

L.858, L.803, IBT v. OTB,26 OCB 13 [13-80 (Amend. Cert.)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

-----X

In the matter of

LOCAL 858, INTERNATIONAL BROTHERHOOD
OF TEAMSTERS

-and-

LOCAL 803, INTERNATIONAL BROTHERHOOD
OF TEAMSTERS

DECISION NO. 13-80

DOCKET NO. RU-758-80

-and-

NEW YORK CITY OFF-TRACK BETTING
CORPORATION

-----X

DECISION AND ORDER
AMENDING CERTIFICATION

On April 15, 1980, an application (RU-758-80) was filed by Local 858, International Brotherhood of Teamsters, requesting that the Certification (Decision No. 24-78) of its sister Local 803 be amended to reflect the fact that jurisdiction over employees in the covered unit has been transferred to Local 858, International Brotherhood of Teamsters. This Certification covers employees in the title, Branch Office Manager (OTB). The written statement of Vincent Treretola, submitted in support of the application, shows that, by order of Frank E. Fitzsimmons, General President of the International Brotherhood of Teamsters, dated March 31, 1980, and effective April 1, 1980, Local 858 was chartered to represent all "Off-Track Betting, Professional, Clerical and Wagering Employees, New York City and Vicinity,

New York"; and that Vincent Treretola, currently Secretary-Treasurer of Local 803, by the same order was appointed Temporary Trustee, with authority to act on behalf of Local 858. Also submitted, in support of the application, were copies of the March 31, 1980, order of the General President, together with a copy of the Constitution of the International Brotherhood of Teamsters, examination of which shows that the transferral of jurisdiction from Local 803 to Local 858 had been effected in the exercise of powers vested in the General President by Article VI, Section 5 of the Constitution and in accordance with the provisions thereof. The Board also notes that a notice to the membership of Local 858 from President Fitzsimmons, which accompanied his order relating to the imposition of a trusteeship, stated that "An overwhelming majority of the members of Local 803 who are employed by Off-Track Betting petitioned the International Union for a separate charter."

Notice of the this application was published in the City Record on April 30, 1980, and posted on the Board's public docket as well as on appropriate employee bulletin boards on April 24, 1980. No objections have been received.

Therefore, we shall grant the request.

O R D E R

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

ORDERED, that Certification No. 24-78 be, and the same hereby is amended to change the name of the certified representative therein from "Local 803, International Brotherhood of Teamsters" to "Local 858, International Brotherhood of Teamsters."

DATED: New York, New York
May 6, 1980

ARVID ANDERSON
CHAIRMAN

WALTER L. EISENBERG
MEMBER

DANIEL G. COLLINS
MEMBER