District Council 37, 16 OCB 23 (BOC 1975)[Decision No. 23-75 (Cert.)]
Affirmed, Rios v. Anderson, N.Y.L.J., Dec. 3, 1975, at 6 (Sup. Ct. N.Y. Co.).

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION
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In the Matter of

DISTRICT COUNCIL 37, AFSCME,
AFL-CIO

DECISION NO. 23-75

- and -

THE CITY OF NEW YORK AND RELATED PUBLIC EMPLOYERS

DOCKET NO. RU-465-74

- and -

UNITED WREP WORKERS
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A P P E A R A N C E S:

SCOTT FORMAN, ESQ.
office of Labor Relations

JULIUS TOPOL, ESQ.
by Joan Stern Kiok, Esq.
for D.C. 37

JAMES G. MAURO, JR., ESQ.
for U.W.W.

DECISION AND ORDER

On August 12, 1974, District Council 37 filed its motion herein to accrete certain Work Relief Employment Project (WREP) employees to certain of its existing certifications covering employees in allegedly similar titles. The United WREP Workers (UWW) filed its motion to intervene on September 12, 1974. On October 4, 1.074, the City of New York stated its position that "the City supports the petition of D.C. 37, AFSCME, to amend ... its certificates.

The motion of D.C. 37, as amended to correct minor

omissions, includes the following certifications and titles:[1]

	Certification No. and Unit	Titles Included in Motion
(A)	39-73 (as amended by Decisions 51-73 and 61-74) - various clerical, stenographic, office machine operation, and related titles.	Courier (WREP), Fiscal Office Assistant (WREP), Office Assistant (WREP), Office Machine Assistant (WREP), Sten. Transcriber (WREP), Switchboard Operator (WREP), Secretary (WREP), and Transcriber (WREP).
(B)	15-73 (as amended by Decisions 56-73, 67-73, 81-73, 4-74 and 41-74) - various social service and related titles.	Drug Abuse Aide (WREP) and Family Assistant (WREP).
(C)	30-73 (as amended by Decisions 59-73 and 95-73) - various exterminator and pest control titles.	Rodent Control Aide (WREP) and Assistant Rodent Control Aide (WREP).
(D)	23-74 - various motor vehicle operation and dispatching titles.	Automotive Operator (WREP).
(E)	39-72 (as amended by Decisions 55-72, 53-73, and 60-73) - various custodial and related titles.	Building Assistant (WREP), Utility Worker (WREP), Lift Aide (WREP), and Security Aide (WREP).
(F)	22-72 (as amended by Decisions 58-72, 57-73, and 61-74) - various institutional service and hospital aide titles.	Hospital Aide (WREP), Patient Aide (WREP), and Food Services Aide (WREP).

Hospital Aide (WREP), Patient Aide (WREP), and Food Services Aide (WREP).

We note that other WREP titles have been established with civil service counterparts certified to other unions:

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[1]

WREP Title	Civil Service Title	Cert. Union
Warehouse Aide	Asst. Stockman	Loc. 237, IBT
Janitorial Asst.	Housing Caretaker	Loc. 237, IBT
Butcher	Meat Cutter	Locals 832, 237, IBT, Loc. 300, SEIU, jointly.

(G) MR-6/66 - Laundry Worker, Senior Laundry Worker, and Washer. Laundry Aide (WREP).

(H) 60-74 - various non-professional public health titles. School Health Aide (WREP).

The WREP titles were established pursuant to a series of resolutions of the New York City Civil Service Commission, the latest of which was adopted on December 10, 1974 and provides, inter alia:

> Resolved that Rule 5.7.8 of the Rules of the City Civil Service Commission is hereby amended to read as follows:
>
> 5.7.8 (a) Positions which are paid in whole or in part from State and/or Federal funds, and which are established for the purpose of creating paid employment opportunities in public agencies as provided by Chapter 6.03 of the laws of 1972 of the State of New York, shall be designated as Work Relief Employment Project Positions. Such positions shall be established until June 30, 1975.

