

CEU, et. Al v. Housing Authority, 30 OCB 18 (BOC 1982) [18-82
(Cert.)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

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In the Matter of

CITY EMPLOYEES UNION, LOCAL 237,
I.B.T.

DECISION NO. 18-82

-and-

DOCKET NOS. RU-834-81
RU-855-81

DISTRICT COUNCIL 37, AFSCMEF
AFL-CIO

-and

NEW YORK CITY HOUSING AUTHORITY
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DECISION AND ORDER

On October 16, 1981, City Employees Union, Local 237, IBT, filed its petition (BU-834-81) herein, seeking to add the title of Emergency Service Aide (Housing Authority) to Certification No. 62A-75 (as amended), covering various public housing maintenance and operations titles. On December 28, 1981, District Council 37, AFSCME, AFL-CIO, filed its petition (RU-855-81) herein, seeking to add the same title to Certification No. 38B-78 (as amended), covering various non-supervisory custodial, maintenance and related titles. The title of Emergency Service Aide (H.A.) was not classified until February 1, 1982, on which date the first appointments were effective.

In a letter dated March 22, 1982, the office of Municipal Labor Relations stated that it took no position on these petitions.

DISCUSSION

Certification No. 62A-75 (as amended) covers only employees of the NYC Housing Authority, for whom collective bargaining is conducted by the Authority and Local 237, whereas the unit in Certification No. 38B-78 (as amended) contains no Housing Authority employees, and bargaining is conducted between the City's Office of Municipal Labor Relations and District Council 37. Accordingly, we find that the unit placement sought by Local 237 is preferable to that sought by District Council 37 in meeting the criteria in §2.10 of the Revised Consolidated Rules of the Office of Collective Bargaining, particularly in respect to the following sub-sections:

- b. the community of interest of the employees;

* * * *

- d. The effect of the unit on the efficient operation of the public service and sound labor relations;
- e. Whether the officials of government at the level of the unit have the power to agree or make effective recommendations to other administrative authority or the legislative body with respect to the terms and conditions of employment which are the subject of collective bargaining;
- f. Whether the unit is consistent with the decisions and policies of the Board.

Accordingly, all the requirements for accretion having been satisfied, we shall grant Local 237's petition and dismiss District Council 37's.

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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 the petition filed by District Council 37, AFSCME, AFL-CIO, in RU-855-81 be, and the same hereby is, dismissed; and it is further

ORDERED that Certification No. 62A-75 (as previously amended) be, and the same hereby is, amended to include the title of Emergency Service Aide (Housing Authority), subject to existing contracts, if any.

DATED: New York, New York
June 10, 1982

ARVID ANDERSON
CHAIRMAN

MILTON FRIEDMAN
MEMBER

DANIEL G. COLLINS
MEMBER

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

Emergency Service Aide (Housing Authority) 82017