

**Local 154**  
**AFSCME, DC 37**  
**PRESIDENT'S REPORT**  
**January 2021**

January 2021  
Juan Fernandez – President Report

**See This Report For:**

- \* **Reopening a safe workplace / COVID 19 Vaccination**
- \* **City Budget & No Lay-Off agreement**
- \* **Update: Early Retirement Bills in State Legislature - New Bill S9041/A11089**
- \* **DOH-MH HEAT Unit Labor-Management Meeting**
- \* **DCAS's Proposed Removal Title Examiner Title**
- \* **Update: Unit Bargaining .20% addition to gross**
- \* **New NYS Paid Family Leave Rates**

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The ghastly murder of George Floyd by police officers in Minneapolis has put at the forefront the institutionalized racism of police forces protected by the law and racist structures of society. In these sad and grim moments, Local 154 restates its commitment to justice and to the fight against racism, inequality and police brutality. We are all inspired by the people marching for justice and a better society on the streets of this country. We believe that we can build a better society for each one of us.

**AFSCME Local 154 Resolution on the Murder of George Floyd**

**On 5/25/2020 George Floyd, a 46-year-old black man, was murdered by Minneapolis police officers, one of whom knelt on his neck for nearly nine minutes.**

**Police officers have a duty to serve and protect citizens, however, George Floyd's murder is part of a long history of police violence against people of color. Before Mr. Floyd, we saw the murders of Breonna Taylor, Stephon Clark, Eric Garner, Philando Castile and countless others.**

**Racism, police brutality and systemic oppression of people of color represent a national crisis and people are rising up together and demanding that these issues be addressed.**

**Labor must stand together with the "black lives matter" movement, condemn the racism, violence and oppression that exists in our culture and help create alternative approaches to policing. *AFSCME Local 154 Executive Board, June 16, 2020***

**DC37 Resolution on the Murder of George Floyd**

**On June 11, 2020 the DC 37 Executive Board voted in favor of a Resolution to support Black Lives Matter, Civil Rights, and to reject the death of George Floyd.**

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- **Supreme Court Case Janus v. AFSCME.**

**----- Unions under attack ---**

**On June 26, 2018 the Supreme Court voted 5 to 4 in favor of the anti-union case Janus vs AFSCME. The majority’s opinion followed the political discourse of Corporations and big Capital in their attempt to destroy the labor movement by denying Public Sector Unions the right to dues collection, the financial backbone of Union Organizing.** “A right-wing network of foundations and front groups has spent decades trying to destroy Labor Unions. One of those anti-union foundations is the Milwaukee-based Lynde and Harry Bradley Foundation. A few years ago, the foundation helped Wisconsin Gov. Scott Walker successfully attack public employees and withstand a union-led recall effort. Walker’s chief targets were the teachers’ union and the American Federation of State, County and Municipal Employees, DC 37’s national union. Today, the “Wisconsin Model” — whose core goals are weakening collective bargaining, defunding unions, restricting workplace rights, promoting school vouchers, and backing right-to-work legislation — provides the blueprint for anti-labor and anti-government initiatives around the country. “We are up against a conservative network that is sinking millions and millions of dollars into destroying unions,” DC 37 Executive Director Henry Garrido said. “Anti-labor right wingers are now establishing a beachhead in New York, where they are bringing their message directly to union households and attacking unions in the courts.”” **DC 37 Blog (Greg N. Heires).**

**The effects of destroying Unions can be seen in places like West Virginia where Unions do not have collective bargaining rights (no contracts and no protections for working conditions!!), no wage increases, and they must pay health care co-payments determined by management. West Virginia ranks #48 in teacher’s compensation. West Virginia is a so-called Right-to-work State where workers do not have rights. Janus v. AFSCME intends to make the USA a Right-to-Work country where workers won’t have the right to collectively bargain for their rights.**

