

DC37 v. City, 12 OCB 55 (BOC 1973) [Decision No. 55-73 (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. 55-73

-and-

DOCKET NO. RU-363-73

THE CITY OF NEW YORK

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ORDER AMENDING DESIGNATION
OF REPRESENTATIVE

The parties hereto having agreed, and it appearing to the satisfaction of the Board, that the Designation of Representative contained in Decision No. 95-70 should be amended by substituting therein for the Department of Social Services the Human Resources Administration, including the Department of Social Services, the Manpower and Career Development Agency, the Community Development Agency, the Youth Services Agency, the Agency for Child Development and the Human Resources Administration Central Office. Such "poverty" agencies as the various community corporations, legal services corporations and day care centers are excluded from the coverage of this designation, however, based on the agreement of the City and the petitioner that the employees of these agencies should be excluded from such coverage for the following reasons:

1. Employees in the included agencies, unlike those in the excluded agencies, are "civil service" employees.
2. Included employees are paid on City budget lines, unlike excluded employees, who are paid on budget lines established pursuant to various contracts.
3. It is doubtful that the matters which the New York City Collective Bargaining Law requires be uniform for employees of the included agencies, must be, or should be, similarly uniform for employees of the excluded agencies;

And it further appearing to the satisfaction of the Board that Petitioner is the certified representative of bargaining units which include a majority of the employees in the Human Resources Administration;

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 the Designation of Representative contained in Decision No. 95-70 be, and the same hereby is, amended by substituting therein the Human Resources Administration for the Department of Social Services, subject to existing contracts, if any.

DATED: New York, N.Y.

July 23, 1973

ARVID ANDERSON
Chairman

WALTER L. EISENBERG
Member

ERIC J. SCHMERTZ
Member