

May 7, 2019

# **BOARD OF LABOR RELATIONS**

Agent/Director: Katherine C. Foley 860-263-6860

Members: Wendella Ault Battey Barbara J. Collins

General Counsel: Harry B. Elliott, Jr. 860-263-6879

Attorney J. William Gagne, Jr. 1 Congress Street, 3<sup>rd</sup> floor Hartford, CT 06114

Attorney Floyd J. Dugas Berchem, Moses & Devlin, P.C. 75 Broad Street Milford, CT 06460

RE: AFSCME Council 4, Local 3144

and City of New Haven Case No. MEE-31,541

Decision No. 5068

DEGETVE

MAY - 9 2019

Berohem Moses PC

Dear Counsel:

Enclosed please find the <u>Decision and Clarification of Unit</u> rendered by the Connecticut State Board of Labor Relations in the above-captioned matter.

Sincerely,

Harry B. Elliott, Jr., General Counsel

CONNECTICUT STATE BOARD OF LABOR RELATIONS

HBE:kb Enclosure

# STATE OF CONNECTICUT LABOR DEPARTMENT

## CONNECTICUT STATE BOARD OF LABOR RELATIONS

IN THE MATTER OF

AFSCME COUNCIL 4, LOCAL 3144

-and-

**DECISION NO. 5068** 

MAY 7, 2019

CITY OF NEW HAVEN

Case No. MEE-31,541

APPEARANCES:

Attorney J. William Gagne, Jr. for the Union

Attorney Floyd J. Dugas for the City

#### **DECISION AND CLARIFICATION OF UNIT**

On April 30, 2015, the City of New Haven (the City) filed a petition, amended on October 26, 2018<sup>1</sup> with the Connecticut State Board of Labor Relations (the Labor Board) seeking clarification of an existing supervisory and professional unit of City employees currently represented by Local 3144, Council 4, AFSCME, AFL-CIO (the Union) to exclude the positions of Administrative Assistant I, Administrative Assistant II, Aids Prevention Outreach Worker, Computer Lab Tech, Fiscal Account Specialist, Personal Computer Support Tech, Site Coordinator and Utilization Monitor.

After the requisite preliminary steps had been taken, this matter came before the Labor Board for hearings on January 25, 2016, March 16, 2016, May 25, 2016, June 23, 2016, August 3, 2016, September 21, 2016, January 23, 2017, February 8, 2017, April 24, 2017, April 27, 2017, August 10, 2017, September 13, 2017, October 12, 2017, November 20, 2017, December 18, 2017 and October 25, 2018. Both parties appeared, were represented and allowed to present evidence, examine and cross-examine witnesses, and make argument. Both parties filed post-hearing briefs, the last of which was received on January 18, 2019. Based on the entire record before us, we clarify the bargaining unit to exclude the positions of Administrative Assistant I,

The petition filed on April 30, 2015 sought Labor Board review of 113 positions and exclusion from the bargaining unit where appropriate. (Ex. 1). The amended petition filed on October 26, 2018 reduced the number of bargaining unit positions at issue to 8. (Ex. 52).

Administrative Assistant II, Aids Prevention Outreach Worker, Computer Lab Tech, Fiscal Account Specialist, Personal Computer Support Tech, Site Coordinator and Utilization Monitor.

# ORDER

By virtue of and pursuant to the powers vested in the Connecticut State Board of Labor Relations by the Municipal Employee Relations Act, it is hereby

ORDERED that the positions of Administrative Assistant I, Administrative Assistant II, Aids Prevention Outreach Worker, Computer Lab Tech, Fiscal Account Specialist, Personal Computer Support Tech, Site Coordinator and Utilization Monitor at issue in Case No. MEE-31,541 are excluded from the bargaining unit represented by Local 3144, Council 4, AFSCME, AFL-CIO.

CONNECTICUT STATE BOARD OF LABOR RELATIONS

2

Patricia V. Low Chairman

Wendella Ault Battey Wendella Ault Battey Acting Chairman

Barbara J. Collins Barbara J. Collins Board Member

<sup>&</sup>lt;sup>2</sup> Patricia V. Low attended the initial hearings in this case but did not participate in deliberations and passed away before the issuance of this decision.

