

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

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In the Matter of

COMMUNICATIONS WORKERS OF AMERICA,
LOCAL 1180, AFL-CIO,

Petitioner,

-and-

CIVIL SERVICE TECHNICAL GUILD,
LOCAL 375, DISTRICT COUNCIL 37,
AFSCME, AFL-CIO,

DECISION NO. 9-88

DOCKET NO. RU-972-86

Intervenor,

-and-

LOCAL 2627, DISTRICT COUNCIL 37,
AFSCME, AFL-CIO,

Intervenor,

-and-

THE CITY OF NEW YORK,

Respondent.

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DECISION AND ORDER

On July 8, 1986, the Communications Workers of America, AFL-CIO ("CWA"), filed the petition herein seeking to add the new titles of Telecommunications Associate and Telecommunications Specialist to Certification No. 41-73, as amended, covering various administrative and related titles.

On August 7, 1986, the Civil Service Technical Guild, Local 375, District Council 37, AFSCME, AFL-CIO ("Local 375"), intervened in this proceeding, seeking to add the newly created titles to Certification No. 26-78, held by it for a unit covering various engineering, architectural, scientific, mechanical, inspectional and related titles.

In a letter dated February 9, 1987, addressed to the Director of Representation of the New York City Office of Collective Bargaining ("OCB"), the City of New York (the "City") took the position that "CWA Local 1180 is the most appropriate unit to which the titles ... should be accreted."

Hearings were held on June 19 and October 1, 1987. Thereafter, on October 30, 1987, Local 2627, District Council 37, AFSCME, AFL-CIO ("Local 2627"), filed a motion to intervene for the purpose of demonstrating that the unit covered by Certification No. 46D-75 (as amended) and consisting of various accounting, computer, and related titles, would be the most appropriate unit for inclusion of the new titles.¹

¹ In an affidavit submitted in support of Local 2627's motion to intervene, Robert Crilly, President of the Local, stated that "[t]he reason that this motion to intervene was not made earlier is that the undersigned is the newly elected President of Local 2627 and was not aware of the status of these proceedings."

In a letter to the parties, dated November 6, 1987, Local 2627's motion to intervene was granted, and additional hearings were thereafter held on November 24, 1987 and January 22, 1988. Briefs were submitted on or about May 18, 1988.

Background

On March 12, 1986, the New York City Personnel Director adopted a resolution amending the classification of the Classified Service of the City of New York to include in the Competitive Class a new Telecommunications Occupational Group consisting of the titles Telecommunications Associate and Telecommunications Specialist. Based on the Personnel Director's recommendation and a request from the Department of General Services ("DGS"), the City issued Personnel Order No. 86/8, establishing, along with the titles, the level of compensation for the new positions as well as the applicability of the Alternative Career and Salary Plan Regulations.

The Telecommunications Associate is responsible for the:

performance of telecommunication functions necessary to the delivery of telecommunication services. These may involve analytical, technical, administrative, supervisory, and or related telecommunication tasks necessary for the design, selection, procurement, installation, testing, opera-

tion, evaluation, modification, financial control, and/or usage control for telecommunications systems, equipment, and services.²

Typical tasks include, depending on the assignment level, the following: interviewing system users to determine need; soliciting competitive bids for telecommunications systems; overseeing the implementation of contracts; overseeing service contract performance for city-owned systems; preparing reports concerning the progress of assigned projects; and assisting in, or overseeing, acceptance testing.

The Telecommunications Specialist serves as a consultant on major, highly specialized telecommunication matters; directs very complex and important research on telecommunication projects; coordinates or supervises multi-disciplined telecommunication efforts on major projects; generates original proposals and reports of a highly complex nature; and supervises personnel performing complex duties in special and difficult projects.³

At the commencement of this proceeding, there were

² Job description for Telecommunications Associate, Assignment Levels I and II.

³ Job description for Telecommunications Specialist.

at least twelve individuals in the titles⁴ and at least five others acting unofficially as Telecommunications Associates and Telecommunications Specialist.⁵ Of the twelve actually in the titles, one currently is employed at the Computer Service Center, DGS ("CS"), three at the Office of Data Processing of the Human Resources Administration "ODP"), and one at the New York City Housing Authority.