**Janus is not the end of the attacks against Labor Unions: Currently there are 51 lawsuits pending across the country, which could be classified in three groups: refund of dues retroactive to 3 years (17 cases), so far the 7<sup>th</sup> District ruled against this; challenge of state’s language designed to maintain dues in place (20 cases); and cases designed to challenge Unions’ rights to exclusive representation (14 Cases, 2 of which have been rejected by Supreme Court).**

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**Move: Effective January 21<sup>st</sup> 2020 all DC 37 services are located at 55 Water Street, floors 22<sup>nd</sup> (H&S) and 23<sup>rd</sup> (DC 37 Union representation). Renovations continue at 125 Barclay; we expect to return to our building in approximately 3+ years.**

#### **DELTA DENTAL SERVICES**

**Dental Services: Our new Delta Dental plan started on September 2020. Delta Dental is the new dental network provider with 1800+ participating dentists in the New York City area and no added cost to DC37 members; DC 37’s Health and Security has invested 10 Million dollars to offer a panel with expanded services and increased fees for dental work. Members should have received a package with detailed information and plan participation ID cards in August.**

**The renovation of the dental services at Chamber Street continues and the building is expected to be operational with expanded services by March 2021; in the meanwhile, its**

operations and its dentist chairs will be relocated to Joralemon Street in Brooklyn. Drug prescription costs continue to increase at astronomical speed and without end in sight. Recently MLC approved PICA to include two new drugs, one with a cost of \$1.8 Million and another with a cost of \$2.1 Million. In Congress we support passage of HR3 to help regulate drug prices.

**DC37 Delegates Vote on Constitution Amendments:** Several Amendments to the DC37 Constitution were introduced in April and May. DC 37 Constitutions and Laws Committee held hearing to hear Delegates' view on the issues. On October 27, DC 37 Delegates voted to:

- add electronic minutes;
- add Locals from 1707 to the board and the delegate's body;
- approve proposal for separate per capita structure for the same new locals;
- approve standardized per capita payment for all the other non-1707 locals;
- reject proposed changes to the elections of Vice-Presidents to DC37 Executive Board;
- reject proposal to add new command channels for DC 37 divisions.

Since these Constitutional changes will take place immediately, elections for delegates are scheduled for January 2021. The new Union per capita will start in January as well. Many thanks to Local 154 Delegates for participating in the hearings and the voting.

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**Corona Virus emergency and Reopening of City facilities:** The City of New York is moving to re-open some of its facilities with partial and limited activities. On June 16, 2020, DCAS issued guidelines for the reopening of City Agencies "Managing the Return to the Office in the Age of COVID-19". Each City Agency is expected to "formulate and implement re-opening plans, which should include telework and alternative schedules." DC37's website includes all re-opening plans received from City Agencies.

Local 154 is monitoring all calls for personal return to physical locations and we are asking all members to inform the Union of any call to report to work. Local 154 together with DC37 Safety and Health have been inspecting work locations as people are called back to work. Also, we have been responding to members' inquiries regarding testing and location clean ups.

Since August, we have inspected the

- Department of Consumer Affairs and Worker Protections (DCAWP),
- DORIS Central Office,
- DORIS Queens Warehouse and
- Transit Authority – we also filed a grievance and had a Labor Management Meeting with TA on 10/16/20 to follow up on the status of the facility.
- We have held a number of conversations with DOHMH regarding members' safety.

We are expecting to proceed with inspections before work sites open. We expect to review each agency's re-opening plans and to conduct on-site inspections of work spaces. We ask members to communicate with your Union steward or to call Union Representative Lewis Hobgood if you received instructions to report back to your office.

All workers and visitors of City facilities should expect to follow sanitary protocols before and during their stay in the facilities. All workers should receive PPE (masks, cleaners, gloves) provided by employers; visitors should be prepared to wear masks at all time. Any

worker who feels that has been exposed to the virus should contact a medical provider, inform supervision and quarantine accordingly.

DC 37 continues to negotiate with the City regarding reopening and specific working conditions at every City agency. The Union has ongoing discussions with the City regarding the new working conditions across the City, including staggered schedules, telecommuting, sanitary conditions and operations.

