SUPREME COURT, NEW YORK COUNTY
SPECIAL TERM, PART I
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In the Matter of the Application
of LOCAL 300, THE CIVIL SERVICE
FORUM and LOCAL 300, THE CIVIL
SERVICE FORUM EMPLOYEES WELFARE
FUND for an order under CPLR
Article 78,

                          Petitioners,
                                              Index No. 19528/80
          -against-

ARVID ANDERSON, as Chairman of
the Office of Collective Bargaining
of the City of New York, BRUCE McIVER,
Director of the Office of Municipal
Labor Relations of the City of New York,

                          Respondents.
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Taylor, J.:

          In this Article 78 proceeding, petitioners seek to annul

respondent-Chairman's determination certifying another local as

exclusive bargaining representative of certain workers, together

with related injunctive relief and money damages. Respondent-

Chairman has cross moved to dismiss the petition as time barred.

          The determination complained of was served upon petitioner

by certified mail on June 5, 1980. Section 213 of the Civil

Service Law provides that such determination are reviewable under

Article 78 "upon petition filed by an aggrieved party within 30

days after service by registered or certified mail of a copy of

such order upon such party".

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This proceeding was begun by petitioner on September 30, 1980. Thus, having been brought more than 30 days after the determination sought to be reviewed, it is time-barred by section 213. Davis v Anderson, 51 AD2d 528 (lst Dept., 1976). Petitioner's argument that its request for reconsideration of the Board's determination tolled the statute of limitations is without merit. It is well settled that an application to reconsider an administrative board's determination does not extend the statutory period within which to seek judicial review of such determination. In re Johnston, 68 AD2d 991 (3rd Dept., 1979); Davis v Anderson, supra.

Accordingly, the cross motions of respondents to dismiss is granted, petitioners' application is denied and the petition is dismissed.

Settle judgment.

Dated: January 13, 1981