

## Judge Temporarily Blocks Furlough of State Workers

By [NICHOLAS CONFESSORE](#)



Mike Groll/Associated Press State workers rallied Monday.

ALBANY — A federal judge on Wednesday temporarily blocked a one-day furlough of state workers scheduled by Gov. [David A. Paterson](#) for next week, reversing a plan that Mr. Paterson has said is [necessary to keep the state from running out of money](#) at the end of the month.

Judge [Lawrence E. Kahn](#) of Federal District Court issued a temporary restraining order against Mr. Paterson, after unions representing state employees and public university teachers filed a lawsuit alleging that the furloughs, [approved by the Legislature](#) on Monday, were illegal.

Judge Kahn's ruling (see below) also bars Mr. Paterson from seeking any further furloughs pending a hearing in his chambers, scheduled for May 26.

In his ruling, the judge wrote that the furloughs, which could cost roughly 100,000 state workers a day's pay, would cause irreparable harm if put into effect and that the unions were likely to win their case in court, two conditions for issuing a temporary restraining order.

State and federal courts around the country have largely upheld challenges to mandatory furloughs ordered by state officials.

Judge Kahn also ruled that Mr. Paterson was required to include in future emergency budget bills raises that had been scheduled for state workers starting in April but that Mr. Paterson had declined to appropriate money for, saying the state could not afford it. Union leaders have refused to give up the raises voluntarily.

Mr. Paterson's furlough plan, which would have affected roughly half of the state's work force, drew thousands to a [rally in Albany](#) on Monday and sharp criticism from lawmakers, who attacked the furloughs as unnecessary even as they voted to approve them. Mr. Paterson had inserted the furlough provisions into an emergency budget bill, effectively forcing the Legislature to approve his plan.

State agencies were already making contingency plans when Judge Kahn's ruling came down, such as temporarily closing a call center run by the [State Department of Taxation and Finance](#) and [Department of Motor Vehicle](#) offices.