The record indicates that it was intended that the new Telecommunications Occupational Group would provide the City with qualified personnel for its rapidly increasing

⁴ Barry Henry, OTC (no longer there); David Kopel, OTC (no longer there); Jerry Weiner, OTC; Aaron Zakai, OTC; Catherine O'Keefe, OTC; Neville Smith, OTC; Sam Sutera, OTC; Brian Packard, CSC; Terrance Lauer, ODP; Mark Jones, ODP; Mark Cohen, ODP; and David Abramowitz, Housing Authority.

⁵ Joseph Foley and Olivia Upson, of the OTC, were in title for a short period of time but requested that their titles be changed back to Community Liaison Worker and Principal Administrative Associate III, respectively. Frank Resak, a Senior Project Coordinator, OTC, opted never to go into the title. Gilberto Perez, a Principal Administrative Associate, stated that "Telecommunications Associate" appears on his i.d. card. Andrew Smith, OTC, previously a Principal Administrative Associate III, believes that he is a Telecommunications Associate notwithstanding the fact that he is eligible for and receiving welfare benefits from the CWA Local 1180 Welfare Benefit Fund.

telecommunications activities and there was considerable testimony with regard to existing plans for the future utilization of the subject titles. Joseph Giannotti, who heads the CSC, a general purpose computer service facility providing data processing and data communications services to roughly 75 agencies and bureaus in the City of New York, stated that

[i]t is our intention to use the telecommunications title to bring additional people, either into the organization or to move individuals within the organization into this title.

As to the now approved merger of CSC with an organization called Citinet into a single new operation which would run all if the activities related to the computer service centers, Mr. Giannotti, who had been asked to head the new operation, indicated that

[i]t is clear that there are going to be a very large number of people, ultimately, in this title.⁶

Michael L. Davis, Deputy Administrator of Data Processing at ODP, stated that the Human Resources Administration Office of Personnel Services has classified

⁶ Following the conclusion of the hearings in this matter, the City Council passed the bill creating the Computer and Data Communications Services Agency.

Network Technician, an office title, into the new telecommunications series. Mr. Davis testified that ODP has begun to hire people into these titles with plans to convert employees in the Computer Associate (Operations) title into the new titles as well.

[W]e, over the last month, decided to move three of the staff to the Telecommunications Associate and Specialist titles with plans down the road to move everybody into those titles because the jobs were classified in those titles.

Mr. Davis stated that in the opinion of HRA's Classifications Division !I the new series better fits the work that is done by Network Technicians. Of the ten Network Technicians currently employed at the Network Control Unit, Division of Telecommunications, Bureau of Production Services, ODP, three are Telecommunications Associates and seven are Computer Associates (Operations).⁷

⁷ Robert Walker and George Samuels, Computer Associates (Operations), stated, in the course of their testimony, that they had been told that their title would be changed to Telecommunications Specialist.

Positions of the Parties

CWA's Position

CWA maintains that the majority of the employees in the telecommunications series share a greater community of interest with employees in the Principal Administrative Associate positions than any other job title. CWA Local 1180 represents roughly nine thousand highly skilled administrative and computer related support personnel performing "a wide range of complex and diverse administrative functions in virtually every public agency throughout the City of New York."

The Principal Administrative Associate, Assignment Level II, administers, among other things, all matters pertaining to the general municipal telephone system, and supervises a large office engaged in routine clerical or personnel management work.⁸

The Principal Administrative Associate, Assignment Level III,

[s]upervises an exceptionally large office engaged in routine activities, or supervises a very large office engaged in departmental administrative or management activities. Performs exceptionally difficult and responsible independent, specialized administrative or management work related to accounts

⁸ Job Description for Principal Administrative Associate, Assignment Level II.

and budgeting, methods and organization, etc. Plans, directs and supervises a minimal personnel management program covering a large number of employees, or a well developed personnel management program including several major personnel activities covering a moderate number of employees or performs appropriate professional duties in a personnel program headed by an employee of higher rank.⁹

