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Board (PERB)

3-4-1974

State of New York Public Employment Relations Board Decisions from March 4, 1974

New York State Public Employment Relations Board

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State of New York Public Employment Relations Board Decisions from March 4, 1974

Keywords

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STATE OF NEW YORK #2A-3/4/74
PUBLIC EMPLOYMENT RELATIONS BOARD

x

In the Matter of the

EAST IRONDEQUOIT TEACHERS ASSOCIATION :

BOARD DECISION &
ORDER.

Upon the Charge of Violation of Section
210.1 of the Civil Service Law. :

Case No. D-0086

x


On November 30, 1973, Martin L. Barr, Counsel to this Board filed a charge alleging that the East Irondequoit Teachers Association had violated Civil Service Law § 210.1 in that it caused, instigated, encouraged, condoned and engaged in a strike against the East Irondequoit Central School District for fifteen days, commencing October 29, 1973 and concluding on November 16, 1973. The charge alleged that the strike was authorized by the members of the East Irondequoit Teachers Association at a membership meeting held on or about October 28, 1973.

The East Irondequoit Teachers Association submitted an answer to the charge constituting a general denial and including affirmative defenses, but on February 4, 1974 it withdrew the answer following discussions with the charging party and the East Irondequoit Central School District. Simultaneous with withdrawing its answer and agreeing not to contest the charge, the East Irondequoit Teachers Association joined with the Charging Party in recommending a penalty of loss of dues check-off privileges for eleven months, commencing May 1, 1974, which, by virtue of the fact that no dues are deducted during July and August, constitutes ninety per cent (90%) of the yearly dues of the East Irondequoit Teachers Association. On the basis of the charge unanswered, we determine that the recommended penalty is a reasonable one.

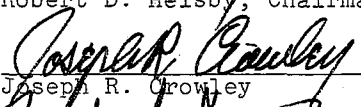
We find that the East Irondequoit Teachers Association violated CSL §210.1 in that it engaged in a strike as charged.

WE ORDER that the dues deduction privileges of the East Irondequoit Teachers Association be suspended for a period commencing May 1, 1974 and extending through March 31, 1975; provided, however, that until the East Irondequoit Teachers Association affirms that it no longer asserts the right to strike against any government, no dues shall be deducted thereafter on its behalf by the East Irondequoit Central School District.

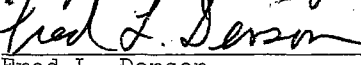
Dated: March 4, 1974
Albany, New York



Robert D. Helsby, Chairman



Joseph R. Crowley



Fred L. Denson

STATE OF NEW YORK
PUBLIC EMPLOYMENT RELATIONS BOARD

In the Matter of : #2B-3/4/74
GREENVILLE FIRE DISTRICT, :
Employer, :
- and - :
OFFICERS OF THE GREENVILLE FIRE : Case No. C-0954
DISTRICT, :
Petitioner, :
- and - :
GREENVILLE UNIFORMED FIREMEN'S :
ASSOCIATION, :
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 OFFICERS OF THE GREENVILLE FIRE DISTRICT

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 captains and the assistant chief.

Excluded: All other employees.

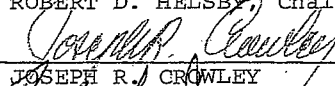
Further, IT IS ORDERED that the above named public employer shall negotiate collectively with OFFICERS OF THE GREENVILLE FIRE DISTRICT

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.

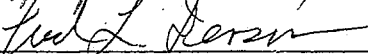
Signed on the 4th day of March, 1974.



ROBERT D. HELSBY, Chairman



JOSEPH R. CROWLEY



FRED L. DENSON

STATE OF NEW YORK
PUBLIC EMPLOYMENT RELATIONS BOARD

In the Matter of : #2C-3/4/74
SAUGERTIES CENTRAL SCHOOL DISTRICT, :
Employer, :
-and- : Case No. C-1006
AIDE, CAFETERIA AND CLERICAL :
ASSOCIATION, :
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 AIDE, CAFETERIA AND CLERICAL ASSOCIATION

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:

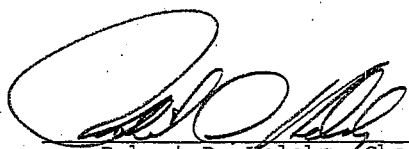
Included: All employees in the following job titles: teacher aide, library clerk, audio-visual aide, cook, ass't. cook, food service helper, cashier, typist, stenographer, account clerk, senior stenographer, senior account clerk and cafeteria monitor.

