

VERMONT LABOR RELATIONS BOARD

RIVENDELL EDUCATION)
ASSOCIATION/VERMONT-NEA/NEA)
)
and)
)
RIVENDELL BOARD OF SCHOOL)
DIRECTORS)

DOCKET NO. 03-4

ORDER OF CERTIFICATION

On February 6, 2003, the Rivendell Education Association/Vermont-NEA/NEA (“Association”) filed a petition for election of collective bargaining representative, seeking to represent for exclusive bargaining purposes all support staff (including kitchen workers, secretaries, paraeducators, custodians and any other support staff) employed by the Rivendell Board of School Directors (“Employer”). On February 20, 2003, the Employer and the Association requested that the Vermont Labor Relations Board retain jurisdiction in this matter. Subsequently, the parties filed materials in support of this request. On March 21, 2003, the Board notified the Employer and Association that the Board had decided it has jurisdiction of the petition.

On March 26, 2003, the Association filed an amended petition, describing in specific detail the employees that the Association proposed to include in the bargaining unit. On April 18, 2003, the Association filed another amended petition, revising the proposed bargaining unit. On that date, the Employer notified the Board that it agreed with this revised unit proposed by the Association and agreed to the conducting of a consent election.

The Association and Employer agreed that, with the exception of the employees noted in the following sentence, employees in the unit are all kitchen staff (including, but not limited to, head and assistant cooks), secretarial staff (including, but not limited to, all secretaries and administrative assistants), para-educators (including, but not limited to, librarian assistants,

special education tutors, behavioral specialists, special education assistants, special education assistants ECP, resource room tutors and instructional assistants), all custodian and maintenance employees (including, but not limited to, team leaders), all instructional support personnel (including, but not limited to, community based learning coordinators), and other support staff of the Employer who are not certified, confidential or supervisory. Employees excluded from the unit are Food Service Manager, Director of Operations, Administrative Assistant at the Rivendell Academy, and all central office employees (including, but not limited to, information technology specialists, grant writer, special education secretary, secretary, accounting clerk, executive assistant, personnel manager and Medicaid clerk).

On May 20, 2003, Board Executive Director Timothy Noonan and Board Clerk Janet Burrus conducted an election among these employees. Employees working at Rivendell Academy and Samuel Morey Elementary School voted in the library conference room of the Samuel Morey Elementary School in Fairlee, Vermont. Employees working at the Westshire Elementary School cast ballots in the conference room of the Westshire Elementary School in West Fairlee, Vermont. The ballots cast at the two locations were commingled and counted at the Samuel Morey Elementary School. The Employer and Association had no observers present during balloting. Rivendell School District Superintendent Noelle Vitt and Vermont-NEA Organizer Jason Serota-Winston observed the counting of ballots for the Employer and Association, respectively.

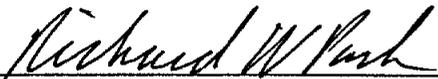
Employees were asked if they wished to be represented for exclusive bargaining purposes by the Rivendell Education Association/Vermont-NEA/NEA. Thirty of forty-three eligible employees voted. The results of the election were:

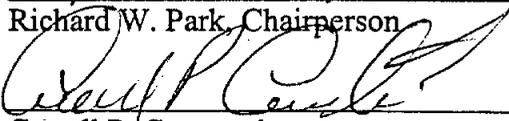
Yes	30
No	0

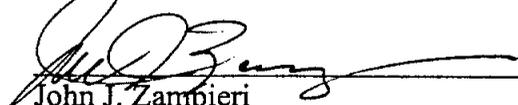
As a result of this election, it is ordered that, with the exception of the employees noted in the following sentence, the Rivendell Education Association/Vermont-NEA/NEA is certified as the exclusive bargaining representative of employees of the Rivendell Board of School Directors in a bargaining unit consisting of all kitchen staff (including, but not limited to, head and assistant cooks), secretarial staff (including, but not limited to, all secretaries and administrative assistants), para-educators (including, but not limited to, librarian assistants, special education tutors, behavioral specialists, special education assistants, special education assistants ECP, resource room tutors and instructional assistants), all custodian and maintenance employees (including, but not limited to, team leaders), all instructional support personnel (including, but not limited to, community based learning coordinators), and other support staff who are not certified, confidential or supervisory. Employees excluded from the unit are Food Service Manager, Director of Operations, Administrative Assistant at the Rivendell Academy, and all central office employees (including, but not limited to, information technology specialists, grant writer, special education secretary, secretary, accounting clerk, executive assistant, personnel manager and Medicaid clerk).

Dated this 5th day of June, 2003, at Montpelier, Vermont.

VERMONT LABOR RELATIONS BOARD


Richard W. Park, Chairperson


Carrol P. Comstock


John J. Zampieri