.50	2.50	2.50	45¢/hr	45¢/hr	45¢/hr				2.30
Cafeteria (CSEA)	2.00	2.00	2.50	2.50	2.50	45¢/hr	45¢/hr	45¢/hr				2.30

**RECENT AREA NON-INSTRUCTIONAL CONTRACT SETTLEMENTS**

<b>CAYUGA-ONONDAGA BOCES cont'd</b>												
	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	Avg.
<b>So. Cayuga cont'd</b>												
Nurses (CSEA)	2.00	2.00	2.50	2.50	2.50	45¢/hr	45¢/hr	45¢/hr				2.30
Clerical (CSEA)	2.00	2.00	2.50	2.50	2.50	45¢/hr	45¢/hr	45¢/hr				2.30
<b>Union Springs</b>												
Aides (SEIU)	3.00	3.00	2.00	2.00	2.50	2.50	2.50					2.50
Tchr. Ass'ts (SEIU)	3.00	3.00	2.00	2.00	2.50	2.50	2.50					2.50
Bus Drivers (CSEA)	4.00	2.00	2.00	2.00	2.00	2.50	2.50	2.50				2.44
Bus Mech (CSEA)	4.00	2.00	2.00	2.00	2.00	2.50	2.50	2.50				2.44
Cust/Maint. (CSEA)	4.00	2.00	2.00	2.00	2.00	2.50	2.50	2.50				2.44
Cafeteria (CSEA)	4.00	2.00	2.00	2.00	2.00	2.50	2.50	2.50				2.44
Nurses (SEIU)	3.00	3.00	2.00	2.00	2.50	2.50	2.50					2.50
Clerical (SEIU)	3.00	3.00	2.00	2.00	2.50	2.50	2.50					2.50
<b>Weedsport</b>												
Aides (CSEA)	4.00	4.00	1.95	1.95	1.95	2.50	2.50	2.50				2.67
Bus Drivers (CSEA)	4.00	4.00	1.95	1.95	1.95	2.50	*2.50	*2.50				2.73
						*Bus drivers @ % + 30¢						
Bus Mech (CSEA)	4.00	4.00	1.95	1.95	1.95	2.50	2.50	2.50				2.67
Cust/Maint. (CSEA)	4.00	4.00	1.95	1.95	1.95	2.50	2.50	2.50				2.67
Nurses, Clerical	4.00	4.00										4.00
<b>C-O BOCES Avg.</b>	<b>3.26</b>	<b>2.55</b>	<b>2.09</b>	<b>1.90</b>	<b>2.27</b>	<b>2.35</b>	<b>2.49</b>	<b>2.54</b>	<b>2.58</b>	<b>2.25</b>	<b>2.25</b>	
<b>BROOME-TIOGA BOCES</b>												
<b>Chenango Valley</b>												
Non-Instruct. (NYSUT)	3.30	3.30	3.30	2.25	2.50	2.90	3.00	3.00	3.00	3.00		2.96
<b>Deposit</b>												
CSEA	4.00	4.00	2.00	2.00								3.00
<b>Maine-Endwell</b>												
Cust./Maint.	\$0.65	2.00	2.00	2.00	50¢/hr	50¢/hr	50¢/hr					2.00
School Lunch	4.60	4.60										4.60
Supp Staff	4.50	4.50	4.50	2.95	3.00	3.15						3.77
Transp	3.00	3.00	3.00	\$600	\$700	\$800						3.00
<b>Owego-Apalachin</b>												
NYSUT	3.90	4.00	0.00	1.99	1.99	2.50	2.50	2.50				2.42
<b>Union Endicott</b>												
Cafe. Workers	3.90	2.70	2.70	2.70	2.70	2.70	2.70					2.87
Cent Office	2.00	2.70	2.70	2.70	2.70	2.70	2.70	3.40				2.70
Comp & Tech	3.90	2.70	2.70	2.70	2.70	2.70	2.70					2.87
Dist Office	3.90	2.70	2.70	2.70	2.70	2.70	2.70					2.87
Maint. Workers	3.90	2.70	2.70	2.70	2.70	2.70	2.70	3.40				2.94
School Aides	3.90	2.70	2.70	2.70	2.70	2.70	2.70					2.87
Transp	4.00	2.70	2.70	2.70	2.70	2.70	2.70					2.89

