

**Local 375, Civil Service Technical Guild, District Council 37, AFSCME, 80
OCB 10 (BOC 2007)[Decision No. 10-2007] (Rep) (Docket No. AC-32-07).**

Summary of Decision: The City of New York filed a petition to amend Local 375, Civil Service Technical Guild, District Council 37's Certification No. 26-78 to delete the titles Senior Air Pollution Inspector, Supervising Air Pollution Inspector, and Principal Air Pollution Inspector and add the title Associate Air Pollution Inspector, Levels I, II, and III. The Board amended the certification to add the Associate Air Pollution Inspector title and held that the Senior Air Pollution Inspector, Supervising Air Pollution Inspector, and Principal Air Pollution Inspector titles will be deleted when the titles become vacant. *(Official decision follows.)*

**OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION**

In the Matter of the Certification Proceeding

-between-

CITY OF NEW YORK,

Petitioner,

-and-

**LOCAL 375, CIVIL SERVICE TECHNICAL GUILD,
DISTRICT COUNCIL 37, AFSCME, AFL-CIO,**

Respondent.

ORDER AMENDING CERTIFICATION

On March 16, 2007, the City of New York ("City") filed a petition to amend Certification No. 26-78, a bargaining unit represented by Local 375, Civil Service Technical Guild, District Council 37, AFSCME, AFL-CIO ("Union"), to delete the titles Senior Air Pollution Inspector (Title Code No. 31335), Supervising Air Pollution Inspector (Title Code No. 31355), and Principal Air Pollution Inspector (Title Code No. 31360) and to add the title Associate Air Pollution Inspector (Title Code No. 31316), Levels I, II, and III, to reflect the reclassification of these titles. Notice of

this petition was given to the public and the Union. The Union objected to the deletion of the Senior Air Pollution Inspector, Supervising Air Pollution Inspector, and Principal Air Pollution Inspector titles on the grounds that incumbents remain in the titles.

Our investigation shows that there are incumbents serving in the Senior Air Pollution Inspector, Supervising Air Pollution Inspector, and Principal Air Pollution Inspector titles, and that the employees in these titles will be transferred to the Associate Air Pollution Inspector title after that title is certified. In order not to deprive these employees of union representation, the titles will be deleted upon notification from the City that the titles are vacant.

NOW, THEREFORE, pursuant to the powers vested in the Board of Certification by the New York City Collective Bargaining Law (New York City Administrative Code, Title 12, Chapter 3), it is hereby

ORDERED that Certification No. 26-78 (as previously amended) be, and the same hereby is, further amended to add the title Associate Air Pollution Inspector (Title Code No. 31316), Levels I, II, and III, subject to existing contracts, if any; and it is further

ORDERED that Certification No. 26-78 (as previously amended) be further amended to delete the titles Senior Air Pollution Inspector (Title Code No. 31335), Supervising Air Pollution Inspector (Title Code No. 31355), and Principal Air Pollution Inspector (Title Code No. 31360) when those titles become vacant.

Dated: June 7, 2007
New York, New York

MARLENE A. GOLD
CHAIR

GEORGE NICOLAU
MEMBER

CAROL A. WITTENBERG
MEMBER

NOTICE OF AMENDED CERTIFICATION

This notice is to acknowledge that the Board of Certification has issued an Order Amending Certification as follows:

DATE: June 7, 2007 **DOCKET #:** AC-32-07

DECISION NUMBER: 10-2007

EMPLOYER: The City of New York, represented by the Office of Labor Relations
40 Rector Street, 4th Floor
New York, NY 10006.

CERTIFIED/RECOGNIZED BARGAINING REPRESENTATIVE:

Local 375, Civil Service Technical Guild,
District Council 37, AFSCME, AFL-CIO
125 Barclay Street, 5th Floor
New York, NY 10007

AMENDMENT: Certification No. 26-78 has been amended to add and delete the following Titles/Codes:

Added: Associate Air Pollution Inspector, Levels I, II, and III
(Title Code No. 31316)

To be Deleted when Vacant:
Senior Air Pollution Inspector (Title Code No. 31335)
Supervising Air Pollution Inspector (Title Code No. 31355)
Principal Air Pollution Inspector (Title Code No. 31360)