

Civil Ser. Bar Ass. V. City, 14 OCB 11 (BOC 1974) [(Decision No. 11-74 (Amend. Cert.)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

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In the Matter of

CIVIL SERVICE BAR ASSOCIATION

DECISION NO. 11-74

-and-

DOCKET NO. RU-418-73

THE CITY OF NEW YORK

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DECISION AND ORDER
AMENDING CERTIFICATION

The Civil Service Bar Association, the certified bargaining representative of a unit consisting of employees in various classes of positions in the Attorney Occupational Group, seeks to amend its recertification CWR-44/67, as amended by Decision No.83-73. The amended motion of the CSBA requests that the Certification name the bargaining representative as "Local 237, I.B.T. and its affiliate, Civil Service Bar Association". The affidavit of Edward Lieberman, President of the Association, supporting the motion alleges that:

"In accordance with its by-laws, at a duly called meeting of the Association held on November 13, 1973 a majority of those members present and voting voted by secret ballot to affiliate with Local 237, International Brotherhood of Teamsters.

"The Association is filing this motion to amend its certification to reflect such vote in order to insure that Local 237, I.B.T. may participate in all matters involving the Association.

"The Association will be a separate and distinct entity within Local 237, I.B.T. to be known as the 'CIVIL SERVICE BAR ASSOCIATION, affiliated with Local 237, I.B.T.'

"Membership in the Association would be available only to employees occupying positions in the Attorney Occupational Group.

"The Association would provide its own negotiating committee and the bargaining would continue to be separate from other titles in LOCAL 237, I.B.T., albeit with the assistance of representatives of the local.

"Only members of the Association could vote upon ratification of a collective bargaining agreement.

"Your deponent would remain the President of the Association until elections are held for a new President.

"The Association would continue to handle its own grievances, albeit with the assistance of representatives of LOCAL 237, I.B.T.

"Upon information and belief, LOCAL 237, I.B.T. as approved the affiliation and has welcomed the Association to the local as a separate and distinct entity within the local."

Local 237, I.B.T. has filed a letter in support of the motion which states:

"On November 13, 1973, the Civil Service Bar Association voted to affiliate with Local 237, Teamsters. On November 16, 1973, the Executive Board of Local 237, Teamsters

approved the affiliation.

"Under the terms of affiliation the Civil Service Bar Association will function as a separate chapter of Local 237, Teamsters electing its own Officers, and Committees and continuing to function in accordance with their amended by-laws."

The City does not oppose tile motion to amend the certification in the manner requested.

On the basis of well-settled Board precedent, we shall grant the motion. ¹ Such amendment is not, however, to be considered as a new certification or a recertification.

ORDER

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

See Association of Claim Examiners and City of New York, Dec. No.25-72; Local 1070, DC 37, AFSCME, AFL-CIO and Supreme and Surrogates Court Law Stenographers Association - and the Judicial Conference, Dec. No.21-73.

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4.

ORDERED, that Certification CWR-44/67, as amended by Decision No.83-73, be amended, and the same hereby is, so as to change name of the certified representative therein to "Local 237, I.B.T. and its affiliate, Civil Service Bar Association."

DATED: New York, N.Y.
February 27, 1974

ARVID ANDERSON
CHAIRMAN

WALTER L. EISENBERG
MEMBER

ERIC J. SCHMERTZ
MEMBER