

**Buffalo & Erie County Public Library**

**PERSONNEL POLICIES AND PROCEDURES MANUAL**

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**SUBJECT: Allocation of New Titles to Bargaining Units**

**CHAPTER: III**

**SECTION: 2**

**EFFECTIVE DATE: 1/81**

**REVISION DATE: 6/06, Modified for the B&ECPL effective 1/1/15**

**I. STATEMENT OF POLICY**

At present there are four (4) legally recognized bargaining agents that negotiate separately with the Buffalo & Erie County Public Library as the employer on those matters which are defined as negotiable under the provisions of the Taylor Law. The employees, grouped collectively, for which each bargaining agent legally has exclusive rights of representation are referred to as the bargaining unit.

Any work force as large and as complex as the B&ECPL is subject to change. Policies and procedures must be established for eliminating titles and positions which are no longer appropriate or necessary, and for creating new titles and positions to meet ever changing technologies, laws/statutes, and social and economic conditions.

A procedure and guidelines are established under the Taylor Law for determining which newly created titles are to be assigned to which bargaining units and which exempted from bargaining unit status.

## II. GUIDELINES

### A. Allocation of New Titles

1. New position titles are allocated to a bargaining unit immediately upon creation by the Assistant Deputy Director of Human Resources. A form is completed by Human Resources, indicating union allocation. A copy of this form is forwarded to all bargaining units which may have an interest in the position's unit allocation.
2. Only in unusual circumstance will a title remain "non-allocated" at time of creation. Such circumstances would include duties that borderline between one unit and another or a lack of specific information necessary to make a proper allocation.

### B. If a Title Is Contested

1. The New York State Public Employees' Relations Board (PERB) is petitioned for a determination on the allocation of the title(s).
2. Contesting unions may each submit written justification as to why the title should be allocated to its bargaining unit.
3. PERB may conduct a hearing at which any contesting union may present additional testimony to justify its position, or may make final determination based on the written testimony previously received.

4. Upon receiving notification from PERB of its decision, the B&ECPL formally notifies the individual department(s) and the affected employee(s), if any, by the decision.