

City v. DC37, CWA, et. Al, 14 OCB 75 (BOC 1974) [(Decision No. 75-74 (Cert.)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

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In the Matter of

THE CITY OF NEW YORK and
RELATED PUBLIC EMPLOYERS,
Petitioners,

-and-

DECISION NO. 75-74

DISTRICT COUNCIL 37, AFSCME, AFL-CIO;

-and-

DOCKET NO. RE-24-72

COMMUNICATIONS WORKERS OF AMERICA,
DISTRICT 1, CIVIL SERVICE DIVISION,
AFL-CIO,

Respondents.

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DETERMINATION AND ORDER

On September 16, 1974, we issued our Interim Decision No. 51-74 in this matter dealing, inter alia, with the claim of The City of New York that all employees of the New York City Office of Labor Relations (OLR), and of the New York City Office of Collective Bargaining (OCB), should be designated managerial and/or confidential employees.

In the said Decision No. 51-34, we made a ruling as to employees of OCB and OLR, tentatively finding them to be managerial and/or confidential employees, and allowing thirty (30) days for the filing, by interested parties, of objections to the issuance of a final order to that effect.

More than thirty days having elapsed since the Issuance of the said Interim Decision, and no objections having been filed to that portion of the said decision dealing with employees of OCB and OLR, we will issue a final order finding the said employees to be managerial and/or confidential and not entitled to engage in collective bargaining.

DETERMINATION AND ORDER

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

DETERMINED, that all employees of the New York City Office of Labor Relations and of the New York City Office of Collective Bargaining are managerial and/or confidential employees in contemplation of §214 of the New York State Civil Service, Law and §1173-4.1 of the New York City Collective Bargaining Law; and it is further

ORDERED, that so much of the City's petition as seeks a finding by this Board that all employees of the New York City Office of Labor Relations and of the New York City Office of Collective Bargaining are confidential

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and/or managerial employees, and an order excluding such employees from collective bargaining, be, and the same hereby is granted.

DATED: New York, New York.

December 23, 1974.

ARVID ANDERSON

Chairman

WALTER L. EISENBERG

Member

ERIC J. SCHMERTZ

Member

