

VERMONT LABOR RELATIONS BOARD

NEW ENGLAND POLICE	)	
BENEVOLENT ASSOCIATION	)	
	)	
and	)	
	)	
AFSCME COUNCIL 93, LOCAL 3797,	)	DOCKET NO. 13-10
AFL-CIO	)	
	)	
and	)	
	)	
TOWN OF NORWICH	)	

ORDER

On April 2, 2013, the New England Police Benevolent Association filed a Petition for Election of Collective Bargaining Representative seeking to represent “all police officers, and the Administrative Secretary in the Norwich Police Department, and all Public Works Equipment Operators, excluding the Chief of Police, and one custodian”. In response to the petition, AFSCME Council 93, Local 3797, AFL-CIO, the present exclusive bargaining representative of Town of Norwich employees, indicated that a question of unit determination existed because the New England Police Benevolent Association petitioned for a bargaining unit that excludes the custodian, and the building maintenance custodian is in the existing bargaining unit. Subsequently, the New England Police Benevolent Association agreed that the custodian should be included in the bargaining unit of employees eligible to vote in an election.

AFSCME Council 93, Local 3797, AFL-CIO; the New England Police Benevolent Association and the Town of Norwich agreed to the conducting of a representation election among all public works equipment operators, the building maintenance custodian, the administrative secretary in the Police Department, and all

police officers, excluding the Chief of Police, employed by the Town of Norwich to determine whether they desire to be represented for exclusive bargaining purposes by AFSCME Council 93, Local 3797, AFL-CIO; the New England Police Benevolent Association; or neither.

On May 21, 2013, Labor Relations Board Executive Director Timothy Noonan conducted an election among the above-described employees in the conference room in Tracy Hall, the Town of Norwich Municipal Building. Rich Boucher, President of AFSCME Council 93, Local 3797, AFL-CIO, was present as an election observer for this union. Sean McArdle of the New England Police Benevolent Association observed part of the election for the Association. The Town of Norwich had no observer present during election balloting; Town Manager Neil Fulton observed the counting of ballots.

Employees were asked if they desire to be represented for exclusive bargaining purposes by AFSCME Council 93, Local 3797, AFL-CIO; the New England Police Benevolent Association; or neither. Eight of nine eligible employees voted. The results were:

AFSCME Council 93, Local 3797, AFL-CIO	0
New England Police Benevolent Association	7
Neither	0
Spoiled Ballot	1

As a result of this election, it is ordered:

- 1) The New England Police Benevolent Association is certified as the exclusive bargaining representative of all public works equipment operators, the building maintenance custodian, the administrative secretary

in the Police Department, and all police officers, excluding the Chief of Police, employed by the Town of Norwich, effective July 1, 2013; and

- 2) AFSCME Council 93, Local 3797, AFL-CIO is decertified as the exclusive bargaining representative of these employees effective July 1, 2013.

Dated this 10th day of June, 2013, at Montpelier, Vermont.

VERMONT LABOR RELATIONS BOARD

/s/ Richard W. Park

By: Richard W. Park, Chairperson