# **CERTIFICATION**

I hereby certify that a copy of the foregoing was mailed postage prepaid this 7<sup>th</sup> day of May, 2019 to the following:

Attorney Floyd J. Dugas Berchem Moses, P.C. 75 Broad Street Milford, CT 06460

RRR

Attorney J. William Gagne, Jr. Law Office of J. William Gagne, Jr,

RRR

& Associates, P. C. 1 Congress Street Hartford, CT 06114

Harry B. Elliott, Jr., General Counsel

CONNECTICUT STATE BOARD OF LABOR RELATIONS

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TITLE	ADMINISTRATIVE ASSISTANT I	ADMINISTRATIVE ASSISTANT I	ADMINISTRATIVE ASSISTANT	ADMINISTRATIVE ASSISTANT	ADMINISTRATIVE ASSISTANT I	ADMINISTRATIVE ASSISTANT I	ADMINISTRATIVE ASSISTANT II	ADMINISTRATIVE ASST. I (10 MO)	ADMINISTRATIVE ASST. I (12 MO)	_										
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LAST NAME	ANSARI	BUNTON	D'AMATO	KONG-BROWN	RIVERA	VERDOLIVA	ARROYO-QUIRAMA	BERRIOS	BILLINGS	<b>BONNER-BENNETT</b>	CANTIELLO	DAVIS	DECOLA	JACKSON	NOSNHOC	RODRIGUEZ	SULLO	CARDONA	JONES	MOORE

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FIRST NAME LAKEISHA TRACEY

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 F
 03/05/1977
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 FISCAL ACCOUNTS SPECIALIST

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FIRST NAME JESSICA JOSE

LAST NAME SOTO SOTO

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PC Support Tech.

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 F
 09/23/1990
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# <u>ADMINISTRATIVE ASSISTANT I</u>

## **NATURE OF WORK:**

This is responsible staff and skilled supervisory clerical work for the head of a major department. Work in this position requires the performance as an administrative assistant and personal secretary to a department head. This position entails difficult administrative tasks, judgment, and secretarial duties requiring independent action and judgment. Work is performed with considerable independence with only broad guidelines given. Work is reviewed by conferences and reports and the quality and quantity of work produced by the incumbent and persons under supervision. Supervision is exercised over a large staff of general and special clerical positions.

## **ILLUSTRATIVE EXAMPLES OF WORK:**

Utilizes IBM or compatible microcomputers, primarily through the use of word processing and/or spreadsheet application programs, to compose and produce correspondence and/or other documents in accordance with standard policy.

May serve as receptionist, both greeting the public and answering a multi-line telephone system.

Arranges appointments for superiors; arranges and schedules preparations for meetings of a Board or Commission, (may act as recording secretary) and, for all Director's staff meetings.

Performs research on administrative and financial matters; analyzes data, and prepares reports and recommendations.

Assists in the compilation of data for members of the administrative staff.

Reviews and revises, as necessary, office management procedures to improve work flow and productivity.

Meets with staff to discuss policies and procedures, and may suggest or design procedures.

Maintains complex records including financial records, and supervises the purchasing, payroll, expenditure and personnel record functions.

Handles inquiries and procedures related to the financial and personnel records.

Supervises, schedules and assigns work of other clerical office personnel responsible for administrative direction of the department.

Bupervises the maintenance of all records essential for accountability, or pertinent to departmental equirements.

Under supervision of the Department Head, assists Bureau Heads and Program Directors in preparation of the detail required in the Department's budget.

Supervises final preparation of the budget document.

Performs related work as required.

#### REQUIREMENTS OF WORK:

Graduation from a high school, supplemented by college level courses in public or business administration; and three to five years experience as an office manager of a large department, including three months to one year of experience in administrative research and analysis; or any equivalent combination of training and experience which provides the following knowledge, abilities and skills:

Considerable knowledge of modern office systems, practices and procedures.

Computer literacy skills, which include: word processing, spreadsheets, databases and e-mail.

Considerable knowledge of business English, spelling and arithmetic.

Knowledge of general budgeting principles, methods and practices.

Knowledge of the methods and principles of administrative research and analysis.

Ability to maintain complex record systems and to assemble and prepare reports from such records.

Ability to express ideas effectively orally and in writing.

Ability to assign, schedule and supervise the work of a large staff of clerical employees.

Ability to establish and maintain effective working relationships with other employees and the public.

Ability to learn the use of word processing application programs used in assigned department with ease in a minimal amount of time.

Ability to learn municipal accounting procedures.

