

City v. L. 1219, DC 37, 5 OCB 9 (BCB 1970) [Decision No. B-9-70
(Arb)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF COLLECTIVE BARGAINING

In the Matter of
THE CITY OF NEW YORK,

DECISION NO. B-9-70

Petitioner,

DOCKET NO. BCB-72-70

vs.

REAL ESTATE LOCAL 1219,
D.C. 37, AFSCME, AFL-CIO,

Respondent.

DECISION AND ORDER

Respondent filed a request for arbitration of an alleged grievance involving the assignment of Assistant Supervising Real Estate Managers, instead of Supervising Real Estate Managers, to supervise divisions in the Housing and Development Administration. The City's petition herein alleges that the grievance presented by Respondent is not arbitrable.

The City's petition was served by mail on Respondent on September 9, 1970. Respondent's answer to said petition was due on September 22, 1970 (Rules 7.7 and 13.5). The time to answer has not been extended and no answer has been served or filed by Respondent.

Accordingly, we deem the allegations in the petition admitted by default and shall grant the City's petition. (City of New York v. City Employees Union, Local 237, I.B.T., Decision No. B-5-70).

O R D E R

_____ Pursuant to the powers vested in the Board of Collective Bargaining by the New York City Collective Bargaining Law, it is hereby

DECISION NO. B-9-70
DOCKET NO. BCB-72-70

2.

ORDERED, that the petition herein be, and the same hereby is, granted on default, and it is further ORDERED,, that the request for arbitration filed by Respondent (Docket No. A-126-70) be, and the same hereby is, denied.

DATED: New York, N.Y.
November 4, 1970.

ARVID ANDERSON
C h a i r m a n

ERIC J. SCHMERTZ
M e m b e r

WALTER L. EISENBERG
M e m b e r

TIMOTHY W. COSTELLO
M e m b e r

EDWARD SILVER
M e m b e r