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Board (PERB)

3-9-1977

State of New York Public Employment Relations Board Decisions from March 9, 1977

New York State Public Employment Relations Board

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State of New York Public Employment Relations Board Decisions from March 9, 1977

Keywords

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STATE OF NEW YORK
PUBLIC EMPLOYMENT RELATIONS BOARD

#2A-3/9-10/77

In the Matter of :
GRIFFITH INSTITUTE AND CENTRAL SCHOOL :
FACULTY ASSOCIATION, LOCAL 2696, AFT, : BOARD DECISION AND ORDER
NYSUT :
upon the Charge of Violation of : Case No. D-0107
Section 210.1 of the Civil Service :
Law :

This matter comes to us on the application of the Griffith Institute and Central School Faculty Association, Local 2696, AFT, NYSUT, for restoration of its dues deduction privileges which had been suspended indefinitely on December 5, 1975. At that time, we determined that said Association had violated CSL Section 210.1 by engaging in a strike against the Springville-Griffith Institute Central School District on September 15, 16, 17, 18 and 19, 1975. We ordered that its dues deduction privileges should be suspended "provided that the Griffith Institute and Central Faculty Association, Local 2696, AFT, NYSUT may apply to this Board for the restoration of such dues deduction privileges, such application to be on notice to all interested parties and supported by proof of good faith compliance with subdivision one of Section 210 of the Civil Service Law since the violation herein found, and accompanied by an affirmation that it no longer asserts the right to strike against any government as required by the provisions of the Civil

Service Law §210.3(g)."

The Griffith Institute and Central School Faculty Association has submitted an affirmation that it does not assert the right to strike against any government, and we have ascertained that it has not engaged in, caused, instigated, encouraged, condoned or threatened a strike against the Springville-Griffith Institute Central School District during the preceding twelve months,

NOW, THEREFORE, WE ORDER that the indefinite suspension of the dues deduction privileges of the Griffith Institute and Central School Faculty Association be and hereby is terminated.

DATED: Albany, New York
March 9, 1977



ROBERT D. HELSBY, Chairman

DID NOT PARTICIPATE
JOSEPH R. CROWLEY


IDA KLAUS

NEW YORK STATE PUBLIC EMPLOYMENT RELATIONS BOARD

In the Matter of the : Case No. D-0140

AMALGAMATED TRANSIT UNION, LOCAL DIVISION 1283 : BOARD DECISION
AND ORDER

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

On November 22, 1976, Martin L. Barr, Counsel to this Board, filed a charge alleging that the Amalgamated Transit Union, Local Division 1283, had violated Civil Service Law (CSL) §210.1 in that it caused, instigated, encouraged, condoned, and engaged in a two-day strike against the Capital District Transportation Authority, and the Capital District Transit System, Capital District, Inc. on October 13 and 14, 1976.


The Amalgamated Transit Union, Local Division 1283 filed an answer but thereafter agreed to withdraw it, thus admitting to all of the allegations of the charge. The charging party recommends a penalty of loss of dues check-off privileges for four (4) months, which the union accepts.

On the basis of the unanswered charge, we determine that the recommended penalty is a reasonable one.

We find that the Amalgamated Transit Union, Local Division 1283 violated CSL §210.1 in that it engaged in a strike as charged.

WE ORDER that the dues deduction privileges of the Amalgamated Transit Union, Local Division 1283 be suspended, commencing on the first practicable date, so that no further dues be deducted by the Capital District Transportation Authority and the Capital District Transit System, Capital District, Inc. on its behalf for a period of four (4) months. Thereafter, no dues shall be deducted on its behalf by the Capital District Transportation Authority and the Capital District Transit System, Capital District, Inc. until the Amalgamated Transit Union, Local Division 1283 affirms that it no longer asserts the right to strike against any government as required by the provisions of CSL §210.3(g).

