

Those of us who have worked as per diem hearing officers prior to February 2007, when the UFT filed the petition for union recognition on our behalf, can tell you what it was like to be working without the protection of a union. Our hourly wages were lower, we had no workplace structure within which we could have a voice, we had zero job protection and we had no one to stand up collectively for our rights!

A little history: in the 1970's, the City created the job title "Hearing Officer Per Session", with an annual work hour limitation that gave it complete flexibility to assign us work hours without incurring any liability for health insurance. As the workload grew at Taxi and Limousine, Health and the Environmental Control Board, the three tribunals that are now a part of OATH, the City relied more and more on part-time hearing officers, rather than full-time staff attorneys, to carry the load. As a result, the annual cap, by then 1000 hours, was not consistently enforced.

In the late 1990's we had our first experience with unionizing when we were accreted into the Teamsters, which had a unit of full-time staff attorneys among its ranks. It did not take long after the City added a "17-hour in 2 consecutive weeks" cap to our job description for the Teamsters to realize that the philosophical conflict between representing full-time hearing officers and part-time hearing officers made it untenable for the Teamsters to represent us properly. What followed was essentially a divorce - an election in which a majority of us voted to disaffiliate.

Fast forward to 2006, when, as a result of a referendum, the position of Administrative Justice Coordinator was created. We began to hear rumors of the reorganization and consolidation of the tribunals under OATH and possible changes in the conditions under which we were hired. Some of our members sprang into action and found the UFT to be interested in representing us. We started an organizing drive that resulted in a sufficient number of signed representation cards to support the filing of a petition for the recognition of UFT as our bargaining representative.

The City challenged the petition, claiming that we belonged with the Teamsters, which was ironic since the City had challenged our right to be organized by the Teamsters in the first place! In any event, the UFT prevailed, and the Office of Collective Bargaining ordered an election. The vote was overwhelming: 221 out of 228 of us voted in favor of having UFT as our bargaining representative, and our unit was officially certified in September 2007.

After representatives were elected to the negotiating committee, we embarked upon the process of negotiating our first Collective Bargaining Agreement. No

one imagined that it would be a struggle that went on for eight frustrating years during which negotiations ground to a halt in the third term of the Bloomberg administration.

Which is not to say those eight years weren't eventful. Rather, it was a time when the UFT undertook significant litigation to protect hearing officers when the City took actions to enforce the 17-hour cap for the first time; to aggregate the 1,000-hour cap for those who worked at more than one Tribunal; to deny us pay for jury duty; to restrict hours in the ECB and Taxi appeals units; and, if that wasn't enough, to force Health hearing officers who issue final decisions to show their decisions to their manager before they could dismiss a case. In each of these cases, the UFT filed improper practice charges or commenced an action in court. In each case, the UFT prevailed.

Once the Bloomberg years ended, collective bargaining resumed. The UFT and the City agreed to mediation, which finally resulted in a new contract that was ratified in May 2015.

Let the next chapter of the history of our bargaining unit begin!