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WILLIAM KEMSLEY, Commissioner
H. JAMES WALLACE, Commissioner

Vermont Labor Relations Board

SOUTHWESTERN VERMONT EDUCATION]
ASSOCIATION,]
Petitioners]
- and -]
MOUNT ANTHONY UNION HIGH SCHOOL]
BOARD OF SCHOOL DIRECTORS,]
Employer]

DOCKET #76-19R

ORDER OF CERTIFICATION

This matter was brought before the Board by Petition for Election of Collective Bargaining Representative dated 28 January 1976. Hearing was held in the Jury Room, Bennington Superior Court, Bennington, Vermont on 24 September 1976. The parties reached agreement at the hearing as to the issues raised by the petition, as a result of which an election was held on 27 April 1977 pursuant to the Findings and Order of the Vermont Labor Relations Board dated 11 March 1977 and Notice of Election dated 18 April 1977. The Employer filed a Motion to Set Aside the Election which was dated 6 May 1977 and filed 9 May 1977. The cause came on for hearing on the Motion in Bennington, Vermont on 13 May 1977, as a result of which hearing a Stipulation was filed by the parties dated 23 May 1977 and filed 25 May 1977. The petitioner was represented by Perry M. Kacik, VEA/UNISERV Representative, and the Employer by David A. Jenkins, Esquire, of the firm of Messrs. Hoff, Wilson & Jenkins.

The election was conducted by William G. Kemsley, Sr. and H. James Wallace, a majority of the Board. The Employer appointed Loretta F. Connell as observer in its behalf, and the Petitioner appointed Perry M. Kacik, UNISERV Director, as its observer.

No list of eligible employees had been agreed upon by the parties, and so none was furnished to the Board in accordance with its Order. Accordingly, the Board required each person presenting himself or herself to vote to sign a roster at the time of voting. Three persons were challenged ✓ by the Employer, Joel A. Raetz, Don Hayes and Fred Smith. The ballots of those persons were segregated and placed in a sealed envelope and were not counted in the totals reported for certification.

After the election, all those votes except those challenged were counted with the following results: those voting for the Southwestern Vermont Education Association, 14, those voting for No Union, 2, those voting but whose votes were challenged, 3, total 19.

As a result of the foregoing election, it is ORDERED that the Southwestern Vermont Education Association be certified, and it is hereby certified, as the exclusive collective bargaining representative for all non-teaching, non-supervisory employees of the Mount Anthony Union High School District, including teacher aides, with the exception of the Secretary to the Principal of the High School (Ms.

Connell) and the Secretary to the Principal of the Junior High School (Ms. Vosburgh).

Dated at Montpelier, Vermont this 3rd day of June, 1977.

VERMONT LABOR RELATIONS BOARD

By John S. Burgess
JOHN S. BURGESS, CHAIRMAN

William G. Kemsley, Sr.
WILLIAM G. KEMSLEY, SR.

H. James Wallace
H. JAMES WALLACE