

L.375, et. Al v. City, 16 OCB 40 (BOC 1975) [Decision No. 40-75
(Cert.)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

----- x

In the Matter of

CIVIL SERVICE TECHNICAL GUILD,
LOCAL 375, AFSCME, AFL-CIO

DECISION NO. 40-75

-and-

DOCKET NO. RU-523-75

THE CITY OF NEW YORK AND RELATED
PUBLIC EMPLOYERS

----- x

DECISION AND ORDER

The petition herein, as amended, seeks to amend Certification No. 60-71 (as previously amended by Decisions 42-72, 6-73, 36-73, 43-73, 42-74, 73-74, 25-75 and 31-75) by adding thereto the titles of Principal Physicist, Landmarks Preservation Specialist Trainee, Landmarks Preservation Specialist, and Senior Landmarks Preservation Specialist. The City's Office of Labor Relations has no objection to the requested addition of the Landmarks Preservation titles but objects to the inclusion of Principal Physicist "in any bargaining unit" on the ground that its duties are "confidential and/or managerial in nature."

Certification No. 60-71 (as amended) covers a unit of professional engineering, architectural, scientific, and related titles. We agree that the petitioned Landmarks Preservation titles may properly be placed therein.

It further appears to the satisfaction of the Board that a majority of the employees in the unit as amended herein have demonstrated their desire to be represented by Petitioner by having authorized check-off of dues in behalf of said organization. Accordingly, we shall add the Landmarks Preservation titles to Certification No. 60-71 (as amended) and sever that portion of the petition which relates to Principal Physicist.

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 so much of Case RU-523-75 as relates to the title of Principal Physicist be, and the same hereby is, severed, and a hearing for the purpose of taking evidence regarding the "confidential and/or managerial" status of the employee in such title is hereby directed; and it is further

ORDERED that Certification No. 60-71 (as previously amended) be, and the same hereby is, further amended to include the titles of Landmarks Preservation Specialist Trainee, Landmarks Preservation Specialist, and Senior Landmarks Preservation Specialist, subject to existing

Decision No. 40-75
Docket No. RU-523-75

3

contracts, if any.

DATED: New York, N.Y.
September 8, 1975

ARVID ANDERSON
CHAIRMAN

WALTER L. EISENBERG
MEMBER

ERIC J. SCHMERTZ
MEMBER

The titles and title code numbers of the employees affected by this decision are as follows:

Landmarks Preservation Specialist Trainee	92239
Landmarks Preservation Specialist	92242
Senior Landmarks Preservation Specialist	92243