

City v. UFOA & UFA, 7 OCB 15 (BCB 1971) [Decision No. B-15-71
(Arb)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF COLLECTIVE BARGAINING
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In the Matter of

OFFICE OF LABOR RELATIONS OF
THE CITY OF NEW YORK,
Petitioner,

DECISION NO. B-15-71

-against

DOCKET NO. BCB-98-71
(A-171-71)

UNIFORMED FIRE OFFICERS
ASSOCIATION (UFOA) and
UNIFORMED FIREFIGHTERS
ASSOCIATION (UFA) ,
Respondents.

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O R D E R

The above named petitioner, having petitioned this Board, by petition duly verified June 29, 1971, contesting the arbitrability of certain items contained in a Notice of Arbitration of the respondent, UFOA, dated and duly acknowledged June 21, 1971, and the petitioner and respondents, UFOA and UFA, having thereafter agreed on September 17, 1971, that by reason of respondents' withdrawal, without prejudice, of grievance items 4, 6, and 10, contained in the aforesaid Notice of Arbitration, there are no remaining issues of arbitrability to be resolved by the OCB and, further, that the parties are to proceed to arbitration before Eric J. Schmertz, as arbitrator, on the pending grievances instituted by the UFA which are to be joined with the remaining grievance items in the aforesaid UFOA Notice of Arbitration (other than items 4, 6, and 10); and the respondents having, respectively, submitted and filed waivers as required pursuant to §1173-8.0d of the NYCCBL, and it appearing to the Board that the aforesaid agreement, set forth in correspondence on file with this Board and mutually

exchanged between the parties, is adequate, sufficient, and fulfills the purposes and objectives of the NYCCBL with respect to the resolution of grievances through arbitration;

NOW, THEREFORE, it is

O R D E R E D , that the parties be, and they hereby are, directed to proceed to arbitration in accordance with the agreement herein above described, and it is further

O R D E R E D , that the City's petition contesting arbitrability be, and the same hereby is, dismissed, and it is further

O R D E R E D , that the disposition made by this order is without prejudice to the assertion of any claim or response to any claim by any of the parties herein with respect to grievance items 4, 6, and 10, contained in the UFOA Notice of Arbitration dated June 21, 1971.

DATED: New York, N.Y.
September 27, 1971.

ARVID ANDERSON
C h a i r m a n

WALTER L. EISENBERG
M e m b e r

ERIC J. SCHMERTZ
M e m b e r

TIMOTHY W. COSTELLO
M e m b e r

EDWARD SILVER
M e m b e r

HARRY VAN ARSDALE, JR.
M e m b e r