

## TABLE OF COURT DECISIONS

<b>SUBSEQUENT HISTORY TO BOARD OF COLLECTIVE BARGAINING DECISIONS</b>		
<b>Decision No.</b>	<b>Treatment</b>	<b>Court Citation</b>
4-70	affirmed	<i>Levy v. Anderson</i> , 65 Misc. 2d 763, 318 N.Y.S.2d 86, (Sup. Ct. N.Y. Co. Jan. 28, 1971).
7-74	appeal moot	<i>Vizzini v. Beame</i> , 90 LRRM 3211, N.Y.L.J., Oct. 4, 1974 (no page available) (Sup. Ct. N.Y. Co.).
5-74 & 1-75	reversed in part	<i>Burnell v. Anderson</i> , N.Y.L.J., Nov. 26, 1975, at 8 (Sup. Ct. N.Y. Co.) (Reversal rendered moot by amendment to CSL §100(1)(d); see <i>Rockland County v. Rockland County Unit, CSEA</i> , 74 A.D.2d 812 (2d Dept. 1980), <i>aff'd</i> , 53 N.Y.2d 741 (1981)).
6-75	appeal untimely	<i>Knight v. Anderson</i> , N.Y.L.J., Dec. 18, 1975, at 8 (Sup. Ct. N.Y. Co. Dec. 15, 1975).
16-75	affirmed	<i>City of New York v. Anderson</i> , N.Y.L.J., Jan. 29, 1976, at 8 (Sup. Ct. N.Y. Co.).
21-75	affirmed	<i>City of New York v. Board of Collective Bargaining</i> , N.Y.L.J., Mar. 18, 1976 (Sup. Ct. N.Y. Co. Mar. 15, 1976).
24-75	affirmed	<i>Patrolmen's Benevolent Assn. v. Board of Collective Bargaining</i> , N.Y.L.J., Jan. 2, 1976, at 6 (Sup. Ct. N.Y. Co.).
13-76	affirmed	<i>Queens Borough Public Library v. Board of Collective Bargaining</i> , Index No. 40591/77 (Sup. Ct. N.Y. Co., May 20, 1977).
3-77 & 4-77	affirmed	<i>Higgins v. Anderson</i> , 1977 WL 25251, 97 LRRM 2481 (Sup. Ct. N.Y. Co. Sept. 26, 1977).
9-77	affirmed	<i>City of New York v. Patrolmen's Benevolent Assn.</i> , Index No. 6574/77 (Sup. Ct. N.Y. Co. Sept. 30, 1977) (oral decision in binder).
15-77	affirmed	<i>Detectives Endowment Assn. v. Anderson</i> , N.Y.L.J., May 18, 1978, at 12 (Sup. Ct. N.Y. Co. May 4, 1978), <i>aff'd</i> , 67 A.D.2d 648, 412 N.Y.S.2d 576 (1st Dept. 1979).
13-77 & 1-78	affirmed	<i>City of New York v. Anderson</i> , Index No. 40532/78 (Sup. Ct. N.Y. Co. July 17, 1978).
9-78 & 10-78	affirmed	<i>Patrolmen's Benevolent Assn. v. Anderson</i> , N.Y.L.J., Feb. 22, 1979, at 6 (Sup. Ct. N.Y. Co.).

6-79	affirmed	<i>Sergeants' Benevolent Assn. v. Board of Collective Bargaining</i> , Index No. 11950/79 (Sup. Ct. N.Y. Co. Aug. 7, 1979).
8-80	affirmed	<i>Patrolmen's Benevolent Assn. v. McGuire</i> , Index No. 8238/80 (Sup. Ct. N.Y. Co. Apr. 13, 1981).
26-80	affirmed	<i>Patrolmen's Benevolent Assn. v. McGuire</i> , Index No. 16971/80 (Sup. Ct. N.Y. Co., July 14, 1981).
33-80	affirmed	<i>Patrolmen's Benevolent Assn. v. McGuire</i> , N.Y.L.J., Jan. 30, 1981, at 6 (Sup. Ct. N.Y. Co.).
9-81	reversed	<i>City of New York v. Board of Collective Bargaining</i> , N.Y.L.J., Oct. 23, 1981, at 5-6 (Sup. Ct. N.Y. Co.).
8-82	affirmed	<i>Caruso v. Anderson</i> , Index No. 05411/82 (Sup. Ct. N.Y. Co., July 29, 1982).
5-83	appeal untimely	<i>Mondshein v. Board of Collective Bargaining</i> , Index No. 8919/83 (Sup. Ct. N.Y. Co. July 5, 1983).
22-84	reversed in part	<i>Organization of Staff Analysts</i> , 18 PERB ¶ 3067 (1985) (remanded for hearing.)
