

## ARTICLE II - DUES CHECKOFF

### Section 1.

- a. The Union shall have the exclusive right to the checkoff and transmittal of dues on behalf of each Employee in accordance with the Mayor's Executive Order No. 98, dated May 15, 1969, entitled "Regulations Relating to the Checkoff of Union Dues" and in accordance with the Mayor's Executive Order No. 107, dated December 29, 1986, entitled "Procedures for Orderly Payroll Check-Off of Union Dues and Agency Shop Fees."
  
- b. Any Employee may consent in writing to the authorization of the deduction of dues from the Employee's wages and to the designation of the Union as the recipient thereof. Such consent, if given, shall be in a proper form acceptable to the City, which bears the signature of the Employee.

### Section 2.

The Parties agree to an agency shop to the extent permitted by applicable law, as described in a supplemental agreement hereby incorporated by reference into this Agreement.

## ARTICLE III - HOURLY RATE

### Section 1.

Employees shall be subject to the following specified flat hourly rates. The rates listed below fully and completely satisfy the parties' obligations pursuant to Section 3(J) of the agreement between the City of New York, the UFT, and the New York City Board of Education, dated May 1, 2014.

Effective September 25, 2007		Effective May 1, 2013		Effective May 1, 2014		Effective September 1, 2014	
Hiring Rate	Incumbent Rate	Hiring Rate	Incumbent Rate	Hiring Rate	Incumbent Rate	Hiring Rate	Incumbent Rate
\$36.60	\$39.47	\$36.97	\$39.86	\$37.34	\$40.26	\$42.57	\$45.90

Effective May 1, 2015		Effective October 1, 2015		Effective May 1, 2016		Effective May 1, 2017	
Hiring Rate	Incumbent Rate	Hiring Rate	Incumbent Rate	Hiring Rate	Incumbent Rate	Hiring Rate	Incumbent Rate
\$43.86	\$47.29	\$43.96	\$47.39	\$45.49	\$49.04	\$47.56	\$51.27

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Effective May 1, 2018		Effective June 16, 2018	
Hiring Rate	Incumbent Rate	Hiring Rate	Incumbent Rate
\$48.49	\$52.28	\$49.94	\$53.85

**Section 2. New Hires.**

1. A Hearing Officer (Per Session) who has been paid at the "Incumbent Rate" as of the date of the ratification of this Agreement shall continue to be paid at the applicable "Incumbent Rate" as set forth in Section 1.
  
2. A Hearing Officer (Per Session) who has been paid at the "Hiring Rate" shall continue to be paid at the applicable "Hiring Rate" as set forth in Section 1 until his/her two year anniversary of City employment at which time he/she shall be paid at the applicable "Incumbent Rate" as set forth in Section 1.
  
3. Any individual first employed as a Hearing Officer (Per Session) after the date of the ratification of this Agreement shall be paid at the applicable "Hiring Rate" as set forth in Section 1 until his/her two year anniversary of City employment at which time he/she shall be paid at the applicable "Incumbent Rate" as set forth in Section 1.

**ARTICLE IV - PRODUCTIVITY AND PERFORMANCE**

The Parties acknowledge their mutual rights and obligations under the New York City Collective Bargaining Law including the Employer's right to determine the standards of services to be offered by its agencies; determine the standards of selection for employment; direct its Employees; take disciplinary action; relieve its Employees from duty because of lack of work or for other legitimate reasons; maintain the efficiency of governmental operations; determine the methods, means and personnel by which governmental operations are to be conducted; take all necessary actions to carry out its mission in emergencies; and exercise complete control and discretion over its organization and the technology of performing its work.

At the request of the Union, the Commissioner or his/her designee shall meet at reasonable intervals to discuss issues related to productivity and performance.

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