

VERMONT LABOR RELATIONS BOARD

INTERNATIONAL BROTHERHOOD OF	)	
ELECTRICAL WORKERS, LOCAL 300	)	
	)	
and	)	DOCKET NO. 20-20
	)	
TOWN OF HARTFORD	)	

FINDINGS OF FACT, OPINION AND ORDER

Statement of Case

On April 9, 2020, the International Brotherhood of Electrical Workers, Local 300 (“Union”) filed a Petition for Election of Collective Bargaining Representative, seeking to represent the water, waste water, public works and highway employees of the Town of Hartford (“Employer”). These employees are currently represented by the International Union of Public Employees (“IUPE”). The Employer filed a response to the petition on May 19, 2020, contending that three of the employees presently in the bargaining unit represented by IUPE should be excluded from the bargaining unit as supervisory employees. The Employer specifically contends that the Highway General Foreman, Wastewater Chief Plant Operator and Chief Water System Operator are supervisory employees. The IUPE has disclaimed interest in remaining the representative of the employees.

A video hearing via the Microsoft Teams platform was held on these unit determination issues on July 23, 2020, before Board Members Robert Greemore, Acting Chairperson; Alan Willard and Roger Donegan. Union President/Assistant Business Manager Tim LaBombard represented the Union. Attorney Brian Monaghan represented the Employer. The Employer and Union filed post-hearing briefs on August 6 and 10, 2020, respectively.

### FINDINGS OF FACT

1. On June 29, 2016, the Labor Relations Board decertified AFSCME Council 93 and certified the International Union of Public Employees (“IUPE”) as the exclusive bargaining representative of the following employees of the Employer: Waste Water Chief Plant Operators 1 & 2, Waste Water Plant Operators 1 & 2, Solid Waste Attendant, Highway Equipment Operators 1 & 2, Mechanic, Site Foreman, Water Foreman, Water Plant Operator and Water System Operators 2 of the Public Works Department, and the Laborer/Maintenance and Laborer/Mechanic of the Parks and Recreation Department (VLRB Docket No. 16-16).

2. During the 2016 proceeding before the Board, the Employer did not oppose the inclusion of the Highway General Foreman, Wastewater Chief Plant Operator and Chief Water System Operator as members of the bargaining unit.

3. Hannah Tyler has been Director of Public Works for the Employer since April 2018. She has overall supervision of the Department of Public Works, which includes thirty-three employees. The Department’s work includes the Town’s highway system, two wastewater treatment plants located in Quechee and White River Junction and associated collection systems, two drinking water treatment plants and an associated distribution system, the Town’s vehicle fleet management, and a regional solid waste transfer facility.

4. The Assistant Director of Public Works reports directly to the Director of Public Works, and is typically responsible for the operations of the department. The Assistant Director is the immediate supervisor of the Highway General Foreman, Wastewater Chief Plant Operator and Chief Water System Operator

5. The Highway Division of the Department of Public Works is responsible for maintenance and repair of the Town's roads, bridges and sidewalks. There are nine employees in the Highway Division under the Highway General Foreman, a mix of Equipment Operator I and II's. The Highway General Foreman, who has an office in the main Department of Public Works facility, has partial administrative and functional supervision of the Operator 1 and II's. The Highway General Foreman trains new employees in methods and procedures used and various Town/department work rules; plans and issues daily work assignments; monitors work in progress at various work sites, checks completed work to ensure that proper work safety procedures are followed, and evaluates employee job performance (Employer Exhibit 1).

6. On one occasion, an Equipment Operator II responded to an accident in the winter at night. He was operating a bucket loader and inadvertently dropped the loader bucket off the loader. The loader bucket fell into the Ottaquechee River which had cold, rushing water and ice. He and other employees went into the river to tie chains around the bucket to pull it out of the river. The Highway General Foreman was aware of this incident, but did not impose discipline himself or propose any discipline to his superiors.

