

Clerical and Office Support Professionals



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Introduction

NYSUT represents about 12,000 members who work in a variety of office support job titles. A sampling of these support professional titles include: secretary, clerical, administrative assistant, data entry, typist, clerk, and a variety of others. As diverse as the titles are, the type of requirements a person needs to apply for jobs in different settings and districts vary as well. Most of these clerical jobs require a civil service test in order to be placed on a list to qualify for a particular job. A very different example would be the school secretary members of the United Federation of Teachers in New York City as they need to be licensed.

Office professionals make our public schools, private sector schools, libraries, and other institutions function smoothly. They are the front-line professionals who provide courteous and helpful assistance to school and office visitors while carrying out all office operations, and they are the behind-the-scenes professionals who work in settings from administration buildings to the transportation facilities.

Bargaining in the Public Sector

Public employee unions are covered by the Public Employees' Fair Employment Act (Taylor Law). Section 200 of the law (Statement of Policy) states:

“... it is the public policy of the state and the purpose of the act to promote harmonious and cooperative relationships between government and its employees and to protect the public by assuring, at all times, the orderly and uninterrupted operations and functions of government.”

The Taylor Law guarantees public employees the “right of organization and representation.”



NYSUT assists local unions with both of these rights – organization and representation – through the Field Services Department. The work of the local is supported by a NYSUT labor relations specialist (LRS) and other regional and headquarters staff as needed.

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Private Sector Employees

SRP members employed in the private sector are governed and regulated by the provisions of National Labor Relations Act (NLRA) by the National Labor Relations Board (NLRB). The Act has morphed over the years from the passage of the Wagner Act to its current form as defined by the NLRA. However, the goal of the Wagner Act was to “eliminate the causes of industrial strife and to mitigate and eliminate such obstructions when they occur” has not changed. The Act “encourages collective bargaining, and protects workers’ exercise of full freedom of association.”

At the current time, more than 100 private sector locals are affiliated with NYSUT. The largest of them is the Union of Clerical, Administrative and Technical Staff at New York University with close to 1,500 members.

The major difference between the Taylor Law (public sector in N.Y.) and the NLRA is very important and critical. Private sector unions can go on strike to secure a contract. Public sector unions in N.Y. are prohibited from striking. If a job action does occur in the public sector, the penalties are substantial – two day’s pay for every day on strike for the employee, and fines for the union.

NYSUT’s LRSs work with the private sector in the same fashion as they do with public sector locals – contract negotiations, contract enforcement, litigation at the NLRB, strategic planning, membership engagement, leadership training, strike action, etc.

The Local Contract

The contract between the employer and the local union is an important and necessary document for members of the union. In addition to delineating the employee’s wages and benefits, the collective bargaining agreement (CBA) can be used to set procedures for discipline and termination, establish safety and health procedures – including an expedited grievance procedure for violations, rights of the union, days and hours of work, evaluation procedures, etc. These non-wage/benefit issues may be just as, or more important than, the wages and benefits that are negotiated.

It is important to understand that, under the provisions of the Taylor Law, there are “mandatory” and “non-mandatory” subjects of bargaining. Local leaders should discuss bargaining demands and contract enforcement with their LRS.

NEED TO BE VIGILANT

It is imperative that local members and leaders are vigilant to any unilateral changes the employer attempts to make to the working conditions of the employees in the bargaining unit. Such changes may come without any warning, while others may be made by the employer after consultation, but without agreement on how the changes should be implemented.

PUBLIC SECTOR EMPLOYEES AND CIVIL SERVICE

Many of the positions (titles) that are held by clerical employees are covered by civil service regulations – state, county or local. Locals need to consider how and when to use the civil service regulations to their advantage to support the CBA.

JOB CREEP

Job creep is when the employer keeps adding duties and responsibilities to a given title while keeping the employee in that position at the same grade level (salary and benefits). It is important the local union be alert to such situations and deal with the administration in a timely fashion to adjudicate the issue. Another method of “job creep” is for the employer to create new titles and hire new people to fill these positions instead of promoting from within. Again, it is critical that union members are vigilant in this matter and report to the local’s leadership any new positions or new employees that show up at work.

BOTTOM LINE

Local leaders need to be in constant contact with their LRS. Together, they should evaluate the needs of members and their local; determine how to go about reaching the established goals, and educating members about changes and the role of the union in protecting their rights.