6-85 & 11-85	affirmed	<i>Uniformed Forces Coalition v. Office of Collective Bargaining</i> , Index No. 10330/85 (Sup. Ct. N.Y. Co. Apr. 2, 1986).
12-85	affirmed	<i>Albino v. Anderson</i> , Index No. 11131/85 (Sup. Ct. N.Y. Co., Aug. 30, 1985).
26-85	affirmed	<i>Detectives Endowment Assn. v. Anderson</i> , Index No. 23213/85 (Sup. Ct. N.Y. Co. Jan. 28, 1986).
2-86	affirmed	<i>Grazioli v. Anderson</i> , Index No. 2759/86 (Sup. Ct. N.Y. Co. Jan. 29, 1987).
7-86	affirmed	<i>Seelig v. Anderson</i> , Index No. 5063/86 (Sup. Ct. N.Y. Co. Sept. 18, 1986).
42-86	appeal untimely	<i>Caruso v. Anderson</i> , Index No. 1171/87 (Sup. Ct. N.Y. Co. July 13, 1987), <i>aff'd</i> , 145 A.D.2d 1004, 536 N.Y.S.2d 364 (1st Dept. 1988).
7-87	affirmed in part, modified in part	<i>Levitt v. Board of Collective Bargaining</i> , 140 Misc. 2d 727, 531 N.Y.S.2d 703 (Sup. Ct. N.Y. Co. 1988), <i>aff'd</i> , 171 A.D.2d 545, 567 N.Y.S.2d 435 (1st Dept. 1991), <i>aff'd in part, modified in part</i> , 79 N.Y.2d 120, 580 N.Y.S.2d 917 (1992).

24-87	affirmed	<i>Caruso v. Anderson</i> , 138 Misc. 2d 719, 525 N.Y.S.2d 109 (N.Y. Sup. Co. 1987), <i>aff'd</i> , 145 A.D.2d 1004, 536 N.Y.S.2d 689 (1st Dept. 1988), <i>leave denied</i> , 73 N.Y.2d 709, 540 N.Y.S.2d 1004 (1989).
41-87	affirmed	<i>Caruso v. Anderson</i> , Index No. 25827/87 (Sup. Ct. N.Y. Co. Feb. 19, 1988), <i>aff'd</i> , 150 A.D.2d 994, 541 N.Y.S.2d 1007 (1st Dept. 1989).
59-88	affirmed	<i>Kane v. MacDonald</i> , Index No. 24115/88 (Sup. Ct. N.Y. Co. June 27, 1989), <i>aff'd</i> , 161 A.D.2d 305, 555 N.Y.S.2d 81 (1st Dept. 1990).
64-88	affirmed	<i>Caruso v. Board of Collective Bargaining</i> , 161 A.D.2d 444, 555 N.Y.S.2d 133 (1st Dept. ), <i>leave denied</i> , 76 N.Y.2d 706, 560 N.Y.S.2d 988 (1990).
4-89 & 11-89	affirmed	<i>Uniformed Firefighters Assn. v. Office of Collective Bargaining</i> , Index No. 12338/89 (Sup. Ct. N.Y. Co. Oct. 30, 1989), <i>aff'd</i> , 163 A.D.2d 251, 558 N.Y.S.2d 72 (1st Dept. 1990).
12-89	affirmed	<i>Caruso v. MacDonald</i> , Index No. 9240/89 (Sup. Ct. N.Y. Co. Oct. 30, 1989), <i>aff'd</i> , 169 A.D.2d 644, 564 N.Y.S.2d 776 (1st Dept. 1991).
70-89	affirmed	<i>Uniformed Firefighters Assn. v. Office of Collective Bargaining</i> , Index No. 1065/90 (Sup. Ct. N.Y. Co. Nov. 26, 1990).
27-90	affirmed	<i>Brown v. Office of Collective Bargaining</i> , Index No. 42146/91 (Sup. Ct. N.Y. Co. Nov. 1, 1991), <i>aff'd</i> , 1993 N.Y. App. Div. Lexis 5583 (1st Dept. May 20, 1993).
42-91	reversed	<i>City of New York v. MacDonald</i> , Index No. 44429/91 (Sup. Ct. N.Y. Co. Apr. 14, 1992), <i>modified</i> , 201 A.D.2d 258, 607 N.Y.S.2d 24 (1st Dept. 1994), <i>leave denied</i> , 83 N.Y.2d 759, 615 N.Y.S.2d 876 (1994).
16-92	appeal untimely	<i>Nelson v. Board of Collective Bargaining</i> , Index No. 20861/92 (Sup. Ct. N.Y. Co. Sept. 11, 1992), <i>aff'd</i> , 204 A.D.2d 216, 613 N.Y.S.2d 1 (1st Dept. 1994), <i>appeal dismissed</i> , 84 N.Y.2d 1004, 622 N.Y.S.2d 908 (1994).
