

L.246, SEIU v. DOH, 2 OCB 61 (BOC 1968) [Decision No. 61-68 (Cert.)]

OFFICE OF COLLECTIVE BARGAINING  
BOARD OF CERTIFICATION

----- x

In the Matter of

NEW YORK CITY LOCAL 246, S. E. I. U.  
AFL-CIO

DOCKET NO. RU-55-68

-and-

DECISION NO. 61-68

NEW YORK CITY DEPARTMENT OF HEALTH

----- x

DECISION AND CERTIFICATION

New York City Local 246. S.E.I.U., AFL-CIO, herein called Petitioner,, filed its petition herein with the Board of Certification on July 24, 1968.

Upon consideration of its 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 Petitioner is a public employee organization in fact and within the meaning of the New York City Collective Bargaining Law.

II. The Appropriate Unit

Petitioner requests certification as the exclusive bargaining representative of a unit consisting of the Auto Mechanics in the Department of Health.

The Labor Department heretofore has found appropriate for purposes of collective bargaining departmental units consisting of various automotive titles, including Auto Mechanic. (See, e.g., Department of Parks, 4 NYCDL 63; Department of Public Works, 6 NYCDL 8.) The Department of Health employs Auto Mechanics but none of the other titles included in such automotive units. Under such circumstances, we have held that the Auto Mechanics constitute the automotive group. (Matter of New York City Local 246, B.S.E.I.U., AFL-CIO -and- N. Y. City Department of Traffic, Decision No. 13-68.)

Although the City of New York contends that the auto mechanics should be part of a City-wide automotive trades unit, no public employee organization has petitioned for such a unit, and the City, under the Rules, may not file a petition.

The Auto Mechanics are a readily identifiable and homogeneous group of skilled employees with common interests. Accordingly, we find that they constitute a unit appropriate for the purposes of collective bargaining.

### III. Representative Status

Our investigation establishes that a majority of the Auto Mechanics employed in the Department of Health have authorized dues checkoff deductions in behalf of Petitioner. Accordingly, we shall issue a certification.

#### CERTIFICATION

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

CERTIFIED, that New York City Local 246, S.E.I.U., AFL-CIO, has been designated and selected by a majority of the Auto Mechanics employed in the Department of Health as their representative for the purposes of collective bargaining and that it is the exclusive representative of all said employees for such purposes.

DATED: New York, N. Y.

OCTOBER 29, 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