

VERMONT LABOR RELATIONS BOARD

PETITION FOR DECERTIFICATION)	
OF COLLECTIVE BARGAINING)	
REPRESENTATIVE (RE: TOWN)	DOCKET NO. 09-25
OF HARDWICK PUBLIC)	
WORKS EMPLOYEES))	

ORDER OF DECERTIFICATION

Whereas, Town of Hardwick Public Works employees Brent Hodgdon and Perley Allen (“Petitioners”) filed a petition on August 14, 2009, seeking to decertify Local 2413, AFSCME, AFL-CIO (“Union”), as the exclusive bargaining representative of the Town of Hardwick Public Works employees; and

Whereas, the Union and the Town of Hardwick (“Employer”) have agreed to waive the normal time period for filing a decertification petition of 90 to 60 days prior to the expiration date of the collective bargaining agreement pursuant to Section 33.2 of Labor Relations Board *Rules of Practice*; and

Whereas, the Union is willing to relinquish its certification of the representation of Town of Hardwick Public Works employees provided that it is understood that the Union will no longer be required to represent these employees for any purpose; and

Whereas Petitioners, the Union and the Employer have agreed that the Union shall be decertified as exclusive bargaining representative of the employees provided that all public works employees represented by the Union sign a document certifying by their signatures that: 1) they no longer desire to be represented for exclusive bargaining purposes by the Union; 2) they understand that, in the event the Vermont Labor Relations Board issues an order forthwith decertifying the Union as the exclusive bargaining representative of the employees, this means that effective as of the date of the Board order, the Union will no longer be required to represent such employees for any purpose from that date forward; 3) they understand that the terms of the existing collective bargaining agreement effective July 1, 2007 to June 30, 2010 (“Agreement”), are extended as to them for the duration of the Agreement in accordance with the letter attached to the document from Town Manager Rob Lewis to Labor Relations Board Executive Director Timothy Noonan dated September 29, 2009; and 4) they understand

that they are responsible for their own representation at their own expense in administering the terms of the Agreement which have been extended to them except that the Town of Hardwick shall pay for the full cost of arbitration of any grievance filed by employees; and

Whereas, all public works employees represented by the Union have signed such a document and filed it with the Labor Relations Board on October 8, 2009:

It is ordered: 1) Local 2413, AFSCME, AFL-CIO is decertified as the exclusive bargaining representative of Town of Hardwick Public Works employees effective as of the date of this order; and 2) the terms of the existing collective bargaining agreement which have been extended to Public Works employees set forth in the September 29, 2009, letter from Town Manager Rob Lewis to Labor Relations Board Executive Director Timothy Noonan shall remain in effect to June 30, 2010, or the effective date the Town of Hardwick and any successor exclusive bargaining representative of the employees enter into a collective bargaining agreement, whichever is earlier.

Dated this ____ day of October, 2009, at Montpelier, Vermont.

VERMONT LABOR RELATIONS BOARD

/s/ Edward R. Zuccaro

Edward R. Zuccaro, Chairperson

/s/ Leonard J. Berliner

Leonard J. Berliner

/s/ James C. Kiehle

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