

**August 6, 2010 District Council 37, AFSCME, 80 OCB 15 (BOC 2007)[Decision
No. 15-2007]**

(Rep) (Docket No. AC-26-06).

Summary of Decision: *The New York City Health and Hospitals Corporation filed a petition to amend District Council 37's Certification No. 28-78 to delete the titles Senior Activity Therapist and Supervising Activity Therapist and add assignment levels to the existing title of Activity Therapist. OCB's records were administratively amended to reflect the addition of the levels. The Board amended the certification to delete the vacant titles. (Official decision follows.)*

**OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION**

In the Matter of the Certification Proceeding

-between

NEW YORK CITY HEALTH AND HOSPITALS CORPORATION,

Petitioner,

-and

DISTRICT COUNCIL 37, AFSCME, AFL-CIO,

Respondent.

ORDER AMENDING CERTIFICATION

On September 18, 2006, the New York City Health and Hospitals Corporation filed a petition to amend Certification No. 28-78, a bargaining unit represented by District Council 37, AFSCME, AFL-CIO ("Union"), to delete the titles of Senior Activity Therapist (Title Code No. 004790) and Supervising Activity Therapist (Title Code No. 004800) and to add levels to the existing title of Activity Therapist: Level I (Title Code No. 004780), Level II (Title Code No. 004790), and Level III (Title Code No. 004800). Notice of this petition was given to the public and the Union, and no objections or responses were filed.

On October 10, 2006, the Director of Representation notified the parties that the Office of Collective Bargaining's records had been updated to reflect the addition of Levels I, II, and III to the Activity Therapist title and that the Senior Activity Therapist and Supervising Activity Therapist titles could not be deleted until they were vacant. Our investigation now shows that there are no employees currently serving in the Senior Activity Therapist and Supervising Activity Therapist titles.

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. 28-78 (as previously amended) be, and the same hereby is, further amended to delete the titles Senior Activity Therapist (Title Code No. 004790) and Supervising Activity Therapist (Title Code No. 004800).

*Dated: October 12, 2007
New York, New York*

MARLENE A. GOLD
CHAIR

GEORGE NICOLAU
MEMBER

CAROL A. WITTENBERG
MEMBER

