

**Local 154**  
**AFSCME, DC 37**  
**PRESIDENT'S REPORT**  
**May 1<sup>st</sup>, 2024**

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Juan Fernandez – President Report

**President's Report**

- **DC37 is Moving back to 125 Barclay** (See DC37 Action Alerts)  
Please be aware that DC 37 staff will no longer be located at 55 Water Street after Friday, May 17.  
In the meantime, we will set up a temporary member service center at 420 W. 45th Street in midtown Manhattan. Beginning Monday, May 20, you can walk in between 9 a.m.-5 p.m. Monday-Friday to access staff who can assist you– no appointment necessary. Our phone numbers will stay the same and you can continue to dial 212-815-1000 during business hours to reach our member service line.  
Health & Security Plan Benefits: Effective Monday, May 20, the Audiology Center will resume operations at the DC 37 Health Center located at 115 Chambers St. For all H&S inquiries and scheduling, please continue to contact the Inquiry Unit at 212-815-1234.  
We can't wait to welcome you to the new state-of-the-art DC 37 headquarters by September 2024. Sign up for [Action Alerts](#), follow @dc37nyc on social media, and visit our [website](#) for further updates, and get ready to celebrate our grand opening– and DC 37's 80th birthday!– later this year.  
[Click here to sign up for DC 37 Action Alerts & News](#)
- **The 3% May 2024 Contractual increase** for City Agencies will be paid on the July 5 paycheck, this check will reflect the pay from June 16<sup>th</sup> – June 29<sup>th</sup> and the retroactive payment for May 26<sup>th</sup> through June 15<sup>th</sup>.
- **SODEXO**. The NY State Health Care Bonus will be paid to SODEXO workers in two installments soon.
- **AFSCME pass along Union dues**. As per AFSCME's Constitutional requirement, effective January 2024 a yearly dues pass along was applied to Local 154 dues amount. This year's increase is approximately .50 cents per week for full-time members.
- **2024 AFSCME Convention** will take place in Los Angeles, CA from August 12-16, 2024. Local 154 Delegates will be elected by members at an in-person general meeting scheduled for May 1, 2024.

- **AFSCME will release a revised Financial Code**, the locals' financial reporting obligations and rules for handling funds. A Treasurer's Workshop has been scheduled for June 12-13 (part 1&2) from 6 to 9PM and June 15 (part 1&2) from 9 to 3 PM at 420 W 45 Street. These are very important workshops. Inform our Treasurer Tom Orawiec on what date(s) you will be attending.
- **The Work Flexibility Committee**. The Union and the City reached agreement on Compressed Time Tours. There will be Compressed Time meetings with City agencies.  
The Union has continued to meet with City agencies and Departments regarding the implementation of their Remote Work plans. In addition, NYCHA and H+H are starting remote work: NYCHA: Last year, DC37 filed a lawsuit (Improper Practice) due to NYCHA refusal to bargain over work flexibility. In February, the Union and NYCHA reached an agreement closely resembling the plan with the City. NYCHA was scheduled to start Remote Work on March 31.  
The Union also reached a remote work agreement with HH. The Union is discussing remote work with Transit Authority which is refusing to negotiate on this issue.
- **Unions proposing changes to Tier 6 & Lobby Day**. After strong Union mobilization to Albany, the legislature modified the Tier 6 FAS (Final Average Salary) from 5 to 3 year. Also, will keep the exclusion of a cap over overtime earnings until 2026. This follows the vesting changes from 10 to 5 years gained in 2022.
- **Mayor Adams changes announcement on budget cuts**. After the Mayor announced cuts for City agencies effective in November, January and May, the Unions responded with Lawsuits after which the City agreed to restore funding for JTP (Parks). Later, the City removed the last 5% budget cut announced for May 2024. As of today, there are over 20,000 vacancies in the City's workforce of which approximately 7,000 are DC37 positions; any further reductions will necessarily increase the already bloated work demands on the current workforce.
- **Contract Negotiations at NYLS**. Next bargaining session is scheduled for May 7, 2024. In December 2023, the Union and NYLS negotiated on the role of a benefits provider coordinator on union members.
- **Unit Contract Negotiations** (ACFs). The Union caucused over SSRT Unit demands for the .5% available under ACF retroactive to May 2023. On January and February, we met to discuss the

Accounting/EDP contract (which covers our Research Assistants). Also, we are negotiating on ACF with TA.

Units Contracts covered by Local 154: SSRT, Accounting/EDP, Clerical, Real Estate, Transit, SCA, NYCHA, DOE, H+H.

ACF (Additional Compensation Fund). It covers longevities, RIP, Service Increments, Annuities, Uniform Allowances, etc.

