

Communications Workers of America, Local 1180,80 OCB 9 (BOC 2007)

[Decision No. 9-2007]

(Rep) (Docket No. AC-30-07).

Summary of Decision: CWA filed a petition to accrete the title Coordinating Manager (DOHMH). The City argued that the position of Administrative Assistant to the Deputy Commissioner was confidential, and the Union did not oppose that designation. The Board amended the Union's certification to add the Coordinating Manager (DOHMH) title with the exception of one position, which was designated as confidential. ***(Official decision follows.)***

**OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION**

In the Matter of the Certification Proceeding

-between-

COMMUNICATIONS WORKERS OF AMERICA, LOCAL 1180,

Petitioner,

-and-

CITY OF NEW YORK,

Respondent.

ORDER AMENDING CERTIFICATION

On February 2, 2007, Communications Workers of America, Local 1180 ("Union") filed a petition to amend its Certification No. 41-73 to include the title Coordinating Manager (DOHMH) (Title Code No. 95948), employed at the Department of Health and Mental Hygiene.¹ The City of New York ("City") does not object to the accretion of the title with the exception of the

¹ Certification No. 41-73 includes, *inter alia*, the title Coordinating Manager Levels A and B (Title Code Nos. 98011E and 98012H), employed at the New York City Health and Hospitals Corporation. See *Communications Workers of America, Local 1180*, Decision No. 3-2006.

Administrative Assistant to the Deputy Commissioner position, which it contends is confidential. The Union does not oppose the designation of the Administrative Assistant to the Deputy Commissioner position, currently held by Marybel Hernandez, as confidential.

The Board of Certification is satisfied that no evidence was presented to rebut the assertion that employees in the Coordinating Manager (DOHMH) title have a sufficient community of interest with members of the certified bargaining unit. As the parties have agreed to the confidential designation of the Administrative Assistant to the Deputy Commissioner position, we shall designate the position accordingly.

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

ORDERED that employees in the title Coordinating Manager (DOHMH) (Title Code No. 95948) are eligible for collective bargaining with the exception of the Administrative Assistant to the Deputy Commissioner position, currently held by Marybel Hernandez, which is designated confidential; and it is further

ORDERED that Certification No. 41-73 (as previously amended) be, and the same hereby is, further amended to include the title Coordinating Manager (DOHMH) (Title Code No. 95948), subject to existing contracts, if any.

Dated: June 7, 2007
New York, New York

MARLENE A. GOLD
CHAIR

GEORGE NICOLAU
MEMBER

CAROL A. WITTENBERG
MEMBER

NOTICE OF AMENDED CERTIFICATION

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

DATE: June 7, 2007 **DOCKET #:** AC-30-07

DECISION NUMBER: 9-2007

EMPLOYER: The City of New York, represented by the Office of Labor Relations
40 Rector Street, 4th Floor
New York, NY 10006

CERTIFIED/RECOGNIZED BARGAINING REPRESENTATIVE:
Communications Workers of America, Local 1180
6 Harrison Street, 4th Floor
New York, NY 10013

AMENDMENT: Certification No. 41-73 has been amended to add the following
Title/Code:

Added: **Coordinating Manager (DOHMH) (Title Code No. 95948)**

NOTICE OF DESIGNATION

This notice is to acknowledge that the Board of Certification has issued an Order Amending Certification designating a title/position confidential as follows:

DATE: June 7, 2007

DOCKET #: AC-30-07

DECISION NUMBER: 9-2007

EMPLOYER: The City of New York, represented by the Office of Labor Relations
40 Rector Street, 4th Floor
New York, NY 10006

CERTIFIED/RECOGNIZED BARGAINING REPRESENTATIVE:
Communications Workers of America, Local 1180
6 Harrison Street, 4th Floor
New York, NY 10013

DESIGNATION: The Coordinating Manager (DOHMH) in the Administrative Assistant to the Deputy Commissioner position, currently held by Marybel Hernandez, is designated confidential is therefore excluded from collective bargaining.