

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

DECISION NO.39-71

DOCKET NO. RU-177-

70

-and-

THE CITY OF NEW YORK AND RELATED  
PUBLIC EMPLOYERS

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DECISION, ORDER AND AMENDED  
CERTIFICATION

This proceeding was brought on by motion filed by District Council 37, AFSCME, AFL-CIO (D.C. 37) pursuant to Rule 2.18. By the motion, as amended, D.C. 37 and its affiliated Local 375 seek to add the titles of Senior Project Services Specialist and Chief Project Services Specialist to the supervisory titles for which they were certified by Decision No. 83-70, (i.e. those titles specified in Unit I of that decision).

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

The City agrees, and we find and conclude upon the basis of our investigation, that with the addition of the title of Senior Project Services Specialist, the titles specified in Unit I of Decision No. 83-70 constitute a unit appropriate for the purposes of collective bargaining. Accordingly, in view of our finding and conclusion in III below, we shall make such an addition by amending, in part, the certification bearing Decision No. 83-70.

## III. Representative Status

Upon the basis of our investigation, we find that a majority of the employees in the title of Senior Project Services Specialist have authorized check-off of dues in behalf of D.C. 37, and, therefore)conclude that D.C. 37 is the duly designated representative of such employees for the purposes of collective bargaining.

## IV. Severance of Proceedings

The City contends that Chief Project Services Specialists are managerial employees; and evidence on that issue has been and is being submitted at a hearing before a Trial Examiner of the Board. Pursuant to agreement of the parties, which we approve, we shall sever from the instant proceeding that portion thereof which relates to Chief Project Services Specialists, in order that the hearing may continue on the issue of the alleged managerial status of employees in that title.

In addition, since the proceeding under Docket No. RU-177-70 was consolidated, by Board order issued October 19, 1970, with proceedings under Docket Nos. RU-161-70, RU-162-70, RU-176-70, RU-182-70, RU-183-70, and RE-16-70 (in part), and since we find and conclude, upon the record in the consolidated proceedings, that a continuation thereof will serve no useful purpose, we shall sever the proceeding under Docket No. RU-177-70 from the consolidated proceedings.

ORDER AND AMENDED CERTIFICATION

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

ORDERED, that so much of this proceeding as relates to Chief Project Services Specialist be, and the same hereby is severed; and it is further

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

ORDERED, that Decision No.83-70 be, and the same hereby is amended to include in the certification specified in Unit I of said decision the title of Senior Project Services Specialist, and, as amended, the unit shall consist of

employees in the following titles: Senior Project Services Specialist, Principal Illustrator, Senior Principal Illustrator, Assistant Superintendent of Construction, Superintendent of Construction, General Superintendent of Construction, Supervisor of Mechanical Installations, Senior Supervisor of Mechanical Installations, Assistant Superintendent of Construction and Repairs, Superintendent of Construction and Repairs, General Superintendent of Construction and Repairs, Highway Transportation Specialist, Senior Highway Transportation Specialist, Construction Manager, Construction Manager (Health Facilities), General Superintendent of Construction (Health Facilities), Assistant Supervisor of Mechanical Installations, Chief Supervisor of Mechanical Installations, Assistant Supervisor of Electrical Installations, Supervisor of Electrical Installations, and employees in restored Rule X titles who are serving in positions equated thereto, subject to existing contracts, if any.

DATED: New York, N.Y.

May 10, 1971

ARVID ANDERSON  
CHAIRMAN

ERIC J. SCHMERTZ  
MEMBER

WALTER L. EISENBERG  
MEMBER

Decision No.39-71  
Docket No. RU-177-70

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

Senior Project Services Specialist	22531
Principal Illustrator	91460
Senior Principal Illustrator	91465
Assistant Superintendent of Construction	34210
Superintendent of Construction	34215
General Superintendent of Construction	34266
General Superintendent of Construction (Health Facilities)	34267
Construction Manager	34217
Construction Manager (Health Facilities)	34218
Assistant Supervisor of Mechanical Installations	34209
Supervisor of Mechanical Installations	34216
Senior Supervisor of Mechanical Installations	34235
Chief Supervisor of Mechanical Installations	34265
Assistant Supervisor of Electrical Installations	34208
Supervisor of Electrical Installations	34220
Assistant Superintendent of Construction and Repairs	91355
Superintendent of Construction and Repairs	91375
General Superintendent of Construction and Repairs	91396
Highway Transportation Specialist	22315
Senior Highway Transportation Specialist	22325

