

VERMONT LABOR RELATIONS BOARD

VERMONT STATE COLLEGES)	
FACULTY FEDERATION, AFT)	
LOCAL 3180, AFL-CIO)	
)	DOCKET NO. 86-22
and)	
)	
VERMONT STATE COLLEGES)	

ORDER OF CERTIFICATION

On March 26, 1986, the Vermont State Colleges Faculty Federation, AFT Local 3180, AFL-CIO ("Federation") filed a petition requesting an election to determine whether adjunct faculty employed by the Vermont State Colleges would be added to the bargaining unit consisting of full-time faculty and ranked librarians represented by the Federation. The Vermont Labor Relations Board, by Findings of Fact, Opinion and Order dated January 22, 1987, determined that the addition of adjunct faculty employed by the Colleges who meet the following requirements to the bargaining unit was appropriate: 1) employed for at least three semesters, or who currently are in their third teaching semester, 2) teach at least six credit hours per academic year, 3) notwithstanding the first two requirements, adjuncts who have not taught during one academic year, past or present, are included in the unit provided they otherwise regularly teach at least six credit hours per academic year and have been employed for at least three semesters, or who are currently in their third teaching semester; and 4) are not otherwise employed by the Colleges in a full-time position as a manager or administrator. 10 VLRB 39. The Board also ordered the conducting of a secret ballot election pursuant to 3 VSA §941(e) and

(g), provided the Federation met the 30 percent showing of interest as required by statute to 1) determine whether the full-time faculty, ranked librarians and above-described adjunct faculty desired to be organized into the above bargaining unit; and 2) determine whether the above-described adjunct faculty wished to be represented for exclusive bargaining purposes by the Federation.

The Federation having met the requisite showing of interest, the Board issued an order on March 4, 1987, setting forth the terms, conditions and procedures for an election. The election for the adjunct faculty was conducted by mail ballot. Elections for the full-time faculty and ranked librarians were conducted at Castleton State College, Johnson State College, Lyndon State College and Vermont Technical College on April 9, 1987. The elections were conducted by all five Board members and Board Executive Director Timothy Noonan. The Federation and the Colleges had the right to have observers present at each of the elections, a right not used in all instances. Full-time faculty and ranked librarians 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 at their college as a result of a long-term illness, sabbatical or authorized leave. One employee voted by absentee ballot.

The election ballot for full-time faculty and ranked librarians contained the following question:

Do you desire to be in a collective bargaining unit consisting of full-time faculty and ranked librarians employed by the Vermont State Colleges and also consisting of adjunct faculty employed by the Colleges who meet the following requirements: 1) employed for at least three semesters, or who currently are in their third teaching semester, 2) teach at least six credit hours per academic

year, 3) notwithstanding the first two requirements, adjuncts who have not taught during one academic year, past or present, are included in the unit provided they otherwise regularly teach at least six credit hours per academic year and have been employed for at least three semesters, or who are currently in their third teaching semester; and 4) are not otherwise employed by the Colleges in a full-time position as a manager or administrator?

YES NO

The ballot for adjunct faculty contained two questions. Question 1 was identical to the question on the ballot for full-time faculty and ranked librarians. Question 2 provided:

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

Vermont State Colleges Faculty Federation,
AFT Local 3180, AFL-CIO

No Union

The ballots were counted by the Board on April 10, 1987, at the Board hearing room, 13 Baldwin Street, Montpelier, Vermont. Present during the counting of the ballots were Board Members Charles McHugh, Chairman; Louis Toepfer and Dinah Yessne; Timothy Noonan, Board Executive Director; Federation Representatives Richard Lednicky, Richard Sanders and Sandy Nelson; and Stanley Carpenter, Colleges Government and Employee Relations Director.

The tally on the question for full-time faculty and ranked librarians was: Yes - 119, No - 30. The tally on Question 1 for the adjunct faculty was: Yes - 49, No - 7. The tally on Question 2 for adjunct faculty was: Vermont State Colleges Faculty Federation, AFT Local 3180, AFL-CIO - 49, No Union - 7.

One full-time faculty member and one adjunct faculty member voted by challenged ballots in addition to the above votes. The Board did

not rule on the challenged ballots because they were insufficient to affect the outcome of the election.

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

The Vermont State Colleges Faculty Federation, Local 3180, AFL-CIO is CERTIFIED as the collective bargaining representative of employees in a bargaining unit consisting of full-time faculty and ranked librarians employed by the Vermont State Colleges and also consisting of adjunct faculty employed by the Colleges who meet the following requirements: 1) employed for at least three semesters, or who currently are in their third teaching semester, 2) teach at least six credit hours per academic year, 3) notwithstanding the first two requirements, adjuncts who have not taught during one academic year, past or present, are included in the unit provided they otherwise regularly teach at least six credit hours per academic year and have been employed for at least three semesters, or who are currently in their third teaching semester; and 4) are not otherwise employed by the Colleges in a full-time position as a manager or administrator.

Dated this 27th day of April, 1987, at Montpelier, Vermont.

VERMONT LABOR RELATIONS BOARD

Charles H. McHugh
Charles H. McHugh, Chairman

Catherine L. Frank
Catherine L. Frank

Dinah Yessne
Dinah Yessne