

DC 37 V. CITY, 8 OCB 38 (BOC 1971) [Decision No. 38-71 (Cert.)]

OFFICE OF COLLECTIVE BARGAINING  
BOARD OF CERTIFICATION

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In the Matter of

DISTRICT COUNCIL 37, AFSCME, AFL-CIO,  
and its affiliated Local 375, DISTRICT  
COUNCIL 37, AFSCME, AFL-CIO

DECISION NO. 38-71

DOCKET NOS. RU-176-70  
RU-231-B-70  
RU-244-70

-and-

THE CITY OF NEW YORK AND RELATED  
PUBLIC EMPLOYERS

- - - - - X

DECISION, ORDER AND  
CERTIFICATION

District Council 37, AFSCME, AFL-CIO (D.C.37) and its affiliated Local 375 jointly petitioned the Board under Docket Nos. RU-231-B-70 and RU-244-70, respectively, to represent, for the purposes of collective bargaining, employees in the following titles: (a) Estimator (including specialties) and Senior Estimator (including specialties), and (b) Cartographer (Civil Defense).

At the time the above-described petitions were filed, there was pending a proceeding instituted by D.C. 37 under Docket No. RU-176-70, wherein it sought, by motion made pursuant to Rule 2.18, to add the titles of Assistant Project Services Specialist and Project Services Specialist to certain other titles for which it had been certified. The proceeding under Docket No. RU-176-70 was consolidated by Board order issued October 19, 1970, with proceedings under Docket Nos. RU-161-70, RU-162-70, RU-177-70, RU-182-70, RU-183-70 and RE-16-70 (in part). A hearing was held with respect to the consolidated proceedings before Oscar Geltman, Esquire, Trial Examiner.

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2.

At the hearing, D.C. 37, Local 375 and the City agreed on the record that all titles described herein above, together with those encompassed by existing certifications held by D.C. 37 and Local 375, consisting of Certification CWR-86/67 issued by the New York City Department of Labor and of our certification under Decision 69-69 (as amended), comprise an appropriate bargaining unit. The unit stipulated by the parties is as follows:

Decision No.69-69 (as amended by Decision No.2-71)	Engineering Aide, Junior Draftsman, Engineering Technician Trainee, Assistant Engineering Technician, Engineering Technician (including specialty), Senior Engineering Technician (including specialty), Principal Engineering Technician
CWR-86/67	Illustrator, Senior Illustrator
RU-176-70	Assistant Project Services Specialist, Project Services Specialist
RU-231-B-70	Estimator (including special- ties), Senior Estimator (including specialties)
RU-244-70	Cartographer (Civil Defense)

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3.

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

I. Undisputed Matters

It is undisputed, and we find and conclude, that 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 and  
Representative Status

Upon the investigation conducted herein, we find and conclude that the stipulated unit will effectuate the purposes and policies of the New York City Collective Bargaining Law, in that the titles specified above constitute a unit appropriate for the purposes of collective bargaining, and that District Council 37, AFSCME, AFL-CIO, and its affiliated Local 375, are the duly designated representatives for the purposes of collective bargaining of a majority of the employees in the titles included in the aforesaid unit.

III. Severance of Proceedings

Upon the basis of the record herein, we find and conclude that a continuation of the consolidation of the proceeding under Docket No. RU-176-70 with 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 proceeding under Docket No. RU-176-70 from the proceedings with which it has been consolidated.

ORDER AND CERTIFICATION

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

ORDERED, that the proceeding under Docket No. RU-176-70 be, and the same hereby is, severed from the proceedings bearing Docket Nos. RU-161-70, RU-162-70, RU-177-70, RU-182-70, RU-183-70 and RE-16-70 (in part); and it is hereby

CERTIFIED, that District Council 37, AFSCME, AFL-CIO, and its affiliated Local 375, are the exclusive representatives for the purposes of collective bargaining of all Engineering Aides, Junior Draftsmen, Engineering Technician Trainees,

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5.

Assistant Engineering Technicians, Engineering Technicians (including specialty), Senior Engineering Technicians (including specialty), Principal Engineering Technicians, Illustrators, Senior Illustrators, Assistant Project Services Specialists, Project Services Specialists, Estimators (including specialties), Senior Estimators (including specialties), and Cartographers (Civil Defense) employed by the City of New York and related public employers subject to the jurisdiction of the Board of Certification and subject to existing contracts, if any.

DATED: New York, N.Y.

May 10, 1971

ARVID ANDERSON  
CHAIRMAN

WALTER L. EISENBERG  
MEMBER

ERIC J. SCHMERTZ  
MEMBER

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The titles and title code numbers of the employees affected by this decision are as follows:

Engineering Aide	20101
Junior Draftsman	20102
Engineering Technician Trainee	20111
Assistant Engineering Technician	20112
Engineering Technician	20113
Engineering Technician (Drafting)	20115
Senior Engineering Technician	20114
Senior Engineering Technician (Drafting)	20116
Principal Engineering Technician	20117
Illustrator	91410
Senior Illustrator	91435
Assistant Project Services Specialist	22516
Project Services Specialist	22526
Estimator (including specialties)	20121,20122,20123
Senior Estimator (including specialties)	20126,20127,20128
Cartographer (Civil Defense)	71411