

VERMONT LABOR RELATIONS BOARD

|                          |   |                 |
|--------------------------|---|-----------------|
| SOUTH BURLINGTON POLICE  | ) |                 |
| OFFICERS ASSOCIATION     | ) |                 |
|                          | ) |                 |
| and                      | ) | DOCKET NO. 88-2 |
|                          | ) |                 |
| CITY OF SOUTH BURLINGTON | ) |                 |

ORDER OF CERTIFICATION

On March 24, 1988, the South Burlington Police Officers Association ("Association") filed a Petition for Election of Collective Bargaining Representative. Therein, the Association requested that the present bargaining unit of patrol officers, detectives and corporals of the South Burlington Police Department represented by the Association be expanded to include lieutenants, sergeants, dispatchers and secretaries of the Police Department.

The City of South Burlington ("Employer") raised various questions of unit determination, and an evidentiary hearing was held in the Labor Relations Board hearing room on August 25, 1988. At the hearing, the parties agreed to the inclusion of the dispatchers and the records secretary of the Police Department in the bargaining unit. The parties further agreed that the secretary to the police chief was excluded from the bargaining unit as a confidential employee and that the sergeant in the Bureau of Criminal Investigation Unit was excluded as a supervisory employee. As a result, the only remaining dispute was whether the sergeants and lieutenants of the Police Department should be included in the bargaining unit. The Employer contended that the sergeants and lieutenants should be excluded as supervisory employees.

The Board issued Findings of Fact, Opinion and Order on November 21, 1988. The Board concluded that the lieutenants and patrol sergeants are supervisory employees and, thus, ineligible to be included in a bargaining unit. The Board concluded that the sergeant who serves as the juvenile and community relations officer is not a supervisory employee and is appropriately included in the bargaining unit. The Board ordered that a representation election be conducted among the sergeant who serves as the juvenile and community relations officer, the dispatchers and the records secretary of the Police Department to determine whether the employes wished to be represented by the Association.

Labor Relations Board Member William Kemsley, Sr., conducted an election on January 3, 1989, in the Conference Room in the South Burlington Municipal Offices. No observers were present. Four of the five eligible employees voted. The results of the election were:

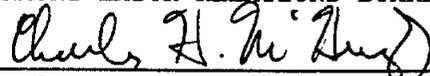
|  |   |
|--|---|
| South Burlington Police Officers Association | 3 |
| No Union                                     | 1 |

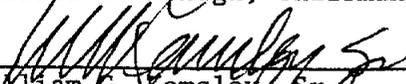
As a result of this election, it is hereby ORDERED:

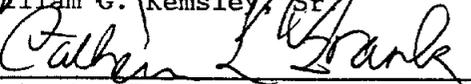
The South Burlington Police Officers Association is CERTIFIED as the exclusive bargaining representative of the sergeant who serves as the juvenile and community relations officer, the dispatchers and the records secretary employed by the South Burlington Police Department, and such employees are added to the bargaining unit of South Burlington Police Department employees represented by the South Burlington Police Officers Association.

Dated this 17<sup>th</sup> day of January, 1989, at Montpelier, Vermont.

VERMONT LABOR RELATIONS BOARD

  
Charles H. McHugh, Chairman

  
William G. Kemsley, Sr.

  
Catherine L. Frank