The City's H+H has hired thousands of Contact Tracers and Business Inspectors which will investigate trace contacts of people infected with the Corona Virus, and businesses activities. These tracers are under DC 37.

### **COVID19 VACCINE:**

The City of New York is looking forward to invest in a massive Vaccine program as per NY State guidelines:

- The City will open Hub Pods in every borough where people will obtain vaccines according to state-issued guidelines
- The City will ask City workers to volunteer to staff the Pods. Minimum volunteering time will be three 12-hours shifts (at different days) – volunteers will receive the vaccine after the first 12 hours shift. Volunteers will have the option to be paid in cash.
- DOH-MH, H+H, NYPD, FDNY, EMT personnel will be vaccinated early.
- The City will open one Hub per borough dedicated to City employees (NY State eligibility guidelines will be followed). For Appointments: visit the website [SOMOS Vaccinations \(www.somosvaccinations.com\)](http://www.somosvaccinations.com)  
For general information on COVID19 and other vaccination sites visit [www1.nyc.gov](http://www1.nyc.gov)
- In order to encourage City employees to receive the vaccine, the City has issued PSB 600-4 instructing all City agencies to allow employees 2 hours of excused time for each injection; 3 hours of Comp Time will be credited to the employee after presenting proof of complete vaccination (2 doses).
- Effective January 7, 2021 the City has issued an Updated Guidance on Leave Policy for City Agencies –

**Distribution Personal Protective Equipment:** At the end of March and April, 2020 there were massive reports of shortage of PPE; DC 37 and some individual locals agreed to purchase masks to be distributed among our members required to report to work in physical locations. DC 37 Executive Board agreed to buy 100,000 masks. The Union also received donations from individuals and the City Comptroller's office. Local 154 did canvassing of workers in field locations and distributed masks to SODEXO workers at their locations.

**Economic Impact of the Pandemics:** Economic data indicates a huge reshuffle of income with a trend to a higher and unequal concentration of wealth. Resources are being re-distributed with large quantities of money being directed to corporations, private sector schools, and religious schools, etc. The labor movement needs to redefine its own agenda for the next 25 years and must obtain a commitment from the Democratic Party and its candidates to re-define an agenda intended to re-distribute income, resources to public education, increase minimum wage, re-think health care, retirement benefits, etc.

**Benefits for members' families – 150 DC 37 members have died as consequence of COVID19, including two active members of Local 154 and one of our retirees.**

**The City agreed to provide a 45 day extension of health benefits to dependents of workers who had passed because of COVID19.**

**On May 19, The City agreed to support three quarter line-of-duty disability pension to the families of workers who have passed away as consequence of COVID 19, which was passed in Albany at the end of May.**

**MTA had previously extended a \$500,000 death benefit and three years of health benefits to Transit employees who had passed as consequence of COVID19.**

**Temporary Suspension of Time and Evaluation Contract Provisions**

On June 10, the City's OLR signed a letter to DC37 stating that during this period (March-June 30, 2020):

1. Annual leave over the accumulation cap will not be converted to sick leave. Under the Contract, the City converts Annual Leave to Sick leave after the accumulation goes over 2 years of vacation time. This clause is being suspended since we all have restrictions and we cannot use our vacations time. So, people will keep their Annual Leave without the risk of having it converted to SL.
2. Earned Compensatory Time shall not be required to be used within 4 months. Contract allows the City to convert earned Comp Time to sick leave after 4 months in the bank. This is being suspended and people will be allowed to hold on to their Comp Time without the risk of losing it.
3. Evaluations for workers in probationary period (competitive, non-competitive, labor class) are suspended. (This was further clarified on June 22 with the Office of Labor Relations). Agencies are allowed to appoint people to permanent positions but in cases were a negative probationary evaluation may take place, those will be put on hold. Probationary evaluations are done for people picked up from Civil Service examination lists to fill permanent competitive positions.

