

Rondinelli, et. Al v. City, 22 OCB 8 (BOC 1978) [Decision No. 8-78 (Cert.)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

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In the Matter of

PHILIP G. RONDINELLI et al.

-and-

LOCAL UNION NO. 3, IBEW,
AFL-CIO

DECISION NO. 8-78

DOCKET NO. RD-5-78

-and-

THE CITY OF NEW YORK AND
RELATED PUBLIC EMPLOYERS

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D E C I S I O N
and
DIRECTION OF ELECTION

On January 27, 1978, a timely petition, accompanied by an appropriate showing of interest, requesting the decertification of Local Union No. 3, IBEW, AFL-CIO, as the collective bargaining agent for the unit of electrical inspectors, fire alarm dispatchers, and, related employees, covered by Certification No. 16-71 (as amended by Decision No. 20-73), was filed by the Petitioners, Philip G. Rondinelli et al., all of whom are employees in said collective bargaining unit.

The Office of Municipal Labor Relations takes "no position" in this case.

Local 3 opposes this petition, offering a number of arguments in support of its position. Most of these are irrelevant and speculative. Among the points raised by Local 3, however, are questions as to concurrent petitions filed by Local 3 (in Case No. RU-642-78) and by the City of New York (in Case No. RE-95-78) for consolidation of the unit here under consideration with other existing collective bargaining unit(s). Absent unusual circumstances in such cases, the Board will decide representation issues first. We have previously ruled in United Probation Officers Association -and- Local-599, SEIU, Decision No. 4-78, that where a timely petition challenging representative status of an incumbent union is pending before the Board simultaneously with a petition for consolidation of the unit with other collective bargaining units, the representation question shall be disposed of first.

Having found no merit in Local 3's objections, we shall direct an election in the petitioned unit.

DIRECTION OF ELECTION

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

DIRECTED that an election by secret ballot shall be conducted under the supervision of the Board or its agents, at a time, place, and during hours to be fixed by the Board, among the Electrical Inspectors, Senior Electrical Inspectors, Supervising Electrical Inspectors, Principal Electrical Inspectors, Inspectors of Fire Alarm Boxes, Senior Inspectors of Fire Alarm Boxes, Fire Alarm Dispatchers, Supervising Fire Alarm Dispatchers, and employees in restored Rule X titles serving in positions equated thereto, employed by the City of New York and related public employers subject to the jurisdiction of the Board of Certification, who were 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 or not they desire to continue to be represented for the purposes of collective bargaining by Local Union No. 3, International Brotherhood of Electrical Workers, AFL-CIO.

DATED: New York, New York.
March 23, 1978,

ARVID ANDERSON
C h a i r m a n

WALTER L. EISENBERG
M e m b e r

ERIC J. SCHMERTZ
M e m b e r