

VERMONT LABOR RELATIONS BOARD

VERMONT STATE EMPLOYEES' ASSOCIATION	)	
	)	
	)	
and	)	DOCKET NO. 14-60
	)	
UNIVERSITY OF VERMONT	)	

ORDER

On September 25, 2014, the Vermont State Employees' Association ("VSEA") filed a Petition for Election of Collective Bargaining Representative, seeking an election among certain administrative/clerical, technical and specialist employees of the University of Vermont ("Employer"). The Employer filed a response to the petition on October 22, 2014, and raised unit determination questions. On November 4, 2014, the parties filed an agreement resolving all the outstanding unit determination issues. The parties agreed that the following bargaining unit is appropriate:

All full-time and regular part-time employees (9, 10, 11 or 12 month employees) in the C Family (Administrative Support or Clerical), T Family (Technical) and Sp Family (Specialized) in the University of Vermont classification system in the following positions:

Business Support Assistant (Job Code # 2061, 2063), Business Support Generalist (Job Code # 2071, 2072), Library Support Assistant (Job Code # 2081), Library Support Generalist (Job Code # 2091), Library Support Senior (Job Code #2101), Office/Program Outreach Support (Job Code # 2111), Office/Program Support Assistant (Job Code # 2021, 2022), Office Program Support Generalist (Job Code # 2031, 2032, 2033), Services Support Material Specialist (Job Code # 2121), Technical Support Generalist (Job Code # 2151), Technical Support Specialist (Job Code #2171, 2172), Scientific Equipment Technician (Job Code # 4141), Scientific Electronics Technician (Job Code # 4131), Biomedical Equipment Technician (Job Code # 4091), Biomedical Equipment Technician Senior (Job Code # 4101), Equipment Technician (Job Code # 4111), Equipment Technician Senior (Job Code # 4121), Media Broadcast Technician (Job Code # 4151), Media Technician (Job Code #.4161), Media Technician Senior (Job Code # 4271), Research Assistant (Job Code # 4181), Research Project Assistant (Job Code # 4191), Laboratory/Research Technician (Job Code # 4201, 4202, 4203), Laboratory Research Technician Senior (Job Code #4211), Safety Technician (Job Code # 4231), Environmental Safety Technician (Job Code # 4221), Business/Accounting Specialist (Job Code # 4261, 4262), Facilities Analyst (Job Code # 4011), Information

Technology Assistant/Programmer (Job Code # 4031), Medical Laboratory Specialist (Job Code # 4291), Medical Technologist (Job Code # 4051), Nursing Specialist (Job Code # 4061), Process Coordinator (Job Code # 4071, 4073), Program Specialist (Job Code # 4081, 4082), Student Services Specialist (Job Code # 4251), and Interpreter/Translator Specialist (Job Code # 4043; excluding all temporary employees, work-study students, confidential employees, supervisory employees, professional employees and managers.

Pursuant to the agreement by the parties on the bargaining unit, the Vermont Labor Relations Board conducted a secret ballot election, pursuant to 3 V.S.A. Section 941(e) and (g), among the employees in the above-described bargaining unit. The election took place on December 16 and 17, 2014, from 7:30 a.m. to 5:30 p.m. in the Marsh Lounge in Billings, 48 University Place, on the University of Vermont campus. Also, Extension employees, biomedical equipment technicians and biomedical equipment technician seniors, employees who work in Colchester, and other employees whose primary work location is outside of Burlington were permitted to vote by mail ballot. Further, some employees voted by absentee ballot.

The employees voting in the election were asked two questions: 1) whether they wish to be in a collective bargaining unit consisting of the above-described employees; and 2) whether they wish to be represented for exclusive bargaining purposes by the Vermont State Employees' Association. 639 of 759 eligible employees voted. 71 of the 639 employees voted by mail or absentee ballot. The results on the first question of whether employees wish to be in a collective bargaining unit consisting of the above-described employees were: Yes – 303, No – 335, Spoiled Ballot – 1. The Board order setting forth the details of the election provided: "If fifty percent or more of the votes on Question 1 on the ballots is 'no', then no tally will be made of Question 2, and the employees will be deemed to have voted not to be organized into the bargaining unit." Accordingly, no tally was made of Question 2.

As a result of this election, it is ordered:

A majority of employees casting ballots having voted that they did not wish to be in a collective bargaining unit consisting of the above-described employees, the Vermont State Employees' Association is not certified as the exclusive bargaining representative of employees in the above-described bargaining unit and this matter is dismissed.

Dated this 8th day of January, 2015, at Montpelier Vermont.

VERMONT LABOR RELATIONS BOARD

/s/ Gary Karnedy  
Gary F. Karnedy, Chairperson

/s/ Richard W. Park  
Richard W. Park

/s/ Jim C. Kiehle  
James C. Kiehle

/s/ Alan Willard  
Alan Willard

/s/ Edward W. Clark  
Edward W. Clark, Jr.

/s/ Robert Greemore  
Robert Greemore