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Computer skills updated 9/00 K:\DATA\WORD\JOBDESCR\ADMINISTRATIVE ASSISTANT | (M-5129)(1151).doc

Page 1 of 1

# **ADMINISTRATIVE ASSISTANT II**

# **NATURE OF WORK:**

This is responsible professional staff work in the performance of a variety of administrative or program assignments. Work requires the performance of varied managerial and program staff work to relieve a principal administrator of management detail. Work is performed with independence according to general or specific instructions and at times may be initiated by the incumbents. Work is reviewed by conference and reports to an administrative superior.

# **ILLUSTRATIVE EXAMPLES OF WORK:**

Composes correspondence and memoranda; arranges conferences; interprets administrative policies; relays instructions on policy and procedural revisions; acts for superior on routine matters and while absent; and represents superior at conferences and meetings.

Prepares speeches, testimony, and press releases; prepares contracts.

Investigates and reports to superior on intra and inter-departmental questions of procedures or interpretation of responsibilities.

Receives oral and written public inquiries; researches and replies to inquiries or directs them.

Assumes program responsibilities as assigned; plans, executes, and evaluates programs. Conducts assigned research and administrative studies and prepares reports embodying recommended solutions or courses of action.

Assists in planning, preparing, and coordinating the preparation of capital and operating budgets; analyzes budget requests; handles personnel matters and supervises purchasing requisitions.

Performs related work as required.

# **REQUIREMENTS OF WORK:**

Graduation from a four year college or university with major course work in public or business administration; and 1 to 3 years of experience in governmental research or administration; or any equivalent combination of training and experience which provides the following knowledge, abilities and skills:

Considerable knowledge of the principles and practices of public administration;

Considerable knowledge of the techniques of administrative analysis and research and of the sources and availability of information;

Ability to design and conduct research and to prepare reports according to general guidelines of instructions;

Ability to express ideas clearly and effectively, orally and in writing;

Ability to establish and maintain effective working relationships with other employee and the public.

12/78 P/CS Local 3144/Range 6

#### AIDS PREVENTION OUTREACH WORKER

#### **NATURE OF WORK**

This is a full-time position with the New Haven Health Department as an outreach worker operating in the field to reach and educate people who are at high risk of contracting or transmitting the AIDS virus due to intravenous drug use and/or sexual practices. The outreach worker will function as part of a team which reports to the AIDS Division Director.

#### ILLUSTRATIVE EXAMPLES OF WORK

Participates in intensive orientation and training and ongoing in-service programs to develop knowledge of AIDS and education outreach skills.

Works with key community institutions, organizations, agencies, and individuals to plan, develop, and pilot innovative AIDS prevention strategies.

Implements special AIDS prevention strategies focused on IV drug using population including one-on-one counseling, dissemination of bleach kits and condoms, clean needle/syringe exchange, and drug treatment advocacy.

Assists drug users to gain access to drug treatment; provides counseling, referral and advocacy services.

Delivers AIDS prevention information and materials through street-based and neighborhood-based outreach activity.

Conducts group education programs in concert with community agencies, groups and institutions.

Maintains records of outreach activity.

Selects and prepares educational materials; handles inventory of outreach project materials and supplies.

Works collaboratively with local AIDS organizations.

Conducts evaluation of effectiveness of outreach/education efforts by assessing and documenting changes in knowledge, attitude and practices of target population.

Performs related work as required.

#### REQUIREMENTS OF WORK

Graduation from high school or completion of GED and 1 to 3 years experience as outreach worker/counselor in a community health social service or drug treatment agency or any equivalent combination of training and experience which provides the following knowledge, abilities and skills:

Knowledge of New Haven's divers community and social service network.

Knowledge of AIDS and sensitivity to issues surrounding the epidemic.

Knowledge of drug addiction and the drug culture.

Ability to gain trust of individuals engaged in illicit behavior, i.e. intravenous drug use, prostitution.

Ability to use time constructively and follow program guidelines.

Ability to express oneself orally and in writing and to maintain records of work effort.

Ability to work as part of a team.

Ability to work effectively with various community groups, institutions and agencies.

Ability to counsel individuals about drug using and sexual behavior.

Ability to advocate for clients to help them gain access to services.

Ability to maintain confidentiality of client information.