**RECENT AREA NON-INSTRUCTIONAL CONTRACT SETTLEMENTS**

	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	Avg.
<b>BROOME-TIOGA BOCES cont'd</b>												
<b>Whitney Point</b>												
Aides/Food Serv (NYSUT)	3.30	0.00	2.25	2.25	2.50	2.50	2.50					2.19
<b>B-T BOCES Avg</b>	<b>3.72</b>	<b>2.95</b>	<b>2.57</b>	<b>2.49</b>	<b>2.63</b>	<b>2.72</b>	<b>2.69</b>	<b>3.08</b>	<b>3.00</b>	<b>3.00</b>		
<b>OSWEGO BOCES</b>												
<b>Hannibal</b>												
CSEA	2.00	0.00	1.75	1.75	1.95	2.00	2.50	2.75	3.00			1.97
HEA	3.50	0.00	1.75	1.75	2.20	2.20	2.20	2.25				1.98
<b>Oswego</b>												
CSEA		1.00	2.00	2.00	2.00	2.00	0.00	3.00	3.00	3.00	3.00	2.10
<b>Osw. BOCES Avg.</b>	<b>2.75</b>	<b>0.33</b>	<b>1.83</b>	<b>1.83</b>	<b>2.05</b>	<b>2.07</b>	<b>1.57</b>	<b>2.67</b>	<b>3.00</b>	<b>3.00</b>	<b>3.00</b>	
<b>TOMPKINS-SENECA-TIOGA BOCES</b>												
<b>BOCES</b>												
Local	4.00											4.00
<b>Candor</b>												
Local	1.90	2.00	2.00									1.97
<b>Dryden</b>												
NYSUT	2.50	2.50	2.20	3.00	2.85	2.66	2.90	3.75	3.50	3.50		2.94
<b>Groton</b>												
CSEA	4.00	2.85	2.85	2.50	2.75	2.75	2.25	2.25	2.25			2.72
<b>Ithaca</b>												
Supp Prof.					2.00	3.00	2.00	2.00				2.25
<b>Lansing</b>												
NYSUT	3.90	3.90		90¢/hr	3.50	60¢/hr	3.00					3.58
<b>Newfield</b>												
CSEA	3.50	1.95	2.25	2.50	1.50	2.25	2.25	3.00	3.00	3.00	3.00	2.56
<b>South Seneca</b>												
Local	5.00	5.00	1.00	2.00	2.00	2.00	2.60	2.10	2.00			2.63
<b>Trumansburg</b>												
Local	\$0.60	2.00	2.25	2.50	2.50	2.50	50¢/hr	56¢/hr	3.50			2.54
<b>T-S-T Avg.</b>	<b>3.54</b>	<b>2.89</b>	<b>2.09</b>	<b>2.50</b>	<b>2.44</b>	<b>2.53</b>	<b>2.50</b>	<b>2.62</b>	<b>2.85</b>	<b>3.25</b>	<b>3.00</b>	

