

L.375, et. Al v. City, 26 OCB 2 (BOC 1980) [2-80 (Cert.)]

OFFICE COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

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In the Matter of,

CIVIL SERVICE TECHNICAL GUILD,
LOCAL 375, DISTRICT COUNCIL 37,
AFSCME, AFL-CIO

DECISION NO. 2-80

-and-

DOCKET NO. RU-719B-79

THE CITY OF NEW YORK AND RELATED
PUBLIC EMPLOYERS

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DECISION AND ORDER

On August 13, 1979, Civil Service Technical Guild, Local 375, District Council 37, AFSCME, AFL-CIO, filed a motion seeking an amendment of its Certification No. 26-78 (as previously amended), covering various engineering, scientific, and related titles, to reflect changes in several of the titles (and title code numbers) therein by deleting certain obsolete titles and substituting therefor the corresponding new titles.

The City objected to that portion of the motion which concerns the recently established competitive class title of Research Scientist (with three assignment levels) into which the former noncompetitive titles of Research Scientist, Senior Research Scientist, Principal Research Scientist (for which petitioner was certified) and also Chief Research Scientist (including all specialties) have been "broadbanded." The City limited its objection to the single Research Scientist position which was formerly classified as Chief Research Scientist, pointing out that the Board had previously found the Chief Research Scientist (Biological Sciences) title to be managerial. (The Board had made no finding on the other two specialties of the Chief

Research Scientist title because they were vacant.)

On December 13, 1979, the Board issued its Decision No. 26-79, granting the undisputed portion of the motion and severing that portion relating to the Competitive Class title of Research Scientist for further proceedings on the question of manageriality. On January 29, 1980, the City's Office of Municipal Labor Relations withdrew its opposition to unqualified certification of the title.

As there is no longer any dispute regarding certification of Research Scientists, and because it appears to the satisfaction of the Board that the requested amendment is appropriate, we shall grant the remainder of the motion.

O R D E R

NOW, THEREFORE, 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. 26-78 (as previously amended) be, and the same hereby is, further amended to substitute the new title of Research Scientist for the obsolete titles listed in the Appendix of this Decision, subject to existing contracts, if any.

DATED: New York, New York
February 4, 1980

ARVID ANDERSON
CHAIRMAN

ERIC J. SCHMERTZ
MEMBER

WALTER L. EISENBERG
MEMBER

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APPENDIX

The titles and title code numbers of the employees affected by this decision are as follows:

New Title and Code No.

Research Scientist	21755
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Obsolete Titles and Code Nos.

Research Scientist (incl. specialties)	21750/52
Sr. Research Scientist (incl. specialties)	21760/62
Principal Research Scientist (incl. specialties)	21770/72