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**Local 154 Elections:** On November 4, the Elections Committee composed by Eva Munankarmi and Stacey Perez submitted an Election Report on the result of the year 2020 Local 154 Officers elections. The President, Vice-President, Secretary, Treasurer and most of the Chapter Chair positions were unchallenged. However, there were contested election for DC37 Delegates and Research Assistant/Title Examiner Chapter Chair. The results of the contested elections are as follow: elected Delegates are James Whooley (110 votes), Tom Orawiec (108), Sheera Glass (107) and Juliet White (102). James Whooley was elected Chapter Chair for the Research Asst./Title Examiner Chapter. The Election Report was unanimously approved by the membership. Many thanks to Eva and Stacey for their fantastic and committed work in the Election Committee.

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**AFSCME International Convention** took place on August 13, 14 and September 2, 2020. President Lee Saunders and Secretary-Treasurer Elissa McBride were re-elected to a new term. The DC 37 caucus re-elected brother Henry Garrido and Anthony Wells as

**International Vice-Presidents with no opposition. The next AFSCME Convention will take place in Philadelphia, Pennsylvania in year 2022.**

**President Juan Fernandez, was the only Local 154 Delegate to this Convention since the State's restrictions on gathering made it impossible to have a Delegates' election.**

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**DC 37 Reward Programs:** DC 37 is offering a discount and rebate program for Union members at [dc37rewards.com](http://dc37rewards.com), they include shopping discounts at large stores, hotels, travel, food, restaurants, etc. Also, a computer application to help Union members deal with Students Debt will be offered shortly - visit [DC37.net](http://DC37.net) !!

**Local 154 Membership.** After two years and 214 members signing Union Members Cards, we can announce that we have 99% membership. Only two or three opted for a free ride on the back of dedicated paying members but everybody else did the right thing to protect contracts, benefits and the collective bargaining. Many thanks to our Rep. Lewis Hobgood, the quintessential man, Vice President Juliet White and all officers who helped in this organizing drive.

### **City & State Budget / No-Lay Offs Agreement**

As you may be aware, the City Council and the Mayor announced a budget agreement for fiscal year 2020. The budget included significant cuts in public services, as a result of a \$9 billion revenue loss from the effects of COVID 19. The budget also included a place holder of a billion dollars in cuts for services in the form of furloughs and layoffs if the unions do not agree on productivity savings of a billion dollars starting on October 1, 2020. The \$88.1 billion budget is \$5 billion less than the City approved budget from fiscal 2020

**The City's \$9 Billion dollars deficit is due to low personal income tax, low tourism and hotel taxes, lower real estate tax sales, and high costs associated to containing the pandemic, among others. In addition, the City is dealing with a loss of 3 Billion dollar for Medicaid and Schools from NY State, which in turn is dealing with a 13.5 Billion dollars deficit.**

The City has been lobbying for the New Heroes package of federal assistance to Cities being discussed in Congress. The House passed the New Heroes Relief but the Senate encounters opposition from Mitch McConnell and 10 Republican Senators who have proposed a new bill which does not provide needed help to City and States.

### **City Proposes 22,000 layoffs.**

In June 2020, Mayor De Blasio announced that if Federal aid was not coming or the early retirement or borrowing authority was not in place, then the City will be forced to proceed with furloughs and layoffs. The Unions made new savings proposals to the Mayor and also asked him to delay 22,000 layoffs announced for October 2020. Also, the Unions have been working with the State Legislature to pass the Early Retirement Bill and to provide the Mayor with borrowing authority (bond authority) in order to finance the Retirement Incentive and to cover the deficit. The Early Retirement Incentive will help to create savings for the City.