**RECENT AREA NON-INSTRUCTIONAL CONTRACT SETTLEMENTS**

	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	Avg.
<b>WAYNE-FINGER LAKES BOCES</b>												
<b>BOCES</b>												
NYSUT	3.50	3.50	3.75	1.90	2.75	2.45	2.45					2.90
<b>Bloomfield</b>												
NEA/NYSUT	3.40	3.40	3.40	1.95	1.85	1.85						2.64
<b>Canandaigua</b>												
Cust./Maint.	3.85	3.00	3.00	3.00	3.00	3.00						3.14
Cler./Aides	3.85			3.00	2.40	2.40						2.91
Food Service	3.00	3.50	4.00	2.25	2.25	3.00	3.00	3.00				3.00
Bus Drivers	3.75	3.75	2.25	2.25	2.25							2.85
Monitors	3.00	3.50	4.00	2.25	2.00	3.47	2.40	2.35				2.87
<b>Clyde-Savannah</b>												
Supp Pers (CSEA)	4.25	4.25	4.00	2.50	2.50	2.50	3.50	3.50	3.50	3.50		3.40
Transp.	4.75	4.50	4.00	2.00	2.00	2.00	3.75	3.60	3.50	3.50		3.36
<b>Dundee</b>												
CSEA	3.10	3.20	2.00	2.00	2.00	2.00	2.50	2.50	2.50			2.42
<b>Gananda</b>												
CSEA	2.50	2.50	1.40	2.80	2.80	2.80						2.47
<b>Geneva</b>												
CSEA	4.00	0.00	2.00	2.00	2.00	3.00	3.00	3.00				2.38
<b>Gorham-Middlesex</b>												
Bus Drivers (NYSUT)	3.70	3.70	1.90	2.25	2.25	2.70	2.70	2.70				2.74
Cust./F Serv (NYSUT)	3.70	3.70	3.75	3.75	2.70	2.70	2.50	50¢/hr	50¢/hr	3.00	3.00	3.20
Teacher Aides (NYSUT)	3.75	2.75	2.50	2.25	2.70	2.70	2.50	50¢/hr	50¢/hr	3.00	3.00	2.79
<b>Honeoye</b>												
NYSUT	2.50	2.50	2.50	2.50	2.75	2.50	3.00	2.95	2.95			2.68
<b>Lyons</b>												
NYSUT	3.00	3.00	3.00	2.50	2.50	2.50	1.80	1.80	1.80			2.43
							+ 54¢/hr	+ 54¢/hr	+ 54¢/hr			
<b>Manchester-S'ville</b>												
CSEA	5.50	1.80	1.00	1.90	1.90	2.50	2.50	2.50				2.45
<b>Marion</b>												
CSEA	3.50	3.50	1.75	1.75	1.75	1.75						2.33
<b>Naples</b>												
CSEA	3.25	3.50	3.50	2.70	2.70	2.70	2.80	2.90	2.90			2.99

**RECENT AREA NON-INSTRUCTIONAL CONTRACT SETTLEMENTS**

<b>WAYNE-FINGER LAKES BOCES cont'd</b>												
	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	Avg.
<b>Newark</b>												
Custodians (CSEA)	2.95	2.50	1.25	2.00	2.00	2.40	2.00					2.16
Tchr Aides/Asst (NYSUT)	2.50	2.30	1.50	1.50	2.40	2.00	*2.25	*2.25	1.50			2.02
							* 2016-17 & 2017-18 2.25-3.0% based on years					
<b>N Rose-Wolcott</b>												
NYSUT	3.75	0.00	1.90	1.90	1.90	1.95						1.90
<b>Palmyra-Macedon</b>												
CSEA	3.90	3.90	3.90	2.90	2.90	2.90	2.90	\$2,400/salary	\$2,500/salary	\$2,500/salary	\$2,500/salary	3.33
							or	\$1.15/hr	\$1.20/hr	\$1.20/hr	\$1.20/hr	
<b>Penn Yan</b>												
CSEA	3.90	3.90	2.25	2.25	2.25	2.25	2.35	2.35				2.69
<b>Phelps-CI Springs (NYSUT)</b>												
Nurses/Food Serv/ Bus Driv/Maint	4.05	4.05	4.05	2.00	2.00	2.00	3.00	3.00	3.00	3.00		3.02
Aides/Clerical	2.89	2.89	2.89	2.00	2.00	2.00	3.00	3.00	3.00	3.00		2.67
<b>Red Creek</b>												
CSEA	4.50	4.50	2.75	2.00	2.00	* 3.50	2.50	2.50				2.96
						* 2015-16 % based on hire date						
<b>Romulus</b>												
CSEA	4.32	4.00	1.50	1.50	3.00	3.00	3.00					2.90
<b>Seneca Falls</b>												
NEA/NYSUT	3.50	2.00	2.00	2.00	2.00	3.00	2.75	2.50	2.00			2.42
<b>Sodus</b>												
CSEA	3.00	3.00	2.00	2.00	2.00	2.00						2.33
<b>Victor</b>												
CSEA	4.00	1.00	1.00	1.50	2.00	2.00	2.00					1.93
<b>Waterloo</b>												
NEA/NYSUT	4.31	2.00	2.00	1.50	1.75	1.95	3.00	3.00				2.44
<b>Wayne</b>												
CSEA			2.50	2.50	2.70	2.90	2.90	2.70	2.90			2.73
<b>Williamson</b>												
CSEA	5.00	2.70	2.80	3.00	2.00	1.75	2.00	3.50	3.25	3.00	3.00	2.91
<b>WFL BOCES Avg.</b>	<b>3.68</b>	<b>3.13</b>	<b>2.85</b>	<b>2.27</b>	<b>2.28</b>	<b>2.44</b>	<b>2.73</b>	<b>2.83</b>	<b>2.81</b>	<b>3.09</b>	<b>3.00</b>	

