

VERMONT LABOR RELATIONS BOARD

LOCAL 1369, AFSCME, AFL-CIO	)	
	)	
and	)	DOCKET NO. 88-37
	)	
TOWN OF BARRE	)	

ORDER OF CERTIFICATION

On August 18, 1988, Local 1369, AFSCME, AFL-CIO ("Union") filed a Petition for Election of Collective Bargaining Representative, requesting that the present bargaining unit of Town of Barre Department of Public Works ("DPW") employees represented by the Union be expanded to include the patrol officers, sergeants and dispatchers of the Town of Barre Police Department.

On September 8, 1988, the Town of Barre ("Town") filed an answer to the petition, raising various questions of unit determination and representation.

Hearings were held before the Labor Relations Board on November 10 and 21, 1988. At the November 10 hearing, the parties stipulated and agreed as follows:

1. that the Union withdrew the request to include within the unit the Town Manager's secretary, whose duties include dispatching for the Police Department;
2. that the Town withdrew its claim that the dispatcher/ clerk/typist was a part-time employee as defined in the Municipal Employee Relations Act;
3. that the Town withdrew its request that the Board determine if the police officers were professional employees, that determination being unnecessary because the parties had agreed that, in the event of a final decision determining that it is appropriate to include police officers in the bargaining unit with DPW employees, no police officer shall be included in the unit with DPW employees unless a majority of police officers vote for inclusion in such unit; and

4. that the Town withdrew its request that the DPW employees vote on the question of whether the DPW employees wish to be organized into the proposed bargaining unit.

As a result, the central issue remaining for the Board to decide was whether the proposed bargaining unit was appropriate, or whether the appropriate units are the present DPW Unit and a separate unit consisting of police department employees.

The Board issued Findings of Fact, Opinion and Order on January 6, 1989. The Board concluded that the police officers, sergeant and police dispatcher/clerk/typist can be appropriately included in the present DPW bargaining unit represented by the Union. The Board ordered that a unit determination and representation election be conducted among those police department employees to determine whether they wished to be represented by the Union or no union, and to determine whether they wished to be included in a bargaining unit with the DPW employees.

Timothy Noonan, Board Executive Director, conducted an election on March 6, 1989, in the Selectmen's Room, Town of Barre Municipal Building, Websterville, Vermont. Ralph Crippen, Union Representative, observed the election for the Union. Nathaniel Tupper, Town Manager, was present during part of the election. Four of the five eligible employees voted. The Employees voted 4-0 to be included in a bargaining unit with DPW employees and 4-0 to be represented by the Union.

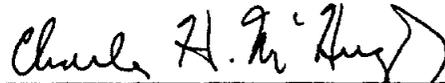
As a result of this election, it is hereby ORDERED:

Local 1369, AFSCME, AFL-CIO is CERTIFIED as the exclusive bargaining representative of the police officers,

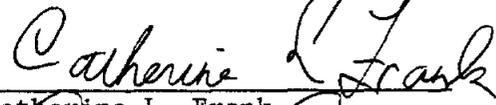
sergeant and police dispatcher/clerk/typist employed by the Town of Barre Police Department, and such employees are added to the bargaining unit of Town of Barre Department of Public Works employees represented by Local 1369, AFSCME, AFL-CIO.

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

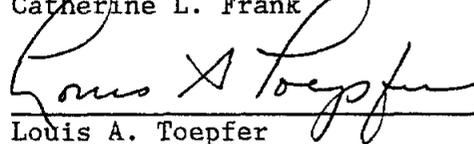
VERMONT LABOR RELATIONS BOARD



Charles H. McHugh, Chairman



Catherine L. Frank



Louis A. Toepfer