***Organization of Staff Analysts,* 33 OCB 22 (BCB 1984) [Decision No. B-22-84], rev'd in part, *Organization of Staff Analysts,* 18 PERB ¶ 3067 (1985)(remanded for hearing).**

OFFICE OF COLLECTIVE BARGAINING
BOARD OF COLLECTIVE BARGAINING
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In the Matter of the Improper
Practice Proceeding

-between- DECISION NO. B-22-84

ORGANIZATION OF STAFF ANALYSTS, DOCKET NO. BCB-686-84

Petitioners,

-and-

CITY OF NEW YORK,

Respondents.
- - - - - - - - - - - - - - - - - - - X

DETERMINATION AND ORDER

On January 13, 1984, the organization of Staff Analysts ("OSA" or "the Union") filed a verified improper practice petition, alleging violations of sections 1173-4.2a(l) and (3) of the New York City Collective Bargaining Law("NYCCBL"). The City of New York, by its Office of Municipal Labor Relations ("the City" or "OMLR"), filed an answer on January 23, 1984. on February 3, 1984, OSA filed a reply, in which it requested that a hearing be held for the purpose of taking testimony on alleged issues of fact. The City objected to this request in a letter dated February 6, 1984, to which OSA responded on February 9, 1984. There being no disputed issues of material fact, the Trial Examiner, on behalf of the Board, denied the request for a hearing, in a letter dated

February 15, 1984. However, the parties were invited to submit memoranda of law in support of their respective positions. On April 16, 1984, the Union filed its memorandum of law. The City filed a reply memorandum on May 29, 1984. A final letter was received from OSA on August 28, 1984.[1]

Background

On April 20, 1977, the City created the "Staff Analysis Occupational Group", consisting of three broad-banded titles: Staff Analyst, Associate Staff Analyst and Administrative Staff Analyst. Each of these titles replaced as many as six predecessor titles, whose employees were automatically reclassified to the title in the Staff Analyst series that corresponded to the level of their previous title. (City Personnel Director's Resolution 77-25.) None of the predecessor titles was in collective bargaining when the broadbanding resolution was adopted.

In 1979, four unions filed petitions to represent employees in the staff analyst series and a fifth union

[1] This final submission set forth additional facts alleged to support the theory of OSA's case. We do not consider this submission in rendering our decision herein, as our rules do not provide for post-reply pleadings. Moreover, the additional data provided by OSA are merely cumulative and, as presented, are not probative of the petitioner's case.

was permitted to 'intervene in the proceedings, which were docketed as Board of Certification Docket Nos. RU-702-79, RU-704-79, RU-707-79 and RU-730-79.[2] The City objected to the petitions, asserting that employees in the staff analyst titles are managerial or confidential and, therefore, ineligible for collective bargaining.[3] Shortly thereafter, hearings on the issue of alleged managerial or confidential status were commenced before a Trial Examiner designated by the Board of Certification.

To date, the Board of Certification has issued two interim decisions in the staff analyst representation case (Decision Nos. 39-80 and 20-82), in which it determined that the City had established a prima facie case as to the managerial or confidential status of some 1050 employees in the three titles. The Board also held that the City had the burden of producing additional evidence to support the claimed managerial or confidential status of some 600 to 750 employees who were not covered by the

[2] The petitioning unions were Civil Service Technical Guild, Local 375; Local 1407, District Council 37; Social Service Employees union, Local 371; and Communications Workers of America. Local 237, IBT was the intervenor.

[3] Employees designated as managerial or confidential are ineligible for collective bargaining, pursuant to section 201.7(a) of the State Civil Service Law (Taylor Law) and section 1173-4.1 of the NYCCBL.

interim decisions. The latter ruling was made in Decision No. 20-82,which issued on June 10, 1982.

On September 3, 1982, Bruce McIver, then Director of OMLR, wrote a letter to Arvid Anderson, Chairman of the Board of Certification. The content of this letter is the basis for the improper practice petition filed in this matter and is quoted, in pertinent part, below:

> "In the last decretal paragraph [of Decision No. 20-82], the Board held that the City had an additional burden of proof for all employees in the Staff Analyst and Associate Staff Analyst titles who were not covered by the other paragraphs ....
>
> "The City proposes that the Personnel Director shall order a desk audit for each position held by an employee covered by the last decretal paragraph quoted above. The City agrees that those employees found to be performing duties not appropriate to the Staff Analyst or Associate Staff Analyst title in which they are employed shall be either offered a change of title pursuant to Personnel Director Rule 6.1.9 4 [4] or be assigned to duties appropriate- to their Staff Analyst title.

