

VERMONT LABOR RELATIONS BOARD

PROCTOR EDUCATION ASSOCIATION/ )  
VERMONT-NEA/NEA )  
 )  
and )  
 )  
PROCTOR SCHOOL BOARD )

DOCKET NO. 94-71

ORDER OF CERTIFICATION

On November 30, 1994, the Proctor Education Association/ Vermont-NEA/NEA ("Association") filed a Petition for Election of Collective Bargaining Representative, requesting an election among all custodians, paraeducators and secretaries employed by the Proctor School Board ("Employer").

The Employer responded to the petition on December 21, 1994, and raised questions of unit determination, contending: 1) that the secretary to the principal at the Proctor Junior-Senior High School should be excluded from the bargaining unit as a confidential employee; and 2) that the head custodian at the Proctor Junior-Senior High School should be excluded from the unit as a supervisory employee.

A hearing on the unit determination issues was held on February 16, 1995, before Labor Relations Board Members Charles McHugh, Chairman; Catherine Frank and Louis Toepfer. On April 6, 1995, the Board issued Findings of Fact, Opinion and Order. Therein, the Board determined that the secretary to the principal at the Proctor Junior-Senior High School is not a confidential employee and the head custodian at the Proctor Junior-Senior High School is not a supervisory employee, and, thus, both employees were eligible to be included in the bargaining unit and to vote in the election. The Board ordered an election among all

custodians, paraeducators and secretaries employed by the Employer.

Linda McIntire, Labor Relations Specialist for the Vermont Labor Relations Board, along with David Stewart, Vermont Labor Relations Board Intern, conducted an election on May 2, 1995, in the cafeteria of the Proctor Junior-Senior High School, Proctor, Vermont. Neither the Association nor the Employer had an observer at the election. Nine of the thirteen eligible employees voted. Employees were asked if they wished to be represented for exclusive bargaining purposes by the Proctor Education Association/Vermont-NEA/NEA. The results of the elections were:

|     |   |
|-----|---|
| Yes | 7 |
| No  | 2 |

As a result of this election, it is hereby ORDERED that the Proctor Education Association/Vermont-NEA/NEA is CERTIFIED as the exclusive bargaining representative of all custodians, paraeducators and secretaries employed by the Proctor School Board.

Dated this 17<sup>th</sup> day of May, 1995, at Montpelier, Vermont.

VERMONT LABOR RELATIONS BOARD

By:

Charles H. McHugh  
Charles H. McHugh, Chairman