

not meet the minimum pleading requirements set forth in the rules of the Office of Collective Bargaining. RCNY §1-07 provides, in pertinent part, as follows:

(e) Petition-contents. A petition filed pursuant to §§1-07 (b), (c) or (d) shall be verified and shall contain:

- (1) The name and address of the petitioner;
- (2) The name and address of the other party (respondent);
- (3) **A statement of the nature of the controversy**, specifying the provisions of the statute, executive order or collective agreement involved, and any other relevant and material documents, dates and facts. If the controversy involves contractual provisions, such provisions shall be set forth;
- (4) Such additional matters as may be relevant and material.
[Emphasis added.]

The “statement of the nature of the controversy” referred to in RCNY §1-07 (e) (3) above should consist of a clear and concise statement of the facts constituting the alleged improper practice and should include, but not be limited to, the names of the individuals involved in the particular act alleged and the date and place of occurrence of each particular act alleged. The statement may be supported by attachments which are relevant and material but cannot consist solely of such attachments. The mere allegation of “neglect, delay and misrepresentation,” in lieu of a concisely stated charge setting forth factual allegations, including dates, which, if established, might constitute a violation of the NYCCBL, does not satisfy the requirements of the RCNY.

For the above reasons, the petition must be dismissed as procedurally defective. Dismissal of the petition, however, is without prejudice to resubmission of a petition for reconsideration by the Executive Secretary which does satisfy the minimum pleading requirements set forth in RCNY §1-07 (e), within ten (10) days upon receipt of this determination. In the event the Petitioner does

so, the charge(s) will be timely only as to conduct which occurred within four months of October 19, 1999, the date that the instant petition was filed with the Office of Collective Bargaining.

Dated: New York, New York
January 5, 2000

Victoria A. Donoghue
Executive Secretary