DATED: Albany, New York
March 9th, 1977



ROBERT D. HELSBY, Chairman

DID NOT PARTICIPATE
JOSEPH R. CROWLEY



IDA KLAUS

Excluded: Persons employed in the following positions: Secretary to the District Principal, Clerk of the Board of Education, School District Treasurer, School Physician, School Attorney, Monitor, Teacher Aide, Teacher Assistant, Typist, Clerk, Bookkeeping Machine Operator, Account Clerk, Account Clerk-Typist, Senior Account Clerk, Stenographer, Senior Stenographer, other clerical employees, Cafeteria Manager, Maintenance Supervisor, Head Bus Driver, Head Mechanic, and Head Custodian. Also excluded from this recognition are all casual, temporary and substitute personnel as well as all administrative and instructional personnel employed by the District.

STATE OF NEW YORK
PUBLIC EMPLOYMENT RELATIONS BOARD

In the Matter of : #2C-3/9-10/77
WEST HEMPSTEAD UNION FREE SCHOOL :
DISTRICT, :
Employer, :
-and- :
WEST HEMPSTEAD AIDES ASSOCIATION, : CASE NO. C-1421
NYSUT, :
Petitioner, :
-and- :
WEST HEMPSTEAD UNIT OF AIDES, NASSAU :
COUNTY CHAPTER, C.S.E.A., 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 West Hempstead Aides Association, NYSUT 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 teacher aides.


Excluded: All other employees.

Further, IT IS ORDERED that the above-named public employer shall negotiate collectively with West Hempstead Aides Association, NYSUT, 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 9th day of March, 1977.


ROBERT D. HELSBY, CHAIRMAN

DID NOT PARTICIPATE
JOSEPH R. CROWLEY


IDA KLAUS

STATE OF NEW YORK
PUBLIC EMPLOYMENT RELATIONS BOARD

In the Matter of : #2D-3/9-10/77
UNION SPRINGS CENTRAL SCHOOL DISTRICT, :
Employer, :
-and- : CASE NO. C-1435
UNION SPRINGS CENTRAL SCHOOL DISTRICT :
UNIT, CAYUGA COUNTY CHAPTER, CIVIL :
SERVICE EMPLOYEES ASSOCIATION, INC., :
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 Union Springs Central School District Unit, Cayuga County Chapter, Civil Service Employees Association, Inc. 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: Persons employed on a regular basis in the following positions: Cleaner, Custodian, Building Maintenance Mechanic, Bus Driver, Bus Driver/Mechanic, Bus Driver/Groundsman, Bus Driver/Custodian, Cook, Assistant Cook, Food Service Worker and Laundry Worker. Also included in the unit are other regularly employed service unit personnel in the following departments: Repair and Maintenance, Food Service and Transportation.


Excluded: See Attached.

Further, IT IS ORDERED that the above-named public employer shall negotiate collectively with Union Springs Central School District Unit, Cayuga County Chapter, Civil Service Employees Association, Inc. 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 9th day of March, 1977.


ROBERT D. HELSBY, CHAIRMAN

DID NOT PARTICIPATE
JOSEPH R. CROWLEY


IDA KLAUS.

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STATE OF NEW YORK
PUBLIC EMPLOYMENT RELATIONS BOARD

In the Matter of : #2E-3/9-10/77
HORSEHEADS CENTRAL SCHOOL DISTRICT, :
Employer, :
-and- :
HORSEHEADS PROFESSIONAL EDUCATORS : CASE NO. C-1440
ASSOCIATION, NYEA-NEA, :
Petitioner, :
-and- :
HORSEHEADS TEACHERS ASSOCIATION, :
NYSUT 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 Horseheads Teachers Association, NYSUT

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 non-supervisory professional personnel employed by the employer who are paid according to the teachers pay schedule including Classroom Teachers, Speech and Hearing Therapists, Guidance Counselors; Resource Room Teachers; Attendance Teachers; Audiologists; Remedial Teachers, All special teachers; Psychologists, Reading Specialists and including Part-time teachers hired for a term or more.

Excluded: Substitute teachers; Part-time teachers hired for less than one term, and, all others.

Further, IT IS ORDERED that the above-named public employer shall negotiate collectively with Horseheads Teachers Association, NYSUT.

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.

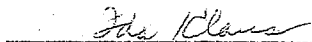
Signed on the 9th day of March, 1977.



ROBERT D. HELSBY, CHAIRMAN

DID NOT PARTICIPATE

JOSEPH R. CROWLEY



IDA KLAUS

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