Chapter 603 of the Laws of 1972, as amended by Chapter 600, Laws of 1974, provides for the establishment of a demonstration project to study the feasibility of using home relief funds "to create, as an alternative to home relief, paid employment opportunities in public or non-profit private agencies." The demonstration project is subject to approval by the State Commissioner of Social Services and the Director of the Budget. The statute authorizes the transfer of funds to employers, approved by the State Commissioner of Social Services, "to meet the payroll

and fringe benefit costs of persons enrolled in the project" in amounts not to exceed "the amount to which the local district would have been entitled under the current home relief and related medical assistance program." If a home relief recipient is determined to be "employable", he may be referred to suitable employment and he may not refuse to perform work on pain of becoming ineligible for home relief. The employee may not be assigned to employment of more than 40 hours per week and be may not be paid less than the appropriate minimum wage.

The WREP program is the result of a 1971 restructuring of the New York State welfare program designed to employ persons on welfare. Recipients of welfare were required to work in exchange for their welfare check under the Public Work Project (PWP). WREP is an attempt to modify the PWP concept so as to transform the required work into a true employment experience, including the receipt of a salary check instead of a welfare check.

The WREP manual sets forth the terms of the demonstration project administered by the New York City Human Resources Administration as approved by the State. The manual states that service employment is used to "provide transitional employment opportunities for welfare recipients, with the goal of movement from those jobs into regular, stable employment. The transitional jobs will have a dual purpose: increasing employability of participants and providing productive work as an alternative

to public assistance." The manual provides for the screening of potential WREP participants and sets forth training and job counselling goals designed to place the participants in perm-ament, non-relief employment.

WREP participants are guaranteed a minimum of half-time employment. Their net wages arc at least the equivalent of their normal home relief benefit plus a lurch and carfare allowance. WREP hourly wages are equivalent to the entry level salaries for comparable civil service jobs including any wage differentials (such as night shift differentials) applicable to regular employees. Thus, a WREP participant with a large family, who is entitled to a large welfare payment, will be assigned to work more hours than a WREP participant who received only a small welfare check. However, since all WREP participants work at least one-half time at the minimum entry level salary, some participants earn more than they would have received under welfare. Income taxes are withheld from WREP pay checks. All WREP employees are covered by Workmen’s Compensation, and those who work over twenty hours per week are covered by the City health insurance plans. The usual City time and leave benefits are accrued on a pro-rata basis, and employees' pay is docked for absences. WREP workers are not eligible for pension benefits.

The HRA Manual provides that:

> "WREP employees will be permitted to join a union for representation and collective bargaining purposes,

> pursuant to State and City law, and subject to the same rules and regulations, and conditions as other City employees."

After initial eligibility and medical screening processes have been completed by HRA, it determines the number of authorized work days and the general type of job open to the participant. Then the participant is referred to the potential employing agency. The agency is responsible for the selection and hiring of WREP workers subject to Department of Personnel approval. The employing agency is responsible for conducting orientation and on-the-job training, and it is charged with the payment of wages for WREP participants, the maintenance of personnel records, and the supervision and evaluation of employees. After evaluation, the agency may decide that it does not wish to retain a WREP employee and it may terminate him. Termination will also occur when HRA notifies the employing agency that an individual is no longer eligible for the WREP program or if the employee is absent for twenty days without leave. WREP workers are paid every two weeks on a two-week time lag system; upon termination, therefore, they are entitled to two weeks pay. Workers are removed from the payroll after they have missed at least two consecutive pay periods. WREP is viewed as a transitional program for the participants, and the manual provides that: "to the extent feasible and consistent with Civil Service Law and regulations, the employer agency will hire WREP employees into regular agency jobs for which they qualify."

In November, 1974, there were over 9,000 employees in WREP titles (the exact number will be discussed below). However, substantial reductions in this figure are taking place through the implementation of the federal Comprehensive Employment and Training Act (CETA). This program is directed to the alleviation of the national unemployment crisis. It provides full time public service jobs with identical wages, benefits and duties as are applicable to civil servants employed by the City of New York. Welfare recipients are among the unemployed who are given preference in hiring for CETA positions; and, pursuant to directions of the U. S. Department of Labor, over one thousand WREP employees have been transferred to full time CETA positions in the public service of the City of New York.