Also included in the unit certified to CWA are Computer Associates (Technical Support) whose responsibilities include: the direction of the technical support activities in the area of library, data entry, production control and data/control coding; or the performance of technical support activities of extraordinary difficulty and complexity. At Assignment Level II, a Computer Associate (Technical Support) supervises and directs personnel who, among other things, perform document control; correct error transactions; prepare error reports; and interface with users regarding transaction processing. The Computer Associate is also involved in the planning, implementation and monitoring of the computer process to ensure that user personnel obtain feedback regarding errors, and that users get the maximum benefits from the system. The Computer Associate may also be called upon to analyze and recommend schedules for system administrative clerical support,

⁹ Job Description for Principal Administrative Associate, Assignment Level III.

collect data and recommend procedures for manual control of transactions, and apprise management of any potential improvement in the operations of the data center.¹⁰

CWA, a preeminent union representing communication workers throughout the United States, maintains that both the administrative requirements and technical expertise encompassed by the new occupational group is "exactly what the CWA has represented in its unit for a great deal of time."

To illustrate a parallel between the responsibilities of titles certified to it and those of the titles in the new series, CWA called upon Ada Goodridge, a Principal Administrative Associate serving as Telephone Coordinator for the New York City Housing Authority, to testify in its behalf. Ms. Goodridge is responsible for the installation and maintenance of all telephone systems, and serves as liaison for all the telephone companies and interconnect companies of the agency. She is also responsible for the payment of bills and inventory control. Ms. Goodridge has full responsibility for ordering and approving telephone equipment for the Housing Authority, and has assisted

¹⁰ Job Description for Computer Associate (Technical Support).

in the preparation of requests for proposals ("RFPs").¹¹

Olivia Upson, a Principal Administrative Associate serving as Project Manager at the OTC, is responsible for the preparation of "K" plans, a process similar to that employed in the preparation of an RFP. She designs a system and then translates the specifications into a document which is sent out to vendors. She is involved in the installation of new systems as well as upgrades of existing systems. Ms. Upson was in the title Telecommunications Associate at one point but requested that her title be changed back due to the uncertainty regarding her benefits entitlements.

Andrew Smith, also a Project Manager at the OTC who believes that his title has been changed from Principal Administrative Associate to Telecommunications Associate, stated the he was very much involved in the creation of the original RFP document and drafted much of the language currently in common use in RFP's. He is responsible for reviewing proposals from vendors and - after installation - spot checking the equipment, including the wiring and cabling.

¹¹ The basic document sent out to and utilized by vendors in the formulation of proposals for systems, services and equipment responsive to the requesting agency's needs.

David Kopel, likewise a Project Manager at the OTC in the title Telecommunications Associate, has been involved in the preparation of RFPs for the maintenance of old telephone systems, and acceptance testing to insure that requested features have been activated and are operating.

It is CWA's contention that from the testimony of the above-named individuals, and other witnesses, it is clear that

the duties and responsibilities of both telecommunications titles are virtually identical to those performed by PAAs who testified herein, and when compared to PAAs generally, exhibit major functional parallels to the administrative, operational, and supervisory components of that bargaining unit title.

Moreover, even in instances where the responsibilities of individuals in the new titles are more technical, those individuals nevertheless have regular and routine contact with bargaining unit employees.

Local 375's Position

Local 375 maintains that the Telecommunications Associate and Telecommunications Specialist share the greatest community of interest with those individuals who perform in complex technical or scientific fields of endeavor. Amongst the titles included in the unit certified to it are Project Coordinator and Senior Project Coordinator, Electrical Engineer, and Telemetric Systems Specialist.

