

VERMONT LABOR RELATIONS BOARD

LOCAL 1343, AFSCME,)	
AFL-CIO)	
)	
and)	DOCKET NO. 96 - 66
)	
TOWN OF SHELBURNE)	

ORDER OF CERTIFICATION

On July 24, 1996, Local 1343, AFSCME, AFL-CIO ("Union"), filed a Petition for Election of Collective Bargaining Representative to expand its bargaining unit of all eligible Police Department employees employed by the Town of Shelburne ("Employer"); certified by the Vermont Labor Relations Board on June 10, 1993 (Docket No. 93-15); to add all Highway, Sewer, Building and Grounds, Water, Finance and Recreation Department employees employed by the Employer.

On October 7, 1996, the Employer responded to the petition and raised the following three objections to the proposed bargaining unit: 1) there should be two bargaining units because there is no community of interest among the police officers and the employees the Union proposed to add to the existing bargaining unit; 2) the Highway, Sewer, Water, and Recreation Department heads are not eligible for inclusion in the unit because they are supervisory employees; and 3) the two Finance Department employees are not eligible for inclusion in the unit because they are confidential employees. On November 14, 1996, the Employer withdrew its objection to there being one bargaining unit; the Employer also withdrew its objection to including the two Finance Department employees and the Water Department head in the expanded unit.

A hearing on the remaining unit determination issues was held on December 5, 1996, in the Board hearing room in Montpelier before Board Members Catherine Frank, Chairperson; Carroll Comstock and Richard Park. On February 6, 1997, the Board issued Findings of Fact, Opinion and Order. 20 VLRB 15. Therein, the Board determined that the recreation director, the Sewer Department chief operating engineer and the Highway Department superintendent are supervisory employees. Id.

On March 6, 1997, Linda McIntire, Legal Assistant/Election Officer for the Vermont Labor Relations Board, conducted an election in the town conference room, Town Office Building, Shelburne, Vermont. Union President Lindol Atkins, Jr. observed the election and the counting of the ballots for the Union; Town Manager William Finger observed the counting of the ballots for the Employer. All twelve eligible employees voted. Employees were asked if they wished to be represented for exclusive bargaining purposes by Local 1343, AFSCME, AFL-CIO. The results of the election were:

Yes	8
No	4

As a result of this election, it is hereby ORDERED that Local 1343, AFSCME, AFL-CIO is CERTIFIED as the exclusive bargaining representative of all full time employees in the Highway, Sewer, Building and Grounds, Water and Finance Departments; excluding the recreation director, Sewer Department chief operating engineer and the Highway Department superintendent, employed by the Town of Shelburne; and such employees are added to the existing bargaining unit of

all eligible Police Department employees employed by the Town of Shelburne and represented by Local 1343, AFSCME, AFL-CIO.

Dated this 27th day of March, 1997, at Montpelier, Vermont.

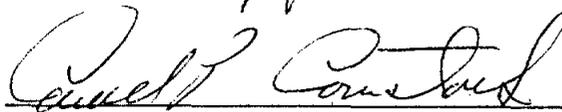
VERMONT LABOR RELATIONS BOARD



Catherine L. Frank, Chairperson



Louis A. Toepfer



Carroll P. Comstock