

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK
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IN THE MATTER OF THE APPLICATION OF
QUEENS BOROUGH PUBLIC LIBRARY,

Petitioner,

FOR A JUDGMENT PURSUANT TO ARTICLE 78
OF THE CIVIL PRACTICE LAW AND RULES

-against-

BOARD OF COLLECTIVE BARGAINING,

Respondent.

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HAROLD BAER, J.:

Motions numbered 67 and 78 of April 26, 1977 are consolidated for decision.

The two applications to intervene are granted. The petition to annul the respondent's determination that the petitioner's grievance was arbitrable under a collective bargaining agreement was neither arbitrary nor capricious. The respondent was entitled to find that the issue arose under title existing contract rather than being subject to collective bargaining de novo

Settle judgment dismissing the petition and including provisions for the intervention and the amendment of the caption.

Dated: May 20, 1977

J.S.C.