

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

----- x

In the Matter of

CITY EMPLOYEES UNION, LOCAL 237,
I.B.T.; and TERMINAL EMPLOYEES
LOCAL 832, I.B.T.;

Joint Petitioners

DECISION NO. 24-75

-and-

CIVIL SERVICE FORUM, LOCAL 300,
SEIU, AFL-CIO;

Intervenor

DOCKET NO. RU-489-74

-and-

THE CITY OF NEW YORK AND RELATED
PUBLIC EMPLOYERS

----- x

DECISION AND ORDER

On December 11, 1974, City Employees Union, Local 237, I.B.T., and Terminal Employees Local 832, I.B.T., requested that Certification No. 18-74, held jointly by Locals 237 and 832, I.B.T., and Civil Service Forum, Local 300, SEIU, AFL-CIO, be amended by deleting Local 300 from the joint representatives named therein. The Office of Labor Relations opposes this petition on the ground that it "fails to state a basis for the relief it seeks inasmuch as Local 300 ... exists and continues to be a joint collective bargaining representative of the bargaining unit covered by the certification. In addition, Local 300 applied to intervene herein, objecting to the requested change.

Rule 2.7 of the Consolidated Rules of the Office of Collective Bargaining provides that "A petition for certification ... shall be filed not less than five (5) or more than six (6) months before the expiration date of the contract ...". As the pertinent unit was recently consolidated, there are several contracts covering the titles therein, whose expiration dates are, variously, June 30, 1974, December 31, 1974, and June 30, 1975. Thus, this petition was not timely filed for any part of the existing unit and will be dismissed.

The Board also notes that Rule 2.18 provides that a "... certification shall remain in effect for one year from the date thereof ..." and that the petition herein was filed on December 11, 1974, less than eight months after the consolidated unit was certified (on April 3, 1974).

In this connection, the Board notes (as it did previously in Decision No. 12-75) that, although Local 300 was, during the latter part of 1974, merged for a short time with another local of Service Employees International Union, AFL-CIO, the merger was terminated effective December 18, 1974, and no interruption of its contractual obligations took place.

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 petition filed herein by City Employees Union, Local 237, I.B.T., and Terminal Employees Local 832, I.B.T., be, and the same hereby is, dismissed.

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

ARVID ANDERSON
CHAIRMAN

ERIC J. SCHMERTZ
MEMBER

WALTER L. EISENBERG
MEMBER