A Project Coordinator is responsible for planning, coordinating and directing the effective and timely implementation of the design and construction of a number of assigned capital projects; maintaining a management information system to provide data essential to the planning and control of project development; scheduling, monitoring and reporting on the progress of each assigned project, and possibly supervising subordinate staff. A Senior Project Coordinator has greater responsibilities including: coordinating and expediting the development and improvement of all facilities in the capital project program of a department with a capital construction program of substantial scope and complexity; supervising the activities of subordinate coordinators; maintaining and utilizing information systems designed to reflect the current status of all assigned projects; and possibly serving as principal assistant to an Administrative Project Coordinator.¹²

An Electrical Engineer, among other things, prepares, designs and plans drawings, contract specifications and other technical specifications for major projects for the construction, remodeling, operation, maintenance or

¹² Job Descriptions for Project Coordinator and Senior Project Coordinator.

repair of public works, structures or installations.¹³

A Telemetric Systems Specialist is responsible for: advising on the maintenance and repair of a major telemetric system; planning and implementing the interfacing of new sensing equipment with a telemetry system; advising department and agency heads on telemetry and related instrumentation; serving as liaison to other agencies; supervising the testing of telemetry systems and instrumentation; modifying analog and digital logic circuitry; and supervising computer maintenance.¹⁴

Louis G. Albano, President of Local 375 and himself an engineer, testified as to the work he and others performed at the New York City Board of Education and the New York City Transit Authority. According to Mr. Albano, the design of electrical systems for new school buildings incorporated telecommunications systems as well as internal address systems. In the signal division at the Transit Authority, where Mr. Albano worked in titles represented by Local 375, his department was responsible for the design, installation and maintenance of a system which involved thousands of telephones.

¹³ Job Description for Electrical Engineer.

¹⁴ Job Description for Telemetric Systems Specialist.

Raman Patel, Chief of Engineering and Communications at the New York City Department of Transportation, stated that he was responsible for developing New York City's communications system for traffic operations. His responsibilities are in the area of data communications where "high frequency transmissions is taking place either on telephone lines, or private lines or a coaxial cable which is frequently owned by the City." In addition to the traffic control system, he is involved with other communications systems, particularly in the area of enforcement. For example, he is currently working on developing a system whereby a terminal in a truck or car can reach the City's central data base located in the City's computer center. A data base, he maintains, is critical to enforcement operations. In the course of his testimony, when asked to review the job description for Telecommunications Specialist, he maintained that all the duties and responsibilities enumerated therein applied to him.

Gilberto Perez, a Principal Administrative Associate whose i.d. card identifies him as a Telecommunications Associate, is a "general, all-around troubleshooter." After switches are installed, Mr. Perez checks, among other things, grounding, electrical consumption, and battery backup and time frames. Reports of a technical

nature are prepared by him and reflected in the various interdepartmental memoranda included in Local 375's Exhibits "8" through "19".

Frank Resak, of the OTC, began his career with the City as an engineer. He then became Assistant Electrical Engineer, Project Coordinator and, finally, Senior Project Coordinator, the title which he now holds. Mr. Resak explained that when he first started in OTC, most of the data communications work was handled by one individual, with the data communications end of the OTC operation just beginning to expand. He claims that he was asked to work at OTC because it was thought that his engineering background would make him a "good fit" there. The City paid for him to take several courses in data communications. His responsibilities include recommending and approving all orders for data lines and equipment.

Responding to CWA's assertion that the greatest community of interest exists between titles it represents and the new telecommunications titles, Local 375 insists that it is clear from the testimony that the duties and responsibilities of the Telecommunications Associate and Telecommunications Specialist are not purely administrative. All but one of the persons holding the titles are "directly involved in the development, design, installation and

maintenance of extremely complex and technical telecommunications systems."

Turning to Local 2627's claim that the titles should be accreted to the unit certified to it, Local 375 maintains, in its brief, that

the major function of the various computer titles of Local 2627 is the use of computers and development of programs, which while technical, is very different from that of assessing the needs for and then procuring and overseeing installation of physical systems such as is done by employees holding Telecommunications titles and titles represented by Local 375.

As for those individuals in titles represented by Local 2627 whose function it is to assess the computer needs of an operation and develop a proposal for the procurement of an appropriate system, Local 375 claims that

[t]he job specifications of these titles demonstrates that such duties are unusual for the computer titles but are the overwhelming responsibility of the Telecommunications Titles and others represented by Local 375.

