

Local 154
AFSCME, DC 37
PRESIDENT'S REPORT
September 25th, 2024

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Juan Fernandez – President Report

President's Report

- **DC37 is Moving back to 125 Barclay** in October 2024. We expect to be operational at 125 Barclay by November. Please be aware that DC 37 staff is no longer located at 55 Water Street. In the meantime, we have set up a temporary member service center at 420 W. 45th Street in midtown Manhattan where you can walk in between 9 a.m.- 5 p.m. Monday-Friday to access staff who can assist you– no appointment necessary. Our phone numbers will stay the same and you can continue to dial 212-815-1000 during business hours to reach our member service line.
Health & Security Plan Benefits: Effective Monday, May 20, the Audiology Center resumed operations at the DC 37 Health Center located at 115 Chambers St. For all H&S inquiries and scheduling, please continue to contact the Inquiry Unit at 212-815-1234. We can't wait to welcome you to the new state-of-the-art DC 37 headquarters by October 2024. Sign up at DC37.net for further updates, and get ready to celebrate our grand opening– and DC 37's 80th birthday!– later this year.

Contract Negotiations/Bargaining

- **The 3% May 2024 Contractual increase** for City Agencies was paid on the July 5 paycheck, this check will reflect the pay from June 16th – June 29th and the retroactive payment for May 26th through June 15th. Some H+H units will receive increase in September.
- **SODEXO.** The \$3,000 NY State Health Care Bonus was paid to SODEXO workers in August 2024. Many Thanks to DC37 Director Henry Garrido, Negotiator Moira Dolan for their work toward this important accomplishment.
- **The Work Flexibility Committee.** The Union and the City reached agreement on Compressed Time Tours. There will be Compressed Time meetings with City agencies.
The Union has continued to meet with City agencies and Departments regarding the implementation of their Remote Work plans. In addition, NYCHA and H+H are starting remote work:
NYCHA: Last year, DC37 filed a lawsuit (Improper Practice) due to NYCHA refusal to bargain over work flexibility. In February, the Union and NYCHA reached an agreement closely resembling the

plan with the City. The Union also reached a remote work agreement with HH.

- **Unions win changes to Tier 6.** After strong Union mobilization to Albany, the legislature modified the Tier 6 FAS (Final Average Salary) from 5 to 3 year during the 2024 Albany’s Legislative Session. Also, will keep the exclusion of a cap over overtime earnings until 2026. This follows the vesting changes from 10 to 5 years gained in 2022.
- **Contract Negotiations at NYLS.** After a bargaining session on May 7, we expect to meet in September 2024. In December 2023, the Union and NYLS negotiated on the role of a benefits provider coordinator on union members.
- **Unit Contract Negotiations (ACFs).** The Union caucused over SSRT Unit demands for the .5% available under ACF retroactive to May 2023. On January and February, we met to discuss the Accounting/EDP contract (which covers our Research Assistants). Also, we are negotiating on ACF with TA. In September we will launch meeting to go over ACF for SSRT titles.
Units Contracts covered by Local 154: SSRT, Accounting/EDP, Clerical, Real Estate, Transit, SCA, NYCHA, DOE, H+H.
ACF (Additional Compensation Fund) covers longevities, RIP, Service Increments, Annuities, Uniform Allowances, etc.
- **Summary Current Contract agreement:** The Contract with the City covers the period May 2021-November 2026. The deal includes:
 - 5-year deal
 - 3,000 Ratification Bonus, payable to people in payroll at the time of ratification.
 - Increases for a total of 16.21% compounded:
 - 5/26/2021 3%,
 - 5/26/2022 3%,
 - 5/26/2023 3%,
 - 5/26/2024 3%,
 - 5/26/2025 3.25%

See most current salaries for Local 154 titles in Local154.org website.

- **Due to the accretion of several titles at DOE,** Local 154 will be representing a group of five attorneys in that Department.
- **Administrative Titles – DC37** will meet with City to go over establishing Salary ranges and other benefits for Administrative Titles accreted to the Union.

