

Deputy Sheriffs Ass. v. City, 12 OCB 94 (BOC 1973) [Decision No. 94-73 (Cert.)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

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In the Matter of

NEW YORK CITY DEPUTY SHERIFFS
ASSOCIATION

DECISION NO. 94-73

-and-

DOCKET NO. RU-405-73

THE CITY OF NEW YORK AND RELATED
PUBLIC EMPLOYERS

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DECISION AND ORDER

By notice of Motion date August 25, 1973, New York City Deputy Sheriffs Association (herein called Petitioner) requested the transfer to Petitioner of the certifications previously issued to the Deputy Sheriffs' Association and Senior Deputy Sheriffs Association jointly, as collective bargaining representative of the following units: Certification No, 76-70 (Deputy Sheriffs and Senior Deputy Sheriff's) and Certification No.75-70 (Supervising Deputy Sheriffs, except the incumbent in charge or the Richmond Count, Office). The motion also requested the consolidation or the cited certifications and the removal of the exclusion of the Richmond County Supervising Deputy Sheriff.

Petitioner states that "... at a joint meeting... of the Deputy Sheriffs Association and the Senior Deputy Sheriffs Association a motion was made, seconded and adopted to disband both Associations and merge them into one Association,

to be called the New York City Deputy Sheriffs Association. A motion also was adopted to petition the Office of Collective Bargaining to merge and consolidate the two certificates into one and to issue it to the New Association."

Notice of this motion was published in the City Record on September 7, 1973, and, further, a letter was sent to the single agency employing the affected employees, together with a copy of the Notice published in the City Record, requesting the agency to post said notice at a conspicuous place where the affected employees customarily assemble. By letter dated September 13, 1973, the Agency informed us that it had posted the notice.

The employer has no objection to any portion of this motion. The Supervising Deputy Sheriff in charge of the Richmond County Office, who had been excluded from Certification No. 75-70 by stipulation of the parties, has submitted an affidavit, dated October 24, 1973, stating "... that he agrees to be deemed non-managerial and included in the bargaining unit represented by the New York City Deputy Sheriff's Association."

Accordingly, we shall grant Petitioner's motion in all respects.

Pursuant to the powers vested in the Board of Certification by the New York City Collective Bargaining Law, it is hereby

ORDERED that the motion to transfer the aforementioned Certification Nos. 75-70 and 76-70, be, and the same hereby is, granted, and said certifications be, and the same hereby are, amended by naming therein "New York City Deputy Sheriffs Association" in place and in stead of "Deputy Sheriffs' Association and Senior Deputy Sheriffs' Association, jointly"; and it is further

ORDERED that Certification No. 75-70 be amended by deleting the exclusion of the Supervising Deputy Sheriff in charge of the Richmond County Office, so that it shall cover all Supervising Deputy Sheriffs, regardless of assignment; and it is further

ORDERED that Certification No. 75-70 and 76-70, 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 hereby

CERTIFIED that New York City Deputy Sheriffs Association is the exclusive representative for the purposes of collective bargaining of all employees in the consolidated unit, to wit: Deputy Sheriffs, Senior Deputy Sheriffs, and Supervising Deputy

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Sheriffs, 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.

December 3, 1973

ARVID ANDERSON
CHAIRMAN

WALTER L. EISENBERG
MEMBER

ERIC J. SCHMERTZ
MEMBER

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

Deputy Sheriff	30305
Senior Deputy Sheriff	30310
Supervising Deputy Sheriff	30315