7. The Highway General Foreman position is currently vacant. In the absence of the Highway General Foreman, there was an occasion in January of 2020 in which the Assistant Public Works Director issued a verbal warning to an Equipment Operator II for careless operation of vehicles and equipment

8. The Chief Water Operator is responsible for overseeing both of the Town's drinking water systems located in Quechee and Wilder. The Chief Water Operator has an office in the main Department of Public Works facility. Richard Kenney has been Chief Water

Operator for many years and has been employed by the Employer for 32 years. There are three water system employees under the Chief Water Operator. The Chief Operator is required to ensure that the three employees have the certifications required for their positions. The Chief Operator at times works alongside the other water system employees and oversees their work. Kenney's duties have not changed significantly for many years.

9. Among the duties and responsibilities of the Chief Water System Operator are the training of employees, issuing daily work assignments, monitoring work in progress and checking completed work, ensuring proper work safety procedures are followed, and assisting staff with difficult or unusual projects. The Chief Water System Operator is responsible for coordinating the installation and repair of water mains and water service lines, as well as coordination and performing leak detection and troubleshooting issues regarding water services, meters, hydrants and water mains (Employer Exhibit 3).

10. Recently, there was a water employee in a probationary period who was not a good fit for the Water Division. He did not have the skillset that the Chief Water Operator thought he needed to succeed in the position. The Assistant Director and Director informed the Chief Water Operator that, if he felt strongly enough about the employee's abilities, he could recommend termination. If the Chief Water Operator were to make that recommendation, the Director indicated she would go to the Town Manager and recommend termination. The Chief Water Operator did recommend termination to the Director. The employee voluntarily resigned prior to the Employer taking any adverse action.

11. There was an occasion where a water employee incorrectly tapped a water distribution line. The improper tap resulted in an extended service outage in a large portion of the Town's drinking water service area. The Chief Water System Operator informed the

employee by memorandum that his actions may result in disciplinary action, and he sent the memorandum to the Assistant Director of Public Works. Town management subsequently imposed discipline on the employee.

12. The Chief Water System Operator was involved in a recent hiring process where he reviewed applications for a new water operator position to recommend whom to interview for the position. The Employer's management team relied on his efforts in deciding whom to interview for the position. The Chief Water System Operator did not participate in the interviews.

13. Several years ago, the Chief Water System Operator recommended the creation of a new position entitled the Assistant Chief Water System Operator and recommended that the Employer promote a particular employee into that position. The Employer ultimately gave the employee increased responsibilities and a pay raise.

14. There are seven wastewater system employees under the Wastewater Chief Plant Operator, three employees in the Quechee water treatment plant and four in the White River Junction water treatment plant. The Chief Wastewater System Operator generally works at the White River Junction water treatment plant but also travels to the Quechee plant. Steve Brock has been Wastewater Chief Plant Operator since August 2018.

15. Among the duties and responsibilities of the Wastewater Chief Plant Operator are to train employees, plan and issue daily work assignments, monitor work in progress and check completed work, assist staff with difficult or unusual tasks, and plan work schedules. The Wastewater Chief Plant Operator also is responsible for supervising and performing: 1) the inspection, testing, regular maintenance, troubleshooting of malfunctions, and repair of plant equipment; and 2) collection and lab analysis of samples (Employer Exhibit 2).

16. Brock has conducted employee evaluations on probationary employees in the Wastewater Division. He has not conducted annual evaluations of permanent employees. Brock has not issued letters of reprimand of employees since he has been Wastewater Chief Plant Operator.

17. The Director of Public Works expects the Wastewater Chief Plant Operator to be responsible for tracking wastewater employees obtaining and maintaining certifications required for their positions, staying up to date on permitting requirements, and adhering to state regulations.

18. The Director and Assistant Director of Public Works are unable to conduct regular and meaningful employee supervision of wastewater employees on a daily basis given the considerable geographic dispersal of Respondent's wastewater system operations and the Director's other public works responsibilities. The Director relies on the Wastewater Chief Plant Operator to exercise supervisory functions on a daily basis.

