

VERMONT LABOR RELATIONS BOARD

NEW ENGLAND POLICE)	
BENEVOLENT ASSOCIATION)	
)	
and)	
)	DOCKET NO. 17-16
AFSCME COUNCIL 93)	
)	
and)	
)	
TOWN OF BENNINGTON)	

ORDER

On April 6, 2017, the New England Police Benevolent Association (“NEPBA”) filed a Petition for Election of Collective Bargaining Representative, seeking to represent all dispatchers, patrol officers, corporals, sergeants and the records clerk of the Bennington Police Department. The employees currently comprise a bargaining unit represented by AFSCME Council 93. In response to the petition, neither the Town of Bennington (“Employer”) nor AFSCME Council 93 asserted that a collective bargaining agreement barred an election or raised unit determination questions.

On May 3, 2017, AFSCME Council 93 informed the Labor Relations Board that it did not wish to appear on the election ballot in this matter. Accordingly, AFSCME Council 93 was not included on the election ballot pursuant to Section 33.11 of Labor Relations Board *Rules of Practice* which provides that “an incumbent bargaining representative . . . shall appear on the election ballot unless it disclaims any interest in remaining the representative of employees”.

On May 24, 2017, Labor Relations Board Executive Director Timothy Noonan conducted an election among the above-described employees in the Bennington Police Facility conference room, 118 South Street, Bennington, Vermont. Neither the NEPBA nor the Employer had an

observer present at the election. Employees were asked in the election whether they desire to be represented for exclusive bargaining purposes by the New England Police Benevolent Association. 21 of 28 eligible employees voted. The results of the election were:

Yes	21
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No	0
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As a result of this election, it is ordered:

1) AFSCME Council 93 is decertified as the exclusive bargaining representative of all dispatchers, patrol officers, corporals, sergeants and the records clerk of the Bennington Police Department effective July 1, 2017; and

2) The New England Police Benevolent Association is certified as the exclusive bargaining representative of all dispatchers, patrol officers, corporals, sergeants and the records clerk of the Bennington Police Department effective July 1, 2017.

Dated this 9th day of June, 2017, at Montpelier, Vermont.

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/s/ Richard W. Park

By: Richard W. Park, Acting Chairperson