25-92	reversed	<i>New York City Dept. of Probation &amp; City v. MacDonald</i> , <i>aff'd</i> , Index No. 42861/92 (Sup. Ct. N.Y. Co. Mar. 31, 1993), <i>rev'd</i> , 205 A.D.2d 372, 613 N.Y.S.2d 378 (1st Dept. 1994).

27-92A	affirmed	<i>City of New York v. Plumbers Local Union No. 1</i> , Index No. 43764/92 (Sup. Ct. N.Y. Co. Aug. 13, 1993), <i>aff'd</i> , 204 A.D.2d 183, 612 N.Y.S.2d 128 (1st Dept. 1994), <i>leave denied</i> , 85 N.Y.2d 803, 624 N.Y.S.2d 373 (1995).
38-92	appeal untimely	<i>New York City Off-Track Betting Corp. v. Board of Collective Bargaining</i> , Index No. 45321/92 (Sup. Ct. N.Y. Co. Sept. 28, 1993).
44-92	modified	<i>City of New York v. MacDonald</i> , Index No. 45920/92 (Sup. Ct. N.Y. Co. June 23, 1993), <i>aff'd</i> , 213 A.D.2d 287, 624 N.Y.S.2d 827 (1st Dept. 1995), <i>appeal dismissed</i> , 86 N.Y.2d 773, 631 N.Y.S.2d 600 (1995).
12-93A	affirmed	<i>New York City Dept. of Sanitation v. MacDonald</i> , Index No. 402944/93 (Sup. Ct. N.Y. Co. Dec. 20, 1993), <i>aff'd</i> , 215 A.D.2d 324, 627 N.Y.S.2d 619 (1st Dept. 1995), <i>aff'd</i> , 87 N.Y.2d 650, 642 N.Y.S.2d 156 (1996).
16-93	affirmed	<i>McManus v. New York City Dept. of Parks</i> , Index No. 111730/93 (Sup. Ct. N.Y. Co. June 16, 1993).
23-93	reversed & remanded	<i>Boyle v. MacDonald</i> , Index No. 118517/93 (Sup. Ct. N.Y. Co. July 25, 1994) (no Board decision on remand).
26-93	enforced	<i>Committee of Interns and Residents v. Dinkins</i> , Index No. 127406/93 (Sup. Ct. N.Y. Co. Nov. 29, 1993).
27-93	affirmed	<i>City of New York v. MacDonald</i> , Index No. 405350/93 (Sup. Ct. N.Y. Co. Sept. 29, 1994), <i>aff'd</i> , 223 A.D.2d 485, 636 N.Y.S.2d 793 (1st Dept. 1996).
45-93	affirmed	<i>Toal v. MacDonald</i> , <i>aff'd</i> , 216 A.D.2d 8, 627 N.Y.S.2d 372 (1st Dept. 1995).
13-94	reversed	<i>City of New York v. MacDonald</i> , Index No. 409776/94 (Sup. Ct. N.Y. Co. Feb.15, 1996), <i>aff'd</i> , 239 A.D.2d 274, 657 N.Y.S.2d 681 (1st Dept. 1997).
1-97	appeal untimely	<i>Libert v. New York City Board of Collective Bargaining</i> , Index No. 401234/97 (Sup. Ct. N.Y. Co. June 10, 1998).
46-97A	reversed	<i>City of New York v. DeCosta</i> , 176 Misc. 2d 936, 675 N.Y.S.2d 517, (Sup. Ct. N.Y. Co. 1998), <i>aff'd sub nom. City of New York v. Uniformed Fire Officers Assn.</i> , 263 A.D.2d 3, 699 N.Y.S.2d 355 (1st Dept. 1999), <i>aff'd</i> , 95 N.Y.2d 273, 716 N.Y.S.2d 353 (2000).

1-98	affirmed	<i>Knox v. City of New York</i> , Index No. 103436/98 (Sup. Ct. N.Y. Co. Nov. 24, 1998).
2-98A	called into question	<i>See City of New York v. DeCosta</i> , 95 N.Y.2d 273, 716 N.Y.S.2d 353 (2000) ( <i>see</i> B-46-97).
9-98A	called into question	<i>See City of New York v. DeCosta</i> , 95 N.Y.2d 273, 716 N.Y.S.2d 353 (2000) ( <i>see</i> B-46-97).
10-98	affirmed	<i>City of New York v. Detectives Endowment Assn.</i> , Index No. 401478/98 (Sup. Ct. N.Y. Co. Oct. 23, 1998).
11-98A	called into question	<i>See City of New York v. DeCosta</i> , 95 N.Y.2d 273, 716 N.Y.S.2d 353 (2000) ( <i>see</i> B-46-97).
12-98	reversed	<i>Social Service Employees Union v. New York City Board of Collective Bargaining</i> , Index No. 108479/98 (Sup. Ct. N.Y. Co. Apr. 5, 1999).