## FISCAL ACCOUNTS SPECIALIST

## NATURE OF WORK

This is entry-level technical accounting work in the maintenance of a variety of accounts, and the preparation of technical expenditures statements and reports. Work involves establishing and maintaining accounting journals and ledgers for private, state and federal grants, and preparing technical expenditure statements and reports of the same, as well as developing and maintaining personnel, purchasing and other administrative systems.

Work is performed under general supervision, and is evaluated through evaluation of results for accuracy, completeness and compliance with proper procedures and designated work instructions.

# ILLUSTRATIVE EXAMPLES OF WORK

Posts complex financial data, such as revenue, expenditures, encumbrances and disbursements to general and/or subsidiary ledgers; makes adjusting entries; balances figures and makes reconciliations.

Prepares reports on various phases of fiscal activity based on

general and subsidiary ledgers.

Assigns and reviews the work of subordinate clerical personnel engaged in recording financial transactions and following personnel, purchasing and other administrative procedures.

Prepares forms for billing state and federal agencies for

advances and/or reimbursements of funds.

Reviews and analyzes past financial data and other details associated with the preparation of departmental budget and other budget documents.

Records payroll data on computer forms; maintains departmental

personnel records.

Supervises and participates in departmental purchasing.
Supervises and participates in departmental record keeping.
Receives and responds to inquires pertaining to administrative and financial records and systems.

Performs related work as required.

# REQUIREMENTS OF WORK

Graduation from high school supplemented by college-level course work in accounting and office management; 1 to 3 years experience in public or private sector bookkeeping or accounting and office work; or any equivalent combination of training and experience which provides the following knowledges, abilities and skills:

Thorough knowledge of the principles and practices and procedures of bookkeeping.

Considerable knowledge of accounting principles, practices

Considerable knowledge of general office management practices and procedures.

Ability to establish and maintain general and subsidiary ledgers and journals

Ability to prepare and interpret a variety of accounting reports. Ability to assign and review the work of clerical employees. Skill in the use of effective oral and written expression.

# Fiscal Accounts Specialist SPECIAL FUNDS

## **NATURE OF WORK**

This is an entry-level technical accounting work in the maintenance of a variety of accounts, and the of preparation of technical expenditures statements and reports. Work involves establishing and maintaining accounting journals and ledgers for private, state and federal grants, and preparing technical expenditure statements and reports of the same.

Work is performed under supervision, and is evaluated through evaluation of results for accuracy, completeness and compliance with proper procedures and designated work inistruction.

#### ILLUSTRATIVE EXAMPLES OF WORK

Posts complex financial data, such as revenue, expenditures, encumbrances and disbursements to general and/or subsidiary ledgers; makes adjusting entries; balances figures and makes reconciliations.

Prepares reports on various phases of fiscal activity based on general and subsidiary ledgers. Reviews the work of administration personnel engaged in recording financial transactions and following purchasing and other administrative procedures.

Prepares forms for billing state and federal agencies for advances and/or reimbursement of funds.

Reviews and analyzes past financial data and other details associated with the preparation of departmental budget and other budget documents.

Receives and responds to inquiries pertaining to financial records and systems. Performs related work as required.

#### REQUIREMENTS OF WORK

Graduation from high school supplemented by college-level course work in accounting and office management; 1 to 3 years experience in public or private sector bookkeeping or accounting and office work or any equivalent combination of training and experience which provides the following knowledges, abilities and skills:

Thorough knowledge of the principles, practices and procedures of bookkeeping. Considerable knowledge of accounting principles, practices and procedures. Ability to establish and maintain general and subsidiary ledgers and journals. Ability to prepare and interpret a variety of accounting reports. Extensive experience using Excel, Lotus or other financial software systems

# PERSONAL COMPUTER SUPPORT TECHNICIAN

#### **NATURE OF WORK**

This entry-level position exists in the Office of Information Technology and in the Board of Education. Depending on the nature of assignment, this position may differ with respect to location and actual duties. This position supports, maintains, troubleshoots and reports issues regarding computer systems, hardware and computer peripherals. Work involves installation and configuration of PC hardware and software products and support and maintenance of user accounts. Software evaluation and end-user training are also responsibilities of this position. Employee works under the general direction of the Data Processing Manager or designee.

#### **ILLUSTRATED EXAMPLES OF WORK**

Transports and installs personal computer hardware and peripherals such as system units, monitors, printers, modems, etc.