19. In conjunction with this proceeding, the Employer made changes to the job descriptions of the Highway General Foreman, Wastewater Chief Plant Operator and Chief Water System Operator to include among their duties and responsibilities disciplining employees verbally and in writing, and recommending further discipline up to and including termination to the Director of Public Works and Town Manager. If potential employee misconduct occurs that may result in disciplinary action, the Director of Public Works expects the Highway General Foreman, Wastewater Chief Plant Operator and Chief Water System Operator to discuss the matter with the Assistant Director of Public Works to ensure any discipline complies with human resource policies (Employer Exhibits 1, 2 and 3).

20. The Employer generally expects that if discipline is appropriate for an employee, the Highway General Foreman, Wastewater Chief Plant Operator and Chief Water System Operator will communicate with the Assistant Director of Public Works before discipline is imposed to ensure compliance with appropriate human resources practices and procedures. Since the existing Director of Public Works began employment in 2018, the only discipline imposed on a department employee was a verbal warning issued by the Assistant Director of Public Works that was documented in a memorandum to the employee (Employer Exhibit 5).

21. The existing collective bargaining agreement between the Employer and IUPE contains the following pertinent provisions:

#### **SECTION 201 – MANAGEMENT RIGHTS**

The Town, the Union and the employees agree that the right and responsibility to operate and manage the business and the affairs of the Town, to select and direct the working forces and to control, direct, discontinue and change the use of its properties and facilities are vested exclusively in the Town.

These rights and responsibilities include by way of illustration the right to determine, control and change work and experimental operations; the right to select, test, train and to determine the ability and the qualifications of employees; the right to determine, control and change emergency, experimental operating, production, shift, training and working assignments and schedules; the right to control, plan and direct facilities, equipment, tools and operations; the right to determine, control, plan and change routes, route schedules, and job assignments; the right to determine, control, plan and change all matters pertaining to purchase, sale or disposition of equipment, and the organization of the management staff; the right to establish, distribute, modify, and enforce reasonable rules of employee conduct, manuals of operating procedures, and rules and regulations governing matters pertaining to safety and health within the operations of the Town; the right to determine, control and change the quality and the nature of its products, materials and services and the quantity of production, the right to employ, layoff, discharge, retire, assign, discipline, transfer, interview and promote its employees, including casual, seasonal, temporary employees and contract labor except as specifically limited by the Agreement; the right to obtain from any source and to contract and subcontract for materials, services, supplies and equipment whether or not arguably with the capacity of the Town employees to perform; the right to

determine, control and make changes in work assignments, job content, productivity and performance standards, frequency and standards of inspection, the size of the work force and the right to investigate all matters relating to Town operations, citizen complaints and employee conduct; the right to determine, control, plan, direct and change facilities and services on Town premises for the use or benefit of the employees; the right to introduce and operate new or improved methods, facilities, processes or techniques; the right to control, determine, direct, establish, change and discontinue Town functions and services or the location or the operation of its garage, offices, or other facilities; the right to acquire, change, discard, install and remove equipment machinery, time recording systems, buildings, tools and other facilities; the right to determine, establish and change any form of employee benefits not otherwise provided for in this Agreement; the right to maintain discipline and order and to maintain or improve efficiency within its operations and all other rights pertaining to the operation and the management of the business and the affairs of the Town and the establishment and change of conditions of employment not specifically given in this Agreement to the Union or to the employees.

The failure by the Town to exercise any of the rights as provided in this article shall not be construed as a waiver of these rights nor of the right of the Town to control, operate and manage its business. The Union and the employees agree that, except as otherwise specifically provided in this Agreement, nothing contained in the Agreement shall be construed or deemed to constitute a waiver of or any restriction upon the inherent right to the management of the Town to operate and conduct its business, facilities and services within maximum efficiency or of the common law right of the Town, and to unilaterally exercise the rights and authority as provided and illustrated in this Section; provided, however, that none of these rights shall be exercised by the Town contrary to any specific provision of this Agreement.