32-98	appeal untimely	<i>Amaker v. Office of Collective Bargaining</i> , Index No. 400217/99 (Sup. Ct. N.Y. Co. May 6, 1999).
1-99	affirmed	<i>Saunders v. DeCosta</i> , Index No. 103467/99 (Sup. Ct. N.Y. Co. July 7, 1999).
23-99	affirmed	<i>Lieutenants Benevolent Assn. v. City of New York and New York Department of Finance</i> , Index No. 403410/99 (Sup. Ct. N.Y. Co. Oct. 27, 1999), <i>aff'd</i> , 285 A.D.2d 329, 730 N.Y.S.2d 78 (1st Dept. 2001).
35-99	appeal pending	<i>City of New York and Fire Department of the City of New York v. DeCosta, District Council 37, Locals 2507 and 3021</i> , Index No. 404122/99 (Sup. Ct. N.Y. Co. June 20, 2000), <i>aff'd</i> , 289 A.D.2d 144, 734 N.Y.S.2d 450 (1st Dept. 2001) (A.D. affirmed lower court ruling that appeal timely.)
2-2000	affirmed	<i>City of New York v. International Brotherhood of Teamsters</i> , Index No. 401424/00 (Sup. Ct. N.Y. Co. Mar. 28, 2001), <i>aff'd</i> , 301 A.D.2d 471, 753 N.Y.S.2d 509 (1st Dept. 2003).
9-2000	affirmed	<i>City of New York and Administration for Children's Services v. DeCosta, Civil Service Bar Assn., and International Brotherhood of Teamsters</i> , Index No. 403335/00 (Sup. Ct. N.Y. Co. June 7, 2001).
13-2000	affirmed	<i>City of New York v. DeCosta and Local 1180</i> , Index No. 403336/00 (Sup. Ct. N.Y. Co. Jan. 12, 2001).

23-2002	affirmed	<i>District Council 37 v. City of New York</i> , Index No. 112450/03 (Sup. Ct. N.Y. Co. Mar. 15, 2004), <i>aff'd</i> , 22 A.D. 3d 279 (1 <sup>st</sup> Dept. 2005).
14-2003	affirmed	<i>Raby v. Office of Collective Bargaining</i> , Index No. 109481/03 (Sup. Ct. N.Y. Co. Sept. 12, 2003) (Beeler, J.).
12-2004	affirmed	<i>Patrolmen's Benevolent Assn. v. NYC Board of Collective Bargaining</i> , Index No. 112687/04 (Sup. Ct. N.Y. Co. Aug. 8, 2005), <i>aff'd</i> , 38 A.D.3d 482 (1 <sup>st</sup> Dept. 2007), lv. den., 9 N.Y.3d 807 (2007).
14-2004	modified, <i>aff'd as modified</i>	<i>Patrolmen's Benevolent Assn. v. City of New York</i> , Index No. 113062/04 (Sup. Ct. N.Y. Co. Feb. 4, 2005), <i>aff'd</i> , 27 A.D.3d 381(1st Dept. 2007).
75 OCB 9 (BCB 2005)	affd.	<i>City of New York v. D.C. 37</i> , 12 Misc.3d 1162A, 819 N.Y.S.2d 209 (Sup. Ct. N.Y. Co. 2006).
75 OCB 11A (2005)	affd.	<i>Matter of Local 983, District Council 37, v. New York City Board of Collective Bargaining</i> Index No. 107616/05 (Sup. Ct. N.Y. Co. Jan. 18, 2006).
75 OCB 31 (BCB 2005)	affd	<i>Matter of Soc. Serv. Empl. Union, L. 371 v. NYC Bd. of Coll. Barg.</i> , Index No. 116054/05 (Sup. Ct. N.Y. Co. May 30, 2006), <i>aff'd</i> , 47 A.D.3d 417 (1 <sup>st</sup> Dept. 2008).
77 OCB 18 (BCB 2006)	appeal withdrawn	<i>Matter of LEEBA v. NYC OCB</i> , Index No. 10737/07 (Sup. Ct. N.Y.Co.) (Lehner, J.).
77 OCB 34 (BCB 2006)	affd.	<i>Matter or Roberts v. City of New York</i> , Index No. 110680/07 (Sup. Ct. N.Y. Co. Feb. 5, 2008) (DeGrasse, J.)
77 OCB 37 77 OCB 38 (BCB 2006)	revd.	<i>Matter of City of New York v. Patrolmen's Benev. Assn.</i> , Index No. 400007/07 (Sup. Ct. N.Y. Co. Dec. 27, 2007)(Wilkins, J.); awaiting app div dec, <i>rev'd</i> [Bd dec reinstated], 56 A.D.3d 70 (1 <sup>st</sup> Dept. 2008), <i>rev'd</i> , 14 N.Y.3d 46 (2009).
