

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

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In the Matter of

DISTRICT COUNCIL 37, AFSCME,
AFL-CIO

DECISION NO. 5-89

-and-

DOCKET NO. RU-1024-88

THE CITY OF NEW YORK

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DECISION AND ORDER

The petition herein, as amended, seeks to add the titles Business Promotion Coordinator and Associate Business Promotion Coordinator to Certification No. 46D-75 (as amended), covering various accounting, computer, and related titles. Petitioner alleges that Business Promotion Coordinator was determined to be managerial in Decision No. 19-75 based on the erroneous finding that the employees in the title were paid pursuant to the City's Managerial /Executive Pay Plan.¹ Our investigation shows that all incumbents in the title Business Promotion Coordinator are now, and were at the time of issuance of our Decision No. 19-75, paid less than the minimum salary of the lowest managerial grade. The title should thus have been excluded from our finding of manageriality.

No objections or interventions have been received, and the Office of Municipal Labor Relations has not replied to several requests for its position in the case.

¹ Cf. Decision No. 45-76.

It further appears that the petitioned-for employees share a community of interest with those covered by Certification No. 46D-75 (as amended) and that a majority of the employees in the unit as proposed to be amended herein have authorized check-off of dues in behalf of Petitioner. Accordingly, we shall grant the petition.

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 title of Business Promotion Coordinator be, and the same hereby is, deleted from the list of managerial and/or confidential titles in Appendix A of Decision No. 19-75; and it is further

ORDERED that Certification No. 46D-75 (as previously amended) be, and the same hereby is, further amended to include the titles of Business Promotion Coordinator and Associate Business Promotion Coordinator, subject to existing contracts, if any.

DATED: New York, N.Y.
April 13, 1989

MALCOLM D. MacDONALD
CHAIRMAN

DANIEL G. COLLINS
MEMBER

GEORGE NICOLAU
MEMBER

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

Business Promotion Coordinator	60860
Associate Business Promotion Coordinator	60861