

NYC SOCIETY OF URBAN RENEWAL COORDINATORS, 8 OCB 37 (BOC 1971)
[Decision No. 37-71 (Cert.)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

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In the Matter of

NEW YORK CITY SOCIETY OF URBAN
RENEWAL COORDINATORS

DECISION NO.37-71

-and-

DOCKET NOS. RU-161-70
RU-162-70

THE CITY OF NEW YORK

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A P P E A R A N C E S:

MORRIS WEISSBERG, ESQ.
for New York City Society of
Urban Renewal Coordinators

JOHN E. SANDS, ESQ.
for the City of New York

BERTRAM PERKEL, ESQ.
for District Council 37,
AFSCME, AFL-CIO, and its
affiliated Local 375.

DECISION ORDER AND DIRECTION
OF ELECTIONS

The New York City Society of Urban Renewal Coordinators filed petitions requesting certification as the collective bargaining representative of Senior Project Development Coordinators (RU-161-70) and of Junior Project Development Coordinators, Assistant Project Development Coordinators and Project Development Coordinators (RU-162-70).

On October, 19, 1970, the Board issued its order consolidating the proceedings under Docket Nos. RU-161-70 and RU-162-70 together with proceedings instituted by District Council 37, AFSCME, AFL-CIO (D.C. 37) and its affiliated

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2.

Local 375 under Docket Nos. RU-176-70, RU-177-70, RU-182-70 and RU-183-70, and with certain proceedings instituted by the City of New York under Docket No. RE-16-70. A hearing was held with respect~ to the consolidated proceedings before Oscar Geltman, Esquire, Trial Examiner, on November 10, 1970, March 10, 1971 and April 15, 1971.

Upon consideration of the entire record herein and after due deliberation, the Board of Certification issues the following decision:

I. Undisputed Matters

It is undisputed, and we find and conclude, that Petitioner and Intervenors D.C.37 and its affiliated Local 375 are public employee organizations in fact and within the meaning of the New York City Collective Bargaining Law.

II. The Appropriate Unit

The bargaining units sought herein were designated as appropriate bargaining units by the City Department of Labor under Certifications CWR-37/67 and CWR-38/67, issued August 25, 1967. The certifications were issued to D.C. 37, Intervenor herein, and its affiliated locals. ¹ Inasmuch as neither the

D.C.37 and its affiliated Local 375 subsequently withdrew their Interventions.

City nor the Intervenors posed objections to the Petitioner's contention that the units sought continue to constitute appropriate bargaining units, we find and conclude, in accordance with and pursuant to the agreement of the parties and subject to the outcome of the self-determination election directed herein, that (a) Senior Project Development Coordinators, and (b) Junior Project Development Coordinators, Assistant Project Development Coordinators and Project Development Coordinators, respectively, constitute units appropriate for the purposes of collective bargaining.

III. Severance of Proceedings

Upon the basis of the record herein, we find and conclude that a continuation of the consolidation of the proceedings under Docket Nos. RU-161-70 and RU-162-70 with the proceedings under the other docket numbers specified in the Order of Consolidation referred to above, will serve no useful purpose. Under the circumstances, we shall sever the proceedings under Docket Nos. RU-161-70 and RU-162-70 from the proceedings with which they have been consolidated.

IV. Request for Self-Determination
Election

The Petitioner requests that employees in the title of Senior Project Development Coordinator, a supervisory title, be afforded an opportunity to vote, pursuant to 91173-3.01 of the New York City Collective Bargaining Law, as to whether they desire to be placed in the same unit with non-supervisory employees. Accordingly, we shall direct that a self-determination election be conducted among the employees in the title of Senior Project Development Coordinator, and our unit findings will await the outcome of that election. If a majority of those voting therein vote in favor of a combined unit of supervisory and non-supervisory employees, we shall find such unit appropriate. If a majority of those voting therein do not vote in favor of a combined unit, we shall find separate supervisory and non-supervisory units appropriate.

Order and Direction of Election

Pursuant to the powers vested in the Board of Certification by the New York City Collective Bargaining Law, it is hereby

ORDERED, that the instant proceedings under Docket Nos. RU-161-70 and RU-162-70 be, and the same hereby are, severed from the consolidated proceedings bearing Docket Nos. RU-176-70, RU-177-70, RU-182-70, RU-183-70 and RE-16-70 (in part); and it is hereby

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D I R E C T E D:

1. That separate elections by secret ballot shall be conducted under the supervision of the Board, or its agents, at a time, place, and during hours to be fixed by the Board, among:

A. Junior Project Development Coordinators, Assistant Project Development Coordinators and Project Development Coordinators employed by the City of New York and related public employers subject to the jurisdiction of the Board of Certification during the payroll period immediately preceding this Direction of Election, other than those who have voluntarily quit, retired, or who have been discharged for cause, before the date of the election;

B. Senior Project Development Coordinators employed by the City of New York and related public employers subject to the jurisdiction of the Board of Certification during the payroll period immediately preceding this Direction of Election, other than those who have voluntarily quit, retired, or who have been discharged for cause, before the date of the election.

2. The question to be voted on in the election directed in paragraph "1A," above, shall be:

"Do you desire to be represented for the purposes of collective bargaining by New York City Society of Urban Renewal Coordinators?"

3. The questions to be voted on in the election directed in paragraph "1B," , above, shall be:

"(a) Do you desire to be represented for the purposes of collective bargaining (1) in a separate unit limited to the supervisory title of Senior Project Development Coordinator, or (2) in a combined unit of Junior Project Development Coordinators, Assistant Project Development Coordinators, Project Development Coordinators and Senior Project Development Coordinators?"

(b) Do you desire to be represented for the purposes of collective bargaining by New York City Society of Urban Renewal Coordinators?"

4. If a majority of the employees casting valid ballots in the election directed in paragraph "1B" above:

(a) vote in favor of a combined unit, the votes cast by such employees on question 3(b) above, shall be counted and tabulated with the votes cast by the Junior Project Development Coordinators, Assistant Project Development Coordinators, and Project Development Coordinators.

(b) do not vote in favor of a combined unit, the votes of such employees on question 3(b) above, shall be counted and tabulated separately.

DATED: New York, N.Y.

May 10, 1971

ARVID ANDERSON
CHAIRMAN

WALTER L. EISENBERG
MEMBER

ERIC J. SCHMERTZ
MEMBER