1 OCB2d 6 (BCB 2008)	affd	<i>Matter of Lillian Roberts v. Board of Collective Bargaining</i> , Index No. 104695/08 (Sup. Ct. N.Y. Co.)(Lehner, J.);
1 OCB2d 26	affd	<i>Matter of Patrolmens Benev. Assn v. NYC Off. Of Coll. Barg.</i> , Index No. 116942/08 (Sup. Ct. N.Y. Co. Aug. 5, 2009).
1 OCB2d 37 (BCB 2008)	affd.	<i>Matter of City of New York v. NYC Bd. of Coll. Barg.</i> , Index No. 403010/08 (Sup. Ct. N.Y. Co., Oct. 23, 2009) (Lehner, J.).

1 OCB2d 34 (BCB 2008)	affd.	<i>Matter of Moriates v. NYC OCB</i> , Index No. 114094/08 (Sup. Ct. N.Y. Co. Mar. 15, 2010) (Sherwood, J.)
1 OCB2d 39 (BCB 2008)	affd.	<i>Matter of Rosioreanu v. NYC OCB</i> , Index No. 116796/08 (Sup. Ct. N.Y. Co. Mar. 30, 2009) (Sherwood, J.), affd., 78 A.D.3d 401, 910 N.Y.S.2d 65 (1 <sup>st</sup> Dept 2010).
1 OCB2d 33 (BCB 2008)	affd.	<i>Matter of NYC Dist. Council of Carpenters v. Gold, et al.</i> , Index No. 114353/08 (Feb. 2, 2010)
1 OCB2d 28 (BCB 2008)	aff'd	<i>Matter of Plumbers Loc. Union No. 1 v. Gold</i> , Index No. 112139/08 (Sup. Ct. N.Y. Co. Feb. 2, 2010) (Goodman, J.)
2 OCB2d 10 (BCB 2009)	affd.,	<i>Matter of Roberts v. NYC Office of Coll Barg.</i> , Index No. 114962/09 (Sup. Ct. N.Y. Co. Oct. 15, 2010)(Madden, J.)
2 OCB2d 38 (BCB 2009)	affd.	<i>Matter of Mahinda v. City of New York., et al.</i> , Index No. 117487/09 (Sup. Ct. N.Y. Co. Oct. 7, 2010)
2 OCB2d 44 (BCB 2009)	affd.	<i>Matter of City v. Bd. of Coll. Barg.</i> , Index No. 400177/10 (Sup. Ct. N.Y. Co. Oct. 7, 2010) (Schlesinger, J.).
3 OCB2d 7	affd.	<i>Matter of Roberts v. NYC Off. of Coll. Barg.</i> , 2011 NY Slip Op 52094(U) (Sup. Ct. N.Y. Co. Nov/ 14, 2011)
3 OCB2d 17	affd.	<i>Matter of Smith v. NYC Bd. of Coll Barg.</i> , Index No. 40216/10 (Sup. Ct. N.Y. Co. Nov. 30, 2010) (Solomon, J.).
3 OCB2d 18 (BCB 2010)	app pending	Motion to dismiss denied, <i>Matter of Patrolmen's Benev. Assn. v. NYC Off. Of Coll. Barg.</i> , Index No. 106323/2010 (June 17, 2011);
3 OCB2d 54 (BCB 2010)	affd.	<i>Matter of Sergeants Benev. Assn. v. City of New York, et al.</i> , Index No. 100183/2010 (Sup. Ct. N.Y. Co. July 18, 2011) (Lobis, J.)

<b>SUBSEQUENT HISTORY TO BOARD OF CERTIFICATION DECISIONS</b>		
<b>Decision No.</b>	<b>Treatment</b>	<b>Court Citation</b>
58-68	appeal untimely	<i>Fellner v. Anderson</i> , 72 LRRM 2992, N.Y.L.J., Dec. 3, 1969, at 16 (Sup. Ct. N.Y. Co.).
6-69 & 16-69	stay vacated	<i>New York State Nurses Assn. v. Anderson</i> , N.Y.L.J., Mar. 19, 1969, at 2 (Sup. Ct. N.Y. Co.).
12-70	affirmed	<i>Penta v. Anderson</i> , N.Y.L.J., Mar. 9, 1971, at 2 (Sup. Ct. N.Y. Co.).
13-70	affirmed	<i>Randolph v. Office of Collective Bargaining</i> , N.Y.L.J., May 7, 1970 (Sup. Ct. N.Y. Co.).
33-74 & 50-74	appeal untimely	<i>Davis v. Anderson</i> , N.Y.L.J., Jan. 29, 1976, at 7 (Sup. Ct. N.Y. Co.), <i>aff'd</i> , 51 A.D.2d 528, 379 N.Y.S.2d 85 (1st Dept. ), <i>leave denied</i> , 39 N.Y.2d 707, 385 N.Y.S.2d 1027 (1976).
