

VERMONT LABOR RELATIONS BOARD

LOCAL 300, INTERNATIONAL)
BROTHERHOOD OF ELECTRICAL)
WORKERS)
)
and)
)
BURLINGTON ELECTRIC)
DEPARTMENT)

DOCKET NO. 94-63

ORDER

On October 20, 1994, Local 300, International Brotherhood of Electrical Workers ("Union") filed a Petition for Election of Collective Bargaining Representative seeking to represent certain employees employed by the Burlington Electric Department ("Employer").

On November 7, 1994, the Employer responded to the petition and raised questions of unit determination. Specifically, the Employer raised questions with respect to supervisory and confidential employees being included in the proposed bargaining unit, and overfragmentation due to exclusion of certain positions from the proposed bargaining unit. The Employer also identified certain employees as professional employees who should be provided the right to chose whether they wished to be included in a unit with non-professional employees. The Union amended its petition on November 23, 1994, by proposing the addition of certain employees to the bargaining unit.

On November 28, 1994, Timothy Noonan, Labor Relations Board Executive Director, met with the parties to seek to resolve unit determination issues in dispute. All issues were tentatively resolved. On December 14, 1994, the parties filed with the Labor

Relations Board a stipulation which resolved all issues of unit determination in dispute.

On January 18, 1995, the Labor Relations Board conducted an election among all eligible employees. Executive Director Noonan conducted an election at the McNeil Generating Station from 6:00 a.m. to 8:30 a.m.; Andrew Lavallee observed for the Union and Tom Carr observed for the Employer. All employees eligible to vote at this polling site were non-professional employees. Linda McIntire, Labor Relations Specialist for the Board, conducted an election at the Burlington Electric Department Distribution and Headquarters from 6:30 a.m. to 8:45 a.m.; Kathryn Booth observed for the Employer and Tim Watkins observed for the Union. Employees eligible to vote at this polling site included both professional employees and non-professional employees. One absentee ballot was cast.

The ballots were counted at 8:45 a.m. at the Burlington Electric Department Distribution and Headquarters. The ballots cast by the non-professional employees who voted at the McNeil Generating Station were commingled with the ballots cast by the non-professional employees who voted at the Burlington Electric Department Distribution and Headquarters. The counting of the ballots was observed by Kathryn Booth for the Employer and Tim Watkins for the Union.

Seven of the eight eligible professional employees cast ballots. The professional employees were given two ballots. On the first ballot, the employees were asked if they wished to be included in the same bargaining unit as the non-professional employees. The results were:

Yes 1

No 6

As a result of the professional employees voting not to be included in the same bargaining unit as the non-professional employees, their second ballots were not commingled with the non-professional employees. On the second ballot, the professional employees were asked if they wished to be represented by Local 300, International Brotherhood of Electrical Workers. The results of the second ballots cast by the professional employees were:

Yes 3

No 4

One hundred twelve (112) of the 113 eligible non-professional employees voted in the election. They were asked if they wished to be represented by Local 300, International Brotherhood of Electric Workers. The results of the election were:

Yes 66

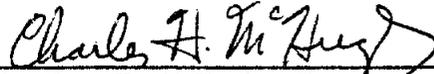
No 46

As a result of this election, it is hereby ORDERED that Local 300, International Brotherhood of Electrical Workers, is NOT CERTIFIED as the exclusive bargaining representative of all professional employees (i.e., Distribution Engineer, Engineer, Planning Engineer, Chief Engineer, Resource Planner, Commercial/Industrial Energy Services Engineer and Residential Energy Services Engineer) employed by the Burlington Electric Department.

Further, as a result of this election, it is hereby ORDERED that Local 300, International Brotherhood of Electrical Workers, is CERTIFIED as the exclusive bargaining representative of all non-professional employees employed by the Burlington Electric Department occupying positions set forth in Attachment A of this Order.

Dated this 2nd day of February, 1995. at Montpelier, Vermont.

VERMONT LABOR RELATIONS BOARD



Charles H. McHugh, Chairman



Leslie G. Seaver



Carroll P. Comstock

ATTACHMENT A

The following positions are included in the bargaining unit:

Administrator of Customer Services
Sr. Communications Specialist
Communications Specialist
Sr. Staff Accountant Financial Reporting
Accountant - McNeil
Accountant - Operating
Accounting Assistant
Sr. Program Analyst
Sr. Technical Specialist
Programmer Analyst
Associate Programmer/Analyst
Environmental Compliance Officer
Insurance Analyst
Load Research Analyst
DSM Analyst
Secretary of Resource Planning
Energy Services Intern
Environmental Specialist
Secretary of Production
Cad Technician
Working Crew Leader - Aerial
Rates and Financial Coordinator
Account Representative
Senior Customer Service Representative
Customer Service Representative
Customer Service Representative Entry Level
Messenger
Meter Reader
Collector
Administrator of Purchasing
Storekeeper - Operations
Administrator of Inventory
Administrator of Work Orders
Administrator of Accounts Payable
Administrator of Payroll
Administrator of Accounts Receivable
Sr. Business Systems Analyst
Administrator and Operations Support Specialist
Resource Planning Specialist
Administrator of Energy Services
Associate Energy Service Specialist
Chief Vehicle Mechanic

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ATTACHMENT A (Cont.)

Vehicle Mechanic
Stockroom Helper - Laborer
Engineering Aide
Power Systems Coordinator/Power Analyst
Power Systems Coordinator/Power Accountant
Power Systems Coordinator
Engineering Tech Communication
Engineering Tech Power
Electrician 2nd Class - Techs
Electrician 1st Class A - Techs
Electrician 1st Class B - Techs
Working Crew Leader - Metering
Electrician 1st Class A
Meter Specialist
Single Phase Meter Tester
Lineworker 1st Class A
Inspector/Working Crew Leader
Troubleshooter
Working Foreman - Distribution
Administrator of Risk Management
Water Treatment Specialist
Station Operator
Fireman
Yardworker
Working Foreman - Production
Chief Mechanic
Instrument Tech
Electrician 1st Class A - Production
Storekeeper - Production
Mechanic 1st Class A
Welder A
Administrator of Technical Services - Distribution
Administrator of Technical Services - Engineering
Project Planner
Underground Cable Locator
Electrician First Class B - Distribution
Ground Worker - Underground
Stock Room Helper
Janitor
Working Foreman - Underground
Cable Splicer
ROW/Line Ext/New Services Specialist