

PLACEMENT NAME: **LABOR RELATIONS BUREAU, STATE EDUCATION DEPT.**

SUPERVISING ATTORNEY: **David N. Green**

1) A brief statement about your office generally (e.g., mission, jurisdiction, size, nature of practice, etc.)

The Labor Relations Bureau has primary responsibility for acting on behalf of the Department in its dealings with the 6 collective bargaining units that represent more than 3,000 Department employees in addition to management/confidential and executive level employees. Labor Relations staff represent the Department in negotiating the employment contracts as well as Memoranda or Understanding and Memoranda of Agreement that may exist with other state agencies, educational institutions and service providers.

The Department has negotiated labor agreements with the NYS School for the Blind in Batavia and the NYS School for the Deaf in Rome. Both of these Schools operate under the auspices of the Department. Labor Relations staff are charged with negotiating, interpreting and enforcing the terms of these labor agreements.

The Labor Relations Bureau is engaged in the following activities:

- 1. Various Joint Labor/Management Committees and subcommittees that meet regularly to resolve issues relating to terms and conditions of employment and the continued improvement of public services furnished by the Department.*
- 2. Administers the Department's employee grievance and disciplinary procedures and represents the Department at grievance and disciplinary hearings and arbitrations.*
- 3. Respond to all charges of "Improper Labor Practices" levied against the Department pursuant to Civil Service Law 209 (The Taylor Law), and will appear alongside attorneys from the Governor's Office of Employee Relations (GOER) at hearings before the Public Employee Labor Relations Board.*
- 4. Assist the Department's Office of Counsel in preparing, processing and responding to complaints of discrimination filed against the Department with the EEOC and the NYS Division of Human Rights, lawsuits filed in Albany County Supreme Court pursuant to Article 78 of the CPLR and in the Court of Claims.*
- 5. Provide training to the Department's supervisors and managers on Labor Relations issues including the employee grievance process, employee disciplinary procedures, contract interpretation, civil service law and rules, arbitration and related topics.*
- 6. Provides opinions and memoranda on pending legislation that may have implications for the Department or its staff through the Bill Information and Tracking System.*

2) A description of the experiences law students are likely to have at your office, including the types of tasks a student may perform.

The intern will participate in the following tasks:

- 1. Assist Labor Relations staff in investigating and processing disciplinary actions and grievances in accordance with the collective bargaining agreements, supplemental agreements, SED policy, and Civil Service Law. This may include preparing opening and closing arguments, preparation of evidence and development of witness testimony and preparation and presentation of evidence at trial type arbitration proceedings.*

2. *Negotiate agreements and draft stipulations of settlement between principles of the labor union and Department management where such a resolution is appropriate;*
3. *Draft notices of discipline, agency level review decisions, employee grievance determinations, memoranda of law, opinion and position papers on pending legislation, and other correspondences to appropriate parties;*
4. *Legal research in the areas of improper labor practices, mandatory subjects of collective bargaining, protected union activity, employment law, employment discrimination law, labor law and education law, FMLA, ADA, ADEA, FLSA Civil/Human Rights and Civil Service Law.*
5. *Participate in labor/ management committee and/or subcommittee projects.*
6. *Participate in the delivery of Labor Relations training program.*

3) Any special requirements you have for student selection (e.g., writing sample, class standing, experience, third year students only, background check, etc.)

Each candidate should submit a letter of interest, current resume, a short writing sample and a copy of their current transcript.

4) Website for further information

<http://www.nysed.gov/home.html>
<http://atwork.nysed.gov/hr/LaborRel/Default.htm?cmactive=LR>

5) Anything else that you think would be helpful or informative.

The intern will work with the Labor Relations Bureau in the Office of Human Resources Management. The intern will attend interrogations, agency level review meetings, and arbitration hearings to gain first-hand experience in all facets of the day-to-day operations of Labor Relations work. The intern will draft Notices of Discipline, Agency Level Review Decisions, Settlement agreements, and other correspondences with appropriate parties. The intern will receive daily supervisory input and be given the opportunity to strategize and share insight on active and developing cases. Additionally, the intern will develop a working knowledge of the interpretation and administration of the collective bargaining agreements, supplemental agreements, department policies and procedures and Civil Service Law. The intern will also gain knowledge of labor and employment law as it pertains to Human Resources related functions.