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[4]Section 6.1.9 of the Rules and Regulations of the City Personnel Director provides as follows:

> Transfer and Change of Title
> Notwithstanding the provisions of paragraph 6.1.1 of this section or any other provision of law, any permanent employee in the competitive class who meets all of the requirements for a competitive examination, and is otherwise qualified as determined by the city personnel director, shall be eligible for participation in a non-competitive examination in a different position classification provided, however, that such employee is holding a position in a similar grade.

"Where a change of title cannot be effectuated and no assignment to appropriate duties is immediately available, the position will be identified and the change will be made as soon as possible.

"It is our belief that the majority of the Unions will assent to this procedure and will agree that those employees found to be performing duties appropriate to their Staff Analyst or Associate Staff Analyst title in which they are employed are managerial or confidential within the meaning of Civil Service Law, Section 201(7). Since the adoption of the Taylor Law and the NYCCBL, none of the predecessor titles to the Staff Analyst series has ever been in collective bargaining and with only one exception, the Unions never requested to represent them.

"Based upon its proposal to conduct desk audits for each position held by an employee covered by the fifth decretal paragraph of Decision No. 20-82 and its intent with respect to those employees found to be performing duties not appropriate to the Staff Analyst or Associate Staff Analyst title in which they are employed to offer said employees a change of title or reassignment as described above, the City respectfully requests that the Board issue an order determining that those employees found based upon such desk audit by the Department of Personnel to be performing duties appropriate to their Staff Analyst or Associate Staff Analyst title in which they are employed are managerial and/or confidential within the meaning of Civil Service Law, Section 201(7).

"The City submits, and believes that the majority of the unions also agree, that this procedure will expeditiously and equitably dispose of this issue which has already been under consideration for more than two years."

The desk audits referred to in the McIver letter were commenced in December 1983. While the audits are now substantially complete, no employees have been offered a change of title or reassignment.[5]

Additional Background Information

On October 20, 1983, the Organization of Staff Analysts filed a motion to intervene in the staff analyst representation case as the legal successor in interest to intervenor, Local 237, IBT.[6] The Board of Certification received and examined evidence of OSA's status as a bona fide labor organization, its required no-strike affirmation,[7] and a showing of interest in a proposed bargaining unit of Staff Analysts and Associate Staff Analysts.[8] At its meeting on March 28, 1984, the Board granted the intervention and OSA became a party to the representation case.

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[5] Facts referred to throughout this decision may be derived from the record in the staff analyst representation case, of which we take notice herein.

[6] On October 11, 1983, the members of OSA, which was previously affiliated with and represented in the representation case by Local 237, IBT, voted to disaffiliate from that union.

[7] See, Revised Consolidated Rules of the Office of Collective Bargaining ("OCB Rules") §2.17(b).

[8] See, OCB Rules §2.3(b)(1). The proposed unit includes some of the employees covered by the City's prima facie case as well as all staff analysts who are not so covered. The latter are the subject of the above-described desk audit procedure.

Positions of the Parties

OSA's Position

OSA contends that the City has violated sections 1173-4.2a(1) and (3) of the NYCCBL, principally by advancing the proposal set forth in Bruce McIver's letter of September 3, 1982 (hereinafter referred to as "the McIver proposal"). OSA asserts that if the City is permitted to reclassify or reassign employees found to be performing duties not appropriate to a staff analyst title, it will dispose of the issue of appropriate unit placement for those employees and deprive them of the right to bargain collectively through a representative of their own choosing. OSA notes that the issues of eligibility for collective bargaining and appropriate unit placement are for the Board of Certification, and not for the City, to determine.

Recognizing that it is management's right to reclassify and reassign its employees, the petitioner nevertheless argues that the reclassification or reassignment of employees during the pendency of a representation proceeding constitutes a per se violation of the NYCCBL. Moreover, OSA asserts, the City's plan is motivated by a desire to deprive employees of their rights to organize and to bargain collectively through a chosen representative.