### **No Lay-Offs Agreement**

**On October 16, DC37 proposed the City to defer layoffs based on the delay of contractual welfare fund payments to the Unions.** A few days later, the City and DC37 reached an

agreement of NO-LAYOFFS for the current fiscal year ending on June 30, 2021. The agreement will allow the City to put on hold Benefits Funds payments due to DC37's Welfare Fund in exchange for No Lay Offs for the remaining of the Fiscal Year. These payments do not affect your salary, wages or any of your current benefits. The DC37 Benefits Funds have sufficient cash to continue operations until the moneys are restored in September and November of Year 2021.

This agreement allows enough time for the voting on the new Early Retirement Incentive bill (see [www.Local154.org](http://www.Local154.org) for copy of the bill) and the discussion on providing borrowing authority to Mayor DeBlasio.

### **Early Retirement Incentive Bill**

For the Year 2021 Albany legislative session, we are expecting Senator Gounardes, and Assemblyman Abatte to introduce the early Retirement Incentive Bill (S9041). Since this is a new legislative cycle, auditors are preparing a fiscal note (costing) which should go along with the Early Retirement Incentive Bill. The Fiscal note will show the cost to NY State and the City for passing this bill. We will keep you informed and the Union will set up a members' meeting and answer questions about the Early Retirement Incentive as soon as the bill is signed.

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### **Contracts / Citywide Increase:**

School Construction Authority is the only Unit which has not received the 2017 Contract increases. Units A & C ended their bargaining and we are ready to begin with Unit B bargaining. We are waiting for costing and a date from SCA.

**\*Transit Authority:** After a walkthrough of 130 Livingstone, Local 154 held a labor-management to go over the issues raised by members regarding the reopening. MTA approved a 500K benefit for beneficiaries of Transit workers who have died due to Corona Virus while in active service.

MTA had previously refused to include Paid Family Leave therefore we left it on the table and our Exec Director took it to Governor Cuomo. However, recently we learned that TA is willing to go back to the table to discuss it. Our previous settlement with TA on February 2018 had included: 1. refund of Medicare Part B (effective March 2017), 2. health coverage for survivors of retirees (eff. February 2018), 3. parental leave (eff. February 2018), and, 4. creating a 10-year Recurrent Increment Payment (RIP) (eff. March 2017) in the amount of \$128 per year, in addition to the existing \$295 for the same period of time.

We are sending Transit Unions' demands for the application of the .20% addition to the gross.

NYCHA. A Coalition of seven Unions, including Local 154, sent letter to NYCHA President asking for a meeting to discuss reopening plans. Copy of this letter was forwarded to City Council's City reopening hearings.

### **Distribution of the .20% Additions**

After the initial agreement for the SSRT and Clerical Units, the City of New York decided to stop all bargaining and payments of the .20% due to the Budget Deficit as consequence of the pandemic. In early December 2020, Executive Director Henry Garrido in talks with City Hall was able to negotiate the immediate reopening of this bargaining process.

- **SSRT Contract.** The SSRT Unit, pending Local 371 ratification, have reached a preliminary agreement with the City on the use of the .20% effective July 26, 2019. Although the amount of money available was really small, this distribution accomplishes two things, first we were able to add money to existing RIP and Annuity amounts, and second we were able to include our brothers and sisters in two new titles. Many thanks to the bargaining committee members VP J.White, Chapters Chairs E.Greene, D.Thillet, V.Tirado, V.Julien, Rep. L.Hobgood, and negotiator M.Dolan. Thanks to Local 371 and Local 768.

1) Amount added to current Annuity for Claim Spec., HRS, & Spec. Cons. II (old amount \$724)	\$804
2) Amount added to 10-year RIP** for Claim Spec. HRS, & Spec. Cons. II (old amount \$521)	\$601
3) Annuity* created for Equal Rights Compliance Spec. and Administrative Claims Examiners	\$600 new
4) 10-year RIP** created for Equal Rights Compliance Spec. and Administrative Claims Examiners	\$450 new

- **Clerical Unit Contract.** This Unit covers the following Local 154 Titles: Public Records Aide, Public Records Officer, Associate Public Record Officer, Department Librarian, Department Senior Librarian, Department Supervising Librarian and Department Principal Librarian. We have reached an agreement on the use of the .20% which will be retroactive to July 26, 2019. In essence, an additional amount of \$75 will be added to each Recurrent Increment Payment (RIP).

