

CEU, L.237, IBT v. City, 30 OCB 49 (BOC 1982) [49-82 (Cert.)]

OFFICE OF COLLECTIVE BARGAINING  
BOARD OF CERTIFICATION

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In the Matter of the Petition

of

DECISION NO. 49-82

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

DOCKET NO. RU-830-81

and

THE CITY OF NEW YORK.

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DECISION AND ORDER

On September 29, 1981, City Employees Union, Local 237, I.B.T., filed a petition herein, which, as amended, seeks to add the title of Principal Special Officer (HRA) to Certification No.67-78 (as amended), covering Special officers and various inspectional, custodial, general maintenance, skilled craft, and related titles. The City's Office of Municipal Labor Relations originally opposed this petition on the grounds that all employees in the title were managerial and/or confidential.

By notice dated November 24, 1981, this proceeding was consolidated for hearing with a related matter, Docket No. RU-822-81, involving the unit placement of the titles of Special Officer, Senior Special officer, Supervising Special Officer, and Hospital Security officer. On March 9, 1982, this Board ordered that these matters be severed,

and that the instant proceeding be held in abeyance until a determination was rendered in RU-822-81. A decision in RU-822-81 was issued on July 1, 1982 (Decision No. 29-82) and the present matter was reactivated.

On November 22, 1982, the parties submitted a written stipulation, agreeing, inter alia, that the title of Principal Special officer (HRA) should be added to Certification No.67-78 (as amended), but that the positions of Administrative officer (currently filled by Salvatore Guarnaccio) and Commanding Officer (currently filled by Isaac Washington) within the title of Principal Special Officer (HRA) should be designated by this Board as confidential, within the meaning of the law.

There is no longer any dispute regarding the status of the employees in this title or their appropriate unit placement. It appears to the satisfaction of this Board that the requested unit is appropriate, and that accretion is proper. Accordingly, we shall grant the petition, except as to the employees in the two positions described above, whom we shall designate as confidential.

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.67-78 (as previously amended) be, and the same hereby is, further amended to include the title of Principal Special Officer (HRA), subject to existing contracts, if any; and it is further

ORDERED, that the employees in this title who are assigned to the positions of Administrative Officer and Commanding officer be, and they hereby are, designated as confidential employees and are excluded from the above unit.

DATED: New York, N.Y.  
November 29, 1982

ARVID ANDERSON  
CHAIRMAN

DANIEL G. COLLINS  
MEMBER

MILTON FRIEDMAN  
MEMBER

Decision No. 49-82  
Docket No. RU-830-81

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

Principal Special officer (HRA) 05186