

DC 37, 8 OCB2d 27 (BOC 2015)

(Rep) (Docket Nos. RE-178-07, RU-1249-05, RU-1250-05, RU-1255-08, and AC-36-07).

Summary of Decision: Based on the results of a mail ballot election, the Board certified Local 237 as the exclusive bargaining representative of the unit of Taxi and Limousine Inspectors and Special Officers created in DC 37, 7 OCB2d 1 (BOC 2014). (*Official decision follows.*)

**OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION**

In the Matter of the Certification Proceeding

-between-

THE CITY OF NEW YORK,

Petitioner,

-and-

**DISTRICT COUNCIL 37;
CIVIL SERVICE TECHNICAL GUILD, LOCAL 375, DISTRICT COUNCIL 37;
ORGANIZATION OF STAFF ANALYSTS;
UNITED FEDERATION OF TEACHERS;
COMMUNICATIONS WORKERS OF AMERICA;
INTERNATIONAL BROTHERHOOD OF TEAMSTERS, LOCAL 237;
NEW YORK CITY DEPUTY SHERIFFS' ASSOCIATION;**

Respondents,

-and-

LAW ENFORCEMENT EMPLOYEES BENEVOLENT ASSOCIATION,

Intervenor.

DECISION AND CERTIFICATION

On January 10, 2014, the Board of Certification created a new bargaining unit for the titles Taxi and Limousine Inspector (Title Code No. 35116), Associate Taxi and Limousine Inspector (Title Code No. 35143), and Special Officers (Title Code No.

70810) and Supervising Special Officers (Title Code No. 70817) employed at the Administration for Children's Services ("ACS"), the Department of Juvenile Justice ("DJJ"), the Department of Health and Mental Hygiene ("DOHMH"), the Department of Homeless Services ("DHS"), and the Human Resources Administration ("HRA").¹ See *DC 37, 7 OCB2d 1*, at 87 (BOC 2014), *affd sub. nom. City Employees Local 237 v. Off. of Collective Bargaining*, Index No. 100180/2014 (Sup. Ct. NY Co. June 15, 2015) (Moulton, J.). These employees were previously represented by the International Brotherhood of Teamsters, Local 237 ("Local 237") in a different bargaining unit. Following the Board's decision, the Law Enforcement Employees Benevolent Association ("LEEBA") submitted a timely showing of interest in the newly created unit.

An election was held by mail ballot in accordance with the Rules of the Office of Collective Bargaining (Rules of the City of New York, Title 61, Chapter 1) ("OCB Rules") § 1-02 for employees in the new unit. The results were inconclusive. Accordingly, pursuant to OCB Rule § 1-02(q), a run-off election was conducted. The ballots were counted on August 21, 2015.

The majority of employees casting valid ballots selected Local 237 as their representative for collective bargaining. No party filed objections in the time provided by OCB Rule § 1-02(r).

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

¹ Although the caption identifies all the parties to the consolidated Local Law 56 cases at issue in *DC 37, 7 OCB2d 1*, this decision addresses only the unit of Taxi and Limousine Inspectors and Special Officers at ACS/DJJ, DOHMH, DHS, and HRA.

CERTIFIED, that the International Brotherhood of Teamsters, Local 237 is the exclusive representative for purposes of collective bargaining for the unit consisting of Taxi and Limousine Inspector (Title Code No. 35116), Associate Taxi and Limousine Inspector (Title Code No. 35143), and Special Officers (Title Code No. 70810) and Supervising Special Officers (Title Code No. 70817) employed at the Administration for Children's Services, the Department of Juvenile Justice, the Department of Health and Mental Hygiene, the Department of Homeless Services, and the Human Resources Administration. This unit will be referred to as Cert. No. 27-15.

Dated: September 9, 2015
New York, New York

SUSAN J. PANEPENTO
CHAIR

CAROL A. WITTENBERG
MEMBER

ALAN R. VIANI
MEMBER



The Office of Collective Bargaining

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PAMELA S. SILVERBLATT

DEPUTY CHAIRS

MONU SINGH
STEVEN E. STAR

LABOR MEMBERS

CHARLES G. MOERDLER

NOTICE OF CERTIFICATION

This notice acknowledges that the Board of Certification has issued a Decision and Certification as follows:

DATE: September 9, 2015 **DOCKET #:** RE-178-07, RU-1249-05,
RU-1250-05, RU-1255-08 & AC-36-07

DECISION: **8 OCB2d 27 (BOC 2015)**

EMPLOYER: City of New York, represented by the Office of Labor Relations
40 Rector Street, 4th Floor
New York, NY 10006

CERTIFICATION 27-15:

Unit Titles: **Special Officer (Title Code No. 70810) ***
 Supervising Special Officer (Title Code No. 70817) *
 Taxi and Limousine Inspector (Title Code No. 35116)
 Associate Taxi and Limousine Inspector (Title Code No. 35143)

* Only those in the title employed at the Administration for Children's Services, the Department of Juvenile Justice, the Department of Health and Mental Hygiene, the Department of Homeless Services, and the Human Resources Administration.

Bargaining Representative:

International Brotherhood of Teamsters, Local 237
216 West 14th Street
New York, NY 10011