- We are restarting bargaining on the distribution of the .20% for the Accounting EDP, Real Estate Units and Transit Authority Units. These Units include Research Assistants, Title Examiners Series, and Claims Specialists at Transit.

### Private Sector Units:

**\*New York Law School.** On June 16, 2020 NYLS Informed the Union of its budget modifications due to revenue losses because of decreased student enrollments, cessation of public events, gala and fewer donations. These changes include one layoff and changes in health care premiums at NYLS. The recently contractually agreed health premium increase cap of 15% covering Local 154 members will be respected and salary increases will not be affected. A separation agreement was finally offered and accepted by a member at the school.

Members had approved a new agreement with NYLS on February 2020. After a disagreement on the language of the MOA which delayed the execution of the Contract, on April 17, NYLS agreed to the language proposed by the Union and the bargaining committee signed off on it. Retroactive payments and rate increases were included in the May 28 paycheck. Thanks to Pres. Fernandez, Cheryl Shields, Louis Monbourn, Lewis Hobgood and Michelle Trester for their hard work.

In November 2020, NYLS negotiated a new premium with a medical vendor which NYLS and DC37 agreed that it won't be added to the current premium paid by our members.

**\*SODEXO. During the months of March and April, the Union distributed masks and gloves to members at Queens, Elmhurst, Woodhull and other hospitals. The City declared a shortage of PPE and DC37 reached to obtain PPE in order to make sure our members had the essential equipment for the important, front-line work, they perform.**

### **Other Chapter Activity:**

#### **Remote Hearings**

The City and the Union have agreed to do remote hearings for grievances and disciplinarys. We will provide training to stewards and grievance representatives.

#### **Remote Union Meetings**

Since we have the proper technical support, we have been organizing remote membership meetings. We had meetings with Law Department, NYCHA, HHC members on July 9 and Comptroller, CCHR, DORIS, DDC on July 23. All other chapters were invited for an August 6 meeting. We also held virtual membership meetings in September and December.

#### **Research Assistant/Title Examiners Chapter**

In November 2020, Local 154 responded to DCAS's stated intentions to eliminate the title of Title Examiner because it was not being used. Local 154 gathered information showing that the duties of the title were being contracted out to vendors who, to add insult to injury, were not performing the job correctly with the consequent loss of City revenues. The Local was able to provide documentation on some of the lawsuits initiated by the City against vendors who were not up to task. Naturally, the people correcting the undoing of private contractors were City workers in the Senior and Principal Title Examiners titles. Can anybody say the City is throwing money away twice or thrice? Finally, in December DCAS informed the Union that they were desisting in removing the Title.

Many thanks to our diligent members led by Chapter Chair James Whooley in the gathering of documents on this issue. Many Thanks to Moira Dolan in DC37 Research and Negotiations Department.

#### **DOH-MH.**

On December 22, 2020 Local 154 held a meeting with DOH-MH to discuss and clarify a number of issues reported by members in the HEAT unit, including a new time a leave policy with incorrect information distributed to members and other items. During the meeting we:

1) Clarified that there are 3 sick days available for an ill family member as well as Paid Family Leave.

2) Clarified that a person may call out sick for one day and not provide a doctor's note. However, five times in a six-month period will lead to a written warning, in accordance with long standing absence control policy. In the past

there have been absence control issues with this program due to the nature of the weekend and late-night shifts.

We requested a copy of the policy that is distributed to the HEAT team members.

3) Exposure to COVID rules - clarified questions about what happens when a worker is notified about a workplace exposure. Staff that are clearly contact traced to have been in close contact with another worker will be sent home for the required period. Not everyone in the team needs to be sent home. They are following test and trace.

4) Time in the field - currently the schedule is set up so that all HEAT members are in the field 3 days of the week, rather than five.

