

L.375, DC37, et. Al v. City, 2 OCB 32 (BOC 1968) [Decision No. 32-68 (Cert.)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

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In the Matter of

CIVIL SERVICE TECHNICAL GUILD, LOCAL 375,
DISTRICT COUNCIL 37, A.F.S.C.M.E., AFL-CIO

DOCKET NO. R-39-67

-and-

DECISION NO. 32-68

The City of New York

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DECISION AND CERTIFICATION

On April 20, 1967, Civil Service Technical Guild, Local 375, D.C. 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 Highway Transportation Specialists and Senior Highway Transportation Specialists employed in the Department of Traffic. The proceeding was transferred to the Board of Certification pursuant to Rule 13.13 of the Consolidated Rules of the Office of Collective Bargaining.

Upon consideration of the investigation made by the Department of Labor and its own investigation, and after due deliberation, the Board of Certification renders the following decision:

I. Undisputed Matters

It is undisputed, and we find and conclude, that Petitioner is a public employee organization in fact and within the meaning of the New York City Collective Bargaining Law.

II. The Appropriate Unit

The City does not dispute the appropriateness of the unit sought by Petitioner. The employees here concerned perform services involving highway transportation projects, surveys, studies, investigations and related work. They constitute a readily identifiable and homogeneous group, with common skills and interests. Although their work is correlated with that of various engineers in the Department of Traffic, they are not engineers and have been excluded from an engineering unit (Case No. R-172-65; 7 N.Y.C.D.L. No. 90).

Accordingly, we find and conclude that Highway Transportation Specialists and Sr. Highway Transportation Specialists constitute a unit appropriate for the purposes of collective bargaining in fact and within the meaning of the New York City Collective Bargaining Law.

III. Representative Status

Our investigation discloses that a majority of the employees in the appropriate bargaining unit have authorized dues check-off in behalf of Petitioner. We find and conclude that Petitioner has been designated and selected by a majority of the employees in the appropriate unit as their representative for the purposes of collective bargaining.

CERTIFICATION

Pursuant to the powers vested in the Board of Certification by the New York City Collective Bargaining Law, it is hereby

CERTIFIED that Civil Service Technical Guild, Local 375, District Council 37, A.F.S.C.M.E., AFL-CIO, is the exclusive representative for the purposes of collective bargaining of all Highway Transportation Specialists and Senior Highway Transportation Specialists employed by the City of New York.

DATED, New York, N.Y.

June 26, 1968.

ARVID ANDERSON
C h a i r m a n

ERIC J. SCHMERTZ
M e m b e r

SAUL WALLEN
M e m b e r