According to the petitioner, the City intends to reclassify employees it deems to be non-managerial and non-confidential, which will dissipate a potential bargaining unit of Staff Analysts and Associate Staff Analysts and prevent otherwise eligible employees from securing the rights granted them by the NYCCBL.

As evidence of improper motive, OSA cites the timing of the City's plan, which was conceived in September 1982, but not implemented until December 1983, shortly after OSA moved to intervene in the representation case in October 1983. The Union attributes the City's "haste" in seeking to complete the desk audit procedure to a desire "to present the OCB and OSA with a fait accompli which would leave OSA without a unit to represent." OSA charges that the McIver proposal would not have been implemented "but for" the pendency of the representation proceedings and that employees hired in the staff analyst titles would be left in those titles, performing the duties they always performed.

In addition, the petitioner alleges that the McIver proposal reflects a "sweetheart deal" between the City and the majority of unions party to the representation case. According to the petitioner, the other four unions aareed to the City's desk audit scheme in return for a promise that

employees who are to be removed from the staff analyst series will be reclassified to titles that are already represented by those unions inexisting bargaining units. OSA points to its better-than-thirty-percent showing of interest among employees in a hypothetical unit of Staff Analysts and Associate Staff Analysts as evidence that this arrangement will deprive staff analysts of the right to bargain collectively through a representative of their own choosing.

As a remedy for these alleged improper practices, the petitioner requests that the Board direct the City to refrain from changing the title or duties of any employee in the staff analyst series pending a final decision by the Board of Certification in the staff analyst representation case. OSA also asks that the City be ordered to refrain from implementing any agreement with the majority of unions in the representation case that would dispose of the issues under consideration in that matter.

City's Position

The City asserts that the petition should be dismissed because OSA lacked standing to initiate the proceeding. This claim is based upon the alleged fact that OSA's status as a labor organization had not been determined at the time the petition was filed, nor had OSA

been permitted to intervene in the representation case.

With respect to the substance of the Union's petition, the City denies any improper conduct or statutory violation. OMLR asserts that the McIver proposal was a response to the Board of Certification's determination in Decision No. 20-82 that the City must produce additional evidence to support its claim of managerial or confidential status with respect to employees who were not part of its prima facie case.

The City denies that the purpose of the proposal is to determine the eligibility for collective bargaining of employees in the staff analyst series or to determine appropriate bargaining units which, it acknowledges, are functions of the Board of Certification. Moreover, the City contemplates offering the desk audits into evidence in the representation case on the issue of managerial or confidential status, where they will be subject to rebuttal by all parties.[9] OMLR maintains that the desk audit procedure, proposed long before OSA sought to intervene in the representation case, was intended to expedite the

[9]OMLR also notes that the audits are subject to challenge by individual audited employees, referring to the provisions in the New York City Charter for appeal of a reclassification decision (which is made by the agency head) to the City Personnel Director (N.Y. City Charter, §813(b)(5)) and for appeal of the Personnel Director's decision to the City Civil Service Commission (N.Y. City Charter §812(c)).

presentation of its case. A proposal that will expedite the resolution of a representation dispute is not a violation of the NYCCBL, according to OMLR.

The City also notes that the Department of Personnel is authorized by the New York City Charter to conduct desk audits to determine whether employees are performing duties appropriate to their titles; moreover, classification of employees is a management prerogative under section 1173-4.3b of the statute.

OMLR denies the existence of an agreement with the other four unions to settle issues in the representation case. According to the City, the McIver letter reflects a belief that the majority of unions would assent to the proposed procedure because they share the City's desire to expedite a representation case which has been pending for several years. The City asserts that it met with representatives of all parties to the representation case and made numerous attempts to obtain their agreement to the McIver proposal. No agreement was reached but, OMLR asserts, such consent would not have been improper.

OMLR also asserts that OSA has not demonstrated an improper motive on the part of the City. Moreover, the City contends OSA has not alleged any facts that would support a finding that the City discriminated against

staff analysts in violation of NYCCBL section 1173-4.2a(3). Thus, the petitioner has failed to prove the essential elements of its case.

For the aforementioned reasons, the City requests that the improper practice petition be dismissed in its entirety.

Discussion

At the outset, we dismiss OMLR's allegation that OSA lacks standing to commence the instant proceeding. The City correctly points out that section 7.4 of the OCB Rules provides for the initiation of an improper practice proceeding

> "by one (1) or more public employees or any public employee organization acting in their behalf or by a public employer ..." [emphasis added].

