

CIVIL SERVICE FORUM, LOCAL 300 SEIU V. CITY, 8 OCB 79 (BOC 1971)
[Decision No. 79-71 (Cert.)]

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

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In the Matter of

CIVIL SERVICE FORUM LOCAL 300,
SEIU, AFL-CIO

DECISION NO. 79-71

-and-

DISTRICT COUNCIL 37, AFSCME,
AFL-CIO

DOCKET NOS.

-and-

RU-173-70

CITY INSPECTORS GUILD

RU-228-70

-and-

RU-229-70

THE CITY OF NEW YORK AND
RELATED PUBLIC EMPLOYERS

RU-262-71

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SUPPLEMENTAL DECISION, AND
ORDER AMENDING DIRECTION
OF ELECTIONS

On September 28, 1971, the Board of Certification issued its Decision No. 70-71 in the above-entitled proceedings. In the cited decision, the Board found that units comprised of certain specified titles designated as units (1) and (2), were appropriate for the purposes of collective bargaining within the meaning of the New York City Collective Bargaining Law, and it directed, as part of its investigation, that elections by secret ballot be held among employees in the said units.

In the aforesaid unit descriptions no reference was made to employees in restored Rule X titles serving in positions equated to the titles specifically described therein. Inasmuch as it now appears from the Board's investigation that there are employees in such restored Rule X titles and that such employees appropriately should be included in the cited units, we shall amend our prior Order accordingly.

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

ORDERED, that Board of Certification Decision No. 70-71 be, and the same is hereby, amended in the following respects:

1. The unit description in "Unit (1)" shall read as follows: All employees in the titles of Consumer Affairs Inspector, Senior Consumer Affairs Inspector, Inspector of Ports and Terminals, Senior Inspector of Ports and Terminals, and all employees in restored Rule X titles serving in positions equated to the aforesaid titles;

2. The unit description in "Unit (2)" shall read as follows: All employees in the titles of Supervising Consumer Affairs Inspector, Principal Consumer Affairs Inspector, Supervising Inspector of Ports and Terminals, Principal Inspector of Ports and Terminals and all employees in restored Rule X titles serving in positions equated to the aforesaid titles.

3. The Direction of Elections is amended to read as follows:

DIRECTED:

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

A. Consumer Affairs Inspectors, Senior Consumer Affairs Inspectors, Inspectors of Ports and Terminals, Senior Inspectors of Ports and Terminals and employees in restored Rule X titles serving in positions equated to the aforementioned titles 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. Supervising Consumer Affairs Inspectors, Principal Consumer Affairs Inspectors, Supervising Inspectors of Ports and Terminals, Principal Inspectors of Ports and Terminals and employees in restored Rule X titles serving in positions equated to the aforementioned titles 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 election.

2. The question to be voted on in this election directed in paragraph "1A," above, shall be: "Do you desire to be represented for the purposes or collective bargaining by Civil Service Forum, SEIU, AFL-CIO; by District Council 37, AFSCME, AFL-CIO; by City Inspectors Guild, or by none of the foregoing?"

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 titles of Supervising Consumer Affairs Inspector, Principal Consumer Affairs Inspector, Supervising Inspector of Ports and Terminals, Principal Inspector of Ports and Terminals and employees, in restored Rule X titles serving in positions equated to the aforementioned titles, or (2) in a combined unit of Consumer Affairs Inspectors, Senior Consumer Affairs Inspectors, Supervising Consumer Affairs Inspectors, Principal Consumer Affairs Inspectors, Inspectors of Ports and Terminals, Senior Inspectors of Ports and Terminals, Supervising Inspectors of Ports and Terminals, Principal Inspectors of Ports and Terminals and employees in restored Rule X serving in positions equated to the aforementioned titles?"

"(b) Do you desire to be represented for the purposes of collective bargaining by Civil Service Forum Local 300, SEIU, AFL-CIO; by District Council 37, AFSCME, AFL-CIO; by City Inspectors Guild; or by none of the foregoing?"

4. If a majority of the supervisory employees casting valid ballots in the election:

(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 consumer affairs Inspectors, Senior Consumer Affairs Inspectors, Inspectors of Ports and Terminals, Senior Inspectors of Ports and Terminals and employees in restored Rule X serving in positions equated to the aforementioned titles.

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4.

(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.
November 5, 1971

ARVID ANDERSON
C h a i r m a n

ERIC J. SGHMERTZ
M e m b e r

WALTER L. EISENBERG
M e m b e r