- **Due to the accretion of several titles at DOE,** Local 154 will be representing a group of five attorneys in that Department.
- **Delta Dental sent out a letter** to members explaining that there was a breach into the electronic data processed by a third-party provider. Delta Dental is offering one-year free security monitoring service.
- **DC37 Health and Security benefits enhancements:**  
DC37 Short Term Disability – Effective February 1<sup>st</sup>, It was increased from \$200 per week to \$300 per week for all eligible members for a maximum of 26 weeks.  
DC37 Optical Benefit – Effective March 1<sup>st</sup>, it was increased to a maximum of \$250 every two years.
- Health Care Negotiations. The selection of a new health care provider (PPO) will likely be effective in January 2025.
- Next Medicare Advantage Hearings will take place on March 20, 2024.
- Local 154 Scholarship winner. We congratulate Sister Wiggan and her daughter Paige, winner of Local 154 Year 2023 Scholarship. For details on Local 154's Scholarship application visit [www.Local154.org](http://www.Local154.org).
- **Civil Service:** DCAS informed the Unions that the City has met the reduction of provisional workers required under the NY State Court's Long Beach decision therefore ending the applicability of such.
- **Payment of Bonus and Retroactive Increases.** As previously reported, the new contract was ratified in March 2023. Local 154 posted the new salaries effective May 26, 2023 in the local's website.

Summary: The Contract with the City covers the period May 2021-November 2026. The deal includes:

- 5-year deal
- 3,000 Ratification Bonus, payable to people in payroll

**at the time of ratification.**

- **Increases for a total of 16.21% compounded:**  
5/26/2021 3%,  
5/26/2022 3%,  
5/26/2023 3%,  
5/26/2024 3%,  
5/26/2025 3.25%

**Transit Authority Tentative Payment Dates -**

- **\$3,000 Ratification bonus: 9/28/2023**
- **GWIs: 10/26/2023**
- **Retro: last paycheck in February 2024**
- **Transparency Bill to order Hospitals to provide transparent information on bill amounts has been voted and approved by City Council. An addition, City Council will create an office to monitor compliance. The City spends between 11-12 Billion dollars per year for Health Care for public employees. A handful of Hospitals exact exorbitant prices from City's coffers with rates at 300% & 400% above Medicare basic costs. Some hospitals are charging \$700-\$1000 dollars per covid test. Also, Unions asked NYS Attorney General to investigate Hospital's billing practices.**

**Health Care Issues**

City signed contract with Medicare Advantage Plan Aetna for retirees which is effective September 1<sup>st</sup>, 2023. This is a No-premium plan, with a cap on co-pays, limited pre-approval signed for 5 years with two 2-year extensions. On March 9, 2023, the MLC voted to approve MAP Aetna as the plan for retirees. Details of the plan can be found at [www.NYC.gov/OLR](http://www.NYC.gov/OLR)

There is no Senior Care available because Judge's Frank decision to preclude other plans and because of strong opposition by a group of retirees to modify administrative code which would have allowed for an alternative plan.

The same group of retirees filed for an injunction against the application of the MAP Etna which Judge Frank granted. Now, the City is appealing the decision.

**Original Arbitrator Decision :**

Due to a disagreement between the City and Unions on the funding of healthcare plans for City Workers and Retirees, Arbitrator Martin Scheinman issued a decision on Dec 15, 2022, stating:

1. A Medicare Advantage Plan (Etna MA) should go forward to help alleviate the shortfall, and this plan will be Aetna MA.
2. The City and MLC have 25 days to reach agreement with Aetna.
3. This agreement with Aetna shall be put to a vote of the MLC. Failure to ratify this agreement shall result in finding another revenue source which, inevitably, will lead to premium contributions.
4. Unless City Council amends the Administrative Code within 45 days of this award, to permit retirees to buy into Senior Care, then Senior Care shall not longer be offered. City Council decided not to vote on the bill modifying the Administrative Code on 1/19/23.
5. The Aetna MA Plan will be available to retirees; the City and MLC may also agree to offer other plans so long as they are at no cost to the City.

**\*SODEXO:** Members did not receive the NY State Bonus. We met with SODEXO's Human Resources to discuss next steps. On the Union side, first negotiator Mark Heron and later negotiator Moira Dolan have followed up with SODEXO, New York State and H+H to negotiate and facilitate the bonus application process.

**\*NY State HEALTH CARE WORKER BONUS / February 2023 UPDATE: A second bonus for 40 Local 154's Special Consultant II performing patient care was distributed in February 2023. These bonuses are exempt from local and state taxes.**

**DC 37 fought to create a fund for essential pay for members on the front line of the COVID-19 pandemic. The New York State Health Care and Mental Hygiene Worker Bonus covers the vesting period from Oct. 1, 2021 to Mar. 31, 2024. The program pays bonuses of up to \$3,000 to eligible full and part-time employees, temporary and contracted workers.**

**If you believe your work was involved in direct patient care and did not receive an attestation letter from your employer, please contact your HR department first, and then your union representative. The program**

continues until Mar. 31, 2024, with a maximum of two vesting periods per eligible employee.

Employers must submit an application on behalf of eligible employees. Bonuses will be paid in December 2022. For program details, contact the Health Care Worker Bonus (HWB) Call Center at 866-682-0077.

The state has indicated that the program will expand to Education sector employers in October.

DC 37 will continue fighting at the bargaining table for essential pay for all members who have continuously worked during the pandemic.

