

DC37 v. City, 12 OCB 11 (BOC 1973) [Decision No. 11-73 (Cert.)]

OFFICE OF COLLECTIVE BARGAINING  
BOARD OF CERTIFICATION

----- X

In the Matter of

DISTRICT COUNCIL 37, AFSCME,  
AFL-CIO

DECISION NO. 11-73

-and-

DOCKET NO. RU-341-712

THE CITY OF NEW YORK AND RELATED  
PUBLIC EMPLOYERS

----- X

DECISION AND ORDER

On October 11, 1972, District Council 37, AFSCME, AFL-CIO (herein called Petitioner) filed its petition herein, seeking to add the title of Senior Taxi and Limousine Dispatcher to its Certification MR-19/67, presently covering the titles of Motor Vehicle Dispatcher and Garage Foreman.

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

I. Undisputed Matters

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

---

II. The Appropriate Unit and  
Representative Status

---

Certification MR-19/67 was issued in 1967 and covers approximately 87 employees who perform supervisory work in connection with automotive transportation and are employed in various agencies of the City of New York and related public employers. Senior Taxi and Limousine Dispatchers are employed by the Taxi and Limousine Commission, which our investigation shows to be a "municipal agency" within the meaning of the New York City Collective Bargaining Law.

The petitioned title (which has two incumbents) was established in 1972 and has supervisory duties and responsibilities similar to those of the certified titles, although the former specializes in the supervision of privately-owned vehicles, while the certified employees are concerned with publicly-owned vehicles. The petitioned title has a salary range similar to those of the employees in the pertinent unit. Therefore, we find that the appropriate unit should consist of Senior Taxi and Limousine Dispatchers and the titles in Certification MR-19/67. A majority of the employees in the appropriate unit have authorized check-off of dues in behalf of Petitioner.

The employers have interposed no objection to this petition. Accordingly, we shall add the petitioned title to the requested unit.

In addition, our investigation shows that both of the certified titles have been reclassified to the new title of Motor Vehicle Foreman (see CCSC Res.#72-49, P.O. #47/72, and L.R.O. #73/5). Accordingly, we shall substitute the new title for the old ones in Certification MR-19/67.

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

ORDERED that the title of Senior Taxi and Limousine Dispatcher be, and the same hereby is, added to Certification MR-19/67; and it is further

ORDERED that the title of Motor Vehicle Foreman be, and the same hereby is, substituted for the titles of Motor Vehicle Dispatcher and Garage Foreman in Certification MR-19/67; and as, as amended, such unit shall be cited as

Decision No. 11-73  
Docket No. RU-341-72

4.

"Decision No.11-73" and shall consist of Motor Vehicle Foremen and Senior Taxi and Limousine Dispatchers, employed by the City of New York and related public employers subject to the Board of Certification, subject to existing contracts, if any.

DATED: New York, N.Y.

February 14, 1973

ARVID ANDERSON  
CHAIRMAN

WALTER L. EISENBERG  
MEMBER

ERIC J. SCHMERTZ  
MEMBER

Decision No. 11-73  
Docket No. RU-341-72

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

Motor Vehicle Foreman	91232
Senior Taxi and Limousine Dispatcher	91288