POSITIONS OF THE PARTIES

D.C. 37 argues that accretion is proper because the wage rates for WREP employees are equivalent to entry-level salaries for employees represented by D.C. 37 and their benefits are similar with respect to night differentials, sick leave and annual leave. The union argues that WREP employees perform functions equivalent to those performed by employees covered by existing certifications. Finally, D.C. 37 notes that the Board has accreted Emergency Employment Act (EEA) titles to equivalent or similar civil service titles and it urges that the WREP and EEA programs are similar "in that both are funded from other than

the City expense budget, both are transitional or temporary in nature, both require wage rates and ether fringe benefits equivalent to civil service jobs which are similar in function."

D.C. 37 opposed the UWW motion to intervene on the ground that UWW did not claim a showing of interest which was sufficient under Board rules and that it did not seek an election.

The UWW opposes D.C. 37's motion to accrete on the ground that the UWW represents a substantial number of WREP employees whereas D.C. 37 does not, that WREP employees do not share a community of interest with employees represented by D.C. 37 as to wages, hours and working conditions, and that accretion would not effectuate the rights of WREP employees to self-organization. UWW argues that the appropriate unit herein "is one which consists of all WREP workers, including that vast number sought by District Council 37, and the much smaller one in titles alleged to be similar to those represented by the Teamsters."

The UWW further takes the position that it is not "directly or indirectly petitioning for an election ... at this time." In this connection, it argues that its intervention is solely for the purpose of opposing D.C. 37's motion to accrete.

The UWW position on its motion to intervene, in substance, was that it intervened merely to challenge the unit position of D.C. 37 and that it was not petitioning to represent WREP

employees or seeking an election. Therefore, UWW did not submit designation cards to demonstrate proof of interest when it filed its motion to intervene herein, nor did it submit the no-strike affirmation required by the Taylor Law.

The Board found, however, that it would not effectuate the purposes of the NYCCBL to permit the UWW to intervene for the purpose of challenging the D.C. 37 motion without, at the same time, finally determining the representation rights of the more than 9,000 WREP workers involved. The Law grants employees the right to organize and be represented and that right would not be served by piecemeal litigation of all the representation issues that might be raised by the parties. We believe that the rights of the employees under the Law will best be served by a prompt determination of the issue of their union representation. Therefore, the UWW having sought to intervene herein, must intervene for all purposes and be prepared to submit to the usual procedures for determining representation questions. For that reason, the Board formally sought a statement from the UWW that it was prepared to represent the employees in whose behalf it intervened, and for the same reason, the Board sought the proof of interest that is required of all unions seeking to represent employees under the NYCCBL. The Board thus deemed the intervention of the UWW herein as a request or petition to represent the employees in the unit claimed by UWW to be appropriate, and

required the UWW to submit the 30% proof of interest specified in the Board's Rule 2.3 for petitioning unions as well as the no-strike affirmation required by section 207-3(b) of the Taylor Law.

On November 18, 1974, the Board informed UWW that:

> "The application of UWW for permission to intervene in the above-captioned matter was today approved by the Board of Certification upon condition that within five days of receipt of this letter the UWW file in accordance with the Board's rules:
>
> 1. a no-strike affirmation as required by the Taylor Law in the form heretofore supplied to you; and
>
> 2. proof of interest in the unit alleged by UWW to be appropriate amounting to thirty (30%) percent of the employees in such unit.
>
> Failure to comply with either of the above stated conditions will result in dismissal of the application of UWW in this matter."

On November 25, 1974, the UWW submitted a number of cards which it claimed to be "fully in excess of the required 30%" and it stated "if for any reason there is a determination that this number is an insufficient showing, we are prepared to submit additional cards." On December 3, 1974, the UWW again requested permission to present further proof of interest if the unit it sought was later determined to contain more than approximately 9,500 employees. And the UWW reiterated that it was "not either directly or indirectly petitioning for an election - at this time."

