

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

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In the Matter of the Petition

of

DECISION NO. 30-69

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

DOCKET NO. RU-54-68

and

DISTRICT COUNCIL NO. 9 OF
NEW YORK CITY, BROTHERHOOD OF
PAINTERS, DECORATORS AND
PAPERHANGERS OF AMERICA, AFL-CIO

and

THE CITY OF NEW YORK and RELATED
PUBLIC EMPLOYERS

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A p p e a r a n c e s

BERT ROSE,
for Petitioner

EASTON and ECHTMAN, ESQS.
by Harry J. Easton, Esq.
for Intervenor

PHILIP J. RUFFO, ESQ.,
by John P. Finneran, Esq.
for the Employers.

DIRECTION OF ELECTIONS

City Employees Union Local 237, I.B.T. (herein Local 237), filed its petition herein on July 15, 1968, requesting certification as the collective bargaining representative of Painters, House Painters, Foremen Painters, and Foremen House Painters employed by the City of New York and related public employers subject to the jurisdiction of the Office of Collective Bargaining.

On September 16, 1968, District Council 9 applied to intervene herein. Its application is granted.

A Notice of Hearing was issued and served on March 14, 1969, and a hearing was held on April 15, 1969. Subsequent to the hearing, Local 237, District Council 9, and the Employers through the Office of Labor Relations, stipulated, for the purposes of this proceeding, that Foremen Painters and Foremen House Painters are supervisory employees within the meaning of the New York City Collective Bargaining Law.

On the basis of the aforesaid stipulation, and pursuant to the powers vested in the Board of Certification by the New York City Collective Bargaining Law,

IT IS HEREBY DIRECTED:

1. Separate elections by secret ballot shall be conducted, under the supervision of the Board of Certification, or its agents, at a time, place, and during hours to be fixed by the Board, among:

A. Painters and House Painters;

B. Foremen Painters and Foremen House Painters employed during the payroll period ending May 15, 1969, by the City of New York and related public employers subject to the jurisdiction of the Office of Collective Bargaining, other than those who have voluntarily quit or who have been discharged for cause before the date of the elections.

2. The question to be voted on in the election conducted among the Painters and House Painters shall be:

"Do you desire to be represented for the purposes of collective bargaining by District Council No. 9 of New York City, Brotherhood of Painters, Decorators and Paperhangers of America, AFL-CIO, or by City Employees Union Local 237, I.B.T., or by neither?"

3. The questions to be voted on in the election conducted among the Foremen Painters and Foremen House Painters shall be:

"(a) Do you desire to be represented for the purposes of collective bargaining (1) as a unit limited to Foremen Painters and Foremen House Painters, or (2) as a combined unit of Painters, House Painters, Foremen Painters and Foremen House Painters?"

"(b) Do you desire to be represented for the purposes of collective bargaining by District Council No. 9 of the City of New York, Brotherhood of Painters, Decorators and Paperhangers of America, AFL-CIO, or by City Employees Union Local 237, I.B.T., or by neither?"

4. If a majority of the Foremen Painters and Foremen House Painters casting valid ballots:

(a) vote in favor of a combined unit with Painters and House Painters, the votes cast by Foremen Painters and Foremen House Painters on question (b) in paragraph 3 above, shall be counted and tabulated together with the votes cast by the Painters and House Painters.

(b) do not vote in favor of a combined unit with Painters and House Painters, the votes of Foremen Painters and Foremen House Painters on question (b) in paragraph 3 above, shall be counted and tabulated separately.

DATED: New York, N.Y.

June 6, 1969.

ARVID ANDERSON
C h a i r m a n

ERIC J. SCHMERTZ
M e m b e r