5) Health and Safety walk throughs will be scheduled as necessary.

In July 2020, some Special Consultants II were assigned to monitor a Manhattan Hotel with elders from nursing homes and people affected with COVID19 as they are discharged from hospitals. The assignment was preceded by Labor Management meetings where details and nature of assignments were discussed. Workers had access to child care centers. Pres. Fernandez and Chapter Chair Elliot Greene represented Local 154. Thanks Elliot!!

\*Transit Authority: MTA President sent proposal to include a 500K benefit for beneficiaries of Transit workers who have died due to Corona Virus while in active service. MTA Board will vote on it on Wednesday April 22, 2020. Many thanks to Negotiator Lisa Riccio and many thanks to Veronica Julien for stepping forward to help us with the proposal. In January 2021, Transit announced the consolidation of several departments under MTA. The Union have reached out to TA to discuss the measure.

## Law Suites

\* The Union filed an Improper Practice suit in that DCAS installed and is using real time GPS to monitor and discipline members who use city cars, a change of terms and conditions of employment. Although the incidents occurred at Parks and DOT, this lawsuit has broader implications for many workers using City Cars while at work.

\*Transit Authority: In 2018 the Union filed an Improper Practice suit against Transit for the hiring of people in the title of Staff Analyst to fill jobs performed by Claim Specialists. The PERB hearings scheduled for April 2020 were re-scheduled for October 26, Nov 2, 2020, and for February 2021. The October 26 and November 2 hearings included testimony from Local 154's Stewards and DC37 Research and Negotiations.

\* Victory!! On a second case against TA filed three years ago to obtain representation of Hearing Officers, PERB ruled that these workers should be considered employees (Transit claimed they were merely Contractors) and therefore eligible to be represented by a Union; a hearing to discuss community of interest was scheduled by PERB to take place on October 24, 2019. This hearing did not take place since TA and Union agreed to review and count the Union cards signed by workers, the Judge determined that the majority of

## Local 154

January 2021

AFSCME, DC 37

Juan Fernandez – President Report

workers have signed to join the Union therefore adjudicating the work unit to DC37. We thank DC 37 General Counsel's Office, Atty. Dena Klein, Organizer Julien DeJesus, our Transit Chapter Chair Veronica Julien, and Shop Steward Greg Petrus for their work and commitment to this organizing fight. DC37 sent a report to AFSCME asking it to assign the new unit to Local 154. AFSCME has the power to make this determination.

\* **DOE:** Union filed an Improper Practice suit against DOE based on information that DOE was changing the title of the "Equal Rights Compliance Specialists" to "Equal Opportunity Complaint Investigator". During a hearing at PERB on Feb 13, DOE gave information that they have classified these Specialists as Confidential Employees which is being challenged by the Union. The next hearing will take place at the end of September 2020.

### Member's Benefits.

\***Paid Family Leave:** It became effective January 7, 2019. The City released PSB detailing the benefits and application for it. Previously, the Union sent out email explaining it to the members. Due to high use of Paid Family leave during year 2020, there will be an increased deduction in year 2021. Effective January 2021, the new deduction will be equal to .511% of the wages which equals to \$9.75 bi-weekly deduction for a \$50,000 yearly salary.

**For Vision Services** please contact the DC 37 Health and Security Plan's Inquiry Unit at 212-815-1234 to request a basic optical voucher with a list of participating panel providers. The list of vision panel providers is also available on DC37's website at DC37.net

**For Podiatric Services** please contact your Medical Health Insurance Carrier for a list of participating Podiatrists covered by your Medical Health Insurance (e.g. GHI or HIP). For additional information, visit DC37.net/benefits or call 212-815-1234.

### Civil Service:

DCAS has released an exam schedule of Civil Service examinations for the period July-September 2020. Please notice that the calendar for 2020-2021 will be released in September 2020. If you are employed in a provisional position, I encourage you to take a civil service test. The life of all existing lists has been extended for one year. Due to the budget crisis and the hiring freeze, no appointments are being made from existing lists. Please visit DCAS's website <https://www1.nyc.gov/site/dcas/employment/how-can-you-find-upcoming-exams.page> for more details. Share this information with your colleagues and co-workers.