In order fully to clarify its position, the Board informed the UWW by letter of December 11, 1974, that:

> "Rule 2.9 of the Board's Rules states that in its investigation of a question concerning representation the Board may conduct informal conferences or hearings, may direct an election or elections, or use any other suitable method to ascertain the wishes of the employees.' It is the position of the Board of Certification that the UWW intervention herein, including its allegation as to the appropriate unit, is a request to represent the employees in the alleged appropriate unit. If the Board determines that the unit requested by UWW is the appropriate unit for collective bargaining under the NYCCBL, the UWW would appear on the ballot in any election ordered to be conducted in that unit. In short, unless UWW's intervention constitutes a request for a particular unit finding, a consent to participate in any election conducted in such unit should the Board approve UWW's unit position and a statement of readiness to represent such a unit in the event of certification, the intervention is inappropriate and will be dismissed. Unless we are advised to the contrary on or before December 19, 1974, we will deem UWW's submission to date to accord with the above stated requirements."
>
> "The Board's policy concerning the submission of proof of interest is that such proof must be sufficient and it must be timely submitted. We wish to advise you that it is the Union's responsibility to determine the correct size of the unit it is seeking; however, we have no indication that

> the size of the unit requested by UWW is larger in numbers of employees than the informal estimate we transmitted to you earlier. In order to avoid the possibility that the UWW submission might be short of the required 30% in the unit sought, we urge you to submit any further proof of interest you may have at this time."

On December 27, 1974, the UWW replied that: "The UWW is, of course, ready to represent the unit we claim to be appropriate, and does in fact now represent these workers in practice." However, it continued to maintain its objections to the Board's statement that an election could be ordered in the instant case.

The Board heard oral argument by the parties on January 13, 1975, having requested the parties to present argument on the issue "whether the accretion requested by District Council 37 is proper under the Board's prior decisions as well as any other issues relevant thereto." In addition, the UWW "as intervenor objecting to the requested accretion" was requested to present "a formal offer of proof specifying the facts on which it would present evidence if a hearing were directed in this case."

At the oral argument, D.C. 37 renewed its request that the Board dismiss the UWW intervention. Counsel for UWW restated the Union's wish to represent the WREP workers. However, the UWW again maintained that the Board should not order

an election but should dismiss the motion to accrete filed by D.C. 37:

> "For a variety of organizational reasons ... we may want to petition next month or two months from now.... I will guarantee to the Board that we will petition if the motion to accrete is denied."

D.C. 37 supported its motion to accrete by argument as to similarities in benefits, job specifications and wage rates of WREP workers and employees in units certified to D.C. 37. Counsel for the Union pointed out that under the terms of the WREP program, wages of WREP workers "are set by a combination of the law and the wages that are negotiated by D.C. 37 ... their time and leave benefits are negotiated by D.C. 37 ... and their working conditions are basically negotiated by D.C. 37 in its departmental designations." D.C. 37 maintained that WREP workers have common supervision and work side by side with other civil service employees and they are being transferred into the CETA program in titles already represented by D.C. 37.

Counsel for UWW restated orally the Union's request for a hearing. He further argued that U`WW already represents a substantial number of WREP employees. UWW conceded that the job specifications for WREP workers are similar to those of employees in the units to which D.C. 37 seeks to accrete WREP workers, but maintained that the differences between the two groups of employees were more significant. UWW pointed out

that, basically, WREP workers were home relief recipients, that they were not subject to competitive examination, and that the terms of their employment are determined by the terms of the home relief grants. UWW argued that as a matter of practice, WREP employees do not receive the benefits of civil service workers to which they may be entitled and that they are not entitled to pensions and similar benefits; that the wages received by WREP workers are far inferior to civil service wages and the source of funds for WREP wages are different from those for civil service employees. Counsel for UWW argued that the supervision of WREP workers is in fact different from that applicable to employees represented by D.C. 37 and that often members of the D.C. 37 rank and file have substantial influence over the working conditions of WREP workers. Finally, UWW urged that the policy of the NYCCBL favoring self determination in matters of choosing a representative operates against the requested accretion into units already represented by D.C. 37.

