

City v. DC 37,74 OCB 2 (BOC 2004) [2-2004 (Cert. Amend)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

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In the Matter of

THE CITY OF NEW YORK,

Petitioner,

Decision No. 2-2004

-and-

Case No. AC-14-04

DISTRICT COUNCIL 37, AFSCME,
AFL-CIO,

Respondent.

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ORDER AMENDING CERTIFICATION

On January 12, 2004, the City of New York filed a petition pursuant to § 1-02(u) of the Rules of the Office of Collective Bargaining (Rules of the City of New York, Title 61, Chapter 1), requesting that the titles Telecommunications Associate (Data) (Title Code 20246), Telecommunications Associate (Voice) (Title Code 20247), Telecommunications Specialist (Data) (Title Code 20248), and Telecommunications Specialist (Voice) (Title Code 20249) be accreted to Certification No. 46D-75, a bargaining unit represented by District Council 37, AFSCME, AFL-CIO ("DC 37"), which includes such titles as: Telecommunications Associate (Title Code 20243), Telecommunications Specialist (Title Code 20245), Computer Associate, Computer Service Technician, and Associate Bookkeeper, among others.¹ Notice of this petition was given to the public.

¹ The petition was amended twice. The first time was on February 9, 2004, to reflect the correct name of the certificate holder as DC 37, and not its local. The second, on February 17, 2004, was to eliminate an initial request to delete Telecommunications Associate (Title Code 20243) and Telecommunications Specialist (Title Code 20245) titles which are in the same bargaining unit.

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The Union raised no objection to the inclusion of employees in its bargaining unit. The Board of Certification is satisfied that no evidence was presented to rebut Petitioner's assertion that the titles have 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. 46D-75 (as previously amended) be, and the same hereby is, further amended to add the titles: Telecommunications Associate (Data) (Title Code 20246), Telecommunications Associate (Voice) (Title Code 20247), Telecommunications Specialist (Data) (Title Code 20248), and Telecommunications Specialist (Voice) (Title Code 20249), subject to existing contracts, if any.

DATED: March 8, 2004
New York, New York

MARLENE A. GOLD
CHAIR

CAROL A. WITTENBERG
MEMBER

GEORGE NICOLAU
MEMBER

NOTICE OF AMENDED CERTIFICATION

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

DATE: March 8, 2004

DOCKET #: AC-14-04

DECISION NUMBER: 2-2004

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. 46D-75 has been amended to add the following Title(s)/Codes:

Added: Telecommunications Associate (Data) (Title Code 20246)
Telecommunications Associate (Voice) (Title Code 20247)
Telecommunications Specialist (Data) (Title Code 20248)
Telecommunications Specialist (Voice) (Title Code 20249)

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