

OSA, 12 OCB2d 27 (BOC 2019)

(Rep) (Docket Nos. RU-1657-18, AC-1659-19, AC-1661-19)

Summary of Decision: OSA and DC 37 sought to represent the MetroPlus Care Coordinator and MetroPlus Utilization Review/Management Coordinator titles and consented to an election. Based on the results of the election, the Board added the titles to OSA’s Staff Analysts bargaining unit, Certification No. 3-88. (***Official decision follows.***)

**OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION**

In the Matter of the Certification Proceeding

-between-

ORGANIZATION OF STAFF ANALYSTS,

Petitioner,

-and-

NEW YORK CITY HEALTH + HOSPITALS,

Respondent,

-and-

DISTRICT COUNCIL 37, AFSCME, AFL-CIO,

Intervenor.

ORDER AMENDING CERTIFICATION

On November 20, 2018, the Organization of Staff Analysts (“OSA”) filed a petition, docketed as RU-1657-18, to represent employees in the titles MetroPlus Care Coordinator Levels I and II (Title Code Nos. 343000 and 343020) and MetroPlus Utilization Review/Management Coordinator Levels I and II (Title Code Nos. 343010 and 343030) (“MetroPlus Coordinator titles”)

in a new bargaining unit.¹ On January 9, 2019, District Council 37, AFSCME, AFL-CIO (“DC 37”) filed a motion to intervene in RU-1657-18 and a petition, docketed as AC-1659-19, seeking to add the MetroPlus Coordinator titles to its Health Services bargaining unit, Certification No. 28-78. On February 20, 2019, OSA filed a petition, docketed as AC-1661-19, seeking to add the MetroPlus Coordinator titles to its Staff Analysts bargaining unit, Certification No. 3-88. The three cases were consolidated in March 2019.²

On July 1, 2019, the parties notified the Office of Collective Bargaining that, subject to the approval of the Board, they had agreed to resolve the representation question by means of a consent election.³ The parties further agreed that the MetroPlus Coordinator titles would be added to the bargaining unit of the union that received a majority of votes.⁴

An election was held by phone and on-line ballot in accordance with § 1-02 of the Rules of the Office of Collective Bargaining (Rules of the City of New York, Title 61, Chapter 1) (“OCB Rules”). The ballots were counted on September 3, 2019. The majority of employees casting

¹ In a prior petition, docketed as AC-1640-17, OSA sought to add New York City Health and Hospitals Corporation (“NYC Health + Hospitals” or “HHC”) employees in the title Associate Director of Nursing to its Staff Analyst bargaining unit. After several days of hearing regarding whether the employees were managerial and/or confidential, the parties agreed that those employees holding the Associate Director of Nursing title who worked at MetroPlus, an HHC subsidiary, were eligible for collective bargaining. In the summer of 2018, HHC moved those employees into the newly created titles at issue here.

² The New York State Nurses Association had also filed a petition, which was subsequently withdrawn, seeking to accrete the MetroPlus Coordinator titles.

³ OCB Rule § 1-02(l) provides that “[s]ubject to the approval of the Director of Representation, the parties to a representation proceeding may waive a hearing and agree in writing on the method by which the Board shall determine the question of representation.”

⁴ Accordingly, OSA requested the withdrawal of its petition to represent the MetroPlus Coordinator titles in a new bargaining unit.

valid ballots selected OSA as their representative for collective bargaining. No party filed objections in the time provided by OCB Rule § 1-02(r).

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. 3-88 (as previously amended) be, and the same hereby is, further amended to add the titles MetroPlus Care Coordinator Levels I and II (Title Code Nos. 343000 and 343020) and MetroPlus Utilization Review/Management Coordinator Levels I and II (Title Code Nos. 343010 and 343030), subject to existing contracts, if any.

Dated: September 13, 2019
New York, New York

SUSAN J. PANEPENTO
CHAIR

ALAN R. VIANI
CHAIR



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NOTICE OF AMENDED CERTIFICATION

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

DATE: September 13, 2019 **DOCKET #:** RU-1657-18
AC-1659-19
AC-1661-19

DECISION: **12 OCB2d 27 (BOC 2019)**

EMPLOYER: NYC Health + Hospitals
55 Water Street, 26th Floor
New York, New York 10041

CERTIFIED/RECOGNIZED BARGAINING REPRESENTATIVE:

Organization of Staff Analysts
220 East 23rd Street, #707
New York, NY 10010

AMENDMENT: The Staff Analysts bargaining unit, Certification No. 3-88,
has been amended to add the following:

Added: **MetroPlus Care Coordinator Level I and II**
(Title Code Nos. 343000 and 343020)

**MetroPlus Utilization Review/Management
Coordinator Level I and II**
(Title Code Nos. 343010 and 343030)