Local 2627's Position

Contrary to Local 375's contentions, Local 2627 maintains that in reviewing the job specifications for a Computer Associate (Operations), for example, it is evident that all assignment levels include duties and responsibilities

for the diagnosis and correction of telecommunications hardware problems so as to maintain and insure the integrity of telecommunications operations. Local 2627 also stresses the close working relationship between Telecommunications Associates and Telecommunications Specialists, on the one hand, and persons in the various computer titles, on the other.

Joseph Giannotti, head of the CSC, in describing the duties and responsibilities of the staff of the Telecommunications Control Group, stated that it is their responsibility "to ensure that communications between the central main frame and the users who are sitting at computer terminal continues uninterrupted." Mr. Giannotti explained that the Control Group people

engage in an analytical process to try to determine where the system is failing - i.e. whether it is the equipment, the data line, or a problem on the main frame. These individuals are not assigned to projects per se but basically they're to respond to problems, take corrective action, and do so as quickly as possible in order to get the user operable again.

According to Mr. Giannotti, there are no Project Coordinators or Engineers in the Telecommunications Control Group.

Brian Packard, presently believed to be the sole Telecommunications Associate in the Network Development Group of the CSC, is involved with network users for the purpose of determining their hardware configuration and "implementing their configuration into our communications software." In general, the Network Development Group is responsible for maintaining and upgrading all the communications-related software. While there is considerable interaction among the members of this group, there is, according to Mr. Packard, no contact with engineers or Principal Administrative Associates, nor, to the best of his knowledge, Project Coordinators or Senior Project Coordinators.

Irene Davidson, a Computer Specialist (Software), CSC, describes her duties and responsibilities as similar to but broader than those of Mr. Packard, with whom she works. She is significantly involved in problem determination. For example,

[i]f there is an unusual type of hardware device connection to the network, which might be working in general but not working with a specific application program, then we are required to do traces, which involve software and hardware.

Ms. Davidson explained that there is a whole class of software related to communications - i.e. programs that

are intended to facilitate problem evaluation for people doing hardware problem determination.

Michael L. Davis, Deputy Administrator of Data Processing at ODP, testified at length regarding the duties and responsibilities of the Network Control Group at the ODP. It is composed of fifteen employees: a Director (Computer Systems Manager); a Manager (Computer Operations Manager); ten Network Technicians (Telecommunications Associate and Computer Associate (Operations)); and three User Help Desk Personnel (Technical Support Aid series). Mr. Davis, who spoke of plans to move all the Network Technicians into the new titles, explained that

[i]t is only a recent phenomenon in the computer industry that the telecommunications job has become specialized and has expanded to the degree that it has. There is a lot of outside competition for telecommunications staff. Salaries have gone up quite a bit in the industry, and we saw the new title as the City's recognition that there is a speciality there.

Robert Walker and George Samuels, themselves Network Technicians, in the civil service title Computer Associate (Operations), stated in their testimony that their duties include: overseeing the implementation and daily operations of a telecommunications network; insuring that there is proper adherence to diagnostic procedures in regard to

the scientific evaluation of communications linkages, and further insuring the technical integrity of all communications links within the Department and uninterrupted service to outlying centers. In addressing the role of Lena McGraf, a Principal Administrative Associate at the User Help Desk, Mr. Walker indicated that the focus of her responsibilities is more procedural than technical. Thus, while technical awareness is essential to the operation of the User Help Desk, which provides first line assistance to the user community, actual troubleshooting is the responsibility of the Network Technicians,, Ms. McGraf's duties include processing the complaints, keeping track of them, and preparing close-out reports when problems have been resolved.

Mr. Terrance Lauer, a Network Technician in the title Telecommunications Associate, testified that all Network Technicians perform similar work and that within the Network Control Unit, there were neither engineers (or related titles) nor Project Coordinators.

