

7-10 Vermont Labor Relations Board

VERMONT LABOR RELATIONS BOARD

VERMONT FEDERATION OF TEACHERS,)
AFT, AFL-CIO)
and)
VERMONT STATE COLLEGES)

DOCKET NO. 84-40

ORDER OF NON-CERTIFICATION

On July 31, 1984, the Vermont Federation of Teachers, AFT, AFL-CIO ("Federation") filed a Petition for Election of Collective Bargaining Representative with the Vermont Labor Relations Board, requesting an election in a bargaining unit of 38 employees of the Community College of Vermont ("CCV"). The Board, by Findings of Fact, Opinion and Order dated January 18, 1985, determined a collective bargaining unit consisting of Coordinators of Instruction and Advisement, Site Service Coordinators, Special Services Coordinators, Records Clerks, Secretaries in the Office of External Programs, Assistant for Academic Services, Accounts Payable Clerk, Payroll Clerk, Liaison and Secretary employed by CCV was appropriate. The Board further ordered the conducting of a secret ballot election pursuant to 3 VSA §941(e) and (g). 8 VLRB 6.

On February 14, 1985, the Board issued an order setting forth the terms, conditions and procedures for an election among the employees of the Board-approved unit. Elections were held at the three CCV Regional Offices and the CCV Central Office on March 19 and 20, 1985. Elections were held at the CCV Western Regional Office in Winooski and the CCV Southern Regional Office in Brattleboro on March 19. Elections were held in the CCV Central Office in Waterbury and the CCV Northern Regional Office in Barre on March 20. Employees were also permitted to vote by absentee ballot if

they were not to be present at the time and place set forth for the election as a result of a previously-scheduled vacation or a long-term illness. One employee voted by absentee ballot. The elections were conducted by Board Executive Director Timothy Noonan and Board Clerk Jo Ellen Pirie. The Federation and the State Colleges each had an observer present at all the election sites.

The election ballot contained the following two questions:

QUESTION 1:

Do you desire to be in a collective bargaining unit consisting of permanent and limited-status Coordinators of Instruction and Advisement, Site Service Coordinators, Special Services Coordinators, Records Clerks, Secretaries in the Office of External Programs, Assistant for Academic Services, Accounts Payable Clerk, Payroll Clerk, Liaison and Secretary employed by Community College of Vermont?

Yes No

QUESTION 2:

Do you desire to be represented for exclusive bargaining purposes by:

Vermont Federation of Teachers,
AFT, AFL-CIO

No Union

The ballots were counted by the Board on March 21, 1985, at the Board hearing room, 13 Baldwin Street, Montpelier, Vermont. Present during the counting of ballots were Noonan; Pirie; Peter Konkle, Federation Representative; Stanley Carpenter, State Colleges Director of Governmental and Employee Relations; and Ken Kalb, CCV President. All employees on the voter eligibility list voted, and no ballots were challenged.

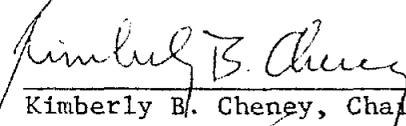
The tally on Question 1 was: Yes - 3, No - 34. Accordingly, no tally was made of the answers to Question 2 pursuant to Paragraph 3 of the Board's February 14, 1985, Order, which provided: "If the majority of the votes on the first question is "No", then no tally will be made of the answers to the second question and the employees will be deemed to have voted not to be organized into the bargaining unit".

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

The employees in the bargaining unit deemed appropriate by the Labor Relations Board in its Order of January 18, 1985, having voted not to be organized into that bargaining unit, the Vermont Federation of Teachers, AFT, AFL-CIO is not CERTIFIED as the exclusive bargaining representative of employees in a collective bargaining unit consisting of Coordinators of Instruction and Advisement, Site Service Coordinators, Special Services Coordinators, Records Clerks, Secretaries in the office of External Programs, Assistant for Academic Services, Accounts Payable Clerk, Payroll Clerk, Liaison and Secretary employed by Community College of Vermont.

Dated this 11th day of April, 1985, at Montpelier, Vermont.

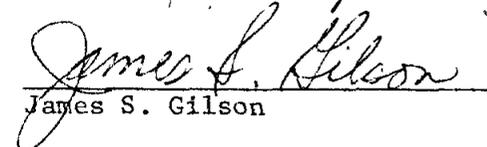
VERMONT LABOR RELATIONS BOARD



Kimberly B. Cheney, Chairman



William G. Kemsley, Sr.



James S. Gilson