

City v. CEU, L.237, IBT, 6 OCB 16 (BOC 1970) [Decision No. 16-70 (Cert.)]

OFFICE OF COLLECTIVE BARGAINING  
BOARD OF CERTIFICATION

In the Matter of

THE CITY OF NEW YORK

DECISION NO. 16-70

-and-

DOCKET NO. RE-13-69

CITY EMPLOYEES UNION, LOCAL 237, IBT

DECISION AND DIRECTION OF ELECTION

On November 21, 1969, the City of New York filed its motion herein requesting the merger and consolidation of certain certifications previously issued to City Employees Union, Local 237, International Brotherhood of Teamsters, namely: MR-10-66 (Electrocardiograph Technicians), MR-2-67 (Electroencephalograph Technicians, Radiation Technicians, X-Ray Technicians, and Senior X-Ray Technicians), and MR-16-67 (Senior Radiation Technicians and Supervisors of X-Ray Technician services). The Union consents to this.

The Board finds that a majority of (a) Electrocardiograph Technicians, Radiation Technicians, X-Ray Technicians, and employees in restored Rule X titles serving in positions equated thereto, and (b) Senior X-Ray Technicians, Senior Radiation Technicians, Supervisors of X-Ray Technician Services, and employees in restored Rule X titles serving in positions equated thereto, have authorized dues check-off in behalf of Local 237.

Section 1173-3.0(1) of the New York City Collective Bargaining Law provides that supervisory employees shall not be placed in the same unit as non-supervisory employees without "the consent of a vote of a majority of the \*\*\* supervisory employees involved."

Our unit findings, therefore, will await the outcome of a self-determination election to be conducted among the supervisory titles. If a majority of the supervisory employees voting in the election vote in favor of a combined unit of supervisory and non-supervisory employees, we shall find such unit appropriate. If a majority of the supervisory employees voting in the election do not vote in favor of a combined unit, we shall find separate supervisory and non-supervisory units appropriate.

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DIRECTION OF ELECTION

\_\_\_\_ Pursuant to the powers vested in the Board of Certification by the New York City Collective Bargaining Law, it is hereby

DIRECTED, that an election 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, to determine whether the Senior X-Ray Technicians,

Senior Radiation Technicians, Supervisors of X-Ray Technician Services, and those employees in restored Rule X titles who are serving in positions equated thereto, employed during the payroll period immediately preceding the date of this Direction of Election (other than those who have voluntarily quit or who have been discharged for cause before the date of the election) desire a separate unit for the purposes of collective bargaining, or desire a combined unit of Electrocardiograph Technicians, Electroencephalograph Technicians, X-Ray Technicians, Radiation Technicians, Senior X-Ray Technicians, Senior Radiation Technicians, Supervisors of X-Ray Technician Services, and those employees in restored Rule X titles who are serving in positions equated thereto.

DATED: New York, N.Y.

April 15 , 1970

ARVID ANDERSON  
C H A I R M A N

ERIC J. SCHMERTZ  
M E M B E R

WALTER L. EISENBERG  
M E M B E R