Local 2627 maintains that the work performed by Electrical Engineers and Project Coordinators relating to telephones "is not 'telecommunications' as that term relates to highly sophisticated computerized transmission of data." Rather,

it relates more

[t]o traditional voice telephone communication systems such as installation of public telephones or specifying types of hand sets to be used. Other work performed is simply electrical work: voltage studies, fusing, transmission line work, which is work that Telecommunications Associates or Specialists do not perform.

Despite the characterization of such work as "telecommunications work," Local 2627 maintains that it is "merely part of the overall work done by the engineers relating to power, lighting, sound and alarm systems." Indeed, the job descriptions of Project Coordinator, Senior Project Coordinator and Electrical Engineer are "devoid of any reference to telecommunications."

Local 2627 also claims that it is clear from the record that the responsibilities of a Principal Administrative Associate are "totally administrative, rather than operational, in nature." PAA Ada Goodridge, for example, is primarily responsible for ordering and approving telephone equipment for the Housing Authority, as well as verifying, processing and approving vendor bills. The job description for her title, it is argued, "accurately reflects the administrative nature of this position, which is in the direct line of promotion from clerical and office supervisory positions."

Local 2627 further contends that in contrast to its bargaining unit employees, individuals in other bargaining units have "little or no interchange or contact with employees in the Telecommunications Associate or Specialist titles."

Finally, Local 2627 argues that there is a "substantial overlap in the qualifications, skills and training of employees in the computer and telecommunications titles."

Discussion

In the instant proceeding, the Board is called upon to determine the relative appropriateness of three pre-existing units for inclusion, by accretion, of the Telecommunications Associate and Telecommunications Specialist titles.

In making accretion determinations, the Board considers two factors:

- (1) whether the new title -- because of its similiarity or close relationship to unit titles -- would have been included in the unit had it existed at the time of the original certification; and
- (2) the comparative size of the two groups.

Since all the units to which petitioner unions request accretion include substantially more employees than the number of Telecommunications Associates and Telecommuni-

cations Specialists sought to be accreted, we turn our attention to the appropriateness of each of the units, a judgment which must take into account the criteria prescribed by Section 2.10 of the Revised Consolidated Rules of the Office of Collective Bargaining. These factors are as follows:

- a. Which unit will assure public employees the fullest freedom in the exercise of the rights granted under the statute and the applicable executive order;
- b. The community of interest of the employees;
- c. The history of collective bargaining in the unit, among other employees of the public employer, and in similar public employment;
- d. The effect of the unit on the efficient operation of the public service and sound labor relations;
- e. Whether the officials of government at the level of the unit have the power to agree to make effective recommendations to other administrative authority or the legislative body with respect to the terms and conditions of employment which are the subject of bargaining; and
- f. Whether the unit is consistent with the decisions and policies of the Board.

The relative weight given these criteria is a matter for determination by the Board in the exercise of its judgment and discretion on a case-by-case basis.

The extent to which community of interest is shared by the subject titles with titles in each of the petitioning units is measured, in part, by the following factors:

- the job duties and responsibilities of the employees involved;¹⁵
- their qualifications, skills and training;¹⁶
- interchange and contact;¹⁷
- wage rates;¹⁸
- lines of promotion;¹⁹ and
- organization or supervision of the department, office, or other subdivision.²⁰

This list is not exclusive. The Board considers a variety of factors, on a case-by-case basis, balancing the various factors to determine where the greater community of interest lies.²¹

¹⁵ See, e.g., Decisions No. 44-68; 6-69; 34-80; 13-81; 18-81; 13-85; 16-86.

¹⁶ See, e.g., Decisions No. 46-75; 34-80; 13-81; 13-85.

¹⁷ See, e.g., Decisions No. 6-69; 65-73; 38-74; 23-75; 23-76; 29-77.

¹⁸ See, e.g., Decisions No. 45-72; 41-73; 41-82; 13-85.

¹⁹ See, e.g., Decisions No. 4-69; 26-70; 22-75; 34-80.

²⁰ See, e.g., Decisions No. 31-69; 61-71; 65-73; 55-76.

²¹ Decision No. 15-87.

