

DC37 v. City, 26 OCB 35 (BOC 1980) [35-80 (Cert.)]

OFFICE OF COLLECTIVE BARGAINING  
BOARD OF CERTIFICATION

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In the Matter of

DISTRICT COUNCIL 37, AFSCME, AFL-CIO

-and-

THE CITY OF NEW YORK

DECISION NO. 35-80

DOCKET NO. RU-761-80

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DECISION AND ORDER

The petition herein, as amended, requests the addition of the titles of Assistant Educational Counselor (juvenile Justice) [hereinafter "JJ"], Educational Counselor (JJ), Senior Institutional Teacher (JJ), Assistant Director for Education (JJ), and Administrative Director of the Learning Center (JJ) to Certification No. 37-78 (as amended), presently covering various social service and related titles, including Group Teacher (Day Care Center), Juvenile Counselor, and Correctional Counselor. The City's Office of Municipal Labor Relations objects to the inclusion of the two "Director" titles in this unit on the ground that they are managerial. However, the City has no objection to the remainder of the petition.

It appears to the Board that, with the possible exception of the disputed titles, the requested unit is appropriate and accretion is proper. Accordingly, we shall add the undisputed titles to Certification No. 37-78 (as amended), sever so much of this case as relates to the "Director" titles, and order a hearing on the question of manageriality.

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 so much of the instant case as relates to the titles of Administrative Director of the Learning Center (JJ) and Assistant Director for Education (JJ) be, and the same hereby is, severed, and a hearing ordered on the question of manageriality; and it is further

ORDERED that Certification No. 37-78 (as previously amended) be, and the same hereby is, further amended to include the titles of Assistant Educational Counselor (JJ), Educational Counselor (JJ), and Senior Institutional Teacher (JJ), subject to existing contracts, if any.

DATED: New York, N.Y.  
October 29, 1980

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ARVID ANDERSON  
CHAIRMAN

WALTER L. EISENBERG  
MEMBER

DANIEL G. COLLINS  
MEMBER

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

Assistant Educational Counselor (JJ)	05056
Educational Counselor (11)	05055
Senior Institutional Teacher W)	05054

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