- **2024 AFSCME Convention** took place in Los Angeles, CA from August 12-16, 2024. Local 154 Delegates were VP Juliet White, Secretary Sheera Glass, Treasurer Tom Orawiec and E Board member James Whooley. The Convention Delegates presented three Resolutions to the Delegates' body.
- **AFSCME released a revised Financial Code**, the locals' financial reporting obligations and rules for handling funds. Twelve Local 154 officers joined this year's Treasurer's Workshops on July 17-20, 2024 dealing with transparency and fiduciary responsibilities.
- **DC37 Health and Security benefits enhancements:**
 - DC37 Short Term Disability** – Effective February 1st, It was increased from \$200 per week to \$300 per week for all eligible members for a maximum of 26 weeks.
 - DC37 Optical Benefit** – Effective March 1st, it was increased to a maximum of \$250 every two years.
- **Local 154 Scholarship**. In September we will select winners for the Local 154 Year 2024 Scholarship. For details on Local 154's Scholarship application visit www.Local154.org.

Health Care Issues

- New PPO provider proposal for active workers will be voted by MLC in June. If approved, it will be implemented by January 2025. The two finalists are AETNA and Emblem Health.
- Prescription Tax: the City Financial Services is reviewing a proposal to levy additional costs for every prescription dispensed for both active and retirees. DC37 is pushing back on this proposal introduced by Pharma management and intended to raise the cost of our Health Care Benefits.
- City signed contract with Medicare Advantage Plan Aetna for retirees which is effective September 1st, 2023. This is a No-premium plan, with a cap on co-pays, limited pre-approval signed for 5 years with two 2-year extensions. On March 9, 2023, the MLC voted to approve MAP Aetna as the plan for retirees. Details of the plan can be found at www.NYC.gov/OLR

There is no Senior Care available because Judge's Frank decision to preclude other plans and because of strong opposition by a group of retirees to modify administrative code which would have allowed for an alternative plan.

The same group of retirees filed for an injunction against the application of the MAP Etna which Judge Frank granted. The appeals court decision stated that Retirees should get the medical plan plus a medigap as promised by the City, and also stated that the City has been following the Administrative Code. The City is further appealing the decision.

Original Arbitrator Decision :

Due to a disagreement between the City and Unions on the funding of healthcare plans for City Workers and Retirees, Arbitrator Martin Scheinman issued a decision on Dec 15, 2022, stating:

1. A Medicare Advantage Plan (Etna MA) should go forward to help alleviate the shortfall, and this plan will be Aetna MA.
2. The City and MLC have 25 days to reach agreement with Aetna.
3. This agreement with Aetna shall be put to a vote of the MLC. Failure to ratify this agreement shall result in finding another revenue source which, inevitably, will lead to premium contributions.
4. Unless City Council amends the Administrative Code within 45 days of this award, to permit retirees to buy into Senior Care, then Senior Care shall not longer be offered.
City Council decided not to vote on the bill modifying the Administrative Code on 1/19/23.
5. The Aetna MA Plan will be available to retirees; the City and MLC may also agree to offer other plans so long as they are at no cost to the City.

DELTA DENTAL SERVICES

Dental Services: Our new Delta Dental plan started on September 2020. Delta Dental is the new dental network provider with 1800+ participating dentists in the New York City area and no added cost to DC37 members; DC 37’s Health and Security has invested 10 Million dollars to offer a panel with expanded services and increased fees for dental work. Members should have received a package with detailed information and plan participation ID cards in August. Visit : [Welcome DC 37 | Delta Dental \(deltadentalins.com\)](http://Welcome DC 37 | Delta Dental (deltadentalins.com))

The newly renovated dental center at 115 Chambers Street was reopened starting November 15, 2022; for appointments call 212-766-4440.

Drug prescription costs continue to increase at astronomical speed and without end in sight. Recently MLC approved PICA to include two new drugs, one with a cost of \$1.8 Million and another with a cost of \$2.1 Million. In Congress we support passage of HR3 to help regulate drug prices.

VISIT DC37.NET and LOCAL154.ORG TO STAY INFORMED

Other Chapter Activity:

Human Rights Commission. We are very concerned in that the Human Rights Commission hired new staff under a different title to perform duties defined under the Human Rights Specialist job titles. This Union has filed an

Improper Practice lawsuit against the Human Rights Commission’s actions and sent a letter complaining about the list appointment process to DCAS.

