

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. The mere allegation that the Union discriminated against the Petitioner in its handling of her employment suspension and termination does not satisfy the requirements of the RCNY in the absence of a concisely stated charge setting forth factual allegations, including dates, which, if established, might constitute a violation of the NYCCBL.

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 August 30, 2000, the date that the instant petition was filed with the Office of Collective Bargaining.

Dated: New York, New York
September 27, 2000

Victoria A. Donoghue
Executive Secretary
Board of Collective Bargaining