

OFFICE OF COLLECTIVE BARGAINING  
BOARD OF CERTIFICATION

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In the Matter of

DISTRICT COUNCIL 37, AFSCME,  
AFL-CIO, and its affiliated  
Local 2627

DECISION NO. 90-73

-and-

DOCKET NO. RU-367-73

THE CITY OF NEW YORK AND RELATED  
PUBLIC EMPLOYERS

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DECISION AND ORDER

The petition of District Council 37, AFSCME, AFL-CIO, as finally amended, requests the addition of thirteen computer-related titles to Certification No. 38-72 (as amended by Decision No. 8-73), presently covering various computer operation, programming, and systems analysis titles.

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

I. The Appropriate Unit and  
Representative Status

The Office of Labor Relations agrees, and it appears to the satisfaction of the Board, that ten of the petitioned titles (shown below) should be added to Certification No.38-72 (as amended), and also recommends that the closely-related titles of EDP Operator (EEA-6) should be included therewith. Our investigation shows that a majority of the employees in

the amended unit have authorized check-off of dues in behalf of Petitioner. Accordingly we shall grant this portion of the petition.

#### Disputed Titles

The Office of Labor Relations objects to the inclusion herein of Supervisor, Operational Programming EDP) on the ground that it is “a managerial title.”

The City also objects to the inclusion of Supervising Computer Analyst on the ground that it “has never been classified by the Health and Hospitals Corporation or the City of New York.” Our investigation shows that this title has been used by the Court System and the City University but is no longer in use. Its apparently erroneous presence in certain payroll records is intended to be corrected in the immediate future.

The Office of Labor Relations also objects to the inclusion of Supervising Computer Operator (Lead) because it is “not utilized by the Health and Hospitals Corporation.” Our investigation shows that this title, which was formerly utilized exclusively by the Corporation, has now been deleted from the Corporation's classification and is vacant, Accordingly we shall exclude the latter two titles from our order herein.

ORDER

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 Case UR-367-73 as relates to the title of Supervisor, Operational Programming (EDP) be, and the same hereby is, severed, and a hearing for the purpose of taking evidence regarding the managerial status of the employee in such title is hereby directed; and it is further

ORDERED that Certification No. 37-72 (as amended by Decision No. 8-73) be, and the same hereby is, further amended to include the titles of Assistant Computer Operator, Assistant Computer Programmer, Assistant Computer systems Analyst, Data Librarian, Supervisor Scheduling and Control (EDP), Supervisor, Computer Operations, EDP Operator (EEA), EDP Operator (EEA-6), EDP Programmer (EEA), and the employees of the New York City Health & Hospitals Corporation in the titles of Computer Systems Analyst and Senior Computer Systems Analyst, subject to existing contracts, if any.

DATED: New York, N.Y.

December 3, 1973

ARVID ANDERSON  
CHAIRMAN

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WALTER L. EISENBERG  
MEMBER

ERIC J. SCHMERTZ  
MEMBER

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

Assistant Computer Operator	03987
Assistant Computer Programmer	03995, 13520
Assistant Computer Systems Analyst	03997
Computer Systems Analyst	00051, 19570
Data Librarian	00033
EDP Operator (EEA)	03317
EDP Operator (EEA-6)	03481
EDP Programmer (EEA)	03318
Senior Computer Systems Analyst	00052, 19575, 08145
Supervisor, Computer Operations	03989
Supervisor Scheduling and Control (EDP)	03991