

L.3, et. Al v. FDNY, 2 OCB 3 (BOC 1968) [Decision No. 3-68 (Cert.)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

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In the Matter of the Petition of

LOCAL NO. 3, INTERNATIONAL BROTHER-
HOOD OF ELECTRICAL WORKERS, AFL-CIO

Docket No. R-54-67

- and -

Decision No. 3-68

NEW YORK CITY FIRE DEPARTMENT

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DECISION
AND
DIRECTION OF ELECTION

Local Union No, 3, International Brotherhood of Electrical Workers, AFL-CIO, herein called Petitioner, filed its petition herein with the New York City Department of Labor pursuant to Executive Order No. 49, on July 11, 1967.

Pursuant to Rule 13.13 of the Consolidated Rules of the Office of Collective Bargaining, this proceeding was transferred to the Board of Certification, effective January 2, 1968.

Upon consideration of the investigation by the Department of Labor and of its own investigation, and after due deliberation., the Board of Certification issues the following decision.

I. Undisputed Matters

It is undisputed, and we find and conclude, that in fact and within the meaning of the New York City Collective Bargaining Law, Petitioner is a public employee organization; and that a question or controversy concerning representation exists.

II. The Appropriate Unit.

Petitioner requests certification as the collective bargaining representative of a unit of Inspectors of Fire Alarm Boxes in the Fire Department.

On August 27, 1962, Local 237, International Brotherhood of Teamsters was certified by the Department of Labor (Certificate Number 4-40) as the exclusive representative for the purposes of collective bargaining, of all Inspectors of Fire Alarm Boxes in the Fire Department.

On March 9, 1966, Local 237, International Brotherhood of Teamsters, was certified by the Department of Labor (Certification Number 8-39), as the exclusive representative for purposes of collective bargaining, of all Senior Inspectors of Fire Alarm Boxes in the Fire Department.

The above-mentioned titles are employed only in the Fire Department; and the duties of Senior Inspectors of the Fire Alarm Boxes include the supervision of Inspectors of Fire Alarm Boxes.

We find, as did the Department of Labor, that a unit of Inspectors of Fire Alarm Boxes is appropriate for the purposes of collective bargaining. Accordingly, we shall conduct an election by secret ballot to determine the present desires of the employees in the said unit concerning representation for the purposes of collective bargaining.

O R D E R

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

ORDERED, that an election by secret ballot shall be conducted under the supervision of the Board of Certification or its agents, at a time, place, and during hours to be fixed by the Board, among the employees in the unit found appropriate in Section II, above, employed during the payroll period immediately preceding the date of this Direction of Election (other than those who have voluntarily quit or who have been discharged for cause before the date of the election), to determine whether they desire to be represented for the purposes of collective bargaining by Local 237, International Brotherhood of Teamsters or by Local 3, International Brotherhood of Electrical Workers, AFL-CIO, or neither.

DATED: New York, N.Y.
March 4, 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