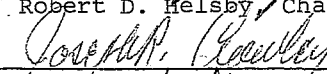
Excluded: A senior stenographer who performs duties as secretary to the Sup't, a stenographer who performs duties as the Clerk of the Board of Education, a senior account clerk who performs duties as the ass't. to the business manager and all other employees of the employer.

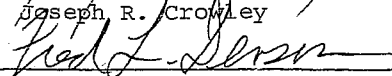
Further, IT IS ORDERED that the above named public employer shall negotiate collectively with AIDE, CAFETERIA AND CLERICAL ASSOCIATION

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 4th day of March , 1974 .


Robert D. Helsby, Chairman


Joseph R. Crowley


Fred L. Denson

STATE OF NEW YORK
PUBLIC EMPLOYMENT RELATIONS BOARD

In the Matter of : #2D-3/4/74
CENTRAL ISLIP BOARD OF EDUCATION, :
UNION FREE SCHOOL DISTRICT NO. 13, :
TOWN OF ISLIP, :
Employer, : Case No. C-1019
-and- :
CENTRAL ISLIP TEACHERS ASSOCIATION, :
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 CENTRAL ISLIP TEACHERS ASSOCIATION

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 members of teaching staff on tenure, probation, or interim appointment including coaches.

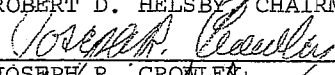
Excluded: Principals, Vice Principals, Asst. Principals, Directors, Instructional Coordinators, Psychologists and members of Central Administration and all employees represented by Civil Service Employees Association.

Further, IT IS ORDERED that the above named public employer shall negotiate collectively with CENTRAL ISLIP TEACHERS ASSOCIATION

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 4th day of March, 1974.


ROBERT D. HELSBY, CHAIRMAN


JOSEPH R. CROWLEY


FRED L. DENSON

February 27, 1974

#4B-3/4/74

MEMORANDUM TO THE BOARD

FROM: Harold R. Newman

As you are aware, our caseload in mediation and fact-finding declined some ninety cases in 1973 over the previous year. In addition, we are launching a program for the training of women and minorities as mediators and fact-finders. The caseload is not likely to increase in 1974 over 1973 because the situation which essentially brought about the decline in multi-year contracts will, according to Dr. Joyner's forecast, stabilize the caseload.

In view of the foregoing and in order to insure that some cases can be provided both for our present panel and for those we plan to train, I would urge that we formally close the panels to further applicants, except for those few who are currently going out with panel and staff in preparation for admission to panel.

This would not preclude admission for the rare individual whom the Board might wish to admit, as was the case with David Morse retired from the International Labor Office. Further, if our forecasts of caseload prove to be inaccurate, applications can be held on file and I can interview those prospects who seem to have the best potential. This could be done once or twice a year.

Attached is a draft of a letter which I would propose to send to new panel applicants.

HRN:tn

Dear _____:

I sincerely appreciate your interest in PERB's (mediation, fact-finding, arbitration) panel.

Under recently established Board policy, we have concluded that our present panels are adequate for our current caseload as well as that anticipated over the next year. Therefore, we will probably not appoint new panelists this year.

It is the Board's anticipation that at least each year, probably during the months of January and February, an updated evaluation will be made of the anticipated workload, the adequacy of each of the panels, including geographic adequacy. If it is concluded that additional panelists are needed the credentials of the applicants on file will be given careful screening, interviews conducted, and recommendations made to the Board. Only upon acceptance by a majority of the Board will additional members be added to the panels. It is anticipated that new panelists who are approved by the Board will be asked to attend an orientation and training session of approximately one week's duration.

Your credentials will be kept on file and toward the later part of this year we will be in touch with you further as to whether you have the continuing desire for membership on the PERB panels. If so your credentials will be given careful consideration under the procedure outlined above.

Sincerely

Harold R. Newman
Director of Conciliation