

CEU, L.237, IBT v. City, 18 OCB 45 (BOC 1976) [Decision No. 45-76 (Cert.)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

In the Matter of

CITY EMPLOYEES UNION
LOCAL 237, INTERNATIONAL
BROTHERHOOD OF TEAMSTERS

DECISION NO. 45-76

DOCKET No. RU-578-76

-and-

THE CITY OF NEW YORK and
RELATED PUBLIC EMPLOYERS

DECISION and ORDER

On August 19, 1976, City Employees Union, Local 237, I.B.T., filed its petition herein, seeking to add the title of Assistant Director of Bureau of Public Health Education to its Certification No. 62C-75 (as amended by Decision No. 13-76), presently covering various public information and health education titles.

The petitioned title was one of the many hundreds of titles which were contained in the City's petition (RE-24-72) which was decided by the Board in Decision No. 19-75. In that decision, the Board declined to rule on the alleged manageriality of titles which were vacant, and also limited its determination of manageriality of various titles including Assistant Director of Public Health Education to those employees in said titles who were paid pursuant to the City's Managerial/Executive Pay Plan.

The Board is now informed that all incumbents in the title Assistant Director of Public Health Education are now,

and were at the time of issuance of our Decision No. 19-75, paid less than the minimum salary of the lowest managerial grade. The title should thus have been excluded from our finding of manageriality in that decision.

Since, at this time, the City has stated that it has no objection to the certification of this title, and since it appears to the Board that this title should be added to the petitioned unit, the Board will revoke its prior managerial determination in Decision No. 19-75.

Since it further appears to the satisfaction of the Board that a majority of the employees in the unit as amended herein have authorized check-off of dues in behalf of Petitioner, the Board will grant the Present petition.

ORDER

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 title of Assistant Director of Bureau of Public Health Education be, and the same hereby is, deleted from the list of managerial and/or confidential titles in Appendix A of Decision No. 19-75; and it is further

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ORDERED that Certification No. 62C-75 (as previously amended) be, and the same hereby is, further amended to include the title of Assistant Director of Bureau of Public Health Education, subject to existing contracts, if any.

DATED: New York, N.Y.
October 13, 1976

ARVID ANDERSON
CHAIRMAN

WALTER L. EISENBERG
MEMBER

ERIC J. SCHMERTZ
MEMBER

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

Assistant Director of Bureau of Public Health Education	51175
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