

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

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In the Matter of

ORGANIZATION OF STAFF ANALYSTS,

Petitioner

Decision No. 9-2001

-and-

Docket No. RU-1241-01

THE CITY OF NEW YORK, and THE
NEW YORK CITY POLICE DEPARTMENT,

Respondent

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DECISION AND ORDER

On March 1, 2001, the Organization of Staff Analysts (“Petitioner”) filed a petition, in Case No. Ru-1241-01 seeking to represent the titles Administrative Traffic Enforcement Agent, Levels I, II and III (Title Code 10042); Administrative Supervisor of School Security, Levels I, II and III (Title Code 10083); and Associate Supervisor of School Security (Title Code 60821), in a separate bargaining unit. On May 22, 2001, the City of New York filed a response to the petition asserting that the titles sought were managerial and/or confidential.

A hearing commenced in this case on August 21, 2001, at which time the parties entered into an agreement as to the appropriate bargaining unit. The parties stipulated that employees in the following titles constitute a unit appropriate for bargaining:

Administrative Traffic Enforcement Agent, Levels I, II and III; Administrative School Security Manager, Level I; and Associate Supervisor of School Security.

Excluded from this bargaining unit are employees in the following positions or titles:

Within the Traffic Enforcement Division – Director/Commanding Officer of Parking Enforcement District, and Assistant Director of Operations; within the School Security Division – Director of School Safety, and Administrative School Security Manager, Levels II and III.

The stipulation having been agreed to by the parties hereto, and it appearing to the satisfaction of the Board that the terms of the stipulation are consistent with the parameters defined in Section 1-02(k) of the Rules of the Office of Collective Bargaining (Rules of the City of New York, Title 61, Chapter 1), which govern the determination of appropriate bargaining units, we adopt this stipulation as an appropriate bargaining unit.

The New York City Collective Bargaining Law (New York Administrative Code, Title 12, Chapter 3)(“NYCCBL”) authorizes the Board to determine the majority representative of public employees by utilizing any “appropriate and suitable method . . . to ascertain the free choice of a majority of such employees.” Section 12-309(b)(2) of the NYCCBL. In this instance, we do not find that an election is warranted since Petitioner submitted evidence that a majority of the employees in the bargaining unit have authorized it to receive the check-off of dues.¹

Due to the events of September 11, 2001, this Decision and Order, which was scheduled to be signed and issued on September 12, 2001, was not issued on that date. Based on these unusual circumstances and with the agreement of the parties hereto, we now issue this certification of representative effective as of September 12, 2001.

¹ See *Locals 237 and 832, IBT*, Decision No. 14-80 at 4-5.

ORDER

NOW, THEREFORE, pursuant to the powers vested in the Board of Certification by the NYCCBL, §§12-301 *et seq.*, it is hereby

DETERMINED that the titles Administrative Traffic Enforcement Agent, Levels I, II and III; Administrative School Security Manager, Level I; and Associate Supervisor of School Security constitute an appropriate bargaining unit; and it is hereby

CERTIFIED that effective September 12, 2001, the Organization of Staff Analysts is the representative for the purposes of collective bargaining of all employees in the bargaining unit as defined herein.

Dated: October 9, 2001
New York, New York

MARLENE GOLD
Chairperson

GEORGE NICOLAU
Member

DANIEL COLLINS
Member