

The Chief

Civil Service LEADER

THE CIVIL EMPLOYEES' WEEKLY

General Display • Schools & Instruction • Legal Services • Legal Notices • Classifieds • Organizations



- News
- News of the week
- Editorial
- Editor's "Razzle Dazzle" Column
- Letters to the Editor
- Professionals' Column
- Civil Service Exam Stories
- News Archive
- Services
- Advertiser Index
- Who We Are
- Contact Info
- Email Us
- Subscribe
- Place a Classified
- Advertising Information
- Copyright Notice
- Copyright © 2005-2010 The Chief Leader All Rights Reserved

News of the week

August 20, 2010

Search Archives

Search

Share / Save

OSA Granted Right to Rep Admin. Staff Analysts 2, 3

Rule They're Not Managers
By DAVID SIMS



ROBERT J. CROGHAN: Wins six-year battle.

The Organization of Staff Analysts has won the right to add the Administrative Staff Analyst, Levels II and III titles to its bargaining unit after a July 29 ruling by the Office of Collective Bargaining's Board of Certification dismissing the city's contention that the employees were too high up to be unionized, barring a few exceptions.

OSA first petitioned to add the ASA titles in February 2004. The position is a direct promotion from Associate Staff Analyst, which OSA represents.

'A Creation of Koch'

"We're extremely pleased; it's been a very long effort," said OSA President Robert J. Croghan in a phone interview. "The city had been resisting giving up the bargaining rights for these individuals very hard. The whole issue goes back as far back as [former Mayor] Ed Koch, who didn't like civil service or unions, and especially didn't like civil service managers."

He said that because Mr. Koch didn't grant raises to managerial employees as frequently as civil servants, their minimum wage dropped below that of civil servants in some circumstances.

"He hired people, calling them managers, but paying them less than entry level Staff Analysts, which made the whole thing a joke," he said. "This has been going on since: the city has been creating managerial positions that they don't assign managerial duties to."

There are currently 827 ASA Levels II and III working in city agencies and for the Housing Authority, and both employers argued that the titles were managerial and confidential, and therefore excluded from collective bargaining.

The certification board conducted a survey of the workers with an 11-page questionnaire that asked them to describe their job duties and responsibilities as well as their labor relations responsibilities, supervisory functions and role in formulating policy. It then heard testimony from ASAs over 50 days of hearings.

Union Says Authority Limited

OSA argued in its petition that "providing high-level technical or expert advice," part of the ASA job, does not necessarily mean the employees are managers, especially if their expertise is limited to existing regulations and laws. ASAs lack the authority to implement policy and only provide analysis, the union said.

The city replied that including ASAs in a union "would create multiple conflicts of interest" and "significantly disrupt managerial procedures, interfere with the efficient operation of the city in personnel matters, and impede collective bargaining." ASAs represent the city in high-level management meetings involving budget and labor negotiations, the city stated, making them confidential employees.

Don't Make Policy

The board concluded that ASAs "do not formulate policy, do not have a significant involvement in labor relations or personnel administration, and do not assist in a confidential capacity a manager who has a significant involvement in labor relations or personnel administration."

Aside from representing employees who were identified in appendixes as having managerial duties barring them from collective bargaining, the board approved OSA's petition to add the ASAs.

The Beekman
fine food and spirits

Unique Pub Atmosphere Lunch & Dinner Served 11:00am
Large Party Room Available for All Occasions — Up to 300 People

JIM AND ED ROBINSON
15 Beekman St., NY, NY 10038 (212) 732-7333
Catering For All Occasions Our Specialty
Free wireless internet service

New York State Licensed
Workers' Compensation Representative
FOR VALUABLE, ENERGIZING REPRESENTATION IN FIGHTING FOR YOUR WORKER'S COMPENSATION BENEFITS!

Joel Fredericson
Retired NYC Transit Worker

Former District Representative, Transport Workers Union Local 100
Member, NY Committee for Occupational Safety and Health

Phone: 718-460-7474 fax: 718-384-9293 email: jfredricson@gmail.com
312 Ruyter Road, Brooklyn, New York 11226-4902

IMPROVE YOUR VISION RAPIDLY WITHOUT SURGERY

POLICE OFFICERS & ALL CIVIL SERVICE APPLICANTS... PASS YOUR VISION TEST SAFELY USING VISION RETAINERS!

DR. MICHAEL FELDMAN
OPHTHALMOLOGIST
42 Years Experience

WE CAN ALSO HELP GOLDEN BIRDBUSINESS

516-887-2751
www.ContactDrOrlitzky.com

DISABILITY LAW
UNGARO & CIFUNI
ATTORNEYS AT LAW, L.L.P. 201 BROADWAY, SUITE 1400
SOCIAL SECURITY • PENSIONS
(212) 766-5800

CHARGES - HEARINGS - TRIALS
TERMINATION - OATH - ARTICLE 78
DISQUALIFICATIONS
NYPD - CIVIL SERVICE COMMISSION
Psychological - Character - Medical
DISABILITY CASES
INJURY PENSIONS - PROBATIONARY MATTERS
EXAM & LIST PROBLEMS - FILE & NAME CLEARING
FIREARMS LICENSES
DENIAL - SUSPENSION - REVOCATION - APPEALS
HEARINGS - ARRESTS - SPL, PATROLMAN - ART. 78
Law Offices of
JEROLD E. LEVINE
5 Survive Plaza, Valley Stream, N.Y. 11580
212-482-8830
JeraldLevine.com

THE LAW OFFICES OF
FAUSTO E. ZAPATA, JR., P.C.
A Labor and Employment Law Firm
Committed to Representing Individuals and Labor Unions

Work-Related Disciplinary Cases - Sexual Harassment - Discrimination - Investigatory Interviews with Inspector - Grievance or NYC Dept. of Investigation - CPLR Article 75/76 Petitions - Overtime & Illegal Wages - Arbitration & Mediation - Civil Service Exams

277 Broadway, Suite 821 New York, New York 10007 www.civilservicelaw.com Tel: 212.764.9879

Newspaper web site content management software and services

DMCA Notices

Please click here for our [Copyright Notice](#).