

VERMONT LABOR RELATIONS BOARD

NEW ENGLAND POLICE)	
BENEVOLENT ASSOCIATION)	
)	
and)	
)	DOCKET NO. 18-44
AFSCME COUNCIL 93)	
)	
and)	
)	
TOWN OF CASTLETON)	

ORDER

On September 26, 2018, the New England Police Benevolent Association (“NEPBA”) filed a Petition for Election of Collective Bargaining Representative, seeking to represent all full-time employees of the Town of Castleton Police Department excluding the Chief of Police. The employees currently are represented for exclusive bargaining purposes by AFSCME Council 93 (“AFSCME”). On November 5, 2018, NEP BA amended its petition to add regular part-time employees to the proposed bargaining unit. In response to the petition, neither the Town of Castleton (“Employer”) nor AFSCME asserted that a collective bargaining agreement barred an election or raised unit determination questions.

On November 30, 2018, AFSCME informed the Labor Relations Board that it disclaimed interest in representing the petitioned-for employees and indicated that it did not wish to appear on the election ballot in this matter. Accordingly, AFSCME was not included on the election ballot pursuant to Section 33.11 of Labor Relations Board *Rules of Practice* which provides that “an incumbent bargaining representative . . . shall appear on the election ballot unless it disclaims any interest in remaining the representative of employees”.

On December 19, 2018, Labor Relations Board Executive Director Timothy Noonan conducted an election among all full-time and regular part-time employees of the Town of Castleton Police Department excluding the Chief of Police in the conference room of the Town of Castleton Fire Station. Neither the NEPBA nor the Employer had an observer present at the election. Employees were asked in the election whether they wish to be represented for exclusive bargaining purposes by the New England Police Benevolent Association. All seven eligible employees voted. The results of the election were:

Yes 7
No 0

As a result of this election, it is ordered:

1) AFSCME Council 93 is decertified as the exclusive bargaining representative of all full-time employees of the Town of Castleton Police Department excluding the Chief of Police; and

2) The New England Police Benevolent Association is certified as the exclusive bargaining representative of all full-time and regular part-time employees of the Town of Castleton Police Department excluding the Chief of Police.

Dated this 7th day of January 2019, at Montpelier, Vermont.

VERMONT LABOR RELATIONS BOARD

/s/ Richard Park
Richard W. Park, Chairperson

/s/ James Kiehle
James C. Kiehle

/s/ Alan Willard
Alan Willard

/s/ Robert Greemore
Robert Greemore

/s/ David Boulanger
David R. Boulanger

/s/ Karen Saudek
Karen D. Saudek