

DC37, L.375 v. City, 10 OCB 29 (BOC 1972) [Decision No. 29-72
(Cert.)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

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In the Matter of

DISTRICT COUNCIL 37, AFSCME,
AFL-CIO, and its affiliated
Local 375

DECISION NO. 29-72

DOCKET NO. RU-177-B-70

-and-

THE CITY OF NEW YORK AND RELATED
PUBLIC EMPLOYERS

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DECISION AND ORDER

This proceeding was brought on by motion filed by District Council 37, AFSCME, AFL-CIO (D.C. 37) pursuant to Rule 2.18. Thereafter, the motion was amended by D.C. 37 and its affiliated Local 375 to request the addition of the titles of Senior Project Services Specialist and Chief Project Services Specialist to certain other titles for which they are certified. The proceeding was assigned Docket No. RU-177-70.

The Board, in Decision No. 39-71, disposed of D.C. 37's motion insofar as it related to Senior Project Services Specialists and severed that portion of the proceeding which related to Chief Project Services Specialists, "in order that the hearing may continue on the issue of the alleged managerial status of employees in that title." Docket Number RU-177-B-70 was assigned to the latter matter.

Thereafter, at a hearing held before Oscar Geltman, Esq., Trial Examiner, on May 23, 1972, D.C. 37 and its affiliated Local 375 requested withdrawal, without prejudice, of their motion with respect to adding Chief Project Services Specialists to certain other titles for which they are certified. The Union's request and the City's consent and agreement thereto was noted upon the record.

Accordingly, pursuant to the agreement of the parties, we shall order that the Union's motion, under Docket No. RU-177-B-70, insofar as it relates to Chief Project Services Specialists be deemed withdrawn without prejudice. For purposes of clarification it should be noted that the Union's motion, relating to both Senior Project Services Specialist and Chief Project Services Specialist is now disposed of in its entirety.

O R D E R

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

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ORDERED, that the Union's motion under Docket No. RU-177-B-70, insofar as it relates to the title of Chief Project Services Specialist be, and the same hereby is, deemed withdrawn without prejudice.

DATED: New York, N.Y.
June 14, 1972

ARVID ANDERSON
CHAIRMAN

WALTER L. EISENBERG
MEMBER

ERIC J. SCHMERTZ
MEMBER