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## **SECTION 801 – ANNUAL PERFORMANCE EVALUATIONS**

... Performance evaluations shall be done annually by the member's immediate supervisor and reviewed by the Director and/or his designated staff.

Should an employee disagree with the performance review, the employee should discuss the differences with the supervisor who prepared the review in an effort to reach a mutually satisfactory resolution. If unable to achieve such a resolution, the employee should note any unresolved issues on the form and may submit the matter to the grievance process.

...

(Employer Exhibit 4)



22. The Highway General Foreman, Wastewater Chief Plant Operator and Chief Water System Operator have performed employee evaluations which they first review with the Director and Assistant Director to ensure they are adhering to sound human resources practices, and then meet with the employees to provide the evaluations. They discuss annual expectations with employees.

23. The Department of Public Works has not done much supervisory training for the Highway General Foreman, Wastewater Chief Plant Operator and Chief Water System Operator.

24. If employees covered by the collective bargaining agreement file grievances, the Highway General Foreman, Wastewater Chief Plant Operator and Chief Water System Operator are not involved in the grievance process.

#### MAJORITY OPINION

The issue in this case is whether three employees should be excluded from the bargaining unit as supervisory employees. The Employer specifically contends that the Highway General Foreman, Wastewater Chief Plant Operator and Chief Water System Operator are supervisory employees. Under the Municipal Employees Relations Act, supervisors are excluded from collective bargaining rights. 21 V.S.A. §1722(12(B). The definition of "supervisor" under the Municipal Act is:

"an individual having authority in the interest of the employer to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline other employees or responsibility to direct them or to adjust their grievances or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a

merely routine or clerical nature but requires the use of independent judgment". 21 V.S.A. §1722(12)(B).

There is a threshold issue before examining the merits of whether the three employees meet this statutory definition. The Union contends that the Employer should be precluded from raising this issue because, in a 2016 proceeding before the Board resulting in the International Union of Public Employees replacing AFSCME Council 93 as the representative of employees, the Employer did not oppose the inclusion of the Highway General Foreman, Wastewater Chief Plant Operator and Chief Water System Operator as members of the bargaining unit

The Board previously has addressed in several cases whether an agreement by a union and employer to either exclude employees from, or include them in, a bargaining unit adversely affects the ability of an employer or union to contend before the Board in a subsequent case for a different result. In cases where employees' exclusion from bargaining units as supervisory employees resulted from an agreement between a union and an employer rather than a Board decision, the Board determined that the burden was on the union to demonstrate that circumstances had changed with respect to the supervisory duties of the employees since the parties' agreement and convince the Board by a preponderance of the evidence that the employees were no longer supervisory employees. New England Police Benevolent Association and City of Rutland, 34 VLRB 274 (2018). International Brotherhood of Electrical Workers Local 300 and City of Burlington Electric Department, 26 VLRB 103, 110-111 (2003). South Burlington Police Officers' Association and City of South Burlington, 18 VLRB 116 (1995).

However, in an earlier case, a municipal employer sought to exclude three individuals from a bargaining unit as confidential employees who were included in the unit by agreement of the employer and the union approximately a year earlier. The Board determined that the employer was not required to demonstrate changed job responsibilities to have the employees

removed from the bargaining unit. The Board cited the lack of Board involvement in the addition of the positions to the bargaining unit, and the intent of the legislature that the Board maintain ultimate control of the composition of the bargaining unit to ensure that ineligible employees do not remain in the bargaining unit. Village of Essex Junction and Local 1343, AFSCME, 12 VLRB 211, 216-217 (1989).

In considering these precedents in this case, we note that the Employer not opposing the inclusion of the three employees in the bargaining unit in the 2016 proceeding was simply acquiescing to a bargaining unit determination that had existed since 1990. AFSCME Council 93 was certified then as representative of public works employees, including the “chief waste water plant operator, . . . highway general foreman . . . (and) water foreman” (See AFSCME Council 93 and Town of Hartford, VLRB Docket No. 90-27).