23-75	affirmed	<i>Rios v. Anderson</i> , N.Y.L.J., Dec. 3, 1975, at 6 (Sup. Ct. N.Y. Co.).
22-78	appeal untimely	<i>Patrolmen's Benevolent Assn. v. Anderson</i> , Index No. 13079/78 (Sup. Ct. N.Y. Co. Nov. 6, 1978).
28-78	appeal untimely	<i>Nurses Assn. of the Department of Health v. City of New York</i> , Index No. 12102/78 (Sup. Ct. N.Y. Co. Nov. 3, 1978).
45-78	affirmed	<i>Civil Service Technical Guild, Local 375 v. Anderson</i> , <i>rev'd</i> , N.Y.L.J., Oct. 9, 1979, at 10 (Sup. Ct. N.Y. Co.), <i>aff'd</i> , 79 A.D.2d 541, 434 N.Y.S.2d 13 (1st Dept. 1980), <i>rev'd</i> , 55 N.Y.2d 618, 446 N.Y.S.2d 264 (1981) (adopting dissent of A.D. and affirming Board).
14-79	affirmed	<i>Committee of Interns and Residents v. Office of Collective Bargaining</i> , Index No. 11542/79 (Sup. Ct. N.Y. Co. Apr. 3, 1980), <i>aff'd</i> , 84 A.D.2d 694, 445 N.Y.S.2d 351 (1st Dept. 1981).
24-79	affirmed	<i>Patrolmen's Benevolent Assn. v. Anderson</i> , 78 A.D.2d 777, 435 N.Y.S.2d 200 (1st Dept. 1980), <i>leave denied</i> , 53 N.Y.2d 602, 439 N.Y.S.2d 1025 (1981).
14-80	appeal untimely	<i>Local 300, Civil Service Forum v. Anderson</i> , Index No. 19528/80 (Sup. Ct. N.Y. Co. Jan. 13, 1981).
3-83	appeal dismissed	<i>Barry v. City of New York</i> , Index No. 7090/83 (Sup. Ct. N.Y. Co. June 21, 1983).

6-84	appeal untimely	<i>Magguilli v. Office of Collective Bargaining</i> , Index No. 19624/84 (Sup. Ct. N.Y. Co. Sept. 20, 1984).
4-95	appeal untimely	<i>Municipal Police Benevolent Assn. v. Office of Collective Bargaining</i> , Index No. 114960/95 (Sup. Ct. N.Y. Co. Nov. 22, 1995).
6-95	affirmed	<i>Civil Service Technical Guild v. MacDonald</i> , Index No. 116355/95 (Sup. Ct. N.Y. Co. Jan. 10, 1997), <i>aff'd</i> , 249 A.D.2d 74, 669 N.Y.S.2d 1017 (1st Dept. 1998).
4-97	affirmed	<i>City of New York v. District Council 37</i> , Index No. 403334/97 (Sup. Ct. N.Y. Co. Apr. 27, 1999).
1-98	affirmed	<i>Levitt v. Board of Certification of the Office of Collective Bargaining</i> , Index No. 104693/98 (Sup. Ct. N.Y. Co. Apr. 7, 1999), <i>aff'd</i> , 273 A.D.2d 104, 710 N.Y.S.2d 324 (1st Dept. 2000).
4-2004	affirmed	<i>City of New York v. Office of Collective Bargaining</i> , Index No. 402745/04 (Sup. Ct. N.Y. Co. Jan. 27, 2005).
5-2006	affirmed	<i>Matter of HHC v. Bd. of Certification of the City of New York</i> , 2007NY Slip Op. 30921 (U), 237 N.Y.L.J. 99 (Sup. Ct. N.Y. Co. April 23, 2007) (Tolub, J) .
78 OCB 7 (BOC 2006)	affirmed	<i>Matter of City of New York v. NYC Bd. of Certification</i> , Index No. 404461/06 (Sup. Ct. N.Y.Co.Sept. 19, 2007) (Wetzel, J.).
80 OCB 1 (BOC 2007)	app. withdrawn.	Mot dismiss denied: <i>Matter of City of New York v. NYC Bd. of Certification</i> , Index No 400464/07 (Sup. Ct. N.Y. Co. )(Figueroa, J.); transferred App Div, <i>id</i> (April 1 2010) (Stallman, J.); app. withdrawn via stip April 5, 2010.
2 OCB2d 14 (BOC 2009)	affd. (Indirectly)	<i>Matter of LEEBA v. NYC &amp; NYC OCB</i> , Index No. 116478/09 (Sup. Ct. N.Y. Co. July 12, 2010) (Gische, J.) (LEEBA could not challenge letter from Director of Certification informing it that hearing respecting appropriate unit placement of all Local Law 56 titles would be consolidated as (1) not final judgment by Board; and (2) untimely challenge to Board order; (3) failed to name necessary party, that is, other union claiming employees).