Installs and configures hardware features such as network interface cards (token-ring, and Ethernet), CD-ROM drives, sound cards, internal modems, etc. per required specifications. Resolves conflicts with IRQs, Memory, and Base I/O Addresses.

Responds to and resolves conflicts and troubleshoots issues regarding personal computers, database systems, data information requirements, software programs and the network; elevates issues as necessary to Supervisor.

Installs, configures and provides end-user support for operating systems and a variety of products including but not limited to current Windows products; current MS-Office and Office Professional software products.

Performing routine inventory control procedures for hardware and software licenses.

Performs other related duties as required.

#### REQUIREMENTS OF WORK

Graduation from high school or GED, plus one year technical school or related training and one year of experience in a computer support position. A+ Certification preferred. Microsoft Certified Professional a definite plus; Or any equivalent combination of training and experience which provides the following knowledge, abilities, and skills:

Knowledge of and experience with personal computer hardware and accessories.

Knowledge of operating system software.

Knowledge of Microsoft Office Automation Products, and ability to learn and support new applications and related hardware as required.

Knowledge and understanding of network, Windows servers and active directory.

Ability to install personal computers, software, common peripheral devices, internal expansion boards, network cabling and network switches.

Ability to resolve common hardware and memory conflicts, and ability to determine when a problem needs to be elevated for higher-level resolution.

Ability to accurately record inventory information for both hardware and software products.

Ability to work independently.

Ability to communicate both verbally and in writing. Strong interpersonal skills are required.

Ability to maintain effective relationships with fellow employees, representatives of other agencies, the media and the general public.

#### **SPECIAL REQUIREMENT**

Candidate must be able to safely lift 40 lbs.

### **UTILIZATION MONITOR**

#### **NATURE OF WORK**

This is professional staff support work involving opportunities for minority and women construction businesses in securing contracts which are publicly funded; monitoring contractor's affirmative action/equal employment utilization; and monitoring Davis Bacon compliance. Work is performed under the direction of the Contract Compliance Director.

## **ILLUSTRATIVE EXAMPLES OF WORK**

Conducts pre-award meetings as requested to review Affirmative Action Plans and to ensure that Davis Bacon guidelines are met.

Attends compliance meetings as requested and makes recommendations to the Contract Compliance Director concerning the taking of any sanctions.

Attends change order meetings as requested and makes justification recommendations to the Contract Compliance Director.

Attends board meetings of the Commission on Equal Opportunities as well as outreach meetings with the general community and the private sector community; and,

Ensures construction related contract opportunities for minority and disadvantaged businesses whose work force is composed of 51% low/moderate income persons.

Maintains records of minority utilization on related construction projects; assists contractors and unions in the implementation and maintenance of minority manpower plan goals.

Conducts on-site visits to construction projects for compliance with Section 12 1/2 of the City's Equal Opportunity Ordinance, labor standards and other regulatory requirements, including Davis Bacon and Section 3.

Provides contract compliance utilization field reports.

Conducts on-site employee interviews for Labor Standards and Davis Bacon Compliance.

Assists in monitoring EEO reports through field and desk audits of construction, vendors and suppliers.

Provides technical assistance to City departments, general contractors, minority contractors and employers.

Assists in the preparation of oral and written reports.

Assists the Contract Compliance Director in the maintenance of relationships with labor and business groups and government and neighborhood agencies.

Act as the Contract Compliance Director in his/her absence; and,

Performs related work as required.

## REQUIREMENTS OF WORK

Graduation from an accredited four year college or university with major course work in business or public administration; or any equivalent combination of training and experience which provides the following knowledge, skills, and abilities:

Knowledge of the principles and practices of affirmative action and equal opportunities.

Knowledge of governmental, community and labor organizations as they relate to the construction trades.

Knowledge of the construction industry, including the New Haven Building Trades.

Ability to collect, analyze and present statistical data.

Ability to analyze and apply federal, state and local laws and regulations.

Ability to monitor construction site labor workforce.

Ability to maintain effective working relationships with contractors, public officials, labor unions and the general public.

Ability to organize issues, facts and evidence and present clear and logical material both orally and in writing.

Revised in HR 12/2009, combining UM I & UM II Revised 3/02 (regulatory language) No CSB aprv req'd Replaces 8/4/98 Revision K:\JOBDESCR\UTILIZATION MONITOR (M-5528)(00233).doc