

**UFA, 4 OCB2d 17 (BOC 2011)**

(Rep) (Docket No. RU-1261-11).

*Summary of Decision:* The UFA filed a petition to represent Pilots and Marine Engineers (Uniformed-Fire Department), currently represented by MEBA. As the petition was timely and supported by a sufficient showing of interest, the Board ordered an election to ascertain the employees' wishes as to their union representation. (*Official decision follows.*)

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**OFFICE OF COLLECTIVE BARGAINING  
BOARD OF CERTIFICATION**

**In the Matter of the Certification Proceeding**

*-between-*

**THE UNIFORMED FIREFIGHTERS ASSOCIATION,**

*Petitioner,*

*-and-*

**DISTRICT NO. 1 – PACIFIC COAST DISTRICT,  
MARINE ENGINEERS' BENEVOLENT ASSOCIATION, AFL-CIO, and  
THE CITY OF NEW YORK,**

*Respondents.*

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**DECISION AND DIRECTION OF ELECTION**

On February 22, 2011, the Uniformed Firefighters Association (“UFA”) filed a petition to represent employees in the titles of Pilot (Title Code No. 70312) and Marine Engineer (Uniformed-Fire Department) (Title Code No. 70316), who are currently represented by District No. 1 – Pacific Coast District, Marine Engineers’ Benevolent Association, AFL-CIO (“MEBA”) in Certification No. 11-68.<sup>1</sup> Notice was provided to

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<sup>1</sup> Certification No. 11-68 originally included the titles Marine Engineer (Uniformed) and Assistant Marine Engineer (Uniformed). Employees in these titles were subsequently reclassified as Marine Engineer (Uniformed-Fire Department).

the public, MEBA, and the City of New York (“City”). The City did not contest the petition, and MEBA did not respond.

As the petition was timely and supported by a sufficient showing of interest, we order an election to determine whether the employees in the titles currently included in Certification No. 11-68 wish to be represented for the purposes of collective bargaining by the UFA, MEBA, or neither. *See* New York City Collective Bargaining Law (New York City Administrative Code, Title 12, Chapter 3) § 12-309(b)(2); *Pavers and Road Builders District Council*, 17 OCB 15 (BOC 1975). If MEBA does not desire to participate in the election, it may decline to do so by making a request in writing to the Director of Representation within 14 days after service of this Decision and Direction of Election.

NOW, THEREFORE, pursuant to the powers vested in the Board of Certification by the New York City Collective Bargaining Law, it is hereby

DIRECTED, that as part of the investigation authorized by the Board, an election by secret ballot be conducted under the Board’s supervision, at a date, time, and place to be fixed by the Board, among the employees in the titles of Pilot (Title Code No. 70312) and Marine Engineer (Uniformed-Fire Department) (Title Code No. 70316) employed by the City of New York to determine whether these employees wish to be represented for the purposes of collective bargaining by the Uniformed Firefighters Association; District No. 1 – Pacific Coast District, Marine Engineers’ Benevolent Association, AFL-CIO; or neither. Employees in the Pilot and Marine Engineer (Uniformed-Fire Department) titles employed during the payroll period immediately preceding the date of this Decision and Direction of Election, other than those who have voluntarily quit, retired, or who have

been discharged for cause before the date of the election, are eligible to vote; and it is further

DIRECTED, that within 14 days after service of this Decision and Direction of Election, the City of New York will submit to the Director of Representation an accurate list of the names and addresses of all the employees in the Pilot and Marine Engineer (Uniformed-Fire Department) titles who are employed by the Fire Department and who were employed during the payroll period immediately preceding the date of this Decision and Direction of Election.

Dated: April 28, 2011  
New York, New York

MARLENE A. GOLD  
CHAIR

GEORGE NICOLAU  
MEMBER

CAROL A. WITTENBERG  
MEMBER