

Ass. of Build. Inspec. V. City, 6 OCB 1 (BOC 1970) [Decision No. 1-70 (Cert.)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

In the Matter of

ASSOCIATION OF BUILDING INSPECTORS

DECISION NO. 1-70

-and-

DOCKET NO. RU-105-69

THE CITY OF NEW YORK AND RELATED
PUBLIC EMPLOYERS

DECISION AND CERTIFICATION

The petition herein seeks certification as the collective bargaining representative of employees in various Rule XI-XII titles in the Building and Construction Inspection Occupational Group and the Public Health and Safety Inspectional Occupational Group, at the levels of Inspector and Senior Inspector, and in certain Rule X titles serving in positions equated thereto. The City has interposed no objection to the requested unit.

Upon consideration of its investigation, and after due deliberation, the Board of Certification issues the following decision:

I. Undisputed Matters

It was undisputed, and we find and conclude, that Petitioner is a public employee organization in fact and within the meaning of the New York City Collective Bargaining Law.

II. The Appropriate Unit

The petitioner holds City-wide certifications issued by the New York City Department of Labor for employees in the following non-supervisory titles and their Rule X equivalents:

Inspector of Low Pressure Boilers
Boiler Inspector
Senior Boiler Inspector

Elevator Inspector
Senior Elevator Inspector

Hoists & Rigging Inspector
Sr. Hoists & Rigging Inspector
Plastering Inspector
Plumbing Inspector
Senior Plumbing Inspector

Steel Construction Inspector

Construction Inspector
Senior Construction Inspector

Housing Construction Inspector
Senior Housing Construction Inspector

Housing Inspector
Senior Housing Inspector

Petitioner seeks certification for a single unit consisting of employees in the above titles and all other Inspector and Senior Inspector titles and their Rule X equivalents, who are engaged in the inspection of various aspects of construction work, have similar or related skills and interests, and are not now represented for the purposes of collective bargaining.¹

Civil Service Forum, Local 300, SEIU, AFL-CIO, has applied to intervene herein on the ground that, as the certified representative of Pipe-Laying Inspectors (6 NYC DL No. 55 and MR-23-64), it should also represent Senior Pipe-Laying Inspectors.

Petitioner is willing to exclude the Senior Pipe-Laying Inspectors from the unit it seeks therein. However, the unit is a residual unit of all related titles and, therefore,

Approximately twenty somewhat related titles are represented by other unions.

should include all such titles which are not now represented for the purposes of collective bargaining. Accordingly, we grant the application to intervene, but deny Intervenor's request to exclude the Senior Pipe-Laying Inspectors from the unit.

We find and conclude that the employees in the following non-supervisory titles and those serving in the titles listed above, constitute a unit appropriate for the purposes of collective bargaining, in fact and within the meaning of the New York City Collective Bargaining Law:

Senior Pipe-Laying Inspector
Senior Plastering Inspector
Inspector of Cement Tests
Senior Inspector of Cement Tests
Inspector of Concrete Tests
Heating and Ventilation Inspector
Senior Heating and Ventilation Inspector
Hull and Machinery Inspector

and those employees in restored Rule X titles who are serving in positions equated to the cited Rule XI-XII titles.

III. Representative Status

Our investigation discloses that a majority of the employees in the appropriate unit have authorized dues check-off in behalf of Petitioner. We find and conclude, therefore, that Petitioner has been designated and selected by a majority of the employees in the appropriate unit as their representative for the purposes of collective bargaining.

C E R T I F I C A T I O N

Pursuant to the powers vested in the Board of Certification by the New York City Collective Bargaining Law,

it is hereby

O R D E R E D , that the application to intervene filed by Civil Service Forum, Local 300, SEIU, AFL-CIO, is granted; and it is hereby

C E R T I F I E D , that Association of Building Inspectors, is the exclusive representative for the purposes of collective bargaining of all employees in the appropriate unit described above, employed by the City of New York and related public employers under the jurisdiction of the Office of Collective Bargaining, subject to existing contracts, if any.

DATED: New York, N.Y.
January 5, 1970.

ARVID ANDERSON
C h a i r m a n

WALTER L. EISENBERG
M e m b e r

ERIC J. SCHMERTZ
M e m b e r

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Listed below are titles and title numbers:

Inspector of Low Pressure Boilers	31910
Boiler Inspector	31915
Senior Boiler Inspector	31935
Elevator Inspector	33015
Senior Elevator Inspector	33035
Hoists & Rigging Inspector	33215
Sr. Hoists & Rigging Inspector	33235
Plastering Inspector	33515
Plumbing Inspector	33615
Senior Plumbing Inspector	33635
Steel Construction Inspector	32515
Construction Inspector	32215
Senior Construction Inspector	32235
Housing Construction Inspector	32315
Senior Housing Construction Inspector	32335
Housing Inspector	31515
Senior Housing Inspector	31535
Senior Plastering Inspector	33535
Inspector of Cement Tests	32715
Senior Inspector of Cement Tests	32735
Inspector of Concrete Tests	35221
Heating & Ventilation Inspector	33115
Sr. Heating & Ventilation Inspector	33135
Hull and Machinery Inspector	33315
Senior Pipe Laying Inspector	33435

N.B. Unit also includes employees in various Rule X titles serving in positions equated to foregoing Rule XI-XII titles .