

DC37 v. City, 6 OCB 79 (BOC 1970) [Decision No. 79-70 (Cert.)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

In the Matter of

DISTRICT COUNCIL 37, AFSCME,
AFL-CIO

DECISION NO. 79-70

- and -
THE CITY OF NEW YORK

DOCKET NO. RU-190-70

DECISION AND CERTIFICATION

_____ On May 18, 1970, District Council 37, AFSCME, AFL-CIO, filed its petition herein, requesting certification as the collective bargaining representative of Librarians, Senior Librarians, Supervising Librarians, Principal Librarians, Department Librarians, Department Senior Librarians, Department Supervising Librarians, and Department Principal Librarians.

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

I. Undisputed Matters

_____ It is 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

_____ Petitioner requests certification as representative of a bargaining unit consisting of various "department librarian" titles and "librarian" titles. The former are Civil Service titles used in City agencies whereas the latter titles are used in the public libraries and are not in the City Civil Service.

The Municipal Reference Library formerly was part of the New York Public Library but was transferred to the Municipal Services Administration in 1968. The employees thereof subsequently were reclassified to "department librarian" titles by Civil Service Resolution #70-12, dated June 24, 1970. Such reclassification occurred after the filing of the petition herein.

All incumbents working in agencies subject to the jurisdiction of the Board now are in department librarian titles with the exception of one incumbent in the Restored Rule X title of Principal Librarian, Grade 4, who is equated to the title of Department Supervising Librarian. All these employees are engaged in the performance of department library services.

The City agrees, and we find and conclude, that Department Librarians, Department Senior Librarians, Department Supervising Librarians, Department Principal Librarians, and employees in Restored Rule X titles equated thereto, constitute a unit appropriate for the purposes of collective bargaining, in fact and within the meaning of the New York City Collective Bargaining Law.

III. Representative Status

_____ Our investigation discloses that a majority of the employees in the unit found appropriate above, have authorized check-off of dues to Petitioner. We find, therefore, that Petitioner has been designated and selected as their representative for the purposes of collective bargaining by a majority of the employees in the aforesaid bargaining unit. Accordingly, we shall certify Petitioner as the exclusive bargaining representative of said unit.

CERTIFICATION

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

CERTIFIED, that District Council 37, AFSCME, AFL-CIO, is the exclusive representative for the purposes of collective bargaining of all Department Librarians, Department Senior Librarians, Department Supervising Librarians, Department Principal Librarians, and employees in restored Rule X titles equated thereto.

Dated; New York, N.Y.
 November 17, 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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The titles and title code numbers of the employees affected by this decision are as follows:

Department Librarian	60210
Department Senior Librarian	60235
Department Supervising Librarian	60260
Department Principal Librarian	60265