# AREA UNEMPLOYMENT RATES

## New York State Rate

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2017	4.9%	5.0%	4.4%	4.2%	4.3%	4.5%	4.9%	4.9%					
2016	5.3%	5.3%	5.1%	4.6%	4.3%	4.7%	5.0%	4.9%	4.9%	4.8%	4.5%	4.5%	4.8%

## Syracuse, NY Metropolitan Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2017	5.5%	5.7%	4.9%	4.7%	4.6%	5.0%	5.0%	4.8%					
2016	5.6%	5.5%	5.2%	4.7%	4.4%	4.7%	4.9%	4.7%	4.9%	4.6%	4.6%	5.0%	4.9%

## Cayuga County Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2017	5.9%	6.1%	5.3%	4.7%	4.3%	4.6%	4.9%	4.8%					
2016	6.1%	6.0%	5.8%	5.1%	4.5%	4.5%	4.8%	4.7%	4.7%	4.6%	4.6%	5.1%	5.0%

## Broome County Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2017	6.2%	6.3%	5.4%	5.3%	5.0%	5.6%	5.5%	5.2%					
2016	6.3%	6.1%	5.8%	5.3%	4.8%	5.3%	5.5%	5.1%	5.3%	5.1%	5.0%	5.3%	5.4%

## Ithaca, NY Metropolitan Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2017	4.3%	4.3%	3.8%	3.8%	3.8%	4.9%	4.8%	4.4%					
2016	4.6%	4.3%	4.0%	3.9%	3.8%	4.6%	4.5%	4.2%	4.3%	3.9%	3.8%	3.8%	4.1%

## Ontario/Seneca/Wayne/Yates Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2017	5.5%	5.6%	4.9%	4.5%	4.1%	4.4%	4.3%	4.2%					
2016	5.5%	5.4%	5.2%	4.5%	4.0%	4.3%	4.3%	4.2%	4.4%	4.2%	4.3%	4.8%	4.6%

## Rochester, NY Metropolitan Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2017	5.2%	5.4%	4.8%	4.6%	4.5%	4.8%	5.0%	4.9%					
2016	5.2%	5.1%	4.9%	4.5%	4.2%	4.5%	4.8%	4.6%	4.8%	4.5%	4.5%	4.7%	4.7%

*Source: New York State Department of Labor  
Labor Statistics  
[www.labor.state.ny.us](http://www.labor.state.ny.us)*

# CONSUMER PRICE INDICES

INDEX 1982-84 BASE YEAR=100	% INCREASE FROM PRIOR MONTH	% INCREASE FROM PRIOR YEAR
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## August 2017

