

VERMONT LABOR RELATIONS BOARD

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| PETITION FOR DECERTIFICATION) | |
| OF COLLECTIVE BARGAINING) | DOCKET NO. 98-56 |
| REPRESENTATIVE (RE: TOWN) | |
| OF SHELBURNE)) | |

ORDER OF CERTIFICATION

On September 23, 1998, Betty Marcher filed a petition to decertify Local 1343, AFSCME, AFL-CIO ("Union"), as the exclusive bargaining representative of all eligible Police Department employees and all full-time employees in the Highway, Sewer, Building and Grounds, Water and Finance Departments; excluding the recreation director, Sewer Department chief operating engineer and Highway Department superintendent; of the Town of Shelburne ("Town"). On October 6, 1998, the Labor Relations Board determined that a sufficient showing of interest had been made to support the decertification petition pursuant to Section 33.6 of the Board Rules of Practice.

On October 19, 1998, the Union agreed that there was no collective bargaining agreement in effect that would bar the conducting of a decertification election and that the presently certified bargaining unit is appropriate. On October 29, 1998, the Town of Shelburne ("Town") agreed that there was no collective bargaining agreement that would bar the conducting of a decertification election. However, the Town raised an issue of unit determination, contending that it would be more appropriate for the police department employees to be in a separate bargaining unit from all other bargaining unit employees. On November 19, 1998, the Vermont Labor Relations Board issued a Memorandum and Order denying the Town's request to reconfigure the existing bargaining unit structure and create two bargaining units out of the existing single unit, and ordered that a representation

election be conducted among employees in the existing bargaining unit. 21 VLRB 233 (1998).


On December 18, 1998, Vermont Labor Relations Board Election Officer Linda P. McIntire conducted a decertification election in the town office conference room, Town Office Building, Shelburne, Vermont. Police officer Joshua Flore observed for the Union. Neither the Petitioner nor the Town had an observer. Twenty of the 22 eligible employees voted. Employees were asked if they wished to be represented for exclusive bargaining purposes by Local 1343, AFSCME, AFL-CIO. The results of the election were:


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| Yes | 15 |
| No | 5 |

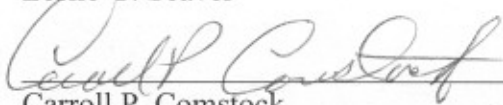
As a result of this election, it is hereby ORDERED that Local 1343, AFSCME, AFL-CIO, remains CERTIFIED as the exclusive bargaining representative of all eligible Police Department employees and all full-time employees in the Highway, Sewer, Building and Grounds, Water and Finance Departments; excluding the recreation director, Sewer Department chief operating engineer and Highway Department superintendent; of the Town of Shelburne.

Dated this 7th day of January, 1999, at Montpelier, Vermont,

VERMONT LABOR RELATIONS BOARD


Catherine L. Frank, Chairperson


Leslie G. Seaver


Carroll P. Comstock