

L.1, et. Al v. City, 6 OCB 41 (BOC 1970) [Decision No. 41-70
(Cert.)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

In the Matter of
LOCAL NO. 1, INTERNATIONAL UNION OF
ELEVATOR CONSTRUCTORS OF NEW YORK
CITY AND VICINITY, AFL-CIO
-and-
THE CITY OF NEW YORK

DECISION NO. 41-70

CASE NO. RB-2-70

DECISION AND ORDER

The Board of Certification, by notice dated March 27, 1970, directed the parties hereto to show cause why Certifications 8 NYCDL Nos. 52, 96, and 156 should not be terminated pursuant to the Board's policy of terminating departmental certificates (Matter of New York City Local 246, S.E.I.U., AFL-CIO, Decision No. 45-69).

On April 10, 1970, Local No. 1, International Union of Elevator Constructors of New York City and Vicinity, AFL-CIO (herein Local No. 1) filed a letter objecting to termination of the certifications on the ground that it continues "to represent the employees involved and there has been no dilution of our representation since the date of the original certifications." The letter asked that, if termination is contemplated, an opportunity be given to "substantiate our continuing right to representation."

On May 11, 1970, a copy of the Board's decision No. 45-69 was forwarded to Local No. 1 and was advised that any further papers it might desire to submit should be filed on or before May 22, 1970. No additional papers have been filed.

_____The contention urged by Local No. 1 misconceives the nature and scope of the policy set forth in Decision No. 45-69. Departmental certifications, such as those issued to Local No. 1, are being terminated on the ground that departmental units no longer are appropriate for the purposes of collective bargaining. The development of collective bargaining by City employees now has reached the stage where only City-wide units are appropriate. The alleged representation by Local No. 1 of employees in particular departments therefore is irrelevant.

Accordingly, we shall terminate the departmental certifications here concerned. Local No. 1, if it so desires, may file a petition for certification as the City-wide representative of the titles involved.

O R D E R

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 Certifications 8 NYCDL No. 52, 8 NYCDL No. 96, and 8 NYCDL No. 156 be, and the same hereby are, terminated.

DATED: New York, N.Y.
May 28 , 1970.

ARVID ANDERSON
C h a i r m a n

ERIC J. SCHMERTZ
M e m b e r

TO:
Local No. 1, International
Union of Elevator Constructors

Philip J Ruffo, Esq.,
Office of Labor Relations