

OFFICE OF THE MAYOR

Executive Order No. 13

JULY 24, 1980

DUTIES, RESPONSIBILITIES AND AUTHORITY OF THE COMMISSIONER OF LABOR RELATIONS

NOW, THEREFORE, BY THE POWER VESTED IN ME AS MAYOR OF THE CITY OF NEW YORK, IT IS HEREBY ORDERED AS FOLLOWS:

Section 1. Office of Labor Relations. The Office of Municipal Labor Relations is hereby renamed the Office of Labor Relations.

§2. Commissioner of Labor Relations. There is hereby established an office of Commissioner of Labor Relations. The Commissioner of Labor Relations shall act as the head of the Office of Labor Relations.

§3. Scope of Duties and Authority in Municipal Labor Relations. The Commissioner of Labor Relations is authorized to represent the Mayor in the conduct of all labor relations between the City of New York and labor unions, associations, or other organizations representing the employees of the City. The Commissioner of Labor Relations shall have the duty and authority:

(a) to negotiate, prepare, and sign labor contracts with the unions certified as representing the various groups of City employees. The Commissioner of Labor Relations shall have the exclusive authority to negotiate on all matters within the scope of collective bargaining. No agreement, contract or understanding with respect thereto shall be made except by the Commissioner of Labor Relations, no shall any such agreement, contract or understanding be enforceable unless in writing and signed by the required parties;

(b) to assent, personally or through his or her representative, to compromise settlements or consent determinations pursuant to Section 220 of the Labor Law; and

(c) to take other lawful and reasonable steps to foster cooperation between the City and its employees.

§4. Scope of Duties and Authority in Labor Relations of the Covered Organizations. The Commissioner of Labor Relations is authorized to represent the Mayor in the conduct of all labor relations between the covered organizations funded in whole or part by monies from the City treasury, and labor unions, associations or other organizations representing the employees of the covered organizations. The duties and authority of the Commissioner of Labor Relations set forth in section 3(a) of this Order shall extend to any covered organizations which elect to come under the provisions of the NYCCBL.

§5. Scope of Duties and Authority in Private Sector Labor Relations. The Commissioner of Labor Relations is authorized to act on behalf of the Mayor as the City's liaison with both labor and management in the private sector. The Commissioner of Labor Relations shall have the duty and authority, upon direction of the Mayor, to act as the City's observer or representative in private sector labor disputes and to offer and extend dispute resolution services to assist in the settlement of such disputes.

§6. Delegation of Duties and Authority. The Commissioner of Labor Relations may delegate the performance and exercise of the duties and authority set forth in sections, 3, 4 and 5 of this Order to such deputies or other officers of the Office of Labor Relations as he or she deems appropriate.

§7. Department and Agency Head Cooperation With the Commissioner. The heads of all City departments and agencies and the staff of the Office of the Mayor shall cooperate fully with the Office of Labor Relations. This cooperation shall include, but not be limited to, the following:

(a) to notify and transmit to the Office of Labor Relations all inquiries and requests from labor unions, associations or other organizations representing the employees of the City soliciting interpretation of any agreement;

(b) to consult with the Office of Labor Relations before any city department or agency takes any action based upon interpretation of a collective bargaining agreement;

(c) to consult with the Office of Labor Relations, and submit for review, any proposed verbal or written agreement, contract or understanding with a union or organization representing employees of any City department or agency, before such proposed agreement, contract or understanding is consummated;

(d) to consult with the Office of Labor Relations before any City department or agency and employees of that department or agency enter into any advisory or binding dispute or grievance settlement procedure;

(e) to consult with the Office of Labor Relations before any City department or agency unilaterally changes, in a substantial way, the working conditions of its employees;

(f) to consult with the Office of Labor Relations before any City department or agency takes any disciplinary action against any employee or group of employees;

(g) to provide the Office of Labor Relations with all necessary information needed in the conduct of labor negotiations affecting the employees of any City department or agency, and to participate with the Office of Labor Relations in negotiations as, in the opinion of the Office of Labor Relations, may be necessary from time to time;

(h) to notify the Office of Labor Relations of all meetings held by any City department or agency with labor unions, associations or other organizations representing the employees of that department or agency;

(i) to notify the Office of Labor Relations before any City department or agency issues any press statement relating to labor relations between a department or agency and its employees;

(j) to inform the Office of Labor Relations of any employee relations problems within the department or agency, including immediate notification of any threatened or actual strike, work stoppage, job action, mass resignation or picketing by employees of the department or agency.

§8. Change in Nomenclature. All references to (a) the Office of Municipal Labor Relations or (b) to the Director of Municipal Labor Relations, Director of Labor Relations or City Director of Labor Relations contained in prior Executive Orders, including, but not limited to, Executive Order No. 75, dated March 22, 1973, Executive Order No. 83, dated July 26, 1973, Executive Order No. 6, dated January 21, 1974, Executive Orders Nos. 98 and 99, dated October 1, 1969 and Executive Order No. 107, dated December 29, 1986; and in all other orders, rules, procedures, regulations or agreements governing the conduct of the City's labor relations which are subject to the jurisdiction of the Mayor, shall be deemed to be references respectively (a) to the Office of Labor Relations and (b) to the Commissioner of Labor Relations.

§9. Existing Signed Documents. All existing labor contracts, agreements, orders, procedures, directives, interpretations or other documents signed by the Director of Municipal Labor Relations, the Director of Labor Relations or the City Director of Labor Relations shall be deemed to have been signed by the Commissioner of Labor Relations.

§10. Revoked Prior Orders. Executive Order No. 38, dated February 7, 1967, Executive Order No. 74, dated December 15, 1976 and Executive Order No. 81, dated March 7, 1977 are hereby revoked.

§11. This Order shall take effect immediately.

David N. Dinkins
MAYOR

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