

VERMONT LABOR RELATIONS BOARD

TOWN OF CASTLETON

and

AFSCME, AFL-CIO

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DOCKET NO. 89-87

ORDER OF CERTIFICATION

On December 26, 1989, Robert G. Paul ("Petitioner"), an employee of the Town of Castleton ("Town"), filed a Petition for Decertification of Collective Bargaining Representative with the Labor Relations Board, alleging that the presently-certified bargaining representative, AFSCME, AFL-CIO ("Union"), was no longer supported by a majority of the bargaining unit members. The petition was accompanied by supporting signature cards, signed by not less than 30 percent of the employees in the established bargaining unit, indicating that the employees no longer desired to be represented by the Union.

In response, the Union alleged that decertification proceedings were barred by a March 1, 1990, memorandum of agreement between the Union and the Town. The Town responded that it believed there was no collective bargaining agreement in effect that would act as a bar to decertification proceedings. A hearing concerning whether any collective bargaining agreement was in effect which would bar decertification proceedings was held before the Labor Relations Board on April 16, 1990. On May 31, 1990, the Labor Relations Board issued Findings of Fact, Opinion and Order. 13 VLRB 127. Therein, the Board concluded that there was no collective bargaining agreement in effect at the time the decertification petition was filed, and ordered the

conducting of a representation election among all full-time employees of the Town Highway Department and Police Department, excluding the Foreman of the Highway Department and the Chief of Police, to determine whether they wish to be represented by AFSCME, AFL-CIO or no Union.

An election was conducted by Timothy Noonan, Board Executive Director, on June 26, 1990, in the employee lounge of the Town of Castleton Highway Department garage. H. Rita McCullough, Town Manager, was present as an observer for the Town. Ralph Crippen, Union Representative, observed for the Union. Tom Mitchell observed for the Petitioner. All five eligible employees voted.

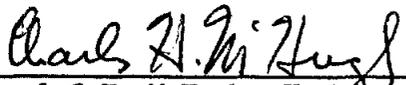
The results of the election were:

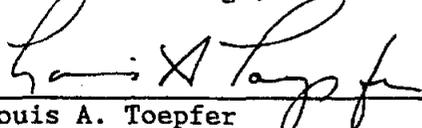
AFSCME, AFL-CIO	3
No Union	2

As a result of this election, it is hereby ORDERED that AFSCME, AFL-CIO remains CERTIFIED as the exclusive bargaining representative of all full-time employees of the Town of Castleton Highway Department and Police Department, excluding the Foreman of the Highway Department and the Chief of Police.

Dated this 12th day of July, 1990, at Montpelier, Vermont.

VERMONT LABOR RELATIONS BOARD


Charles H. McHugh, Chairman


Louis A. Toepfer


Leslie G. Seaver