

VERMONT LABOR RELATIONS BOARD

UNITED ELECTRICAL, RADIO	)	
AND MACHINE WORKERS OF	)	
AMERICA (UE)	)	
	)	
and	)	DOCKET NO. 97-23
	)	
UNIVERSITY OF VERMONT	)	

ORDER

On April 30, 1997, the United Electrical, Radio and Machine Workers of America (UE) ("Union") filed a Petition for Election of Collective Bargaining Representative, requesting an election among service and maintenance employees of the University of Vermont ("Employer" or "University"). The Employer responded to the petition on May 21, 1997, contending that the proposed bargaining unit was inappropriate. The Employer contended that the only appropriate unit including the service and maintenance employees would be one that included all non-professional staff employees of the University, excluding supervisory, managerial and confidential employees. In addition, the Employer contended that the Union's proposed unit inappropriately included certain individuals who are supervisory or managerial.

Subsequent to the Employer response to the petition and prior to the hearing, the parties reached various partial agreements as to exclusion of individuals from, and inclusion of employees in, the proposed bargaining unit. The amended proposed bargaining unit sought by the Union was "all full-time and regular part-time nonexempt service and maintenance employees of the University of Vermont, who make up Job Groups 350, 510, 520, 610, 630 and the Parking Operations Coordinator

in Job Group 620, excluding all faculty, professional, clerical and technical employees, police and security, confidential employees, managers and supervisors". The Employer continued to contend that the only appropriate unit including the service and maintenance employees is one that includes all non-professional staff employees of the University, excluding supervisory, managerial and confidential employees. The Employer also contended that two positions which the Union sought to include in the proposed bargaining unit, the Medical Bookstore Supervisor and the Electronic Control Systems Specialist, are supervisory and should be excluded from the unit.

Hearings on the disputed unit issues were held on August 21, 22, 25, and 26, 1997, in the Vermont Labor Relations Board hearing room in Montpelier before Labor Relations Board Members Richard Park, Acting Chairperson; Leslie Seaver and Carroll Comstock. The Board, by Findings of Fact, Opinion and Order dated October 24, 1997, determined that the following grouping of employees constituted an appropriate bargaining unit: all full-time and regular part-time nonexempt service and maintenance employees of the University of Vermont, who make up Job Groups 350, 510, 520, 610, 630 and the Parking Operations Coordinator in Job Group 620; excluding all faculty, professional, clerical and technical employees, police and security, confidential employees, managers and supervisors. The Board also determined that the Medical Bookstore Supervisor is a supervisory employee, and the Electronic Control Systems Specialist is not a supervisory employee.

On December 10, 1997, Timothy Noonan, Board Executive Director, and Linda McIntire, Board Election Officer, conducted a secret ballot election, pursuant

to 3 V.S.A. Section 941(e) and (g), in the Marsh (M.A.T.) Dining Hall on the University of Vermont campus, Burlington, Vermont. Dorothy Morris, Leslie Parr and Kay Fay observed the election for the Employer. Brad Bluto, Don Rusin and Michael Latour observed the election for the Union. Dorothy Morris observed the counting of ballots for the Employer; Harry Authelet observed the ballot counting for the Union.

Employees in the above-described bargaining unit were asked two questions: 1) On Question #1, they were asked whether they wish to be organized into the bargaining unit found appropriate by the Board; and 2) on Question #2, they were asked whether they wish to be represented for exclusive bargaining purposes by the United Electrical, Radio and Machine Workers of America (UE). 310 of the 326 employees on the voter eligibility list voted; three of the employees voted by absentee ballot. The results of the election were:

QUESTION #1:

Yes	163
No	145
Spoiled ballots	2

QUESTION #2:

Yes	165
No	142
Spoiled ballots	3

As a result of this election, it is hereby ORDERED that the United Electrical, Radio and Machine Workers of America (UE) is CERTIFIED as the exclusive bargaining representative of all full-time and regular part-time nonexempt service and maintenance employees of the University of Vermont, who make up Job Groups 350, 510, 520, 610, 630 and the Parking Operations Coordinator in Job Group 620; excluding all faculty, professional, clerical and technical employees, police and security, confidential employees, managers and supervisors.

Dated this 29<sup>th</sup> day of December, 1997, at Montpelier, Vermont.

VERMONT LABOR RELATIONS BOARD



Richard W. Park, Acting Chairperson



Leslie G. Seaver



Carroll P. Comstock