

DC37 v. City, 10 OCB 55 (BOC 1972) [Decision No. 55-72 (Amend. Cert.)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

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In the Matter of

DISTRICT COUNCIL 37, AFSCME,
AFL-CIO

DECISION NO. 55-72

-and-

DOCKET NO. RU-324-72

THE CITY OF NEW YORK AND RELATED
PUBLIC EMPLOYERS

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DECISION AND ORDER AMENDING
CERTIFICATION

On June 6, 1972, District Council 37, AFSCME, AFL-CIO filed a petition requesting amendment of various of its certifications by adding thereto employees in 35 Emergency Employment Act titles including,¹ among others, those of Building Assistant (E.E.A.) and Lift Aide (E.E.A.). This decision is limited to only the aforementioned titles and related titles of Building Assistant (E.E.A.-6), Building Assistant (E.E.A.-W) and Lift Aide (E.E.A.-W).²

Employees in Emergency Employment Act titles are employees who, under a federally funded program pursuant to the "Emergency Employment Act of 1971", qualify for jobs in the public service. (See In the Matter of District Council 37, AFSCME, AFL-CIO, etc., Decision No.9-72.)

The Union's request for accretion of the 35 various titles to various certifications bears the above case number. However, by various separate decisions employees were either accreted to, or, based on check-off, included in certifications covering employees sharing a community of interest with the added employees. (See Decisions Nos.42-72, 47-72, 48-72, 49-72, 50-72, 51-72, 52-72, 53-72, 54-72, 56-72 and 57-72.)

The parties hereto have agreed, and it appears to the satisfaction of the Board, that the title of Building Assistant (E.E.A.) should be added to Certification No.39-72, presently covering various custodial and maintenance titles.

We find no title of Lift Aide (E.E.A.). There are, however, employees serving in the title of Lift Aide (E.E.A.-W). It appears to the Board that employees in the titles of Lift Aide (E.E.A.-W), Building Assistant (E.E.A.-6) and Building Assistant (E.E.A.-U) share a community of interest with employees in the aforementioned titles and should be included in the same Certification.

It further appears to the satisfaction of the Board that the unit, as amended herein, is appropriate and that a majority of the employees in said unit have demonstrated their desire to be represented by District Council 37, AFSCME, AFL-CIO, by having authorized check-off of dues in behalf of said organization.

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

ORDERED that Certification No.39-72, be, and the same hereby is, amended to include the titles of Lift Aide (E.E.A.-W), Building Assistant (E.E.A.), Building Assistant (E.E.A.-6), Building Assistant (E.E.A.-U), and, as amended, such unit shall consist of Attendants, Senior Attendants,

the Curator of Jumel mansion, Park Workers (E.E.A.), Watchmen, Security Aides (E.E.A.), Security Aides (E.E.A.-6), Security Aides (E.E.A.-W), Custodial Assistants (Men), Custodial Assistants (Women), Cleaners (Men), Cleaners (Women), Lift Aides (E.E.A.-W), Building Assistants (E.E.A.), Building Assistants (E.E.A.-6), Building Assistants (E.E.A.-W), Elevator Operators, Laborers (City Rent) and employees in restored Rule X titles serving in positions equated thereto, employed by the City of New York and related public employers, subject to the jurisdiction of the Board of Certification, and subject to existing contracts, if any.

DATED: New York, N.Y.
September 15, 1972

ARVID ANDERSON
CHAIRMAN

WALTER L. EISENBERG
MEMBER

ERIC J. SCHMERTZ
MEMBER

Decision No. 55-72
Docket No. RU-324-72

The titles and title code numbers of the employees affected by this decision are as follows:

Lift Aide (E.E.A.-W)	03508
Building Assistant (E.E.A.)	03453
Building Assistant (E.E.A.-6)	03475
Building Assistant (E.E.A.-W)	03541
Park Worker (E.E.A.)	03303
Attendant	81710
Senior Attendant	81735
Curator of Jumel Mansion	81709
Watchman	81010
Security Aide (E.E.A.)	03332
Security Aide (E.E.A.-6)	03498
Security Aide (E.E.A.-W)	03359
Custodial Assistant (Men)	82012
Custodial Assistant (Women)	82013
Cleaner (Men)	-
Cleaner (Women)	-
Elevator Operator	80910
Laborer (City Rent)	41288