

**LEEBA, 8 OCB2d 29 (BOC 2015)**  
(Rep) (Docket No. RU-1609-15)

*Summary of Decision:* LEEBA filed a petition to represent the Inspectors (Highway & Sewers) bargaining unit, represented by Local 1042. As the petition was timely and supported by a sufficient showing of interest, the Board conducted an election to ascertain the employees' wishes as to their union representation. Based on the results of the election, the Board terminated Certification No. 10-77 and certified LEEBA as the exclusive bargaining representative of the bargaining unit. (*Official decision follows.*)

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**OFFICE OF COLLECTIVE BARGAINING  
BOARD OF CERTIFICATION**

**In the Matter of the Certification Proceeding**

*-between-*

**LAW ENFORCEMENT EMPLOYEES  
BENEVOLENT ASSOCIATION,**

*Petitioner,*

*-and-*

**LABORERS' INTERNATIONAL UNION OF NORTH AMERICA, LOCAL 1042,  
PAVERS AND ROAD BUILDERS DISTRICT COUNCIL and  
THE CITY OF NEW YORK,**

*Respondents.*

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**DECISION AND CERTIFICATION**

On May 19, 2015, the Law Enforcement Employees Benevolent Association ("LEEBA") filed a petition to represent employees in the titles of Highways and Sewers Inspector (Title Code No. 31626), Associate Inspector (Highways and Sewers) (Title Code No. 31645), Apprentice Inspector (Highways and Sewers) (Title Code No. 35007), Service Inspector (DOT) (Title Code No. 33765), and Senior Service Inspector (DOT) (Title Code No. 33766), represented by the Laborers' International Union of North

America, Local 1042, Pavers and Road Builders District Council (“Local 1042”) in Certification No. 10-77. As the petition was timely and supported by a sufficient showing of interest, the Board conducted an election to determine whether the employees at issue wish to be represented for the purposes of collective bargaining by LEEBA, Local 1042, or neither.<sup>1</sup> *See* New York City Collective Bargaining Law (New York City Administrative Code, Title 12, Chapter 3) § 12-309(b)(2).

The election was held by phone and on-line ballot in accordance with § 1-02 of the Rules of the Office of Collective Bargaining (Rules of the City of New York, Title 61, Chapter 1) (“OCB Rules”) for employees in the Inspectors (Highways & Sewers) bargaining unit. The ballots were counted on September 24, 2015.

The majority of employees casting valid ballots selected LEEBA as their representative for collective bargaining, and no party filed objections to the election.

Accordingly, this Board terminates Certification No. 10-77, held by Local 1042, and certifies LEEBA as the exclusive bargaining representative of the Inspectors (Highways & Sewers) bargaining unit in Certification No. 29-15.

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<sup>1</sup> LEEBA filed its petition within 30 days of the signing of a memorandum of agreement for a contract between the City and Local 1042, covering the period of October 15, 2010 to June 17, 2018.

NOW, THEREFORE, 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

ORDERED that Certification No. 10-77 be, and the same hereby is, terminated; and it is

CERTIFIED that the Law Enforcement Employees Benevolent Association is the exclusive representative for the purposes of collective bargaining for the bargaining unit consisting of the titles Highways and Sewers Inspector (Title Code No. 31626), Associate Inspector (Highways and Sewers) (Title Code No. 31645), Apprentice Inspector (Highways and Sewers) (Title Code No. 35007), Service Inspector (DOT) (Title Code No. 33765), and Senior Service Inspector (DOT) (Title Code No. 33766).

Dated: October 6, 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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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:** October 6, 2015                      **DOCKET #:** RU-1609-15

**DECISION:**                      **8 OCB2d 29 (BOC 2015)**

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

**CERTIFICATION 29-15:**

**Unit Titles:**    **Highways and Sewers Inspector (Title Code No. 31626)**  
                         **Associate Inspector (Highways and Sewers)**  
                         **(Title Code No. 31645)**  
                         **Apprentice Inspector (Highways and Sewers)**  
                         **(Title Code No. 35007)**  
                         **Service Inspector (DOT) (Title Code No. 33765)**  
                         **Senior Service Inspector (DOT) (Title Code No. 33766)**

**Bargaining Representative:**

Law Enforcement Employees Benevolent Association  
277 Main Street  
Catskill, NY 12414