

L. 1549, DC 37 v. City & Dep't of Info., Tech., & Comm.,72 OCB 7 (BOC 2003) [7-2003
(Cert Corrected)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

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In the Matter of

LOCAL 1549, DISTRICT COUNCIL 37,
AFSCME, AFL-CIO,

Petitioner,

CORRECTED
Decision No. 7-2003

-and-

Case No. AC-8-03

THE CITY OF NEW YORK and THE
DEPARTMENT OF INFORMATION,
TECHNOLOGY AND
TELECOMMUNICATIONS

Respondents.

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ORDER AMENDING CERTIFICATION

On April 2, 2003, Local 1549, District Council 37, AFSCME, AFL-CIO, ("DC 37"), 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 that the newly established title Call Center Representative (Title Code 10260) be added to its Certification No. 46C-75, a bargaining unit represented by DC 37, which includes such titles as: Clerical Aide, Clerical Associate, Secretary, and Public Records Officer. Notice of this petition was given to the public.

Over one month earlier, Local 1180, Communications Workers of America ("CWA") filed a petition in Case No. AC-5-03, seeking to add the same title to its bargaining unit under Certification No. 41-73.¹ At a conference held on October 3, 2003, CWA indicated that it no

¹ This petition was later amended to include the title Associate Call Center Representative.

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longer wished to represent employees in the title Call Center Representative, and withdrew its petition as to that title. As a result, DC 37 remains the only union interested in representing Call Center Representatives. The City raised no objection to the inclusion of employees in the Call Center Representative title in DC 37's bargaining unit pursuant to Certification No. 46C-75. The Board of Certification is satisfied that no evidence was presented to rebut Petitioner's assertion that the title – Call Center Representative – has a sufficient community of interest with persons who are already members of the certified bargaining unit.

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, Title 12, Chapter 3), it is hereby

ORDERED that Certification No. 46C-75 (as previously amended) be, and the same hereby is, further amended to add the title: Call Center Representative (Title Code 10260), subject to existing contracts, if any.

DATED: October 30, 2003
 New York, New York

MARLENE A. GOLD
CHAIR_____

GEORGE NICOLAU
MEMBER_____

CAROL A. WITTENBERG
MEMBER_____

NOTICE OF AMENDED CERTIFICATION

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

DATE: October 30, 2002

DOCKET #: AC-8-03

DECISION NUMBER: 7 -2003

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

CERTIFIED/RECOGNIZED BARGAINING

REPRESENTATIVE: District Council 37, AFSCME, 125 Barclay Street, New York, New York 10017.

AMENDMENT: Certification No. 46C-75 has been amended to add/delete the following Title(s)/Codes:

Added: Call Center Representative (Title Code 10260)