



**CORRECTION OFFICERS' BENEVOLENT ASSOCIATION, INC.**  
"PATROLLING THE TOUGHEST PRECINCTS IN NEW YORK"

# Press Release

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**FOR IMMEDIATE RELEASE**  
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## **ALL THREE NYC CORRECTION UNIONS SUE THE CITY OF NEW YORK TO PREVENT CORRECTION PERSONNEL FROM BEING FORCED TO WORK OUT OF TITLE IN JUVENILE DETENTION CENTERS UNDER NEW 'RAISE THE AGE' POLICY**

### *UNIONS SEEK TEMPORARY RESTRAINING ORDER FOR VIOLATIONS OF THEIR COLLECTIVE BARGAINING AGREEMENTS AND CIVIL SERVICE LAWS*

NEW YORK- The Correction Officers' Benevolent Association (COBA), along with the Correction Captains Association and the Assistant Deputy Wardens/Deputy Wardens Association have today filed a lawsuit in Queens County State Supreme Court, against the City of New York, for forcing their members to work out of title at two juvenile detention centers that are not run by The Department of Correction-Horizon and Crossroads. Currently, these facilities are staffed by Juvenile Counselors who belong to SSEU Local 371.

According to today's lawsuit, out of title work is prohibited by Civil Service Law which states, "Before any new position in the service of a civil division shall be created or any existing position in such service shall be reclassified, the proposal therefore, including a statement of the duties of the position, shall be referred to the municipal commission having jurisdiction and such commission shall furnish a certificate stating the appropriate civil service title for the proposed position or the position to be reclassified. Any such new position shall be created or any such existing position reclassified only with the title approved and certified by the commission."

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**The Department of Citywide Administrative Services has not sought any permission of the State Civil Service Commission, pursuant to Civil Service law, to make radical staffing transfers, the lawsuit contends. Simply put, the mayor's staffing program is union busting and hypocritical.**

**Commenting on the lawsuit, Correction Officers' Benevolent Association President Elias Husamudeen said, "Four years ago, they said we had the fight club. They said we were abusing the 16, 17-year-olds. Now we're here four years later and we're hearing things like we're the best equipped, we're the best qualified. You can't have it both ways. Just because the City of New York is woefully under-prepared to meet all the requirements under the new 'Raise the Age" legislation, it doesn't mean they have the legal authority to force our members to work in an agency that is not run by the Correction Department. Would you ask teachers to work out of a firehouse? We are confident the court will agree with our arguments and prevent this union busting plan from seeing the light of day."**

**Correction Captains Association President Patrick Ferraiuolo said, "While there is a great deal of uncertainty over the city's preparedness to meet the Raise the Age deadline, what is certain is the fact that numerous civil service laws have been violated in the city's attempt to force our members to work out of title and that is simply unacceptable."**

**Assistant Deputy Wardens/Deputy Wardens Association President Faisal Zouhbi said, "This lawsuit should send a very powerful message to City Hall that we will not simply roll over while they foolishly attempt to have our members perform the jobs of other civil servants. The law is on our side."**

The deadline for fully implementing the transfer of all adolescents off of Rikers Island to Crossroads and Horizon is October 1<sup>st</sup>. In addition to COBA President Elias Husamudeen, Anthony Wells, President of SSEU Local 371 and Dalvanie Powell, President of the United Probation Officers Association, testified before a City Council hearing last month, alerting the council about their serious concerns about the proposed plan and called for a six-month extension to the October 1<sup>st</sup> deadline.