We will be meeting with OLR to discuss possible settlement of this matter.

Member’s Benefits.

***Paid Family Leave:** It became effective January 7, 2019. The City released PSB detailing the benefits and application for it. Due to stabilization on the use of Paid Family leave during year 2022, there will be a small reduction in the 2023 deduction. This rate is determined by the insurance company and New York State. Effective January 2023, the new payroll deduction will be reduced by approximately 10%. Siblings will be a new added category in 2023.

The Paid Family Leave benefit is 12 weeks. The maximum weekly paid benefit is \$971.61, or \$1,943 bi-weekly. This union negotiated New York State benefit is available to all DC 37 members, including those in the six nonprofit and private sector locals. PFL provides a salary and job security while you bond with your newborn or adopted child, care for a sick parent, and more.

For Vision Services please contact the DC 37 Health and Security Plan’s Inquiry Unit at 212-815-1234 to request a basic optical voucher with a list of participating panel providers. The list of vision panel providers is also available on DC37’s website at DC37.net

For Podiatric Services please contact your Medical Health Insurance Carrier for a list of participating Podiatrists covered by your Medical Health Insurance (e.g. GHI or HIP).

For additional information, visit DC37.net/benefits or call 212-815-1234.

Civil Service:

Civil Service Examinations:

***The Union requested DCAS to include the following tests for Local 154 Titles, in the Exam Calendar: Public Records Aide TC 60215; Public Records Officer TC 60216; Associate Public Records Officer TC 60217; Special Consultant TC 51001; Administrative Claim Examiner TC 10044.**

New Test in the Calendar:

Associate HRS test 5034 application starting on October 9, 2024

Public Record Officer tests# 5145 & 5542 application starting on April 9, 2025.

In January 2023, a new Public Records Aide list was made public, followed by the Associate Human Rights Specialist and the Special Consultant in August 2023. If you are employed in a provisional position, I encourage you to take a civil service test. The life of all existing lists has been extended for one year. Please visit DCAS's website <https://www1.nyc.gov/site/dcas/employment/how-can-you-find-upcoming-exams.page> for more details. Share this information with your colleagues and co-workers.

Tests:

DCAS's test information line can be reached at (212) 669-1357.

The **Associate Human Rights Specialist** list was established in August 2023. This list is being used by the agency.

Other Active Lists: * **Claim Specialists**. On May 22, 2019 **DCAS** released the **Claim Specialist** test list #9023 with 669 names on it; test #9023 has been extended to Feb. 26, 2025.

During the second week of August 2023, DCAS released copy of the **Special Consultant** Exam 8048 List. This list with 716 eligible includes a total of 506 people with score of 100 or better.

Research Assistant Exam #8040. This list has been extended to March 11, 2025.

Claim Specialist Test was scheduled for April 3-23, 2024.

Civil Service Tests – The Process - Please Read carefully

What happens after the test?:

- You will receive a score notice card. If you did not receive it, please contact DCAS. If you did receive it, then give a copy to your personal or human resource department and let them know that you are in the list.
- If you received a disqualification notice or you are dissatisfied with your score, you are entitled to an appeal. The appeal must be filed within 30 days to DCAS's Committee on Manifest Errors. If the Committee denies your appeal, then you can file an appeal with the Civil Service Commission. For the appeal with the Civil Service Commission, please let us know; the Union could help you with this process.
- After the agencies request certifications of the list, the same agencies will send "canvass letters" to enough high scoring eligible to fill their job lines. If you received a canvass letter, do not leave your current job. A canvass letter is not an offer of appointment. Please answer these canvass letters and attend the interviews. Let your agency know that you have been invited to an interview. Your agency may agree to help you stay in your agency.
- Ranking. Successful candidates are placed on an eligible list in order of their respective final examination ratings, including seniority and veterans' credits. The rule provides that if two or more eligible receive the same final rating, they shall be placed in the list, for administrative purposes only, by the position derived of their last five digits of their social security number. All eligible with the same final score are equally reachable for appointment.
- If you are a top scorer you **might be** considered for the job but having a high score does not guarantee that you will be hired. An appointment from the list must be made by selecting one of the three highest ranking eligible willing to accept the appointment.
- If you are removed from the list or you became ineligible for appointment because you failed to reply to a canvass letter or because you declined an appointment, you may request restoration to the list.
- The Civil Service Law provides that the duration of an eligible list shall be not less than one year nor more than four years.
- People who are appointed to Civil Service positions are expected to serve a one-year **probationary period**. Credit is given to those who were serving in the same city title previous to the appointment.