However, contrary to the City's assertion, the issue of OSA's status as a bona fide public employee organization was not pending when the improper practice petition was filed. An examination of the record in the representation case reveals that, by December 1, 1983, OSA had complied fully with the OCB's request for information concerning

its labor organization status.[10] Shortly thereafter, and well before OSA filed the petition herein on January 13, 1984, the OCB General Counsel reviewed the data submitted and deemed it sufficient. Thus, we cannot say, on this basis, that OSA lacked standing to commence the instant proceeding.

The City also argues that the petitioner lacks standing because it was not a party to the representation case at the time the petition was filed. It is true that OSA's motion to intervene was not granted until several months after the initiation of this proceeding. However, we note that OCB Rule 7.4 permits the filing of an improper practice petition by "any public employee organization acting in ... behalf (of public employees]". It does not require that the petitioning organization be certified to represent the employees on whose behalf it is acting; nor does it require that the petitioning organization have sought to represent them. There are only two restrictions in the rule: the petitioner must be (1) a public employee organization, (2) acting in behalf of public employees. There is no

[10] The data submitted included copies of the ballot used to vote on the disaffiliation from Local 237, IBT; employee designation cards; a constitution, by-laws and a list of officers. It was established that the primary purpose of the petitioner is to represent employees concerning wages, hours and working conditions.

dispute in this matter that OSA, a public employee organization, filed its petition on behalf of public employees.[11]

Having determined that OSA had standing to initiate this proceeding, we turn now to the merits of the petition. We are presented here with a question of first impression for the Board, which we formulate as follows:

> Does the City of New York violate NYCCBL sections 1173-4.2a(1) and (3) if it reclassifies or reassigns some of the employees in the staff analyst series during the pendency of a representation case in which the City's position is that all of the subject employees are ineligible for collective bargaining because they are managerial or confidential?

Our research reveals no relevant precedents in other public sector jurisdictions,[12] and we find that the cases cited

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[11] See, Teamsters Union Local 237, et al. v. Board of Trustees, Half Hollow Hills Community Library, 6 PERB ¶4518 (H.O. 1973), aff'd, 6 PERB 13043 (1973). It should be noted that a different result would obtain if the petition complained of a failure to bargain collectively in good faith under NYCCBL section 1173-4.2a(4). Of course, only a certified employee organization, which alone has the right to negotiate, may complain of a failure to negotiate in good faith. See, e.g., New York State Employees Council 50, AFSCME v. State of New York, 3 PERB ¶4501 (Dir. 1970).

[12] We are aware, however, that the petitioner herein has filed a similar claim of improper practice against the New York City Board of Education, which is also involved in a proceeding to determine the representation status of employees in the staff analyst series. Both of these matters are pending before the State Public Employment Relations Board.

by the petitioner arising in both the private and the public sectors are factually distinguishable from the situation presented here. Therefore, after carefully considering the positions of the parties, we render the following decision, which we believe reflects a proper balancing of public employee and public employer rights.

Section 1173-4.1 of the NYCCBL provides that public employees shall have

> "the right to self-organization, to form, join or assist public employee organizations, to bargain collectively through certified employee organizations of their own choosing and ... the right to refrain from any or all such activities."

The enjoyment of these rights is protected and implemented by another section of the statute which identifies acts hat are prohibited to a public employer because they would impair or diminish the rights prescribed by section 1173-4.1. Thus, section 1173-4.2a provides that it shall be an improper practice for a public employer or its agents:

> (1) to interfere with, restrain or coerce public employees in the exercise of their rights granted in section 1173-4.1 of this chapter;
>
> (2) to dominate or interfere with the formation or administration of any public employee organization;
>
> (3) to discriminate against any employee for the purpose of encouraging or discouraging membership in, or participation in the activities of, any public employee organization;

> (4) to refuse to bargain collectively in good faith on matters within the scope of collective bargaining with certified or designated representatives of its public employees."

Collective bargaining is a bilateral process, however, requiring participation by representatives of the public employer as well as public employee representatives. It is clear that the employer must be free to formulate, determine and effectuate its labor policies with the assistance of employees who are not represented by a union with which it deals.[13] To protect this right, the NYCCBL provides that certain employees, designated as managerial or confidential, shall not

> "constitute or be included in any bargaining unit, nor shall they have the right to bargain collectively." [14]

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[13] See, e.g., Board of Certification Decision Nos. 70-68, 79-68, 43-69, 63-74, 3-83, 6-84.