Health and Safety Concerns

Many of our clerical services professionals face workplace health and safety hazards. Poor workstation design, including computer placement can cause vision issues and musculoskeletal injuries like neck and shoulder problems and carpal tunnel syndrome. Other hazards include poor indoor air quality and stress. Here are some helpful tips:

- The National Institute for Occupational Safety and Health (NIOSH) suggests a way to relieve eye and muscle fatigue is to take a 15-minute rest break every two hours.
- Eye muscles can be relaxed by looking at a distant object for a few seconds every five to 10 minutes
- Try using a lumbar pillow to provide lower back support

WHERE TO GO:

NYSUT’s Health & Safety Specialist, Wendy Hord, is available to assist with issues. She can be reached through your Labor Relations Specialist.

The tips above, as well as many others can be found in supplemental materials that are available free through NYSUT. Contact Linda Watkins at lwatkins@nysutmail.org to order the following:

- Health and Safety Fact Sheet: Health Hazards of Computer Use
- Health and Safety Fact Sheet: Mold
- Health and Safety Fact Sheet: Visual Inspections
- Health and Safety Fact Sheet: Safety and Health Committees
- Health and Safety Fact Sheet: Workers Compensation
- Health and Safety Brochure: Indoor Air Quality
- Work Shouldn’t Hurt, AFT pamphlet

- Dealing with Student Behavior Problems, a guide for school-based secretaries, AFT pamphlet
- Pointers for PSRPs Health & Safety Tips, AFT booklet
- What is Workplace Stress? – AFT pamphlet
- Safe, Secure and Welcoming School Environments – AFT pamphlet
- Clerical Services / Administrative ESPs and Bullying Prevention – NEA

Worker's Compensation

When you are hurt on the job, it is critical that you complete an accident report provided by the employer immediately after the injury occurs. If the injury is such that you need immediate medical attention, please make sure you inform the provider that the injury occurred at work. If it is an injury that does not seem to require medical attention at that time, fill out the accident report (make sure you get a copy), and go to your own doctor. If there is a possibility that either a partial or full disability might be the result of the injury, we recommend you secure a doctor who is an expert in the field of medicine you require, and has experience in dealing with Worker Compensation cases.

In addition to notifying the employer of your injury, you should notify your local site (building) representative of the accident.

Worker's Compensation cases are NOT handled by NYSUT staff or NYSUT attorneys. This is a very special area of law, and the attorneys who handle these cases know the rules and procedures to assist you in your claim against the employer.

The NYSUT Regional Office can provide a list of law firms that handle Worker's Compensation cases. Of course, you can also search the internet to find similar information.

Best recommendation – be careful on the job. Do NOT use faulty equipment or attempt to fix equipment. Follow procedures outlined by the employer to report malfunctioning equipment. Discuss your situation with the local president if you are not sure whether the employer is putting you in a dangerous situation that could cause a severe injury.

Professional Development

Meaningful professional development is critical to maintaining a confident and highly skilled staff. Districts that do a good job in training show respect for their clerical professionals. However, when districts fall short, your union is here to help to bring your members the training they need.

WHAT TO DO:

Local leaders should work with their LRS to survey their members to see what types of training they feel would help them in their jobs. Topics, such as communication skills, sensitivity training, ergonomics, bullying, time management and tech updates might be beneficial to members. Work with your district to evaluate the current training offered to your clerical workers and discuss the training needs of your members. Set up a schedule of professional

development for your members. Always keep a record of your past trainings as well as all future training you receive.

Some NYSUT locals that represent clerical professionals might have provisions in their contracts that address training requirements. Language can specify duration, training topics, compensation, district and/or manager approvals and timing. Your local union leadership can work with your NYSUT LRS to assess the statewide union's department of Research and Educational Services to perform a contract search for language about training, as well as other topics such as discipline, overtime and work load, pro-growth (financial credit for PD), job duties, evaluations, security (buzzer/door) responsibility and the right to select equipment. This may be helpful when bargaining your next contract.

WHERE TO GO:

- The International Association of Administrative Professionals at www.iaap-hq.org includes a variety of webinars available as well as other pertinent articles and information.
- NYSUT Education and Learning Trust at www.nysut.org offers workshops on communication skills, time management and managing student behavior.

Administrative Professionals Day

Administrative Professionals Day is always celebrated the Wednesday of the last full week of April. Each year, administrative professionals are recognized for their skills and loyalty, attributes almost every office depends upon. Administrative Professionals Day celebrates and sheds light on administrative professionals' devoted, valued work. For more information and ways to celebrate, go to www.iaap-hq.org

RESOURCES:

- National Education Association, www.nea.org
- American Federation of Teachers, www.aft.org
- The International Association of Administrative Professionals, www.iaap-hq.org
- National Institute for Occupational Safety and Health (NIOSH)

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*Several sources have been used in the creation of this document.
They include: the AFT, NEA, NYSUT, State Department of Civil Service and the above web sites.*