

VERMONT LABOR RELATIONS BOARD

INTERNATIONAL UNION OF)	
OPERATING ENGINEERS LOCAL 98)	
)	
and)	DOCKET NO. 08-45
)	
CITY OF MONTPELIER)	

ORDER

On October 10, 2008, the International Union of Operating Engineers Local 98 (“Union”) filed a Petition for Election of Collective Bargaining Representative, seeking to represent the employees of the City of Montpelier Wastewater Treatment Facility and add them to the existing bargaining unit of Department of Public Works employees represented by the Union.

In response to the petition, the City of Montpelier (“Employer”) contended that the Chief Operator and Chemist/Assistant Chief Operator of the Wastewater Treatment Facility should be excluded from the proposed addition to the bargaining unit as supervisory employees. The parties resolved the unit determination issues in dispute by agreeing that the Chief Operator shall be excluded from the proposed addition to the bargaining unit as a supervisory employee and the Chemist/Assistant Chief Operator shall be included in the proposed addition to the unit.

On January 6, 2009, Labor Relations Board Executive Director Timothy Noonan conducted an election in the lunch room of the Montpelier Wastewater Treatment Facility among all employees of the City of Montpelier Wastewater Treatment Facility except the Chief Operator. Montpelier City Manager William Fraser was present as an observer for the Employer. Robert “Bert” Russo, International Representative and Vice President of the Union, observed for the Union. Employees were asked if they wished to be

represented for exclusive bargaining purposes by International Union of Operating Engineers Local 98. The results of the election were:

Yes 4

No 1

As a result of this election, it is ordered that International Union of Operating Engineers Local 98 is certified as the exclusive bargaining representative of all employees of the City of Montpelier Wastewater Treatment Facility except the Chief Operator, and such employees are added to the existing bargaining unit of Department of Public Works employees represented by the Union.

Dated this 23rd day of January, 2009, at Montpelier, Vermont.

VERMONT LABOR RELATIONS BOARD

/s/ Edward R. Zuccaro

By: _____
Edward R. Zuccaro, Chairperson