

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

- - - - - X

In the Matter of

DISTRICT COUNCIL 37, AFSCME,
AFL-CIO, and its affiliated
Locals

DECISION NO.34-71

DOCKET NO. RU-249-71

-and-

THE CITY OF NEW YORK AND RELATED
PUBLIC EMPLOYERS

- - - - - X

DECISION AND DIRECTION
OF ELECTION

District Council 37, AFSCME, AFL-CIO, (herein called
Petitioner), filed its petition herein on January 20, 1971,
requesting certification as the collective bargaining repre-
sentative of Assistant Statisticians, Statisticians, Senior
Statisticians, Principal Statisticians, and employees in
restored Rule X titles serving in positions equated thereto.

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

I. Undisputed Matters

It is undisputed, and we find and conclude, that in fact
and within the meaning of the New York City Collective Bargaining
Law, Petitioner is a public employee organization.

II. The Appropriate Unit

Association of Municipal Statisticians was previously certified as representative of the petitioned Rule XI titles (CWR-39/67, as amended by Decision No.2-69). However, the Association has not intervened herein.

The title of Statistician Trainee is classified in the same Occupational Group as the petitioned Rule XI titles. At the end of one year of satisfactory training and service, employees in this title receive appointment to the title of Statistician. Thus it clearly belongs in this unit, as do the employees in restored Rule X titles who are serving in positions equated to the petitioned Rule XI titles. Our direction of election will so provide.

The supervisors herein have previously voted in favor of inclusion in a mixed unit. No reason exists to disturb such unit or to conduct a second self-determination election among the supervisory employees.

The City states that it "has no objection to the unit sought", but that, "after the appropriate election the unit sought should be consolidated with accounting and actuarial titles if one union represents all the titles involved." Petitioner objects to this, stating that it is seeking "an election in a unit which has already been deemed appropriate

We find the petitioned unit appropriate at this time, without prejudice, however, to the filing by either party of a motion for consolidation if Petitioner is certified for the unit herein.

DIRECTION OF ELECTION

By virtue of and pursuant to the powers vested in the Board of Certification by the New York City Collective Bargaining Law, it is hereby

DIRECTED, that as part of the investigation authorized by the Board, an election by secret ballot shall be conducted under the supervision of the Board of Certification or its agents, at a time, place, and during hours to be fixed by the Board, among the Statistician Trainees, Assistant Statisticians, Statisticians, Senior Statisticians, Principal Statisticians, and employees in restored Rule X titles serving in positions equated thereto, employed by the City of New York and related public employers subject to the jurisdiction of the Board of Certification, who were employed during the payroll period immediately preceding the date of this Direction of Election (other than those who have voluntarily quit or who have been discharged for cause before the date of election),

Decision No.34-71
Docket No. RU-249-71

4.

to determine whether or not they desire to be represented for the purposes of collective bargaining by District Council 37, AFSCME, AFL-CIO.

DATED: New York, N.Y.

May 10, 1971

ARVID ANDERSON
CHAIRMAN

WALTER L. EISENBERG
MEMBER

ERIC J. SCHMERTZ
MEMBER
