

L.237, IBT, et. Al v. City, 14 OCB 44 (BOC 1974) [(Decision No. 44-74 (Amend. Cert.)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

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In the Matter of

U.A. PLUMBERS LOCALS 1, 2
371 and 6:18, AFL-CIO, jointly

-and-

DECISION No. 44-74

CITY EMPLOYEES UNION,
LOCAL 237, INTERNATIONAL
BROTHERHOOD OF TEAMSTERS

-and-

DOCKET NO. RU-429-74

NEW YORK CITY LOCAL 246,
SEIU, AFL-CIO

-and-

THE CITY 017 NEW YORK and
RELATED PUBLIC EMPLOYERS

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AMENDED DECISION AND ORDER

The petition of U.A. Plumbers Locals 1, 2, 371 and 638, as amended, seeks joint certification as exclusive collective bargaining representative of employees in the titles of Plumber's Helper, Plumber, Foreman Plumber, Pipe Caulker, ¹ Tapper, Thermostat Repairer, Fireman Thermostat Repairer, Steam Fitter's Helper, and Foreman Steam Fitter.

Petitioner Local 2 is certified (6 NYCDL No. 49) for the single title of Pipe Caulker.

Local 237, I.B.T., claims that the petitioned titles should more properly be grouped in the following units:

- (1) Pipe Caulker and Tapper;
- (2) Plumber's Helper, Plumber, and Foreman Plumber;
- (3) Thermostat Repairer and Foreman Thermostat Repairer;
- (4) Steam Fitter's Helper, Steam Fitter, and Foreman Steam Fitter.

In Decision No. 37-74, the Board granted the request of Local 237, I.B.T., to intervene inasmuch as it demonstrated the required showing of interest. The Board directed that a hearing be held on the unit question.

New York City Local 246, SEIU, AFL-CIO, also requested permission to intervene, claiming to represent the three petitioned steamfitting titles. In Decision No. 37-14, this request for intervention was denied on the ground that Local 246 had failed to demonstrate sufficient showing of interest in its claimed appropriate unit or in any other unit claimed therein to be appropriate.

It has now come to the Board's attention that a previous submission by Local 246, SEIU, AFL-CIO, offering proof of interest in the unit it claims to be appropriate was overlooked. In light of this oversight, and in order to avoid a possible inequity, the Decision and Order in No. 37-74 is hereby amended to permit Local 246 to participate in the hearing on the unit question. In the event that an election is ultimately held after the appropriate unit is determined, Local 246 will be required to submit a sufficient showing of interest in the unit found appropriate in order to be included on the ballot.

O R D E R

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 request of New York City Local 246, SEIU, AFL-CIO, for amendment of Decision No. 37-74 to permit intervention by said Local 246, be, and the same hereby is granted; and it is further

ORDERED, that a hearing be held for the purpose of taking evidence regarding the unit placement of the petitioned titles.

DATED: New York, N.Y.
September 9, 1974

ARVID ANDERSON
C h a i r m a n

WALTER L. EISENBER
M e m b e r

ERIC J. SCHMERTZ
M e m b e r