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Director of Classifications

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October 20, 2009

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**Re: Comptroller, Ex. Rel. Local 1320, District Council 37,
AFSCME, AFL-CIO v. Office of Labor Relations
OATH Index No. 1522/09**

Dear Counsel:

Enclosed please find a Summary of Prevailing Wage Rates and Summary of Prevailing Wage Benefits containing proposed hourly wage rates and supplemental benefit provisions for Sewage Treatment Workers (“STWs”) and Senior Sewage Treatment Workers (“SSTWs”). The proposed rates were set after a review of Administrative Law Judge Zorigniotti’s Report and Recommendation, the transcript of the hearings and the exhibits introduced at the hearing, and employment data from the City of New York’s Payroll Management System (“PMS”).

Both parties have asked the Comptroller to set uniform hourly rates as prevailing wage rates for STWs and SSTWs. The Bureau of Labor Law has concluded that the uniform prevailing wage rate for each title should reflect the average length of employment for City employees in that title, for purposes of placing the STWs and SSTWs in the wage scale provided to Local 1-2 Operating Mechanics “A” (“OMAs”) and Plant Operators (“POs”) pursuant to their collective bargaining agreements with the Consolidated Edison Company of New York, Inc. This conclusion is supported by testimony at the hearing that virtually all OMAs and POs receive each progressive wage increase over the course of the 12 years that it takes to reach the maximum pay rates.

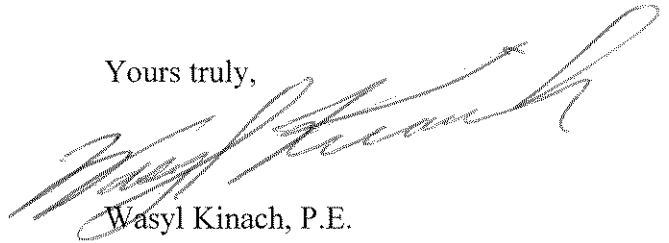
Our review of the applicable PMS data indicates an average length of service of 10.7 years for active STWs, and 16.5 years for active SSTWs. The proposed prevailing wage rates for STWs reflect the 10.7-year average as a step within the 12-year wage scale for OMAs. The proposed prevailing wage rates for SSTWs reflect the maximum rates for POs. Please note that each

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supplemental benefit rate is calculated as a percentage of each base hourly wage rate, in addition to the uniform paid holiday, vacation and sick leave provisions applicable thereto.

Before this matter is submitted for a final order and determination, the Office of Labor Relations and Local 1320 are being provided an opportunity to present their respective views regarding the proposed prevailing wage and supplemental benefit rates. Please provide us with any written comments by November 6, 2009.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Wasył Kinach', is written over the typed name.

Wasył Kinach, P.E.
Director of Classifications

cc: Mary O'Connell, Esq.
Enclosures
WK:ck

Summary of Prevailing Wage Rates

<u>Effective Date</u>	<u>Sewage Treatment Worker</u>	<u>Senior Sewage Treatment Worker</u>
6/27/2002	\$29.66	\$32.67
6/27/2003	\$30.54	\$33.65
6/27/2004	\$31.46	\$34.66
1/2/2005	\$31.62	\$34.83
6/26/2005	\$32.72	\$36.05
6/25/2006	\$33.86	\$37.31
6/24/2007	\$34.97	\$38.52

SUMMARY OF PREVAILING WAGE BENEFITS

- Benefits Include: Pensions and Other Retirement Benefits, Group Life Insurance, Hospital Plan, Group Health Insurance, Prescription Drug Plans, Comprehensive Medical Plan, Employee & Dependents Dental Plans, Employee & Weekly Vision Care Plans, Health Maintenance Organizations, Long Term Disability, Employee Occupational/Accidental Death, Flexible Benefits, Adoption Benefit Plan, Excess Workers' Compensation, Employee Counseling Service, Welfare Lung & Hearing/Med Screening, Elder Care Referral, Work Home Wellness, Child Care Consulting, Emergency Child Care, Tuition Aid Program, Employee Stock Plans, Thrift Savings Plans.

Effective Date	Benefit Rate(Percent of Base Wage)
6/30/2002	25.73%
6/29/2003	26.33%
6/27/2004	25.71%
1/2/2005	26.07%
6/26/2005	26.07%
6/25/2006	22.82%
6/24/2007	29.66%

- Holiday: 11 paid holidays

- Vacation:

Years of Service Completed
As of December 31

Weeks of Vacation

Less Than One (1) Year:

If Employed After Aug. 31

1

If Employed Before Aug. 31

2

1 to 2 Years Inclusive

2

3 Years

2 + 1 Day

4 Years

2 + 2 Days

5 to 11 Years Inclusive

3 + 1 Day

12 Years

3 + 2 Days

13 Years

3 + 3 Days

14 Years

3 + 4 Days

15 to 21 Years Inclusive

4 + 1 Days

22 Years

4 + 2 Days

23 Years

4 + 3 Days

24 Years

4 + 4 Days

25 Years

5

- Personal Holiday: Regular employees who have completed two (2) years of continuous service on any December 31, shall be entitled to designate one (1) scheduled working day as a personal holiday to be taken in the following calendar year. (see page 19 of the CBAs)

- Sick Leave: Regular employees absent from work on account of non-occupational illness or injury and/or occupational illness or injury may receive in any fifty-two (52) consecutive weeks a Company Sick Allowance which shall consists of not more than one (1) week's straight-time pay for each year of continuous service, with an allowance of to one (1) week's straight-time pay after a minimum of three (3) months' service, followed by an allowance of eighty percent (80%) of straight-time pay for up to twenty-six (26) additional weeks. (see page 40 of the CBAs)