\* **Claim Specialists.** On May 22, 2019 DCAS released the Claim Specialist test list #9023 with 669 names on it; during the second week of August, DCAS released copy of the Special Consultant Exam 8048 List. This list with 716 eligible includes a total of 506 people with score of 100 or better. DCAS's information line can be reached at (212) 669-1357.

\* **Local 154 asked DCAS** to include the following tests in the 2019-20 Exam Calendar: Public Records Aide TC 60215; Public Records Officer TC 60216; Associate Public Records Officer TC 60217; Administrative Claim Examiner TC 10044; Human Rights Specialist TC 55016; Associate Human Rights Specialist TC 55038. At the same time, due to DCAS lack of response to previous requests, we asked our General Counsel to initiate legal action to force the City to include the Associate Human Rights Specialist test in the calendar. However, the Long Beach State Court's decision precludes legal actions for civil

service examinations during this period. I also reached out to management at Human Rights to ask for their assistance in establishing a test for AHRs.

### Civil Service Tests – The Process - Please Read carefully

#### What happens after the test?:

- You will receive a score notice card. If you did not receive it, please contact DCAS. If you did receive it, then give a copy to your personal or human resource department and let them know that you are in the list.
- If you received a disqualification notice or you are dissatisfied with your score, you are entitled to an appeal. The appeal must be filed within 30 days to DCAS's Committee on Manifest Errors. If the Committee denies your appeal, then you can file an appeal with the Civil Service Commission. For the appeal with the Civil Service Commission, please let us know; the Union could help you with this process.
- After the agencies request certifications of the list, the same agencies will send “canvass letters” to enough high scoring eligible to fill their job lines. If you received a canvass letter, do not leave your current job. A canvass letter is not an offer of appointment. Please answer these canvass letters and attend the interviews. Let your agency know that you have been invited to an interview. Your agency may agree to help you stay in your agency.
- Ranking. Successful candidates are placed on an eligible list in order of their respective final examination ratings, including seniority and veterans' credits. The rule provides that if two or more eligible receive the same final rating, they shall be placed in the list, for administrative purposes only, by the position derived of their last five digits of their social security number. All eligible with the same final score are equally reachable for appointment.
- If you are a top scorer you might be considered for the job but having a high score does not guarantee that you will be hired. An appointment from the list must be made by selecting one of the three highest ranking eligible willing to accept the appointment.
- If you are removed from the list or you became ineligible for appointment because you failed to reply to a canvass letter or because you declined an appointment, you may request restoration to the list.
- The Civil Service Law provides that the duration of an eligible list shall be not less than one year nor more than four years.
- People who are appointed to Civil Service positions are expected to serve a one-year **probationary period**. Credit is given to those who were serving in the same city title previous to the appointment.

#### \* Workplace Violence Program:

The 2009 Labor Department's regulations require all public employers to develop and implement a Workplace Violence Prevention Plan. The Union is making sure that such plans are developed with Union participation. Several Unions, including Local 154, filed complaints with the State Department of Labor and PESH for lack of a proper WVPP at several agencies including DOH-MH, DOT, Fire Department and others. **What is Workplace Violence? NYCRR Part 800.6 defines workplace violence as “Any physical assault or acts of aggressive behavior occurring where the public employee performs any work-related duty in the course of his or her employment”.**

**Please notice that our Contracts and the President's reports are available in our website [WWW.Local154.org](http://WWW.Local154.org) .** If you have topics or questions about any labor issues for

**Local 154**  
**AFSCME, DC 37**

**January 2021**

**Juan Fernandez – President Report**

Local 154 website, please send them to Secretary Sheera Glass, President Juan Fernandez or Exec Board Member James Whooley at L154AFSCME@aol.com.