### NY-Northeastern New Jersey Area

1. All Urban Consumers	268.657	0.2	1.7
2. Urban Wage Earners & Clerical Workers	263.489	0.3	2.0

### U.S. City Average

1. All Urban Consumers	245.519	0.3	1.9
2. Urban Wage Earners & Clerical Workers	239.448	0.3	1.9

## September 2017

### NY-Northeastern New Jersey Area

1. All Urban Consumers	270.059	0.5	2.1
2. Urban Wage Earners & Clerical Workers	265.291	0.7	2.4

### U.S. City Average

1. All Urban Consumers	246.819	0.5	2.2
2. Urban Wage Earners & Clerical Workers	240.939	0.6	2.3



# COST OF LIVING UPDATE

## ALL CITIES

## NY - NORTHEASTERN NEW JERSEY

Month	Revised Wage Earner Index	%	All Urban Consumers Index	%	Revised Wage Earner Index	%	All Urban Consumers Index	%
Jan-15	228.3	-0.8	233.7	-0.1	253.2	-0.9	258.4	-0.5
Feb-15	229.4	-0.6	234.7	0.0	254.0	-0.6	259.2	0.1
Mar-15	231.1	-0.6	236.1	-0.1	254.4	-0.6	259.6	-0.1
Apr-15	231.5	-0.8	236.6	-0.2	254.7	-0.5	260.0	0.0
May-15	232.9	-0.6	237.8	0.0	255.9	-0.5	261.1	-0.1
Jun-15	233.8	-0.4	238.6	0.1	256.4	-0.3	261.5	0.1
Jul-15	233.8	-0.3	238.7	0.2	256.1	-0.5	261.2	0.1
Aug-15	233.4	-0.3	238.3	0.2	256.0	-0.3	261.3	0.1
Sep-15	232.7	-0.6	237.9	0.0	256.4	-0.2	261.9	0.3
Oct-15	232.4	-0.4	237.8	0.2	255.9	0.0	261.5	0.4
Nov-15	231.7	0.1	237.3	0.5	255.4	0.3	261.0	0.6
Dec-15	230.8	0.4	236.5	0.7	254.4	0.5	260.6	0.7
Jan-16	231.1	1.2	236.9	1.4	255.0	0.7	260.3	0.8
Feb-16	231.0	0.7	237.1	1.0	255.2	0.5	260.9	0.6
Mar-16	232.2	0.5	238.1	0.9	256.0	0.7	261.5	0.7
Apr-16	233.4	0.8	239.3	1.1	257.3	1.0	262.6	1.0
May-16	234.4	0.7	240.2	1.0	257.7	0.7	263.3	0.9
Jun-16	235.3	0.6	241.0	1.0	258.4	0.8	264.0	1.0
Jul-16	234.8	0.4	240.6	0.8	258.2	0.8	263.9	1.0
Aug-16	234.9*	0.7*	240.9*	1.1*	258.4*	0.9*	264.2*	1.1*
Sep-16	235.5	1.2	241.4	1.5	259.1	1.0	264.6	1.0
Oct-16	235.7	1.4	241.7	1.6	259.0	1.2	264.7	1.2
Nov-16	235.2	1.5	241.4	1.7	259.3	1.6	265.2	1.6
Dec-16	235.4	2.0	241.4	2.1	259.8	2.1	265.4	2.1
Jan-17	236.9	2.5	242.8	2.5	261.4	2.5	266.9	2.5
Feb-17	237.5	2.8	243.6	2.7	262.1	2.7	267.7	2.6
Mar-17	237.7	2.3	243.8	2.4	262.2	2.4	267.6	2.3
Apr-17	238.4	2.1	244.5	2.2	262.5	2.0	267.9	2.0
May-17	238.6	1.8	244.7	1.9	262.8	2.0	268.2	1.8
Jun-17	238.8	1.5	244.9	1.6	263.2	1.9	268.7	1.8
Jul-17	238.6	1.6	244.8	1.7	262.6	1.7	268.1	1.6
Aug-17	239.4	1.9	245.5	1.9	263.5	2.0	268.7	1.7
Sep-17	240.9	2.3	246.8	2.2	265.3	2.4	270.1	2.1
Oct-17								
Nov-17								
Dec-17								

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