

DC37 v. City, 4 OCB 42 (BOC 1969) [Decision No. 42-69 (Cert.)]

OFFICE OF COLLECTIVE BARGAINING  
BOARD OF CERTIFICATION

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In the Matter of

DISTRICT COUNCIL 37, AFSCME, AFL-CIO,  
Petitioner

DECISION No. 42-69

-and-

THE CITY OF NEW YORK

DOCKET NO. RU-46-68

-and-

PAVERS AND ROADBUILDERS DISTRICT  
COUNCIL 37, AFL-CIO  
Intervenor

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CERTIFICATION OF REPRESENTATIVE

In a prior decision herein the Board directed that an election be held in a unit of Cement Masons and Mason's Helpers, with both Petitioner and Intervenor on the ballot. (Decision No. 59-68).

On December 3, 1968, the Board issued an order granting Intervenor's motion for reconsideration of the decision and hearing thereon. The Board denied the request to stay the election, but directed that the ballots cast therein should be sealed and impounded pending further order of the Board.

On December 5, 1968, the election was held and the ballots were sealed and impounded.

In Decision No. 31-69, after consideration of all of the proceedings heretofore had herein, including the application for reconsideration, the affidavit in opposition thereto, and the transcript of the hearing, the Board adhered to its prior decision and ordered that the ballots cast at the election held herein on December 5, 1968, be opened, comingled and counted on June 16, 1969.

It appearing from the Report Upon Secret Ballot that a collective bargaining representative has been selected, and no objections having been filed by any of the parties within the time provided therefor,

NOW, THEREFORE, pursuant to the provisions of the New York City Collective Bargaining Law, it is hereby

CERTIFIED, that District Council 37, AFSCME, AFL-CIO, having been designated and selected as their representative for the purposes of collective bargaining by a majority of the employees casting valid ballots in the election, said District Council 37 is the exclusive repre-

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sentative for the purposes of collective bargaining of all Cement Masons and Mason's Helpers employed by the City of New York and related public employers subject to the jurisdiction of the Office of Collective Bargaining.

DATED: New York, N.Y.

June 24, 1969

ARVID ANDERSON  
C H A I R M A N

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ERIC SCHMERTZ  
M E M B E R

SAUL WALLEN  
M E M B E R