

**CSTG, Local 375, 11 OCB2d 25 (BOC 2018)**  
(Rep) (Docket Nos. AC-1604-15, AC-1622-16, and AC-1644-17)

*Summary of Decision:* The Union filed petitions to add the titles Administrative Graphic Artist, Administrative Space Analyst, Emergency Preparedness Manager, Emergency Preparedness Specialist, and Administrative Horticulturalist to Certification No. 26-78, the Engineering and Scientific bargaining unit. Based on a stipulation, the Board added Administrative Graphic Artists, Administrative Space Analysts, and Administrative Horticulturalists currently in managerial pay plan levels I and II to the bargaining unit, with the exception of certain positions designated managerial and/or confidential. In addition, the Board designated Administrative Graphic Artists, Administrative Space Analysts, and Administrative Horticulturalists in managerial pay plan levels III and above, and all employees in the titles Emergency Preparedness Manager and Emergency Preparedness Specialist, managerial and/or confidential and, therefore, excluded from collective bargaining. (*Official decision follows.*)

---

**OFFICE OF COLLECTIVE BARGAINING  
BOARD OF CERTIFICATION**

**In the Matter of the Certification Proceeding**

*-between-*

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

*Petitioner,*

*-and-*

**THE CITY OF NEW YORK,**

*Respondent.*

---

**ORDER AMENDING CERTIFICATION**

On April 9, 2015, Civil Service Technical Guild, Local 375, District Council 37, AFSCME, AFL-CIO (“Union”) filed a petition, docketed as AC-1604-15, requesting that employees in the titles Administrative Graphic Artist (Title Code No. 10003) and

Administrative Space Analyst (Title Code No. 10037) be added to Certification No. 26-78, Engineering and Scientific bargaining unit. On February 12, 2016, it filed a petition, docketed as AC-1622-16, to add the titles Emergency Preparedness Manager (Title Code No. 06765) and Emergency Preparedness Specialist (Title Code No. 06766) to the same bargaining unit. On June 9, 2017, it filed a petition, docketed as AC-1644-17, to add the title Administrative Horticulturalist (Title Code No. 10071) to the unit. In all three cases, the City of New York (“City”) argued that the employees were managerial and/or confidential and thus excluded from collective bargaining.<sup>1</sup>

The parties requested that no hearings be held so that they could negotiate a settlement. On July 24, 2018, the Union and the City signed a stipulation of settlement in which they agreed that, with the exception of five positions listed on Appendix A, Administrative Graphic Artists, Administrative Space Analysts, and Administrative Horticulturalists currently in managerial pay plan levels I and II are eligible for collective bargaining.<sup>2</sup> In addition, the parties agreed that Administrative Graphic Artists, Administrative Space Analysts, and Administrative Horticulturalists in managerial pay plan levels III and above and all Emergency Preparedness Managers and Emergency Preparedness Specialists are managerial and/or confidential.

---

<sup>1</sup> The cases were later consolidated pursuant to § 1-12(m) of the Rules of the Office of Collective Bargaining (Rules of the City of New York, Title 61, Chapter 1).

<sup>2</sup> In addition, the stipulation specified that it does not apply to present and future employees in these titles at the following agencies: the Office of Labor Relations, the Office of Management and Budget, the Office of Operations, the Department of Investigation, the Office of Collective Bargaining, and the Office of the Mayor.

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 Certification No. 26-78 (as previously amended) be, and the same hereby is, further amended to add employees in the titles Administrative Graphic Artist (Title Code No. 10003), Administrative Space Analyst (Title Code No. 10037), and Administrative Horticulturalist (Title Code No. 10071) currently in managerial pay plan levels I and II, with the exception of the positions in Appendix A, which are designated managerial and/or confidential; and it is further

ORDERED that employees in the titles Administrative Graphic Artist (Title Code No. 10003), Administrative Space Analyst (Title Code No. 10037), and Administrative Horticulturalist (Title Code No. 10071) in managerial pay plan levels III and above are designated managerial and, therefore, excluded from collective bargaining; and it is further

ORDERED that employees in the title Emergency Preparedness Manager (Title Code No. 06765) and Emergency Preparedness Specialist (Title Code No. 06766) are designated managerial and/or confidential and, therefore, excluded from collective bargaining.

