

DC37 v. City, 10 OCB 43 (BOC 1972) [Decision No. 43-72 (Cert.)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

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In the Matter of

DISTRICT COUNCIL 37, AFSCME,
AFL-CIO

DECISION NO. 43-72

-and-

DOCKET NO. RU-322-72

THE CITY OF NEW YORK AND RELATED
PUBLIC EMPLOYERS

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DECISION AND DIRECTION
OF ELECTION

District Council 37, AFSCME, AFL-CIO, (herein called Petitioner), filed its petition herein on June 8, 1972, requesting certification as the collective bargaining representative of Occupational Therapy Assistants, Occupational Therapists, Senior Occupational Therapists, Physical Therapists, Senior Physical Therapists, Supervising Therapists, Speech and Hearing Therapists, Supervising Audiologists, Rehabilitation Counselors, Senior Rehabilitation Counselors and the Assistant Director of Rehabilitation.

Upon consideration of its investigation, and after due deliberation, the Board of Certification issues the following Decision and Direction of Election:

I. Undisputed Matters

It is undisputed, and we find and conclude, that in fact and within the meaning of the New York City Collective Bargaining Law, Petitioner is a public employee organization.

II. The Appropriate Unit

Employees in the petitioned titles perform various types of rehabilitation therapy in hospitals, clinics and correctional institutions. Our investigation shows that the employees in the petitioned titles have a community of interest by reason of their closely related duties, skills and interests. Accordingly, there being no objection, we find the requested unit appropriate.

DIRECTION OF ELECTION

By virtue of and pursuant to the powers vested in the Board of Certification by the New York City Collective Bargaining Law, it is hereby

DIRECTED, that as part of the investigation authorized by the Board, an election by secret ballot shall be conducted under the supervision of the Board of Certification or its agents, at a time, place, and during hours to be fixed by the Board, among the Occupational Therapy Assistants, Occupational Therapists, Senior Occupational Therapists, Physical Therapists, Senior Physical Therapists, Supervising Therapists, Speech and Hearing Therapists, Supervising Audiologists, Rehabilitation Counselors, Senior Rehabilitation Counselors, and the Assistant Director of Rehabilitation, employed by the City of New York and related public employers, subject to the jurisdiction of the

Board of Certification, who were employed during the payroll period immediately preceding the date of this Direction of Election (other than those who have voluntarily quit or who have been discharged for cause before the date of election), to determine whether or not they desire to be represented for the purposes of collective bargaining by District Council 37, AFSCME, AFL-CIO.

DATED: New York, N.Y.
 September 1. 1972

ARVID ANDERSON
CHAIRMAN

WALTER L. EISENBERG
MEMBER

ERIC J. SCHMERTZ
MEMBER