

The following constitutes the Report of the Mediator in the mediation of the collective bargaining negotiations between the City of New York ("the City"), the Health and Hospitals Corporation ("the Corporation") and District Council 37, AFSCME, Local 2507 ("the Union").

WHEREAS, the undersigned parties desire to enter into a collective bargaining agreement, including the following recommendations and an agreement which expired on June 30, 1987 to cover the employees represented by the Union ("Employees"); and

WHEREAS, the undersigned parties having concluded mediation of the collective bargaining negotiations for the 1987-90 Agreement, and agree to abide by the following recommendations;

My recommendations are as follows:

1. The City, the Corporation and the Union will jointly recommend to the Equity Panel a salary schedule and uniform allowance payments which is attached as Appendix A. This joint recommendation will be made upon Union ratification of these recommendations.
2. Upon ratification of these recommendations by the Union, the City and the Corporation will pay the 5% salary increase effective July 1, 1988 pursuant to Section 4a(ii) of the 1987-90 District Council 37 Economic Agreement as soon as feasible.
3. In the event the Union fails to ratify this Agreement, the joint recommendation to the Equity Panel will not be submitted and

the City and the Union will submit separate recommendations to the Panel.

4. The Corporation has issued a written Employee Assistance Program ("EAP") policy applicable to, among others, the employees of the Emergency Medical Service ("EMS").

4a. It is the intention of the Corporation to establish a Critical Incident/Trauma Intervention Program.

5. The Corporation will issue an EMS Operating Procedure on reassignments which will detail the procedure for reassignment requests. This Operating Procedure will include the ability of Supervising Emergency Medical Specialists to apply for intra-borough transfers. The operating procedure will specifically prohibit the use of reassignment for disciplinary reasons unless it is as the result of a disciplinary hearing. This policy does not prohibit the reassignment of employees for non-disciplinary reasons.

6. The issue of the ergonomic conditions within the Communications Division of EMS will be referred to a joint Labor/Management Committee.

7. Issues of leave pertaining to employees suffering serious work related injury will be submitted to a joint Labor/Management Committee made up of members of the Corporation and the Union. The mediator has agreed to offer assistance as needed.

8. As part of regular supervisor training programs, the Corporation will train Supervising Emergency Medical Services Specialists in accident investigation.

9. EMS will issue a new form entitled Quality Assurance Notification Form. The Quality Assurance Notification Form will be generated by the employees only. The form will not be used for disciplinary purposes and will so state.

10. EMS will issue a written procedure stating that the signed Employee Statement will be filled out by the employees only if directed by their supervisor. An employee who is directed to fill out an Employee Statement will be given one-half hour to contact their Union representative. This period may be extended up to one-hour in the discretion of the employee's supervisor. The extension will not be unreasonably denied. Telephones will be made available for employees to contact the union under these circumstances.

11. EMS will issue a new form which will be used by employees for the sole purpose of reporting minor items.

12. EMS will issue a written procedure requiring that any Confidential Complaint Unit Employee Statement given to an employee will include the Ambulance Call Report ("ACR"). If the ACR is not available a description of the incident will be attached. An employee will be given until the beginning of his/her next regularly scheduled tour to complete the Confidential Complaint Unit Employee Statement. In the event there are 72 or more hours between those tours, the employee will be given 24 hours to return the completed Statement.

13. EMS will issue a written policy providing that employees involved in a Major Incident Investigation will be given four hours

from the time of notification to contact and consult with the Union. The Union will establish a new procedure through which an employee will be directed as to how to contact and consult with the union within the four hour period. Telephones will be provided by EMS for this purpose.

14. The Union will withdraw without prejudice its demands numbered 41 and 42 regarding new protocols, Field Training Officer and Instructor differentials.

15. Previous agreements between the parties concerning overtime and reassignments shall continue.

Dated this 15th day of July, 1988

Attest

*Alan R. Viani*

Alan R. Viani

Witnessed

*Dennis Sullivan*

District Council 37

*Richard J. Wall*  
Local 2507

Bargaining Committee Members:

*Joan C. Hillgardner*  
*Thomas J. Wilson*  
*William J. ...*

*Henry Kisseloff*  
City of New York

*Myra Sweetser for Thomas G. Doheerty*  
Health and Hospitals Corporation