

DC37 v. City, 10 OCB 56 (BOC 1972) [Decision No. 56-72 (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. 56-72

-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,<sup>1</sup> among others, those of Compliance Aide (E.E.A.) and Compliance Agent (E.E.A.). This decision is limited to only the aforementioned titles and the related titles of Compliance Aide (E.E.A.-6), Compliance Aide (E.E.A.-W) and Compliance Agent (E.E.A.-6).<sup>2</sup>

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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, 55-72 and 57-72.)

The parties hereto have agreed, and it appears to the satisfaction of the Board, that the titles of Compliance Aide (E.E.A.) and Compliance Agent (E.E.A.) should be added to Certification No.82-71 presently covering Consumer Affairs Inspector, Senior Consumer Affairs Inspector, Inspector of Ports and Terminals and Senior Inspector of Ports and Terminals.

It also appears to the Board that employees in the titles of Compliance Aide (E.E.A.-6), Compliance Aide (E.E.A.-W) and Compliance Agent (E.E.A.-6) share a community of interest with employees in the aforementioned titles and should be included in the same Certification.

It further appears to 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.82-71 be, and the same hereby is amended to include the titles of Compliance Aide (E.E.A.), Compliance Aide (E.E.A.-6), Compliance Aide (E.E.A.-W), Compliance Agent (E.E.A.) and Compliance

Agent (E.E.A.-6), and, as amended, such unit shall consist of Compliance Aides (E.E.A.), Compliance Aides (E.E.A.-6), Compliance Aides (E.E.A.-W), Compliance Agents (E.E.A.), Compliance Agents (E.E.A.-6), Consumer Affairs Inspectors, Senior Consumer Affairs Inspectors, Inspectors of Ports and Terminals, Senior Inspectors of Ports and Terminals and employees in restored Rule X titles who are 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. 56-72  
Docket No. RU-324-72

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

Compliance Aide (E.E.A.)	03456
Compliance Aide (E.E.A.-6)	03478
Compliance Aide (E.E.A.-W)	03544
Compliance Agent (E.E.A.)	03338
Compliance Agent (E.E.A.-6)	03552
Consumer Affairs Inspector	33991
Senior Consumer Affairs Inspector	33992
Inspector of Ports and Terminals	33985
Senior Inspector of Ports and Terminals	33986