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State of New York Public Employment Relations Board Decisions from January 7, 1974

New York State Public Employment Relations Board

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State of New York Public Employment Relations Board Decisions from January 7, 1974

Keywords

NY, NYS, New York State, PERB, Public Employee Relations Board, board decisions, labor disputes, labor relations

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STATE OF NEW YORK
PUBLIC EMPLOYMENT RELATIONS BOARD

#2A-1/7/74

In the Matter of :
: :
YORKTOWN CONGRESS OF TEACHERS : BOARD DECISION
: AND ORDER
: :
upon the Charge of Violation of :
Section 210.1 of the Civil Service Law : CASE NO. D-0082
: :
:

On September 28, 1973, Eric Rosenfeld, Esq., Chief Legal Officer of the Board of Education, Yorktown Central School District No. 2, Yorktown Heights, New York, filed a charge alleging that the Yorktown Congress of Teachers violated CSL §210.1 in that it engaged in a strike at all of the seven schools of the District on every school day from Monday, September 17, 1973 through the date of the charge. On December 12, 1973, Mr. Rosenfeld filed a supplementary charge alleging that the strike continued for nineteen (19) days through and including October 12, 1973. Neither the charge nor the supplementary charge alleged what impact, if any, the strike had.

The Yorktown Congress of Teachers filed no answer to the charge or the supplementary charge and, at a hearing held on December 18, 1973, it stated that it will not contest them. At the hearing it was stipulated by Mr. Rosenfeld and the Yorktown Congress of Teachers that, by reason of the strike, no dues had been withheld on behalf of the Yorktown Congress of Teachers for the current school year commencing September 1, 1973. Both Mr. Rosenfeld and the Yorktown Congress of Teachers requested that any penalty that this Board might impose should reflect the fact that no dues have been deducted since September 1, 1973 and that the time elapsed between that date and the date of a Board decision should be deemed part of the penalty period. They also joined in a recommendation that the total period of the forfeiture of dues deduction should be one year, commencing September 1, 1973 and terminating August 31, 1974, such period encompassing 100% of the annual dues of the members of the Yorktown Congress of Teachers.

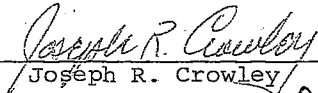
WE FIND that the Yorktown Congress of Teachers violated CSI §210.1 in that it engaged in a strike as charged. On the basis of the charge unanswered, we determine that the recommended penalty is a reasonable one.

WE ORDER that the dues deduction privileges of the Yorktown Congress of Teachers be suspended for a period of one year commencing September 1, 1973 and extending through August 31, 1974; provided, however, that until the Yorktown Congress of Teachers affirms that it no longer asserts the right to strike against any government, no dues shall be deducted thereafter on its behalf by the Board of Education of Yorktown Central School District No. 2.

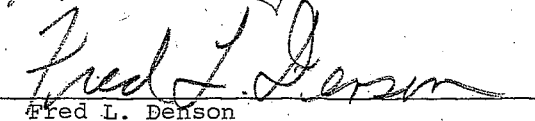
Dated: January 7, 1974
New York, New York



Robert D. Helsby, Chairman.



Joseph R. Crowley



Fred L. Denson

STATE OF NEW YORK
PUBLIC EMPLOYMENT RELATIONS BOARD

In the Matter of :
HUNTINGTON UNION FREE SCHOOL DISTRICT, : #2B-1/7/74
Employer, :
- and - :
LOCAL 100, SERVICE EMPLOYEES :
INTERNATIONAL UNION, AFL-CIO, : Case No. C-1002
Petitioner, :
- and - :
CIVIL SERVICE EMPLOYEES ASSOCIATION, INC. :
Intervenor. :

CERTIFICATION OF REPRESENTATIVE AND ORDER TO NEGOTIATE

A representation proceeding having been conducted in the above matter by the Public Employment Relations Board in accordance with the Public Employees' Fair Employment Act and the Rules of Procedure of the Board, and it appearing that a negotiating representative has been selected;

Pursuant to the authority vested in the Board by the Public Employees' Fair Employment Act,

IT IS HEREBY CERTIFIED that LOCAL 100, SERVICE EMPLOYEES INTERNATIONAL UNION, AFL-CIO

has been designated and selected by a majority of the employees of the above named public employer, in the unit described below, as their exclusive representative for the purpose of collective negotiations and the settlement of grievances.

Unit:

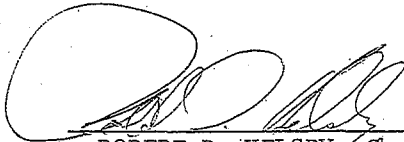
Included: All full time custodial, maintenance, grounds and matron personnel as follows: chief custodians, head custodians, head tradesmen, custodians, groundsmen, painters, plumbers, electricians, carpenters and matrons.

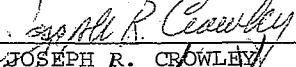
Excluded: All other employees.

Further, IT IS ORDERED that the above named public employer shall negotiate collectively with LOCAL 100, SERVICE EMPLOYEES INTERNATIONAL UNION, AFL-CIO

and enter into a written agreement with such employee organization with regard to terms and conditions of employment, and shall negotiate collectively with such employee organization in the determination of, and administration of, grievances.

Signed on the 7th day of January, 1974.


ROBERT D. HELSBY, Chairman


JOSEPH R. CROWLEY


FRED L. DENSON

STATE OF NEW YORK
PUBLIC EMPLOYMENT RELATIONS BOARD

In the Matter of : #2C-1/7/74
MUNICIPAL HOUSING AUTHORITY OF THE :
CITY OF SCHENECTADY, :
Employer, :
- and - : Case No. C-1007
COUNCIL 66, LOCAL 1037, AFSCME, :
AFL-CIO, :
Petitioner. :

CERTIFICATION OF REPRESENTATIVE AND ORDER TO NEGOTIATE

A representation proceeding having been conducted in the above matter by the Public Employment Relations Board in accordance with the Public Employees' Fair Employment Act and the Rules of Procedure of the Board, and it appearing that a negotiating representative has been selected;

Pursuant to the authority vested in the Board by the Public Employees' Fair Employment Act,

IT IS HEREBY CERTIFIED that Council 66, Local 1037, AFSCME, AFL-CIO

has been designated and selected by a majority of the employees of the above named public employer, in the unit described below, as their exclusive representative for the purpose of collective negotiations and the settlement of grievances.

Unit:

Included: All full time employees in the following job titles: Senior Maintenance Mechanic, Maintenance Mechanic and Maintenance Helper.

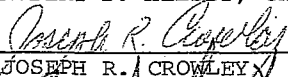
Excluded: All other employees of the employer.

Further, IT IS ORDERED that the above named public employer shall negotiate collectively with Council 66, Local 1037, AFSCME, AFL-CIO

and enter into a written agreement with such employee organization with regard to terms and conditions of employment, and shall negotiate collectively with such employee organization in the determination of, and administration of, grievances.

Signed on the 7th day of January , 19 74 .


ROBERT D. HELSBY, Chairman


JOSEPH R. CROWLEY


FRED L. DENSON