The City of New York argued that the Board should initially determine whether the requested accretion by D.C. 37 is proper, and if it is, then the issues raised by UWW would become irrelevant and need not be considered by the Board. The City urged that accretion is proper in the instant case and is required for the efficient operation of the public service and sound labor relations.

Following oral argument, the UWW filed a brief

urging the Board to hold a hearing to resolve the factual issues relating to community of interest of the employees. The brief argues that no community of interest exists between WREP workers and employees in the various units represented by D.C. 37 and that the Board's decisions involving EEA employees are not applicable to this case. UWW argues that EEA employees receive all of the benefits at the same levels as civil service workers, whereas WREP workers do not. Finally, the brief contends that accretion would deprive WREP workers of their rights to select their own bargaining representative.

PROOF OF INTEREST

Pursuant to the Board's intention to treat the UWW intervention as a petition to represent all WREP employees in the unit claimed to be appropriate by UWW, the Union submitted 3,632 designation cards as proof of interest on November 25, 1974.

Under Rules 2.3 and 2.6, the UWW was required to file designation cards signed by at least 30% of the employees in the unit claimed by UWW to be appropriate; the cards "must be dated and signed by the employees not more than seven months prior to the commencement of the proceeding", and proof of interest is calculated "on the payroll immediately preceding the date of filing of the petition, unless the Board deems such period to be unrepresentative."

Although proof of interest is universally held[2] to be a non-litigable matter the determination of which is left to the sound discretion of the administrative agency and thus is not subject to review, we have decided to set forth our findings in the unusual circumstances of this case. WREP employment is, by its nature, less permanent than the traditional civil service employment with which this Board is usually concerned. Employees in the WREP program have a status which is transitory and is influenced by considerations relating to home relief. Therefore, the statistics and records pertaining to WREP employees are more difficult to obtain than those of other employees of the City of New York, and these statistics and records are less susceptible of rapid interpretation than the usual civil service records.

Furthermore, aware that the many felt grievances of WREP employees have led to vigorous organizational efforts in regard to this case, the Board has expended every effort to apply its procedures fairly and equitable. For these reasons, a very thorough analysis of the proof of interest submitted by UWW was conducted, involving the hiring of additional personnel to conduct the comparison of the cards submitted as

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[2] Intertype Co. et al v. NLRB, 401 F2d 4 (1968), cert. den. 393 U.S. 1049 (1969); Marcie v. Madden, No. Dist. Ill., 45 LRRM 2256 (1959); Kearney and Trecker Corp. v. NLRB, 209 F2d 782, 33 LRRM 2151 (CA7, 1953).

proof of interest with personnel records obtained from the Director of the WREP Fiscal Control and Reporting Department of the HRA. Moreover, in order to avoid any possible prejudice to the UWW, the Board extended the seven month time period of Rule 2.6 referred to above, and any valid designation card signed in the 9 ½ months between February 12, 1974 and November 25, 1974 was deemed acceptable.[3]

The Board determined that as of the payroll date immediately preceding the filing of the designation cards,[4] there were 9,307 employees in the WREP program. Of these, 213 were employed in the Board of Education and, therefore, were not under the jurisdiction of the Board of Certification. Thus, diring the relevant payroll period, there were 9,094 WREP employees under the jurisdiction of the Board of Certification instead of the close to 9,500 previously estimated by the Board and the parties. The 30% proof of interest requirement demands, therefore, that of the 3,632 cards submitted by WREP, 2,729 be valid designation

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[3] As described above, the D.C. 37 motion was filed on August 12, 1974, the UWW filed its motion on September 12, 1974 and submitted its designation cards on November 25, 1974. Thus, a strict application of the seven months rule would have resulted in acceptance as valid proof of interest of only those cards signed within seven months before September 12, 1975.

