

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

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In the Matter of

DISTRICT COUNCIL 37, A.F.S.C.M.E., AFL-CIO

DOCKET NO. R-26-67

-and-

DECISION NO. 25-68

NEW YORK CITY DIVISION OF VETERANS AFFAIRS

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DECISION AND ORDER

On March 31, 1967, District Council 37, A.F.S.C.M.E., AFL-CIO, filed a petition with the New York City Department of Labor for certification as the collective bargaining representative of the Veteran Counselors and Senior Veteran Counselors employed in the Division of Veterans Affairs. The proceeding was transferred to the Board of Certification pursuant to Rule 13.13 of the Consolidated Rules of the Office of Collective Bargaining.

Personnel Order No. 67/47, dated December 28, 1967, and approved by the Mayor on January 2, 1968, sets forth salary rates for Veteran Counselors and Senior Veteran Counselors, the titles here involved. The Personnel Order recites that these rates were determined "pursuant to the agreement between the City and District Council 37, A.F.S.C.M.E., AFL-CIO, reached on October 31, 1967."

Section 1173-3.01 of the New York City Collective Bargaining Law defines the term "certified employee organization" as including a public employee organization:

"(3) recognized by a municipal agency * * * as such exclusive bargaining representative prior to the effective date of this chapter unless such recognition has been or is revoked* * *."

No claim or contention has been made that such recognition was revoked. Thus, at the time the petition herein was filed, and on the effective date of the statute, District Council 37 was the recognized collective bargaining representative of the titles here involved, and, by virtue of §1173-3.01, is the "certified" representative thereof.

Accordingly, we shall dismiss the petition herein.

O R D E R

By virtue of the power vested in the Board of Certification by the New York City Collective Bargaining Law, it is hereby

O R D E R E D, that the petition herein be, and the same hereby is, dismissed.

DATED: New York,, N.Y.

June 11, 1968.

ARVID ANDERSON
C h a i r m a n

ERIC SCHMERTZ
M e m b e r

SAUL WALLEN
M e m b e r

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