

OSA, 15 OCB2d 40 (BOC 2022)

(Rep) (Docket No. AC-1691-22)

Summary of Decision: The Union filed a petition to add the title Director, Systems and Programming in managerial pay plan levels I, II, and III to Certification No. 3-88, the Staff Analysts bargaining unit. Based on a stipulation, the Board added employees in the title to the bargaining unit, with the exception of seven employees currently holding the title. (***Official decision follows.***)

**OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION**

In the Matter of the Certification Proceeding

-between-

ORGANIZATION OF STAFF ANALYSTS,

Petitioner,

-and-

NYC HEALTH + HOSPITALS,

Respondent.

ORDER AMENDING CERTIFICATION

On March 15, 2022, the Organization of Staff Analysts (“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 Director, Systems and Programming managerial pay plan levels I, II, and III (Title Code Nos. 039991, 039992, and 039993) be added to Certification No. 3-88, the Staff Analysts bargaining unit. NYC Health + Hospitals (“HHC”) argued that the employees were managerial and/or confidential and thus excluded from collective bargaining.

On November 14, 2022, the Union and HHC signed a stipulation of settlement in which they agreed that employees in the title Director, Systems and Programming managerial pay plan levels I, II, and III are eligible for collective bargaining, with the exception of the following seven employees currently holding the title in the Central Office: Jonathan Goffin; Ankineedu Kosuru; Christina Llambelis-Allen; Ankush Mahindru; Mohammed Mirza; Muhammad Sohail; and David Lang.¹

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 employees in the title Director, Systems and Programming managerial pay plan levels I, II, and III (Title Codes Nos. 039991, 039992, and 039993), with the exception of seven employees currently holding the title.

Dated: November 30, 2022
New York, New York

SUSAN J. PANEPENTO
CHAIR

ALAN R. VIANI
MEMBER

¹ Pursuant to the stipulation, the parties agree that seven employees in the title are not added to the bargaining unit and remain classified as “Group 11” employees under the New York City Health and Hospitals Corporation Act, N.Y. Unconsolidated Law § 7385(11). (Stip. ¶ 3) Moreover, the parties agree that HHC maintains the “sole discretion to hire into, fill, backfill and/or replace any of the [seven] [employees] regardless of functional title, assigned department, or assigned facility, so long as the total number of employees . . . is no greater than [seven].” (*Id.*)



OFFICE OF COLLECTIVE BARGAINING

NOTICE OF AMENDED CERTIFICATION

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

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New York, New York 10038

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Steven Star

DATE: November 30, 2022 **DOCKET #:** AC-1691-22

DECISION: **15 OCB2d 40 (BOC 2022)**

EMPLOYER: New York City Health + Hospitals
55 Water Street – 26th Floor
New York, NY 10041

CERTIFIED/RECOGNIZED BARGAINING REPRESENTATIVE:

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

AMENDMENT: Certification No. 3-88, the Staff Analysts bargaining unit, has been amended as follows:

Added: **Director, Systems and Programming**
(Title Codes Nos. 039991, 039992, and 039993) in managerial pay plan levels I, II, and III, with the exception of seven employees currently holding the title