[4] The proof of interest submitted by UWW was not filed simultaneously with the motion of UWW as required by Rule 2.3; the Board permitted UWW to file its proof of interest over two months later.

cards (9094 X 30%). The Board's investigation revealed the following figures:

Cards filed	3,632
Invalid cards	1,003
Total valid cards	2,603
Cards of questionable validity	26[5]
Data for invalid cards	
Cards signed by individuals not employed as of November 22, 1974	880
Signed by Board of Education employees	44
Cards dated outside acceptable period	9
Duplicate cards	58
Illegible, unsigned and undated cards	12
	1,003

It is manifest from the foregoing that the UWW has not submitted the required proof of interest to sustain its position in the instant case by at least 100 cards, and we shall dismiss its intervention herein.

ACCRETION

The Board has followed a consistent policy with respect to accretion. In Local 384, D.C. 37 and The City University of N.Y., Decision No. 39-69, the Board said:

[5] The validity of these cards was not resolved because they could not affect the outcome of our finding on proof of interest.

and the comparative

> "Accretion is, in substance, the inclusion in an existing unit of new positions or titles which, because of their similarity or close relationship to the unit titles, would have been included in the original unit if they had been in existence at that time. In such cases, proof of representation is not required." (Footnote: "The comparative sizes of the two groups is an additional factor. cf. Skouras Theatres Corp. et al, 3 NYSLRE 94; Pullman Industries, Inc., 159 NLRB No. 44, 62 LRRM 1273,7274.)

In this case, the WREP titles are new titles, and the comparative sizes of the several WREP and counterpart certified title groups does not pose the problem of "the tail wagging the dog".[6] Thus, the only question for determination by the Board is whether there is such a "similarity or close relationship to the unit titles" that the new WREP titles "would have been included in the original unit if they had been in existence at that time."

From the description of the WREP program set forth in the HRA manual, it is clear that there are many similaritiez between the "pairings" of civil service and WREP titles: the job descriptions are identical in most cases; WREP workers apparently work side by side with civil service workers and they are paid at the same entry level rates. On the other hand, WREP workers, in most cases, are not full time employees and their hours are determined by individual

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[6] All of the units to which D.C. 37 requests accretion of WREP titles include substantially more employees than the number of WREP employees sought to be accreted.

welfare entitlement. Furthermore, the UWW[7] alleges that "the functions and content of the WREP jobs are broader and more diverse, and often include duties of combined jobs or those entirely outside Civil Service titles." The UWW also alleges that "there is no common supervision between WREP and Civil Service Workers. For purposes of initial job assignment, transfers, evaluation, discipline, attendance, are vested with the Director of the WREP program and not the supervisors in the agencies where the work is performed." It should be noted that these allegations are contrary to the information contained in the HRA manual. Finally, UWW points out that eligibility for WREP is based on welfare considerations and that termination may result from a loss of welfare eligibility as well as from job related causes.

The UWW allegations may be summed up under two headings: 1) The WREP program deviates from the HRA manual and 2) many of the conditions of employment are determined by welfare considerations.[8]

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[7] Although we are dismissing the UWW intervention, we shall, nevertheless, deal with the UWW arguments concerning the validity of the requested accretion.

[8] As to the former allegation, the UWW itself realizes that redress lies in making the program conform to the procedures outlined in the manual. The UWW document entitled "Rights at the Employer Agency" states:

> "You have the right to have your job responsibilities clearly defined by the employer agency. You do not have to do any work that falls outside of your job responsibilities."
>
> "You have the right to be treated equally with other regular City employees."

We find that the fact that the HRA manual is not strictly adhered to does not present sufficient grounds for a finding of separate unit. It may be, as the UWW alleges, that some individual agencies do not properly follow the WREP program requirements as to granting benefits to which WREP workers are entitled, or by requiring cut of title work. It seems probable, too, that many WREP workers are not well informed of their job rights and do not request the leave time and other benefits to which they are entitled, and do not protest out of title assignments. These deficiencies may be remedied by firm and vigorous union representation of WREP workers.