3 OCB2d 33 (BOC 2010)	affd.	<i>Matter of City &amp; NYCHA v. Bf. of Certif. &amp; OSA</i> , Index Nos. 402466/10 & 402496/10 (Sup. Ct. N.Y. Co. Oct. 27, 2011) (Kern, J.)

<b>COURT CASES RELATED TO OFFICE OF COLLECTIVE BARGAINING</b>		
<b>Related Case</b>	<b>Court Citation and Holding</b>	<b>C#</b>
No Board Decision	<i>Rogoff v. Anderson</i> , N.Y.L.J., Nov. 15, 1968, at 15 (Sup. Ct. N.Y. Co.), <i>rev'd</i> , 310 N.Y.S.2d 174 (1st Dept. 1970), <i>aff'd</i> , 28 N.Y.2d 880, 322 N.Y.S.2d 718, <i>appeal dismissed</i> , 404 U.S. 805 (1971) (no-strike provision constitutional).	1
No Board Decision	<i>DeMilia, v. State of New York</i> , 96 Misc.2d 77, 412 N.Y.S.2d 953 (Sup. Ct. N.Y. Co. Dec. 11, 1978), <i>modified</i> , 72 A.D.2d 536, 421 N.Y.S.2d 70 (1st Dept. 1979), <i>appeal denied</i> , 48 N.Y.2d 611, 425 N.Y.S.2d 1027, <i>cert. denied</i> , 447 U.S. 922 (1980) (Financial Emergency Act constitutional).	22
No Board Decision	<i>Committee of Interns and Residents v. Dinkins</i> , Index No. 13452/92 (supt. Ct. N.Y. Co. Oct. 8, 1992) (Motion to compel arbitration of a grievance granted).	55
No Board Decision	<i>Brennan v. Koch</i> , 564 F. Supp. 322 (S.D.N.Y. May 23, 1983) (NYCCBL § 12-314(b) constitutional).	33. 2
BCB-25-91	<i>Uniformed Firefighters Assn. v. City of New York</i> (Sup. Ct. N.Y. Co. Dec. 26, 1990), <i>aff'd</i> , 173 A.D.2d 206, 569 N.Y.S.2d 634 (1st Dept. 1991), <i>aff'd</i> , 79 N.Y.2d 236, 581 N.Y.S.2d 734 (1992) (In the absence of statutory authority, courts lack jurisdiction to issue preliminary injunctions to preserve status quo during pendency of improper practice proceedings. In 1995, Legislature amended CSL § 209a(5) to empower courts to issue injunctions when Board finds that the standard for injunctive relief has been satisfied.)	65
BCB-18-93	<i>Caruso v. Kelly</i> , Index No. 29285/92 (Sup. Ct. N.Y. Co. Dec. 15, 1992) (injunctive relief denied).	92
No Board Decision	<i>Committee of Interns and Residents v. Dinkins</i> , Index No. 13452/92 (Sup. Ct. N.Y. Co. Oct. 8, 1992), <i>aff'd</i> , 202 A.D.2d 335, 609 N.Y.S.2d 219 (1st Dept. 1994), <i>aff'd</i> , 86 N.Y.2d 478, 634 N.Y.S.2d 32 (1995) (order compelling arbitration).	56
BOC-11-87	<i>United Federation of Law Enforcement Officers v. Office of Collective Bargaining</i> , Index No. 66506/90, 1990 WL 113119 (S.D.N.Y. July 30, 1990).	50

BOC-1-92	<i>Municipal Elevator Workers Assn. v. City of New York</i> , 1993 WL 213012 (S.D.N.Y. June 16, 1993) (Union does not have First Amendment guarantee of freedom of association which entitles MEWA's membership to have Local 237 decertified as their bargaining representative and to select the bargaining representative of their choice).	58
I-219-94	<i>Caruso v. MacDonald</i> , Index No. 114514/94 (Sup. Ct. N.Y. Co. May 26, 1994) (dismissed petition because no final determination).	64
No Board Decision	<i>Giles v. City of New York</i> , 41 F. Supp. 2d 308 (S.D.N.Y. 1999) (interpreting a collective bargaining agreement that incorporated the statutory waiver).	