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## **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. Visit : [Welcome DC 37 | Delta Dental \(deltadentalins.com\)](https://deltadentalins.com)

**The newly renovated dental center at 115 Chambers Street was reopened starting November 15, 2022; for appointments call 212-766-4440.**

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.

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**VISIT DC37.NET and LOCAL154.ORG TO STAY INFORMED**

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## **Contracts / Citywide Increase:**



*Are you getting your Longevity, RIP, Service Increment or Annuity? Check your paycheck. Visit our website [www.Local154.org](http://www.Local154.org) for current amounts.*

**\*Transit Authority:** Bargaining from previous contract: .20% Additional Compensation Fund (ACF), and .20% Equity Money with TA. The Union and TA agreed to have members opting for a metro north pass or a LIRR pass or an express bus pass. In addition, the 10 years RIP will increase by \$50.

**Pay Dates Additional Compensation Fund**

- ACFs (Special Pay) increases: Paycheck date: 10/12/2023
- Retro of ACFs (Special Pay) increases: Paycheck Dates: December 21, 2023 and December 28, 2023

New economic term reached with City for our TA members (2021-2026). The Contract Bonus is scheduled to be paid on September 28, 2023.

- \$3,000 Ratification bonus: Tentative Paycheck date: 9/28/2023
- GWIs: Tentative Paycheck date: 10/26/2023
- Retro: Tentative Paycheck dates: last paycheck in February 2024

**Other Chapter Activity:**

Law Department. The Union will hold a follow-up labor management meeting with the Law Department to discuss the health and safety situation after a fire alarm occurred at 100 Church.

**LawSuits**

**DOE:** On June 12, 2023, PERB issued a decision stating that DOE was wrong in changing these members' title. In addition, changing the title's classification to confidential is a PERB's prerogative and only applies to individuals not to whole titles.

**Background:** In 2021, Local 154 had filed a law suit against DOE for the change of title of Equal Employment Opportunity Specialists and the classification of these members as confidential employees.

**Human Rights Commission.** We are very concerned in that the Human Rights Commission hired new staff under a different title to perform duties defined under the Human Rights Specialist job titles. This Union has filed an

**Improper Practice lawsuit against the Human Rights Commission's actions and sent a letter complaining about the list appointment process to DCAS.**

## **Member's Benefits.**

**\*Paid Family Leave:** It became effective January 7, 2019. The City released PSB detailing the benefits and application for it. Due to stabilization on the use of Paid Family leave during year 2022, there will be a small reduction in the 2023 deduction. This rate is determined by the insurance company and New York State. Effective January 2023, the new payroll deduction will be reduced by approximately 10%. Siblings will be a new added category in 2023.

The Paid Family Leave benefit is 12 weeks. The maximum weekly paid benefit is \$971.61, or \$1,943 bi-weekly. This union negotiated New York State benefit is available to all DC 37 members, including those in the six nonprofit and private sector locals. PFL provides a salary and job security while you bond with your newborn or adopted child, care for a sick parent, and more.

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:**

### **Civil Service Examinations:**

**\*The Union requested DCAS to include the following tests for Local 154 Titles, in the Exam Calendar: Public Records Aide TC 60215; Public Records Officer TC 60216; Associate Public Records Officer TC 60217; Special Consultant TC 51001; Administrative Claim Examiner TC 10044.**

In January 2023, a new Public Records Aide was made public, followed by the Associate Human Rights Specialist and the Special Consultant in August 2023. 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. 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.

## **Tests:**

**DCAS's test information line can be reached at (212) 669-1357.**

The **Associate Human Rights Specialist** list was established in August 2023. This list is being used by the agency.



Other Active Lists: \* **Claim Specialists**. On May 22, 2019 **DCAS** released the **Claim Specialist** test list #9023 with 669 names on it; test #9023 has been extended to Feb. 26, 2025.

During the second week of August 2023, 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.

**Research Assistant** Exam #8040. This list has been extended to March 11, 2025.

**New Claim Specialist Test**. Application was scheduled for April 3-23, 2024.

### **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".**

**• 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).

**However, the victory of Biden-Harris in the November 2020 elections, brings the promise of having labor at the center of the economic recovery process.** Already the COVID19 Relief package signed by President Biden in February 2021, extends help to working

## Local 154

May 1<sup>st</sup>, 2024

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people, small businesses and local and state governments, all of which have been economically devastated by the pandemic. President Biden is supporting better paying jobs, Unionization and collective bargaining rights (Protecting the Right to Organize - PRO Act) and by restructuring NLRB. We are looking forward to these and other changes. The COVID19 Relief will bring 12.5 Billion to the State and approximately 6 Billion to the City of New York.

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**Please notice that our Contracts, Job Description, Salaries and 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 website, please send them to Secretary Sheera Glass, President Juan Fernandez or Exec Board Member James Whooley at [L154AFSCME@aol.com](mailto:L154AFSCME@aol.com).

- **General Membership Meeting on May 1st, 2024 at 6 PM!! –**  
In-Person meeting at 55 Water Street, 23<sup>rd</sup> Floor,  
Lillian Roberts Conference Room  
RSVP to [L154afscme@aol.com](mailto:L154afscme@aol.com) or call 212-815-7554