



Bargaining Report – January 14th, 2015

In my December Bargaining Report, I informed the members that the city cancelled a number of scheduled meetings in November and December. We had expected negotiations would move quickly after the Principals' Union reached an agreement. Their contract expired two years before ours so that put them ahead of us in the lineup but we were next. I closed my last report with this statement:

“We are prepared to meet whenever the City wishes but until they are actually in the room with us we cannot reach an agreement. We will continue to press the Office of Labor Relations to hold these costing meetings and finalize bargaining on economic issues. We understand that many members have been waiting too long for a raise and we are doing everything we can to see that the members of Local 1180 get every dime they're entitled to.”

Finally, on December 30th, 2014 the union and management technical committees met and hammered out a Memorandum of Economic Agreement on all but some minor issues of language on non-economic matters. With those minor changes, we expected to sign an agreement. But before I could leave I was invited to meet with Commissioner Robert Linn in his office. What he proposed was outrageous! He proposed holding the Memorandum of Economic Agreement for our 8,200 members hostage if we do not make a concession of potentially over a million dollars in the event the city lost the pending impasse arbitration to establish the minimum and maximum for about 800 Administrative Managers.

He expressed his concern that in the event an arbitrator awards our 800 Administrative Managers a substantial increase in the minimum rate to say \$75,000, it would then be compounded by the across the board wage increases in the Memorandum of Economic Agreement. He is holding the entire settlement hostage for all 8,200 members unless we agree to pay a ransom by removing the last increases in the pattern of 1.5%, 2.5% and 3% for the Administrative Managers should the arbitrator's award raise their new minimum above the current minimum of \$53,373.

Depending on where the impasse arbitrator sets the minimum, this could diminish the value of our economic package by over a million dollars relative to the established civilian pattern set by DC 37. **Therefore, Commissioner Robert Linn is offering CWA Local 1180 less than the established pattern for all other civilian groups!!**

I argued with Linn that the city has already obstructed negotiations to establish the minimum and maximum salary for Administrative Managers when it refused to bargain in good faith. Our charge of bad faith bargaining was upheld just over a year ago on this very issue. We finally agreed to mediate and had 2 sessions, the first in June 2014 and the second in October 2014 when we reached an impasse.

When DC 37 set the civilian pattern the mediator encouraged us to reach a Memorandum of Economic Agreement set by the DC 37 pattern prior to her declaring an impasse and proceeding to binding arbitration on the issue of establishing the minimum and maximum salary for Administrative Managers. We were in the process of completing the mediator's suggestion when Linn demanded this ransom of CWA Local 1180 taking less than the civilian pattern established by DC 37.

I reminded Linn that establishing a salary range for a new title that required an arbitrator's award is not new. We have done this before without a problem. We did it with the Administrative Job Opportunity Specialists, a newly created managerial title spun off from Administrative Manager. In that case, we signed a contract inserting TBD (To Be Determined) for the minimum and maximum rates of the new title Administrative Job Opportunity Specialists Levels 1 & 2. Moreover, when the arbitrator set the minimum and maximum we applied all the across the board percentage increases to the minimum and maximum rates from the original date the title was certified to the bargaining unit going forward. All our Administrative Job Opportunity Specialists received all monies due to them.

I also told him the city is attempting to benefit from circumstances it created by engaging in the improper labor practice of not bargaining in good faith. The issue of establishing the minimum and maximum rate of Administrative Managers would have been settled over a year ago if the city did not violate the law. His proposal to hold the Memorandum of Economic Agreement hostage for all 8,200 members who have not had a raise since 2009 including the Administrative Managers is a continuation of their bargaining in bad faith.

I am demanding a meeting with Mayor Bill de Blasio asking he do the following:

1-The city sign the settlement reached by the technical committee regarding the Memorandum of Economic Agreement that conforms to the pattern established by the DC 37 MEA and pays all our members the increases due ASAP while allowing bargaining on non-economic unit issues to continue as permitted under the MEA.

2-The city agree to proceed expeditiously to arbitration which will set the minimum and maximum salary range for Administrative Manager Level 1 and 2.

I also directed our attorney to prepare the necessary paperwork to request that the Office of Collective Bargaining appoint an arbitrator who can force the city to follow the pattern, pay all our members the increases due based on the pattern and then proceed to arbitration on establishing the minimum and maximum salary for Administrative Managers Levels 1 & 2. Our attorney has done so.

WE WILL NOT TAKE A DIME LESS THAN THE PATTERN !!!