

High Pressure Plant Tenders, 2 OCB2d 3 (BOC 2009)

(Rep) (Docket No. RD-15-08).

Summary of Decision: Based on the results of a mail ballot election, the Board dismissed the decertification petition. (***Official decision follows.***)

**OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION**

In the Matter of the Certification Proceeding

-between-

**HIGH PRESSURE PLANT TENDERS and
PLANT MAINTAINER, TENDERS (HOSPITALS),**

Petitioners,

-and-

**DISTRICT COUNCIL 37, AFSCME, AFL-CIO,
CITY OF NEW YORK, and
NEW YORK CITY HEALTH AND HOSPITALS CORPORATION,**

Respondents.

DECISION AND ORDER

Pursuant to the Decision and Direction of Election in *High Pressure Plant Tenders*, 1 OCB2d 35 (BOC 2008), an election was held by mail ballot in this matter in accordance with § 1-02 of the Rules of the Office of Collective Bargaining (Rules of the City of New York, Title 61, Chapter 1) (“OCB Rules”) for employees in the titles High Pressure Plant Tender (Title Code No. 91650) and Plant Maintainer, Tender (Hospitals) (Title Code No. 004340), represented by District Council 37 (“DC 37”) in Certification No. 44-71. The ballots were counted on February 25, 2009.

The majority of employees casting valid ballots voted to continue to be represented by DC 37 for purposes of collective bargaining. No party filed objections in the time provided by OCB

Rule § 1-02(r). Accordingly, the decertification petition is dismissed, and DC 37 remains the certified bargaining representative of Certification No. 44-71. *See Giffen*, 34 OCB 5, at 2 (BOC 1984).

NOW, THEREFORE, pursuant to the powers vested in the Board of Certification by the New York City Collective Bargaining Law (New York City Administrative Code, Title 12, Chapter 3), it is hereby

ORDERED that the petition, docketed as RD-15-08, seeking decertification of District Council 37 as the exclusive bargaining representative of Certification No. 44-71 be, and the same hereby is, dismissed.

Dated: March 9, 2009
New York, New York

MARLENE A. GOLD
CHAIR

GEORGE NICOLAU
MEMBER

CAROL A. WITTENBERG
MEMBER