

VERMONT LABOR RELATIONS BOARD

GREEN MOUNTAIN-NEA (ESP UNIT)/)
VERMONT-NEA/NEA)
)
and)
)
MOUNT MANSFIELD UNION)
HIGH SCHOOL BOARD)

DOCKET NO. 04-35

ORDER OF CERTIFICATION

On August 17, 2004, the Green Mountain-NEA (ESP Unit)/Vermont-NEA/NEA (“Association”) filed a Petition for Election of Collective Bargaining Representative seeking to represent all paraeducators, library assistants, technology assistants, computer coordinators, drivers and secretaries employed by the Mount Mansfield Union High School Board at Mount Mansfield Union High School, Camels Hump Middle School and Browns River Middle School.

On September 2, 2004, the Employer filed a response to the petition, raising several unit determination questions. The parties informally resolved issues in dispute except the bargaining unit status of the Secretary to the Browns River Middle School Principal and the Secretary to the Camels Hump Middle School Principal. The Employer contended that the secretaries should be excluded from the bargaining unit as confidential and/or supervisory employees.

Subsequent to conducting a hearing on this issue, the Labor Relations Board issued Findings of Fact, Opinion and Order on December 16, 2004. The Board concluded that the Secretary to the Browns River Middle School Principal is a confidential employee and is not eligible to be included in the bargaining unit. The Board concluded that the Secretary to the Camels Hump Middle School Principal is not a confidential and/or supervisory employee and is eligible to be included in the bargaining unit. The Board ordered that a representation election be conducted among all paraeducators, library assistants, technology assistants, computer coordinators, drivers and secretaries employed by the Mount Mansfield Union High School Board at Mount Mansfield Union High School, Camels Hump Middle School and Browns River Middle School; with the exception of the Secretary to the Browns River Middle School Principal, the Mount

Mansfield Union High School Secretary/Office Manager, and the Mount Mansfield Union School District Technology Coordinator; to determine whether they wish to be represented by the Association. 27 VLRB 265.

On January 19, 2005, Labor Relations Board Executive Director Timothy Noonan and Clerk Janet Burrus conducted an election at Browns River Middle School, Camels Hump Middle School and Mount Mansfield Union High School. Employees were asked if they wished to be represented for exclusive bargaining purposes by the Green Mountain-NEA (ESP Unit)/Vermont-NEA/NEA. There were no observers present for the election. 21 of 27 eligible employees voted. The results of the election were:

Yes 18
No 3

As a result of this election, it is ordered that the Green Mountain-NEA (ESP Unit)/Vermont-NEA/NEA is certified as the exclusive bargaining representative of all paraeducators, library assistants, technology assistants, computer coordinators, drivers and secretaries employed by the Mount Mansfield Union High School Board at Mount Mansfield Union High School, Camels Hump Middle School and Browns River Middle School; with the exception of the Secretary to the Browns River Middle School Principal, the Mount Mansfield Union High School Secretary/Office Manager, and the Mount Mansfield Union School District Technology Coordinator.

Dated this 7th day of February, 2005, at Montpelier, Vermont.

VERMONT LABOR RELATIONS BOARD

By: /s/ Edward R. Zuccaro
Edward R. Zuccaro, Chairperson