

L.300, SEIU, et. Al v. City, 10 OCB 68 (BOC 1972) [Decision No. 68-72 (Cert.)]

OFFICE OF COLLECTIVE BARGAINING  
BOARD OF CERTIFICATION

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In the Matter of

CIVIL SERVICE FORUM, LOCAL 300,  
SEIU

DECISION NO. 68-72

-and-

DOCKET NOS. RB-21-72  
& RU-320-72

DISTRICT COUNCIL 37, AFSCME AFL-CIO

-and-

THE CITY OF NEW YORK AND RELATED  
PUBLIC EMPLOYERS

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DECISION AND ORDER

By a notice dated October 6, 1972, the parties hereto were advised by the Board of Certification of its proposal to consolidate certain specified Certifications held by Civil Service Forum, Local 300, S.E.I.U., AFL-CIO, and District Council 37, AFSCME, AFL-CIO, respectively. The said notice set forth the titles within the Certifications proposed to be consolidated by the Board and included the titles of Procurement and Materials Analyst and Procurement and Material Specialist, which had been petitioned for by Local 300, S.E.I.U., in RU-320-72, filed May 18, 1972, and the related title of Specification Analyst. The said notice, published in the City Record on October 12, 1972, also afforded all parties, including the parties hereto, an opportunity to show cause why such proposed consolidation of the specified units should not be acted upon. In a letter dated October 24, 1972, the

Office of Labor Relations objected to the inclusion of Procurement and Material Specialist in the proposed consolidated unit on the grounds that employees in such title are either managerial or confidential. Accordingly, we shall sever from RU-320-72 and RB-21-72 the title of Procurement and Material Specialist for the purpose of hearing and taking evidence concerning the alleged managerial/confidential status of the incumbents. Should the Board determine, after hearing, that such title is not managerial/confidential an appropriate order will issue including such title in the unit as consolidated herein. Since there has been no opposition by any party to the Board's proposal to consolidate any other title in one unit, and the time within which to oppose the Board's proposal, as prescribed in said notice and published in the City Record, has expired, the remainder of the Board's proposal is adopted as the decision of the Board. Accordingly, the Board directs consolidation of the units as set forth in the order entered herein.

It appears to the satisfaction of the Board that a majority of employees in the proposed consolidated unit have demonstrated their desire to be represented by Civil Service Forum, Local 300, S.E.I.U., AFL-CIO by having authorized check-off of dues in behalf of said organization.

O R D E R

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 so much of Cases RU-320-72 and RB-21-72 as relates to the title of Procurement and Material Specialist be, and the same hereby is, severed and a hearing for the purpose of taking evidence regarding the managerial and/or confidential status of the employees in such title is hereby directed; and it is further

ORDERED, that Certifications CWR-21/67 (as amended by Decision No.97-70), CWR-22/67, CWR-102/67, CWR-103/67 and CWR-105/67 be, and the same hereby are, combined and consolidated so as to constitute one bargaining unit consisting of the titles set forth below; and it is further

ORDERED, that the titles of Procurement and Materials Analyst and Specification Analyst be, and the same hereby are, added to and included in the unit as herein consolidated, and it is hereby

CERTIFIED, that Civil Service Forum, Local 300, S.E.I.U., AFL-CIO, is the exclusive representative for the purposes of collective bargaining of all employees in the consolidated unit, to wit: Assistant Buyer, Buyer (including specialties), Senior Buyer (including specialties),

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Supervising Buyer, Furniture Specifications Writer, Purchase Inspector (including specialties), Senior Purchase Inspector (including specialties), Principal Purchase Inspector, Salvage Appraiser, Procurement and Materials Analyst, Specification Analyst and employees in restored Rule X titles equated thereto, employed by the City of New York and related public employers subject to the jurisdiction of the Board of Certification, and, further, subject to existing contracts, if any, covering any or all of said employees.

DATED: New York, N.Y.  
November 3 , 1972

ARVID ANDERSON  
CHAIRMAN

ERIC J. SCHMERTZ  
MEMBER

WALTER L. EISENBERG  
MEMBER

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

Specification Analyst	03943
Procurement and Materials Analyst	03944
Furniture Specifications Writer	12134
Assistant Buyer	12110
Buyer (including specialties)	12125 ff
Senior Buyer (including specialties)	12140 ff
Supervising Buyer	12154
Salvage Appraiser	12175
Purchase Inspector (including specialties)	34115 ff
Senior Purchase Inspector (including specialties)	34135 ff
Principal Purchase Inspector	34160