No Board Decision	<i>City of New York v. Patrolmen's Benevolent Assn. and Public Employment Relations Board and Board of Collective Bargaining, as Necessary Party Defendants</i> , 169 Misc.2d 566, 642 N.Y.S.2d 1003 (Sup. Ct. N.Y. Co. Apr. 10, 1996), <i>aff'd</i> , 231 A.D.2d 422, 647 N.Y.S.2d 728 (1st Dept.), <i>aff'd</i> , 89 N.Y.2d 380, 654 N.Y.S.2d 85 (1996) (§ 1 & 2 of Chap. 13 of the Laws of N.Y. unconstitutional).	71
	<i>Savage v. DeCosta</i> , Index No. 120860/98 (Sup. Ct. N.Y. Co. Dec. 10, 1998) (motion for injunctive relief denied and Board directed to render decision in improper practice petition expeditiously).	77
BCB-12-1999	<i>Savage v. DeCosta</i> , Index No. 109867/99 (Sup. Ct. N.Y. Co. Oct. 21, 1999) (motion for transfer to Appellate Division granted) (appeal never perfected).	83
No Board Decision	<i>City of New York v. MacDonald</i> , 239 A.D.2d 274, 275 (1st Dept. 1997) (Board erred in accepting waivers required as a precondition to invoking arbitration since, once the OATH process had taken place, the waiver requirement could not be satisfied and the grievance not arbitrable).	
BCB-13-98	<i>Ganley v. Giuliani</i> , 94 N.Y.2d 207 (1999).	
No Board Decision	<i>Khamba v. SSEU Local 371</i> , Index No. 97 CIV. 4461 (DLC), 1999 WL 58924 (S.D.N.Y. Feb. 5, 1999), <i>aff'd</i> , 225 F.3d 646 (2d Cir. 2000) (OCB arbitration waiver did not preclude plaintiff from filing FLSA claim).	
BCB-29-03	<i>Patrolmen's Benevolent Assn. v. Safir</i> , Index No. 108875/00 (Sup. Ct. N.Y. Co. June 1, 2000) (Injunctive relief granted).	93
No Board Decision	<i>Scheiner v. New York City Health and Hospitals</i> , 152 F. Supp. 2d 487 (S.D.N.Y. 2001) (OCB arbitration waiver did not preclude plaintiff from filing a due process claim pursuant to § 1983).	

No Board Decision	<i>Patrolmen's Benevolent Assn. v. New York State Public Employment Relations Bd.</i> , 188 Misc.2d 146, 728 N.Y.S.2d 875 (Sup. Ct. Al. Co. Apr. 16, 2001), <i>aff'd</i> , 285 A.D.2d 52, 729 N.Y.S.2d 789 (3 <sup>rd</sup> Dept. 2001), <i>aff'd as modified</i> , 97 N.Y.2d 378, 740 N.Y.S.2d 659 (2001) (while PERB has jurisdiction over scope of bargaining issues to resolve impasses, BCB has jurisdiction to determine scope of bargaining outside of the impasse context).	
No Board Decision	<i>Patrolmen's Benevolent Assn. v. City</i> , Index No. 106651/03 (Sup. Ct. N.Y. Co. Apr. 29, 2003) (Injunctive relief granted).	91
BOC Decisions 1-2003; 4-2003; BCB B-9-2005. Appeal pending	<i>Mayor of the City of New York v. Council of City of New York</i> , Index No. 404987/01 (Sup. Ct. N.Y. Co. Jan. 3, 2005) (Local Law amendment to NYCCBL § 12-307(a)(4) allowing EMS employees to bargain as uniformed employees valid and enforceable).	97
No Board Decision	<i>Uddin v. OCB et al.</i> , Index No. 8240/05 (Sup. Ct. Kings Co. July 7, 2005) (petition to compel arbitration dismissed as moot).	99
BCB-4-99	<i>Patrolmen's Benevolent Assn. v. City</i> , Index No. 125726/99 (Sup. Ct. N.Y. Co. Feb. 2, 2000), <i>rev'd</i> , 293 A.D.2d 253 (1 <sup>st</sup> Dept. 2002), <i>app. denied</i> , 98 N.Y.2d 608 (2002).	101
No Board Decision	<i>Patrolmen's Benevolent Assn. v. City</i> , N.Y.L.J Jan. 3, 2006 at 18 (Sup. Ct. N.Y. Co. Feb. 2, 2000) (PBA lacked standing to challenge arbitration award rendered in out-of-title work case between DC37 and City; award not against public policy, was rational and within arbitrator's power. Dispute not be referred to BCB because court has exclusive jurisdiction over motion to vacate arbitration award).	102
No Board Decision /DC 37, 2 OCB2d 14 (BOC 2009)	<i>Matter of LEEBA v. NYC &amp; NYC OCB</i> , Index No. 116478/09 (Sup. Ct. N.Y. Co. July 12, 2010) (Gische, J.) (LEEBA could not challenge letter from Director of Certification informing it that hearing respecting appropriate unit placement of all Local Law 56 titles would be consolidated as (1) not final judgment by Board; and (2) untimely challenge to Board order; (3) failed to name necessary party, that is, other union claiming employees).	