

VERMONT LABOR RELATIONS BOARD

EDUCATIONAL SUPPORT PERSONNEL)	
OF COLCHESTER SUPERVISORY DISTRICT)	
)	
and)	
)	
COLCHESTER EDUCATION ASSOCIATION,)	DOCKET NO. 90-38
VERMONT-NEA)	
)	
and)	
)	
COLCHESTER SUPERVISORY DISTRICT)	
BOARD OF SCHOOL DIRECTORS)	

ORDER OF CERTIFICATION

On July 16, 1990, Leon Lestage ("Petitioner") filed a corrected Petition for Decertification of Collective Bargaining Representative with the Labor Relations Board, alleging that the presently certified bargaining representative of non-teaching staff of the Colchester Supervisory District, The Colchester Education Association, Vermont-NEA ("Association"), was no longer supported by a majority of the bargaining unit members.

On August 22, 1990, the Labor Relations Board determined that a sufficient showing of interest had not been made to support the decertification petition. Pursuant to Section 33.7 of the Board Rules of Practice, the Board provided the Petitioner with an opportunity to file a further showing of interest. On September 5, 1990, the Petitioner filed a further showing of interest, which the Board determined was sufficient to support the decertification petition.

The Association and the Colchester Supervisory District Board of School Directors ("Employer") agreed that there was no bar to the conducting of a decertification election. All parties agreed that the bargaining unit certified by the Board on May 16, 1989 (Docket No.

88-41) is appropriate, with the exception that the position of building nurse is added to the bargaining unit.

The Board conducted a decertification election among employees in the bargaining unit defined below on October 22, 1990. The election was conducted by Timothy Noonan, Board Executive Director, in the small conference room next to the bookstore, Colchester High School, Colchester, Vermont. Mark Bouvier, Business Manager for the Employer, was present as an observer for the Employer. Ellen David Friedman, Vermont-NEA Observer, observed for the Association. The Petitioner had no observer. Ninety-five of 102 eligible employees voted.

The results of the election were:

Colchester Education Association, Vermont-NEA	73
No Union	22

As a result of this election, it is hereby ORDERED:

The Colchester Education Association, Vermont-NEA remains CERTIFIED as the exclusive bargaining representative of the following employees of the Colchester Supervisory District Board of School Directors, who work more than 20 hours per week:

- building nurses;
- all bus drivers, with the exception of substitute drivers and the Transportation Director;
- all secretaries, including the Central Office accounts payable bookkeeper, with the exception of the Superintendent's Administrative Assistant, Central Office secretaries Mary Beth Bouvier and Monica Larrow, and the Central Office assistant bookkeeper;
- all cafeteria employees, with the exception of the Food Services Director and Head Chef;
- all paraprofessionals and aides, including both special education and classroom aides and library aides, and

- all custodians and maintenance employees, but excluding the Maintenance Director.

Dated this 2nd day of November, 1990, at Montpelier, Vermont.

VERMONT LABOR RELATIONS BOARD

Charles H. McHugh
Charles H. McHugh, Chairman

Catherine L. Frank
Catherine L. Frank, Member

Louis A. Toepfer
Louis A. Toepfer, Member