[14] NYCCBL §1173-4.1. Since the NYCCBL does not define the terms "managerial" and "confidential," the Board looks to section 201.7(a) of the Taylor Law, which provides:

> Employees may be designated as managerial only if they are persons (i) who formulate policy or (ii) who may reasonably be required on behalf of the public employer to assist directly in the preparation for and conduct of collective negotiations or to have a major role in the administration of agreements or in personnel administration provided that such role is not of a routine or clerical nature and requires the exercise of independent judgment. Employees may be designated as confidential only if they are persons who assist and act in a confidential capacity to managerial employees described in clause (ii).

The employer may seek the designation of employees as managerial orconfidential at such times and in the manner set forth in the OCB Rules; section 2.20b permits the assertion of a claim of managerial or confidential status, inter alia, during the pendency of a representation proceeding.

In the instant matter, the petitioner claims that the City's conduct in the staff analyst representation case will deprive public employees of their rights under NYCCBL section 1173-4.1, in violation of NYCCBL section 1173-4.2a. The City asserts that its conduct is proper because it is designed to support a claim of managerial or confidential status and to expedite the resolution of a representation question. It is undisputed that the elements of the McIver proposal - the conduct of audits, reclassification and reassignment of employees - are protected management rights under NYCCBL section 1173-4.3b. In the absence of pending representation claims, therefore, we assume that OSA would concede the City's unilateral right to implement the proposal. However, the petitioner maintains that the implementation of the proposal in the present circumstances, that is, during the pendency of a representation case, constitutes either (a) a per se violation of the NYCCBL,

or (b) an improperly motivated violation because of the City's intention to deprive public employees of their rights under section 1173-4.1.

Our reading of the statute does not support a finding of per se violation in this case. We note that the NYCCBL does not prescribe any proper or improper time for the exercise of management rights under section 1173-4.3b; it does, however, impose a different kind of limitation on the unilateral exercise of these rights. We refer to the requirement that the City negotiate concerning the practical impact that its decisions on the matters listed in section 1173-4.3b may have, for example, on employee workload or safety. If the drafters of the law had intended to impose temporal restrictions on the exercise of management rights, they could have included such a limitation in the statute. The statute's silence on the subject precludes our finding that the reclassification or reassignment of employees while the issue of their employee status is pending would constitute a per se violation of the NYCCBL.

We also note that, when issues of representation and managerial or confidential status are raised in a single proceeding, the Board of Certification must first determine whether the employees are managerial or confidential. For if they are managerial or confidential, they may not, as

a matter of law, be included in a bargaining unit or be represented by a union in collective bargaining.[15] Thus, it is difficult to see how the City's conduct could be found to deprive employees of statutory, rights when their entitlement to such rights has not yet been established. For this additional reason, we hold that the McIver proposal does no t, without more, interfere with, restrain or coerce employees in the exercise of rights granted by the statute, nor does it improperly discriminate against public employees.

We turn now to the claim that implementation of the McIver proposal would constitute an improper practice under the law because of the City's improper motivation. OSA alleges that the purpose of the plan is "to dissipate a potential bargaining unit" and to prevent otherwise eligible employees from securing the rights granted by NYCCBL section 1173-4.1. The City denies the motives attributed to it and asserts that the proposal is intended to expedite the resolution of a representation case in which the City has maintained from the outset that the subject employees are managerial or confidential and, therefore, ineligible for collective bargaining.

[15] NYCCBL §1173-4.1.

We find no basis in the law for a claim of right to a "potential bargaining unit," nor statute be read to protect a union against being left "without a unit to represent." The rights of unions under the NYCCBL derive employees. As the Borad of Certification has stated:

> [T]here is ... no evidence of legislative intent to protect unions, as such, or to vest unions with special rights or prerogatives as a result of certification. In other words, the essential concerns. . . relate to the protection of public employee rights of organization and collective bargaining, on the one hand, and, on the other, to the protection of the public interest, of efficiency in government and the maintenace of a sound system of municipal lobor relations. Any benefit that may redound to a union in the processs is incidental."[16]

Thus the petitioner's claim that the City's actions will leave it without a unit to represent are summarily rejected.

