

OFFICE OF COLLECTIVE BARGAINING  
BOARD OF CERTIFICATION

----- x

In the Matter of

LAW ASSISTANTS ASSOCIATION OF  
THE CITY OF NEW YORK

Docket No. R-58-66

-and-

Decision No. 6-68

THE CITY OF NEW YORK and ADMINISTRATIVE  
BOARD OF THE JUDICIAL CONFERENCE

----- x

DECISION, ORDER AND CERTIFICATION

Law Assistants Association of the City of New York, herein called Petitioner, filed its petition herein with the New York City Department of Labor, on March 14, 1966.

This 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 of its own investigation, and after due deliberation, the Board of Certification renders the following decision.

I. Undisputed Matters

It was 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 petition, as originally filed, sought certification as collective bargaining representative of a single unit consisting of Law Assistants II and Chief Law Assistants. Petitioner and the Employers subsequently agreed that Law Assistant II employed in New York City Unified Court System constitute a unit appropriate for the purposes of collective bargaining, and we so find and conclude.

The Employers deny that Chief Law Assistants constitute an appropriate bargaining unit; asserting that such employees perform managerial functions and hence are not entitled to engage in collective bargaining. We shall sever that portion of the proceeding which relates to Chief Law Assistant.

III. Representative Status

A majority of the incumbents in the position of Law Assistant II have authorized dues check-off deductions in behalf of Petitioner. Accordingly, we find and conclude that Petitioner has been designated and selected by a majority of the Law Assistants II as their representative for the purposes of collective bargaining.

ORDER AND CERTIFICATION

By virtue of and pursuant to the authority 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 so much of the proceeding as relates to a question or controversy concerning the representation for the purposes of collective bargaining of Chief Law Assistants, be, and the same hereby is, severed, and it is hereby

C E R T I F I E D, that Law Assistants Association of the City of New York is the exclusive representative for the purposes of collective bargaining of all Law Assistants II employed in the New York City Unified Court System.

DATED:       New York, N.Y.  
  
              March 27, 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