*** Workplace Violence Program:**

The 2009 Labor Department’s regulations require all public employers to develop and implement a Workplace Violence Prevention Plan. The Union is making sure that such plans are developed with Union participation. Several Unions, including Local 154, filed complaints with the State Department of Labor and PESH for lack of a proper WVPP at several agencies including DOH-MH, DOT, Fire Department and others. **What is Workplace Violence? NYCRR Part 800.6 defines workplace violence as “Any physical assault or acts of aggressive behavior occurring where the public employee performs any work-related duty in the course of his or her employment”.**

• Supreme Court Case Janus v. AFSCME.
----- Unions under attack ---

On June 26, 2018 the Supreme Court voted 5 to 4 in favor of the anti-union case Janus vs AFSCME. The majority’s opinion followed the political discourse of Corporations and big Capital in their attempt to destroy the labor movement by denying Public Sector Unions the right to dues collection, the financial backbone of Union Organizing. “A right-wing network of foundations and front groups has spent decades trying to destroy Labor Unions. One of those anti-union foundations is the Milwaukee-based Lynde and Harry Bradley Foundation. A few years ago, the foundation helped Wisconsin Gov. Scott Walker successfully attack public employees and withstand a union-led recall effort. Walker’s chief targets were the teachers’ union and the American Federation of State, County and Municipal Employees, DC 37’s national union. Today, the “Wisconsin Model” — whose core goals are weakening collective bargaining, defunding unions, restricting workplace rights, promoting school vouchers, and backing right-to-work legislation — provides the blueprint for anti-labor and anti-government initiatives around the country. “We are up against a conservative network that is sinking millions and millions of dollars into destroying unions,” DC 37 Executive Director Henry Garrido said. “Anti-labor right wingers are now establishing a beachhead in New York, where they are bringing their message directly to union households and attacking unions in the courts.”” **DC 37 Blog (Greg N. Heires).**

The effects of destroying Unions can be seen in places like West Virginia where Unions do not have collective bargaining rights (no contracts and no protections for working conditions!!), no wage increases, and they must pay health care co-payments determined by management. West Virginia ranks #48 in teacher’s compensation. West Virginia is a so-called Right-to-work State where workers do not have rights. Janus v. AFSCME intends to make the USA a Right-to-Work country where workers won’t have the right to collectively bargain for their rights.

Janus is not the end of the attacks against Labor Unions: Currently there are 51 lawsuits pending across the country, which could be classified in three groups: refund of dues retroactive to 3 years (17 cases), so far the 7th District ruled against this; challenge of state’s language designed to maintain dues in place (20 cases); and cases designed to challenge Unions’ rights to exclusive representation (14 Cases, 2 of which have been rejected by Supreme Court).

However, the victory of Biden-Harris in the November 2020 elections, brings the promise of having labor at the center of the economic recovery process. Already the COVID19

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Relief package signed by President Biden in February 2021, extends help to working people, small businesses and local and state governments, all of which have been economically devastated by the pandemic. President Biden is supporting better paying jobs, Unionization and collective bargaining rights (Protecting the Right to Organize - PRO Act) and by restructuring NLRB. We are looking forward to these and other changes. The COVID19 Relief will bring 12.5 Billion to the State and approximately 6 Billion to the City of New York.

Please notice that our Contracts, Job Description, Salaries and President's reports are available in our website www.Local154.org . If you have topics or questions about any labor issues for Local 154 website, please send them to Secretary Sheera Glass, President Juan Fernandez or Exec Board Member James Whooley at L154AFSCME@aol.com.

Next Meetings:

- **Executive Board Meeting on September 17, 2024 at 6 PM**
- **General Membership Meeting on September 25, 2024 at 6 PM**