The Telecommunications Associate and Specialist titles were created in early 1986 for the purpose of facilitating the recruitment of highly qualified personnel for the City's burgeoning telecommunications activities. Mr. Davis, Deputy Administrator of Data Processing, ODP, stated in his testimony - "we saw the new title as the City's recognition that there is a specialty there." Frank Resak, Senior Project Coordinator, OTC, explained that prior to the establishment of the new title, OTC had experienced difficulties in attracting telecommunications specialists. In the absence of titles with sufficiently tailored specifications, qualifications and compensation, OTC initially utilized existing titles with sufficiently broad specifications on a temporary basis.²² Mr. Resak believes that "at one time, a lot of people in the OTC were PAAs."

CWA argues that the telecommunications titles "exhibit major functional parallels to the administrative, operational and supervisory components" of the titles it represents. Similarly, Local 375 argues that the telecommunications titles, like the titles covered by its certification, are responsible for assessing the needs for and then procuring and overseeing the installation of physical systems.

We note here, as we did in Decision No. 21-87, that an overlap exists in many titles throughout the City. This may be especially true of the Principal Administrative Associate title, a cross-occupational, high-level administrative title found throughout the City in all fields of specialization and believed to have been used, prior to the establishment of the new titles, to bring in the new cadre of telecommunications personnel. Three of the four Principal Administrative Associates who testified appear to be de facto Telecommunications Associates.²³ The fourth, comparing her responsibilities with those of a Telecommunications Specialist with whom she works, acknowledged that he was more of a "troubleshooter" who "understands that he can go in and look at something that I cannot."²⁴ Similar comparisons were made by a Network Technician of the Network Control Unit, ODP, who described the responsibilities of a Principal Administrative Associate at the User Help Desk as having "more of an operational procedural focus than a technical one."²⁵

Thus, notwithstanding some overlap in duties and responsibilities, we are not persuaded that a substantial

²³ Gilberto Perez, Olivia Upson and Andrew Smith, OTC.

²⁴ Ada Goodridge, Housing Authority.

²⁵ Lena McGraf, ODP.

number of Telecommunications Associates and Specialists perform work consistently, and significantly, similar to that of employees represented by CWA.

Similarly, in comparing the responsibilities of the telecommunications titles with those of the Electrical Engineer, or Telemetric Specialist, we do not believe that the overlap is either significant or consistent enough for this Board to find that a definitive similarity in fact exists. Instead, we agree with Local 2627 that the preponderance of evidence demonstrates that the work generally performed by Local 375 bargaining unit employees is "merely part of the overall work done by the engineers relating to power, lighting, sound and alarm systems."

Finally, turning our attention to the responsibilities of a Project Coordinator and Senior Project Coordinator, we are not persuaded that a significant number individuals in those titles perform telecommunications work as that term relates to the computerized transmission of data.

In contrast, we find that employees in the computer titles either perform or are expected to perform many tasks related to telecommunications. The job description for Computer Associate (Operations), for example, provides that the employee

performs as a technical resource person
in the diagnosis, and when feasible,
correction of the telecommunications

hardware problems in order to maintain efficient functioning of telecommunications operations.

Several Telecommunications Associates are involved in overseeing the implementation and daily operations of a telecommunications network. Still others have been involved in extensive data gathering and the development of a data base designed to inventory the City's data transmission equipment and any additions, upgrades or modifications.²⁶

More important, however, than such similarities is, we believe, the close relationship shared among these titles in the telecommunications environment. In Decision No. 23-76, this Board held, as it had many times before, that employees in titles in the same or related craft are properly placed in the same bargaining unit.²⁷ We noted there that

[b]argaining units frequently include numerous titles in one or several related occupational groups despite differences in salary ranges, and variations in duties and promotional lines.

²⁶ Barry Henry and Sam Sutera, Telecommunications Associate and Telecommunications Specialist, respectively, at the OTC.

²⁷ Decisions Nos. 61-71; 62-71.

In Decision No. 34-80, we similarly held that a close relationship may outweigh other factors. We found there that

[w]hile the Medical Equipment Repair Technician and the Medical Equipment Specialist do not perform identical duties ... they both are responsible for the proper functioning of relatively sophisticated hospital equipment.

