

# Community Relations Specialist Title Now Under OSA Banner

By DAVID SIMS | Posted: Monday, January 27, 2014 5:30 pm

The Organization of Staff Analysts will add the Administrative Community Relations Specialist title to its bargaining unit after a Jan. 10 decision by the Office of Collective Bargaining's Board of Certification.

The city contended that the titles were managerial and should be excluded from collective-bargaining rights, but the Certification Board disagreed, with three exceptions.

## 38 Workers Affected

There are currently 38 employees in the ACRS title working across eight city agencies—the Comptroller's Office, the Department of Environmental Protection, the Department of Health and Mental Hygiene, the Department of Transportation, the Parks Department, the Department of Youth and Community Development, the Fire Department and the Human Resources Administration.

They mostly coordinate programs providing community relations, with a “minimum of supervision” and “very wide latitude,” according to their job specifications.

Thirty of the ACRS workers provided reports on their job duties to the BOC and 36 testified before it. Most carry out broadly similar tasks, such as overseeing community outreach programs, maintaining their budgets, training staff, and generally serving as a liaison between agency and community.

The title also has some supervisory duties, such as recommendations over hiring, firing and transferring employees; some said they had participated in the grievance process.

## OSA: Burden on City

The OSA, which first petitioned to add the titles in 2011, said that exclusions on the basis of “managerial or confidential” duties were mandated by state law as rare and that the burden was on the city to prove their excepted status.

“This particular crusade has been going on since the city, under Ed Koch, tried to allege that Staff and Associate Staff Analysts were either managerial or confidential or both,” OSA President Robert J. Croghan said in a phone interview. “We knew that wasn't true the day he first said it, and we've been fighting ever since.”

He said he hoped the drawn-out battles for bargaining representation might end under the new administration. “I would be hopeful that we would have a more-reasonable response when we have such cases, so they will move much more quickly and not interminably, as they have in the past.”

## Not Policy-Makers

As the employees do not formulate high-level policy or hold any ultimate authority with decision-making, they were eligible for collective-bargaining rights, OSA said.

The city asserted that the employees were managerial because they attend meetings where bargaining demands are discussed and the agency's response is developed. "Employees who review résumés, conduct applicant reviews and make effective recommendations for hiring and promotion play a major role in personnel administration and are therefore managerial," it said.

The Board found that only two types of managers should be excluded: those formulating policy, and those who have a major role in negotiations. Budgetary duties or sitting in on meetings do not meet those criteria, it noted.

### **Cite 3 Exceptions**

The "vast majority" of ACRs do not formulate policy, with the exception of three positions: the FDNY's Assistant Commissioner of Family Assistance, the FDNY's Assistant Commissioner for Recruitment and Diversity, and the DOT's Assistant Commissioner for Special Events and Banners.

None were found to have a major role in labor relations, with only a DOT Chief of Staff considered as a plausible candidate. But because there was no record that she had a "confidential relationship" with her Deputy Commissioner, she was allowed to join the OSA's bargaining unit with the other employees.