

L.375, DC37, et. Al v. City, 6 OCB 68 (BOC 1970) [Decision No. 68-70 (Cert.)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

In the Matter of

CIVIL SERVICE TECHNICAL GUILD,
LOCAL 375, DISTRICT COUNCIL 37,
AFSCME, AFL-CIO

DECISION NO.68-70

-and-

DOCKET NO. RU-65-68

THE CITY OF NEW YORK

DECISION AND ORDER

On August 28, 1968, Civil Service Technical Guild, Local 375, District Council 37, AFSCME, AFL-CIO, filed its petition herein requesting that employees in restored Rule X titles serving in positions equated to the Rule XI titles of Assistant Surveyor, Deputy Surveyor, and Surveyor be added to Certification CWR-15/67, covering Rule XI-Rule XII engineering, architectural, and related titles.

The Office of Labor Relations has stated, in writing, that it granted voluntary recognition, on a pre-Act basis, to Petitioner for the petitioned employees. Petitioner concedes this.

Section 1173-3.01 of the New York City Collective Bargaining Law defines the term "certified employee organization" as including a public employee organization:

"(3). recognized by a municipal agency *** as such exclusive bargaining representative prior to the effective date of this chapter unless such recognition has been or is revoked ***."

No claim or contention has been made that such recognition was revoked. Thus, at the time the petition herein was filed, and on the effective date of the statute, Petitioner was the recognized collective bargaining representative of the titles here involved, and, by virtue of §1173-3.01, is the "certified" representative thereof.

As the titles here involved are equated to Rule XI titles covered by Certification CWR-15/67 (Decision No.42-68), we shall amend that certification to include the instant titles.

O R D E R

By virtue of the power vested in the Board of Certification by the New York City Collective Bargaining Law, it is hereby

ORDERED, that CWR-15/67 be, and the same hereby is amended to include the restored Rule X titles equated to Assistant Surveyor, Surveyor, and Deputy Surveyor.

DATED: New York, N.Y.

October 7, 1970

Arvid Anderson
CHAIRMAN

Walter L. Eisenberg
MEMBER

Eric J. Schmertz
MEMBER