Dated: August 22, 2018  
New York, New York

SUSAN J. PANEPENTO  
CHAIR

ALAN R. VIANI  
MEMBER



# OFFICE OF COLLECTIVE BARGAINING

**OFFICE ADDRESS**

100 Gold Street  
Suite 4800  
New York, New York 10038

**MAILING ADDRESS**

Peck Slip Station  
PO Box 1018  
New York, New York  
10038-9991

---

212.306.7160  
www.ocb-nyc.org

---

**IMPARTIAL MEMBERS**

Susan J. Panepento, Chair  
Alan R. Viani

**LABOR MEMBERS**

Charles G. Moerdler  
Gwynne A. Wilcox

**CITY MEMBERS**

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 22, 2018      **DOCKET #:** AC-1604-15  
AC-1622-16  
AC-1644-17

**DECISION:**      **11 OCB2d 25 (BOC 2018)**

**EMPLOYER:**      City of New York  
40 Rector Street, 4th Floor  
New York, NY 10006

**CERTIFIED/RECOGNIZED BARGAINING REPRESENTATIVE:**

Civil Service Technical Guild, Local 375,  
District Council 37, AFSCME, AFL-CIO  
125 Barclay Street  
New York, NY 10007

**AMENDMENT:**      Certification No. 26-78, the Engineering and Scientific bargaining unit, has been amended as follows:

**Added:**      **Administrative Graphic Artist**  
currently in managerial pay plan levels I and II  
(Title Code No. 10003)

**Administrative Space Analyst**  
currently in managerial pay plan levels I and II  
(Title Code No. 10037)

**Administrative Horticulturalist**  
currently in managerial pay plan levels I and II  
(Title Code No. 10071)



# OFFICE OF COLLECTIVE BARGAINING

## OFFICE ADDRESS

100 Gold Street  
Suite 4800  
New York, New York 10038

## MAILING ADDRESS

Peck Slip Station  
PO Box 1018  
New York, New York  
10038-9991

---

212.306.7160

[www.ocb-nyc.org](http://www.ocb-nyc.org)

---

## IMPARTIAL MEMBERS

Susan J. Panepento, Chair  
Alan R. Viani

## LABOR MEMBERS

Charles G. Moerdler  
Gwynne A. Wilcox

## CITY MEMBERS

M. David Zurndorfer  
Pamela S. Silverblatt

## DEPUTY CHAIRS

Monu Singh  
Steven Star

## NOTICE OF DESIGNATIONS

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

**DATE:** August 22, 2018      **DOCKET #:** AC-1604-15  
AC-1622-15  
AC-1644-17

**DECISION:** 11 OCB2d 25 (BOC 2018)

**EMPLOYER:** City of New York  
40 Rector Street, 4th Floor  
New York, NY 10006

**DESIGNATIONS:** The following titles/positions are designated managerial and/or confidential and, therefore, excluded from collective bargaining:

**Administrative Graphic Artist**  
(Title Code No. 10003)

in managerial pay plan levels I and II in the positions listed in Appendix A; and

in managerial pay plan levels III and above

**Administrative Space Analyst**  
(Title Code No. 10037)

in managerial pay plan levels I and II in the positions listed in Appendix A; and

in managerial pay plan levels III and above

**Administrative Horticulturalist**  
in managerial pay plan levels III and above  
(Title Code No. 10071)

**Emergency Preparedness Manager**

(Title Code No. 06765)

**Emergency Preparedness Specialist**

(Title Code No. 06766)

**APPENDIX A**

<b><u>Agency</u></b>	<b><u>Name</u></b>	<b><u>Title</u></b>	<b><u>Office Title</u></b>	<b><u>Designation</u></b>
DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES	GIBSON, LAURA	ADMINISTRATIVE GRAPHIC ARTIST	Director of eLearning Development	MANAGERIAL
DEPARTMENT OF TRANSPORTATION	MOIDEL, DAVID	ADMINISTRATIVE GRAPHIC ARTIST	Director of Creative Services	MANAGERIAL
DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES	ORTIZ, EDWIN	ADMINISTRATIVE GRAPHIC ARTIST	Print Shop Supervisor-detailed to Mayor's Office	MANAGERIAL
HUMAN RESOURCES ADMINISTRATION/DEPARTMENT OF SOCIAL SERVICES	CORREIA, TAMARA	ADMINISTRATIVE SPACE ANALYST	Director, Div. of Lease Management & Production Control	MANAGERIAL
DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES	MACEDO, LISA	ADMINISTRATIVE SPACE ANALYST	Director of Portfolio Management	MANAGERIAL
HUMAN RESOURCES ADMINISTRATION/DEPARTMENT OF SOCIAL SERVICES	MASSEY, EVERIDITH	ADMINISTRATIVE SPACE ANALYST	Director, Division of Building Management	MANAGERIAL
DEPARTMENT OF BUSINESS SERVICES	MILLER, ALFRED	ADMINISTRATIVE SPACE ANALYST	Executive Director Facilities and Agency Operations	MANAGERIAL
OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS	RAGOLIA, MICHAEL	ADMINISTRATIVE SPACE ANALYST	Administrative Space Analyst	MANAGERIAL
DEPARTMENT OF HEALTH/MENTAL HYGIENE	YAP, SALLY	ADMINISTRATIVE SPACE ANALYST	Executive Director, Office of Facilities Planning and Space Management	MANAGERIAL