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WILLIAM KEMSLEY, Commissioner
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Vermont Labor Relations Board

CUSTODIANS' ASSOCIATION OF THE]
ADDISON NORTHWEST SUPERVISORY]
UNION (VERGENNES ID, FERRIS-]
BURG and UNION HIGH SCHOOL),]
Petitioner]

- and -]

VERGENNES ID, FERRISBURG and]
UNION HIGH SCHOOL BOARDS OF]
SCHOOL DIRECTORS,]
Petitionees]

DOCKET #77-34R

ORDER OF CERTIFICATION

This matter came on for hearing before the Vermont Labor Relations Board under the provisions of 21 V.S.A., Section 1724 on 11 March 1977. The petitioners were represented by Richard D. Lang, VEA/UNISERV Representative, and the employers were represented by Harry S. Gale, Jr. and Mrs. Joy Tollender, Chairman, Vergennes ID and Addison Northwest Supervisory Union, and by David A. Potter, Superintendent of Schools. On 20 May 1977 the Board directed an election by secret ballot for each District separately in order to determine whether or not the custodians employed by the several districts wished to be represented for exclusive bargaining purposes by the Custodians' Unit, Addison Northwest Teachers Association, or No Union. Notice of Election was issued 23 May 1977, and copies were duly posted.

An election was held on Wednesday, 8 June 1977, between the hours of 1:00 P.M. and 2:00 P.M. in the Lobby of the

Vergennes Union High School. The election was conducted by William G. Kemsley, Sr., a member of the Board. Richard Lang was appointed observer in behalf of the petitioners and Sally Bushey observer in behalf of the petitionees. Initially there was an objection because the voting was to take place in the Lobby rather than in the Head Custodian's office, as set forth in the notice. This objection was waived.

It was agreed that the order would be followed and that the Districts should vote separately, the Board having ordered that one Lester Delphia, Vergennes Elementary School, would not be eligible to vote, having withdrawn his statement of interest. Mr. Lang objected to the order of the Board in regard to Mr. Delphia, but his objection was overruled. Superintendent Potter pointed out that since the date of the Notice of Election, two custodians employed by Vergennes Union High School District had been replaced by Stephen O'Bryan and by Gilbert Clark, a CETA employee. Mr. O'Bryan was permitted to vote without objection, but Superintendent Potter objected to the right of Mr. Clark to vote, and he was declared ineligible by Mr. Kemsley. The tally of votes cast showed the following results: in the Ferrisburg Central School, number of persons casting ballots, 1; those voting in favor of Custodians' Unit of the Addison Northwest Teachers' Association, 1; those voting in favor of No Union, 0; in the Vergennes Elementary School, those voting in favor of Custodians' Unit of the Addison Northwest Teachers' Association,

0, those voting in favor of No Union, 0; in Vergennes Union High School, those voting in favor of Custodians' Unit of the Addison Northwest Teachers Association, 2; those voting in favor of No Union, 1.

In consideration of the foregoing, it is ORDERED that the Custodians' Unit of the Addison Northwest Teachers' Association shall be the exclusive bargaining representative for the custodians employed by the Vergennes Union High School and the Town School District of Ferrisburg. It is FURTHER ORDERED that the Custodians' Unit of the Addison Northwest Teachers' Association shall not be the exclusive bargaining representative for the custodians employed by the Vergennes ID, but that such custodians may petition for such representation at any time or the Vergennes ID may voluntarily recognize the petitioners as the exclusive bargaining representative upon vote duly taken at any future regular or special meeting of the Board of School Directors of said District.

Dated at Whitingham, Vermont this 10th day of June, 1977.

VERMONT LABOR RELATIONS BOARD

By

John S. Burgess
JOHN S. BURGESS, CHAIRMAN

William G. Kemsley, Sr.
WILLIAM G. KEMSLEY, SR.

H. James Wallace
H. JAMES WALLACE