

OFFICE OF COLLECTIVE BARGAINING  
BOARD OF CERTIFICATION

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In the Matter of

LOCAL 1070, DISTRICT COUNCIL 37,  
AFSCME, AFL-CIO

-and-

DECISION NO., 44-73

THE JUDICIAL CONFERENCE OF THE  
STATE OF NEW YORK

DOCKET NO. RB-38-73

-and-

THE CITY OF NEW YORK

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DECISION AND ORDER

By a Notice of Proposed Consolidation of Certifications, dated March 30, 1973, published in the City Record on April 5, 1973, the Board of Certification set forth its proposal to consolidate into a single bargaining unit all employees in the following six Certifications, held by Local 1070, D.C. 37, AFSCME:

- I. Certification 9 NYCDL No. 48, as amended by Decision No. 13-73  
Principal Clerk, Principal Key Punch Operator, Principal Stenographer, and Foreman of Laborers.
- II. Certification 9 NYCDL No. 39  
Head Clerk and Chief Clerk.
- III. Certification 9 NYCDL No. 42  
Court Assistant.
- IV. Certification 8 NYCDL No. 104, as amended by Decision No. 26-68  
Interpreter.
- V. Certification No. 44-70, as amended by Decision No. 21-73  
Law Stenographer.

VI. Certification No 45-70, as amended by Decision  
No. 21-73

Senior Law Stenographer and Head Law Stenographer.

Neither the Office of Labor Relations nor the Judicial Conference has objected to the Board's proposed consolidation of units. However, District Council 37 objects to the consolidation of all titles in one single unit and, instead, proposes the consolidation of units as follows:

1. Units designated "I", "II" and "III" and all of the employees now covered by the separate certifications under those respective units should be included and combined in a single unit.

2. Units designated "V" and "VI" and all of the employees now covered by the separate certifications under those respective units should be included and combined in a single unit.

3. With respect to unit designated "IV", and the certification covering Interpreters, the union contends that the work of Interpreters involves the mastery of a foreign language including its translation into English and vice versa. Thus, the union contends that Interpreters are not, for example, in the same category as Law Stenographers (units "V" and "VI" whose work is allegedly of a technical legal nature; nor is the work Interpreters the same as that of the employees in the other units (units "I", "II" and "III") whose work is basically administrative.

Although informed thereof, the employers have not objected to the union's objections and counter proposal.

We have reviewed and re-evaluated the proposal made by us, as well as the proposal and objections made by the union. We find and conclude that the union's proposals also have merit and would serve the collective bargaining process under the NYCCBL and, therefore, the same are hereby adopted. Accordingly, we shall effectuate the following consolidation of units:

1. All of the employees in units designated “I”, “II” and “III” in our proposal shall be placed in one bargaining unit;

2. All of the employees in units designated “V” and “VI” in our proposal shall be placed in a single unit; and

3. The Interpreters covered in the unit designated “IV” in our proposal shall remain in the unit now covered by Certification 8 NYCDL No. 104, as amended by Decision No. 26-68

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 Certifications 9 NYCDL NO. 48 (as amended by Decision No. 13-73), 9 NYCDL NO. 39 and 9 NYCDL NO. 42 be, and the same hereby are, combined and consolidated so as to constitute one bargaining unit, and, with respect to such consolidated unit, it is hereby

CERTIFIED, that Local 1070, District Council 37, AFSCME, AFL-CIO, is the exclusive representative for the purposes of collective bargaining of all employees in the consolidated unit, to wit: Principal Clerk, Principal Key Punch Operator, Principal Stenographer, Foreman of Laborers, Head Clerk, Chief Clerk, and Court Assistant, employed by the Unified Court System within the City of New York, subject to existing contracts, if any, covering any or all of said employees, and it is further

ORDERED, that Certifications 44-70 and 45-70 (both amended by Decision No. 21-73) be, and the same hereby are, combined and consolidated so as to constitute one bargaining

unit, and, with respect to such consolidated unit, it is hereby

CERTIFIED that Local 1070, District Council 37, AFSCME, AFL-CIO, is the exclusive representative for the purposes of collective bargaining of all employees in the consolidated unit, to wit: Law Stenographer, Senior Law Stenographer, and Head Law Stenographer, employed by the Unified Court System within the City of New York, subject to existing contracts, if any, covering any or all of said employees; and it is further

ORDERED, that Local 1070, District Council 37, AFL-CIO, continues to be, and is, the exclusive certified representative of employees in the title of "Interpreter", now covered by Certification 8 NYCDL No. 104, as amended by Decision No. 26-68, subject to existing contracts, if any.

DATED: New York, N. Y.

May 21, 1973

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:

Unit A

|                              |       |
|------------------------------|-------|
| Principal Clerk              | 08030 |
| Principal Key Punch Operator | 08058 |
| Principal Stenographer       | 08180 |
| Court Assistant              | 08205 |
| Chief Clerk                  | 08610 |
| Foreman of Laborers          | 08620 |
| Head Clerk                   | 08621 |

Unit B

|                         |       |
|-------------------------|-------|
| Law Stenographer        | 08350 |
| Senior Law Stenographer | 08355 |
| Head Law Stenographer   | 08360 |

Unit C

|             |       |
|-------------|-------|
| Interpreter | 08132 |
|-------------|-------|