

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

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In the Matter of

ORGANIZATION OF STAFF ANALYSTS,

-and-

DECISION NO. 2-2002

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

DOCKET NO. AC-3-2001

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ORDER AMENDING CERTIFICATION

On November 30, 2001, The Organization of Staff Analysts (“Petitioner”) filed a Petition pursuant to §1-02(v) of the Rules of the Office of Collective Bargaining (Rules of the City of New York, Title 61, Chapter 1), requesting to add the title Supervising Superintendent of Maintenance to its Certification No. 3-88. Petitioner represents the title Staff Analyst, among others, in Certification No. 3-88.

Notice of this petition was given to the public and all interested parties – including the City -- and no objections were filed. Upon investigation, the Board is satisfied that no evidence was presented to rebut Petitioner’s assertion that the title – Supervising Superintendent of Maintenance – has a sufficient community of interest with persons who are already members of the certified bargaining unit. In addition, the City did not object to the inclusion of this title in the bargaining unit represented in Certification No. 3-88.¹

¹ In *Independent Traffic Employees Union*, Decision No. 52-76, this Board previously designated the title Supervising Superintendent of Maintenance managerial and/or confidential.

NOW, THEREFORE, pursuant to the powers vested in the Board of Certification by the New York City Collective Bargaining Law- New York City Administrative Code, Chapter 3, §§12-301 et seq., it is hereby

ORDERED that Certification No. 3-88 (as previously amended) be, and the same hereby is, further amended to add the title, Supervising Superintendent of Maintenance (Title Code 91350), subject to existing contracts, if any.

DATED: June 6, 2002
New York, New York

MARLENE A.GOLD

Chair

GEORGE NICOLAU

Member

Member

Inasmuch as our prior designation was made pursuant to a stipulation by the parties without creation of a factual record, that decision does not create a presumption of managerial and/or confidential status, which would require Petitioner to demonstrate the employees eligibility for collective bargaining. *See Local 1180, Communications Workers of America, Decision No. 4-88* (statement of changed circumstances under Rule 1-02(w)(6) not required where managerial/and or confidential status was stipulated by the parties).

NOTICE OF AMENDED CERTIFICATION

This notice is to acknowledge that the Board of Certification has issued an Order amending certification as follows:

DATE: June 6, 2002

DOCKET #: AC-3-2001

DECISION NUMBER: 2 -2002

EMPLOYER: The City of New York, and the New York City Department of Transportation represented by the Office of Labor Relations, 40 Rector Street, New York, New York 10006.

CERTIFIED/RECOGNIZED BARGAINING

REPRESENTATIVE: Organization of Staff Analysts, 220 East 23rd Street, Suite 707, New York, New York 10010.

AMENDMENT: Certification No. 3-88 has been amended to add the following Title(s)/Codes:

Added: Supervising Superintendent of Maintenance (Title Code 91350)