

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

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In the Matter of

DISTRICT COUNCIL 37, AFSCME, AFL-CIO
AND ITS AFFILIATED LOCALS

-and-

THE CITY OF NEW YORK AND RELATED
PUBLIC EMPLOYERS

DECISION NO. 49-76

DOCKET NO. RU-560-76

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DECISION AND ORDER

On May 24, 1976, District Council 37, AFSCME, AFL-CIO, filed its petition herein, seeking to add the Supervisor of Diesel Engine Maintenance to its Certification No. 46H-75; presently covering various general maintenance titles, such as Traffic Device Maintainer, Building Repairman, Park Maintainer, and Maintainer (OTB).

The Office of Labor Relations of the City of New York opposes this petition on the ground of inappropriateness of unit sought. The City's reasons are as follows:

The certified unit includes titles concerned with routine maintenance functions and those supervisory titles which have responsibility for first or second level supervision of persons performing such work. By contrast, the title herein at issue is one with planning and coordination responsibilities. In addition, the title is required to serve as a consultant on new acquisitions of equipment and to recommend modification or redesign

to achieve optimum performance of equipment. The qualifications and experience required for the position include either eight years of experience in responsible charge of maintenance repair and testing [of diesel engines] or an appropriate mechanical engineering degree and appropriate experience. These requirements differ substantially from those of supervisory titles included in Certification 46H-75.

We agree, and our order herein shall so provide. However, we find that there is a more appropriate unit, which is similarly represented by a local affiliated with District Council 37, viz., Certification No. 46J-75 (as amended), represented by Civil Service Technical Guild, Local 375, D.C. 37, AFSCME. This unit contains nearly two hundred titles in various engineering, scientific, inspectional, and related fields, including several which are closely related to the petitioned title. Two of these are Supervisor of Mechanical Installations, which, like the petitioned title, is responsible for mechanical installations and has an alternative qualification requirement of a mechanical engineering degree; and Automotive Specialist, which also has an alternative qualification requirement of a mechanical engineering degree and serves as a consultant in the purchase of mechanical equipment, among other duties, many of which

are also similar to those of the petitioned title.

District Council 37 and Local 375 do not object to the inclusion of the petitioned title in Certification No. 46J-75 (as amended). A majority of the employees in that unit, as amended herein, have authorized check-off of dues in behalf of Civil Service Technical Guild, Local 375, D.C. 37, AFSCME, AFL-CIO. Accordingly, we shall add the petitioned title to Certification No. 46J-75 (as amended by Decisions 47-75, 60-75, 61-75, 5-76, 31-76, 37-76 and 41-76).

O R D E R

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 Certification No. 46J-75 (as previously amended) be, and the same hereby is, further amended to include the title of Supervisor of Diesel Engine Maintenance, subject to existing contracts, if any.

DATED: New York, New York
November 10, 1976

ARVID ANDERSON
CHAIRMAN

WALTER L. EISENBERG
MEMBER

ERIC J. SCHMERTZ
MEMBER

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The title and title code number of the employee affected by this decision are as follows:

Supervisor of Diesel Engine Maintenance 91642