

CWA v. City, et. Al, 14 OCB 28 (BOC 1974) [(Decision No. 28-74 (Cert.)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

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In the Matter of

COMMUNICATIONS WORKERS OF AMERICA,
AFL-CIO

DECISION NO. 28-74

-and-

DOCKET NO. RU-432-74

THE JUDICIAL CONFERENCE OF THE
STATE OF NEW YORK

-and-

THE CITY OF NEW YORK

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DECISION AND ORDER

On March 11, 1974, Communications Workers of America, AFL-CIO, filed its petition herein, requesting to add the titles of Library Clerk, Senior Library Clerk, Assistant Librarian, Assistant Librarian (Cataloguer), Librarian, Law Librarian I, Law Librarian III, and Assistant to Chairman of Board of Trustees to its Certification No.41-73 (as amended), covering various administrative and clerical, titles.

Local 237, I.B.T., has applied to intervene herein, on behalf of its affiliate, Civil Service Bar Association, on the ground that "because of requirements for Law Degrees and membership in the Bar Association there is a greater community of interest and professional relationships between [some of the petitioned titles] and the Attorneys."

District Council 37, AFSCME, has also applied to intervene herein "on the ground that similar titles sought to be represented in the petition may more properly belong to a unit or units already represented by District Council 37."

Neither intervenor has submitted any showing of interest in the petitioned titles.

The Office of Labor Relations opposes the petition on the grounds that "The unit requested is patently inappropriate [and] no showing of interest has been filed for any other unit."

Since we shall dismiss this petition, we need not pass upon the applications to intervene.

Appropriate Unit

Petitioner requests amendment of its current certification as the exclusive bargaining representative of a unit consisting of various administrative and clerical employees by the addition thereto of various "law library" employees of the New York City Unified Court System serving in eight different titles. Some of the titles are responsible for the performance of clerical functions while others perform professional duties. Qualification requirements vary from high school graduation with clerical

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experience to a law degree with membership in the Bar. Some titles have alternative qualifications, including Bar membership and "professional library experience in a law library" [or] Graduate work in Library Science ...".

Accordingly, we find and conclude that the unit sought by Petitioner is not appropriate for the purposes of collective bargaining and shall dismiss the petition.

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 the petition filed herein by Communications Workers of America, AFL-CIO, be, and the same hereby is dismissed.

DATED: New York, N.Y.
July 10, 1974

ARVID ANDERSON
CHAIRMAN

ERIC J. SCHMERTZ
MEMBER

WALTER L. EISENBERG
MEMBER