

CEU L. 237, IBT, 15 OCB2d 21 (BOC 2022)

(Rep) (Docket No. AC-1687-22)

Summary of Decision: The Union filed a petition to add Neighborhood Planners serving in the title Administrative Housing Superintendents to Certification No. 62A-75, the Housing Titles bargaining unit. Based on a stipulation, the Board added Administrative Housing Superintendents currently in managerial pay plan level I to the Union's bargaining unit with the exception of certain positions designated managerial and/or confidential. (*Official decision follows.*)

**OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION**

In the Matter of the Certification Proceeding

-between-

**CITY EMPLOYEES UNION, LOCAL 237, INTERNATIONAL
BROTHERHOOD OF TEAMSTERS,**

Petitioner,

-and-

THE NEW YORK CITY HOUSING AUTHORITY,

Respondent.

ORDER AMENDING CERTIFICATION

On January 11, 2022, the City Employees Union, Local 237, International Brotherhood of Teamsters, ("Union") filed a petition pursuant to § 1-02(u) of the Rules of the Office of Collective Bargaining (Rules of the City of New York, Title 61, Chapter 1) requesting that employees in the title Administrative Housing Superintendent (Title Code No. 10019) serving in the position of Neighborhood Planner be added to Certification No. 62A-75, the Housing Titles bargaining unit, which includes titles such as Resident Building Superintendent and Assistant Resident Building Superintendent. The New York City

Housing Authority (“NYCHA”) argued that the employees were managerial and/or confidential and thus excluded from collective bargaining.

On July 18, 2022, the Union and NYCHA signed a stipulation of settlement in which the Union amended its petition to seek only those Administrative Housing Superintendents in managerial pay plan level I.¹ Further, the parties agreed that four Administrative Housing Superintendents in managerial pay plan level I who serve in the positions of Skilled Trades Administrator in Bronx Property Management, Administrator of Flood Protection in the Emergency Management and Services Department, and Administrator in the Emergency Management and Services Department are managerial and/or confidential and, therefore, ineligible for representation.² With the exception of the positions designated managerial and/or confidential, NYCHA does not object to the accretion of Administrative Housing Superintendents currently in managerial pay plan level I to the Union’s bargaining unit.³

NOW, THEREFORE, pursuant to the powers vested in the Board of Certification by the New York City Collective Bargaining Law (New York City Administrative Code, Title 12, Chapter 3), it is hereby

¹ All employees in the Neighborhood Planner position are Administrative Housing Superintendents in managerial pay plan level I.

² The managerial and/or confidential positions are currently held by Sha-Kema Peterson, Dupree Morrison, Paul Philpott, and Tara Lucas. The parties further agreed that NYCHA may change the titles of these exempt individuals to Administrative Housing Superintendent, managerial pay plan level II, or to any other appropriate non-represented civil service title without challenge from the Union.

³ In addition, NYCHA agreed to request an alternative title code number for the non-managerial Administrative Housing Superintendents from the Department of Citywide Administrative Services.

ORDERED that Certification No. 62A-75 be amended to add employees in the title Administrative Housing Superintendent (Title Code No. 10019) currently in managerial pay plan level I, with the exception of employees in the positions of Skilled Trades Administrator in Bronx Property Management, Administrator of Flood Protection in the Emergency Management and Services Department, and Administrator in the Emergency Management and Services Department, which are designated managerial and/or confidential and excluded from collective bargaining.

Dated: August 3, 2022
New York, New York

SUSAN J. PANEPENTO

CHAIR

ALAN R. VIANI

MEMBER



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M. David Zurndorfer
Pamela S. Silverblatt

DEPUTY CHAIRS

Monu Singh
Steven Star

NOTICE OF AMENDED CERTIFICATION

This notice acknowledges that the Board of Certification has issued an Order Amending Certification as follows:

DATE: August 3, 2022 **DOCKET #:** AC-1687-22

DECISION: **15 OCB2d 21 (BOC 2022)**

EMPLOYER: New York City Housing Authority
250 Broadway
New York, NY 10007

CERTIFIED/RECOGNIZED BARGAINING REPRESENTATIVE:

City Employees Union Local 237, International
Brotherhood of Teamsters,
216 West 14th Street
New York, NY 10011

AMENDMENT: Certification No. 62A-75, the Housing Titles bargaining unit, has been amended as follows:

Added: **Administrative Housing Superintendent**
(Title Code No. 10019) currently in managerial pay plan level I



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NOTICE OF DESIGNATIONS

This notice is to acknowledge that the Board of Certification has issued an Order Amending Certification designating positions managerial as follows:

DATE: August 3, 2022 **DOCKET #:** AC-1687-22

DECISION: 15 OCB2d 21 (BOC 2022)

EMPLOYER: New York City Housing Authority
250 Broadway
New York, NY 10007

DESIGNATIONS: The following title/positions are designated managerial and, therefore, excluded from collective bargaining:

Administrative Housing Superintendent

(Title Code No. 10019) currently in managerial pay plan level I in the positions of

Skilled Trades Administrator in Bronx Property Management

Administrator of Flood Protection in the Emergency Management and Services Department

Administrator in the Emergency Management and Services Department