And, in Decision No. 31-74, we found that while there were differences in job duties, such differences did not preclude consolidation where employees in both units were involved in various aspects of real estate transactions.

In the instant proceeding, it is clear from the documentary and Testimonial evidence presented that individuals in the computer titles and the telecommunications titles either work side by side,²⁸ or share a great deal of contact.²⁹ Furthermore, both at CSC and ODP, lines of supervision do, and will continue³⁰ to intersect both telecommunications and computer titles. Local 375, on the other hand, has demonstrated neither an appreciable

²⁸ For example, all Network Technicians work side by side at the Network Control Unit, ODP.

²⁹ Brian Packard of CSC, a Telecommunications Associate, and Irene Davidson, a Computer Specialist Software, interact on a daily basis, reflecting generally the interaction among the members of the Network Development Group, CSC.

³⁰ Under plans of reorganization previously discussed.

degree of interaction between bargaining unit employees and Telecommunications Associates and Specialist, nor common lines of supervision. And while there appears to be some interaction between Principal Administrative Associates and Telecommunications Associates and Specialists, we believe from the evidence that it is no greater than the contact shared by Principal Administrative Associates with all employees with whom they work.

Another factor considered by this Board in making unit de terminations is the qualifications, skills and training required for the various titles. In this regard, we agree with Local 2627 that a significant overlap exists. Many computer employees have specialized training in telecommunications and several employees in the telecommunications titles have training and skills in computer sciences.

Finally, we believe that the telecommunications titles share a community of interest with the computer titles as to wage rates as well, with minimum and maximum salaries fairly comparable to one another.³¹ This comparability of wages may be contrasted with the fact that the salary range for the telecommunications titles is

³¹ Minimum and maximum salaries for Computer Specialist were \$38,501 - \$48,864 on June 30, 1986 as compared with \$36,000 - \$48,864 for Telecommunications Specialist.

significantly higher than the range for even the highest assignment level of the Principal Administrative Associate title;³² and while there is some overlap at the lower salary levels, the maximum rate for Telecommunications Specialist is substantially higher than the maximum rate for the relevant titles in Local 375's bargaining unit.³³

Based on the foregoing, the Board finds that employees in the telecommunications titles and computer titles share a sufficient mutuality of interest in their terms and conditions of employment, and are sufficiently allied in their duties, skills, and qualifications to warrant the accretion of the Telecommunications Associate and Specialist titles to Certification No. 46D-75. We believe that the inclusion of these titles in this bargaining unit is consistent with Board decisions and policies and is in the best interest of achieving the efficient operation of the public service and sound labor relations.

³² Minimum and maximum salaries for Principal Administrative Associate, Level III, were \$24,897 - \$33,082 on June 30, 1986.

³³ Minimum and maximum salaries for relevant titles in Local 375's unit were as follows on June 30, 1986:

Electrical Engineer	\$31,540-\$39,721
Project Coordinator	\$31,540-\$39,721
Senior Project Coordinator	\$34,750-\$44,288
Telemetric Systems Specialist	\$33,545-\$42,768.

O R D E R

NOW, THEREFORE, pursuant to the powers vested in the Board of Certification by the New York City Collective Bargaining Law, it is hereby

ORDERED, that Certification No. 46D-75 (as previously amended) be, and the same hereby is, further amended by adding thereto the titles of Telecommunications Associate and Telecommunications Specialist; and it is further

ORDERED, that the petition of the Communications Workers of America, Local 1180, AFL-CIO, be, and the same hereby is, denied; and it is further

ORDERED, that the motion for accretion filed by the Civil Service Technical Guild, Local 375, District Council 37, AFSCME, AFL-CIO, be and the same hereby is, denied

Dated: New York, New York
July 27, 1988

MALCOLM D. MacDONALD

DANIEL G. COLLINS

GEORGE NICOLAU

The titles and title code numbers of the employees affected by this decision are as follows:

Telecommunications Associate	20243
Telecommunications Specialist	20245