The UWW's allegation that accretion is improper because many WREP conditions of employment are determined by welfare is not persuasive. Those predetermined terms and conditions, such as minimum pay and minimum and maximum hours per two week period, will not be bargainable no matter which union is certified to represent WREP workers. It may he noted that many of the demands which UWW would perhaps want to bargain for represent changes which must be made by the Legislature or by HRA with approval of the State and not by the employing agencies. As to those terms and conditions which are bargainable in the case of WREP employees, no reason has been shown why a separate unit is appropriate.

In sum, we find that the requested accretion of WREP workers to the units represented by D.C. 37 is appropriate because the community of interest between WREP workers and the employees represented by D.C. 37 is such that had the WREP titles been in existence at the time the units were certified, the WREP titles would have been included in the certifications. our finding is based on similarity of duties, similarity in pro-rata entitlement to most benefits (annual leave, sick leave, overtime pay, and health insurance), similarity of entry level pay scales, and the fact that WREP employees and employees in the units to which they will be accreted work side by side in agencies throughout the City.

We find, therefore, that the units herein, composed of employees already certified to D.C. 37 and WREP employees, are appropriate units. It should be noted that a finding of appropriate units does not imply that these units are the only appropriate units. However, since the UWW did not present the required proof of interest and thus had no standing herein, we did not consider whether the unit claimed Ly UWW was also an appropriate unit and we need not grant its request for a hearing. For purposes of this decision, it is sufficient that we find the units requested by D.C. 37 to be appropriate and that we find that D.C. 37 wishes to represent the WREP employees for purposes of collective bargaining.

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 intervention filed herein by United WREP Workers be, and the same hereby is, dismissed; and it is further

ORDERED that the motion for accretion filed herein by District Council 37, AFSCME, AFL-CIO, be, and the same hereby is, granted; and it is further

ORDERED that the following certifications be, and the same hereby are amended, or further amended (as the case may be) to include the indicated Work Relief Employment Project titles, subject to existing contracts, if any:

Certification[9] No. and Unit	Work Relief Employment Project Titles
39-73 (as amended by Decisions 51-73, 61-74, 73-74 and 8-75) - various clerical, stenographic, office machine operation, and related titles.	Courier (WREP), Fiscal Office Assistant (WREP), Office Assistant (WREP), Office Machine Assistant (WREP), Stenographic Transcriber (WREP), Switchboard Operator (WREP), Secretary (WREP), and Transcriber (WREP).

[9]* Some of the pertinent certifications have been amended or further amended since this petition was filed.

Certification[10] No. and Unit	Work Relief Employment Project Titles
15-73 (as amended by Decisions 56-73, 67-73 81-73, 4-74, 41-74, 73-74, 5-75 and 6-75) - various social service and related titles.	Drug Abuse Aide (WREP) and Family Assistant (WREP).
30-73 (as amended by Decisions 59-73, 95-73, and 73-74) - various exterminator and pest control titles.	Rodent Control Aide (WREP) and Assistant Rodent Control Aide (WREP).
23-74 (as amended by Decision No. 73-74) - various motor vehicle operation and dispatching titles.	Automotive Operator (WREP).
39-72 (as amended by Decisions 55-72, 53-73, 60-73, 73-74 and 18-75) - various custodial and related titles.	Building Assistant (WREP), Utility Worker (WREP), Lift Operator (WREP), Lift Aide (WREP), and Security Aide (WREP).
22-72 (as amended by Decisions 58-72, 57-73, 61-74 and 18-75) - various institutional service and hospital aide titles.	Hospital Aide (WREP), Patient Aide (WREP), and Food Services Aide (WREP).
MR-6/66 - Laundry Worker, Senior Laundry Worker, and Washer.	Laundering Aide (WREP).
60-74 - various non-professional public health titles.	School Health Aide (WREP).

[10]* See footnote on previous page.

DATED: New York, N.Y.
May 7, 1975

ARVID ANDERSON
Chairman

WALTER L. EISENBERG
Member

ERIC J. SCHMERTZ
Member