Nor do we find any basis for concluding that the City's actions were improperly motivated by a desire to deprive eligible employees of statutory rights. Not only has OSA presented insufficient evidence to support this allegation, but we are persuaded that there was a legitimate basis for the McIver proposal. It is true, as OSA points out, that the McIver proposal was advanced.

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16 Matter of the City of New York, Board of Certification Decision No. 28-78.

September of 1982 and not implemented until December of 1983, a few months after OSA moved to intervene in the representation case. However, we do not believe that the order of events evidences a motive to deprive employees of their right to representation. Rather, the record establishes that between September 1982 and December 1983, the City made a number of attempts, none of which was successful, to obtain the unions' consent to its proposal. There is no evidence, moreover, that the McIver proposal was the basis for or the product of a "sweetheart deal" between the City and the other four unions.

Not only do we reject the suggestion that there has been collusion between the City and some of the unions involved in the representation proceedings and that there are concealed and sinister motives for the City's actions, but we take specific notice of the fact that, from the very outset and long before proceedings of any kind were commenced before either this Board or the Board of Certification, the City openly asserted that the establishment of the staff analyst series had as a main purpose the creation of a cadre of employees who would represent the City as a public employer in collective bargaining. It has consistently been the City's position that employees in any of these titles who are not performing managerial and/or

confidential duties are ipso facto not performing the duties of the titles and are misclassified. It is, in part, on this basis that the City originally proposed the use of desk audits and reclassifications. Thus, the proposal implicitly concedes that there are or may be people employed in the staff analyst titles who do not perform managerial or confidential duties, but it maintains that any such instance merely demonstrates that the City's avowed purpose in creating this group of titles has been frustrated, and that the classification of the particular employees is erroneous and should be corrected.

Rather than violating the law, implementation of the McIver proposal would bring the City into compliance with the law, which prohibits assignments to out-of-title work.[17] Moreover, any employees who may be reclassified from their present titles in the staff analyst series to titles more consistent with the duties to which they are actually assigned will not be deprived of rights under the NYCCBL. If the work they are performing and the titles to which they are reclassified are not within the managerial/confidential category, they will be free, as covered employees, to exercise their protected rights under the statute.

[17] N.Y. Civ. Serv. Law §61(2).

In addition, public employees have no right to inclusion in any particular bargaining unit; they only have the right to inclusion in an appropriate unit, as determined by the Board of Certification.[18] In determining unit placement, the Board considers, among other factors, the duties actually performed by the employees; it is not bound by the description of duties set forth in the civil service classification.[19] Thus, it is not possible for the City, through the exercise of its right to reclassify employees, to usurp the authority of the Board to determine appropriate unit placement for employees who are subject to the staff analyst representation proceeding. Classification and unit placement are separate and distinct functions. As the Board of Certification stated in Matter of City Employees Union, Local 237, IBT,

> "job classification is the responsibility of the Civil Service Commission. Our task is to establish appropriate bargaining units of similar or related titles in a manner that will enhance sound labor relations." [20]

[18] See, NCCBL §1173-5.ob(1)

[19] See, Board of Certification Decisions Nos. 25-69, 43-69, 60-69.

[20] Decision No. 60-69, at 3.

Finally, we note that the results of the desk audit and any reclassifications or reassignments based thereon are not insulated from review. Any question as to the accuracy of the statement of duties contained in any audit submitted by the City in support of its prima facie case may be raised and litigated in the context of the representation case. In addition, the Board of Certification will retain jurisdiction to hear and resolve any dispute that may arise concerning either the unit placement or the employee status of any individuals who have been reclassified or reassigned in the context of the staff analyst representation case.

We are thus persuaded that the McIver proposal is a bona fide plan directed toward sustaining OMLR's burden of proof as to the managerial and/or confidential status of a large number of employees. Accordingly, we shall deny the petitioner's requests for injunctive relief and dismiss the improper practice petition in its entirety.

O R D E R

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

ORDERED, that the improper practice petition filed by the Organization of Staff Analysts be, and the same hereby is, dismissed in its entirety.

DATED: New York, N.Y.
October 25, 1984

ARVID ANDERSON
CHAIRMAN

DANIEL G. COLLIN
MEMBER

MILTON FRIEDMAN
MEMBER

CAROLYN GENTILE
MEMBER

EDWARD F. GRAY
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