

***Council 82, 2 OCB2d 35 (BOC 2009)***

(Rep) (Docket No. RU-1260-09).

***Summary of Decision:*** Based on the results of a mail ballot election, the Board dismissed Council 82's petition to represent Environmental Police Officers. (***Official decision follows.***)

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**OFFICE OF COLLECTIVE BARGAINING  
BOARD OF CERTIFICATION**

**In the Matter of the Certification Proceeding**

**COUNCIL 82, NEW YORK STATE LAW ENFORCEMENT OFFICERS UNION,**

***Petitioner,***

***- and -***

**THE CITY OF NEW YORK and  
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION,**

***Respondents,***

***-and-***

**LAW ENFORCEMENT EMPLOYEES BENEVOLENT ASSOCIATION,**

***Intervenor.***

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**DECISION AND ORDER**

Pursuant to the Decision and Direction of Election in *Council 82, 2 OCB2d 22 (BOC 2009)*, an election was held by mail ballot in this matter in accordance with § 1-02 of the Rules of the Office of Collective Bargaining (Rules of the City of New York, Title 61, Chapter 1) ("OCB Rules") for employees in the title Environmental Police Officer (Title Code No. 70811) ("EPO"). The ballots were counted on November 10, 2009.

The majority of EPO employees casting valid ballots voted to continue to be represented by the Law Enforcement Employees Benevolent Association (“LEEBA”) for purposes of collective bargaining. No party filed objections in the time provided by OCB Rule § 1-02(r). Accordingly, Council 82, New York State Law Enforcement Officers Union’s petition to represent EPOs is dismissed, and LEEBA remains the certified bargaining representative of Certification No. 5-2005. *See High Pressure Plant Tenders*, 2 OCB2d 3, at 2 (BOC 2009).

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 the representation petition filed by Council 82, New York State Law Enforcement Officers Union, docketed as RU-1260-09, be, and the same hereby is, dismissed.

Dated: November 23, 2009  
New York, New York

MARLENE A. GOLD  
CHAIR

GEORGE NICOLAU  
MEMBER

CAROL A. WITTENBERG  
MEMBER