The passage of 30 years since the involved positions have been included in the bargaining unit represented by two different unions than the one now seeking to represent the employees warrants a fresh look at the positions to determine supervisory status without the Employer being required to demonstrate changed circumstances to have the employees removed from the bargaining unit. Our conclusion in this regard is reinforced by the fact that the Board did not make any ruling, either in 1990 or 2016, with respect to the supervisory status of the involved positions. The intent of the legislature that the Board maintain ultimate control of the composition of the bargaining unit to ensure that ineligible employees do not remain in the bargaining unit is best served by a determination by the Board based on current evidence without requiring a showing of changed circumstances.

We turn to examining the merits of whether the three employees are supervisors. In order to be considered a supervisor, an employee must pass two tests: 1) the possession of any one of

the listed powers in the statutory definition; and 2) the exercise of such powers "not of a merely routine or clerical nature but requiring the use of independent judgment". Firefighters of Brattleboro, Local 2628 v. Brattleboro Fire Department, Town of Brattleboro, 138 Vt. 347 (1980). The statutory test is whether or not an individual can effectively exercise the authority granted him or her; theoretical or paper power will not make one a supervisor. Nor do rare or infrequent supervisory acts change the status of an employee to a supervisor. Id. at 351.

The existence of actual power, rather than the frequency of its use, determines supervisory status. AFSCME Local 490 and Town of Bennington, 153 Vt. 318 (1989). However infrequently used, the power exercised must be genuine. Id. Also, the Board has discretion to conclude supervisory status does not exist although some technically supervisory duties are performed if such duties are insignificant in comparison with overall duties. Id. Otherwise, an employer could circumvent the very spirit and intent of the statute by creating de minimus supervisory duties for the sole purpose of excluding classes of employees from union representation. Id.

The Board has issued numerous decisions concerning whether employees are supervisors. In many cases, the dispute has focused on whether an employee's responsibility to assign work to employees or direct them rises to a level sufficient to make them supervisors. The key determination is whether the employee is exercising independent judgment, or is simply ensuring that standard operating procedures are followed. If an employee is relaying instructions from a supervisor or ensuring that subordinates adhere to established procedures, the employee is not a supervisor. Local 1201, AFSCME and City of Rutland, 10 VLRB 141 (1987). City of Winooski and Winooski Police Employees' Association, 9 VLRB 85 (1986).

However, if an employee's duties go beyond simply ensuring established policies and procedures are followed, and require use of independent judgment in directing and assigning employees, then the employee meets the statutory definition of supervisor. South Burlington Police Officers' Association and City of South Burlington, 11 VLRB 332 (1988). c.f., South Burlington Police Officers' Association and City of South Burlington, 18 VLRB 116 (1995). Exercise of independent judgment in assigning and directing employees must occur on a more than infrequent basis or be significant in comparison with overall duties to make one a supervisor. AFSCME Local 490 and Town of Bennington, 153 Vt. 318 (1989). Department of Public Safety Personnel Designation Disputes (re: State Police Sergeants), 14 VLRB 176 (1991).

In several cases, the Board has addressed whether assigning, directing and other responsibilities of working forepersons of public works departments are sufficient to make them supervisory employees. In two cases, the Board concluded that assigning and directing responsibilities of working forepersons were sufficient to result in supervisory status. AFSCME Local 1201, Fair Haven Town Employees Chapter and Town of Fair Haven, 23 VLRB 230 (2000). AFSCME Local 490 and Town of Bennington, 1 VLRB 239 (1978). In two other cases, the Board determined that working forepersons were not supervisory employees because effective supervisory authority over public works employees resided with the public works director. City of St. Albans and Local 1343, AFSCME, AFL-CIO, 7 VLRB 48 (1984). AFSCME and Town of Windsor, 6 VLRB 197 (1983).

We conclude that the Highway General Foreman engages in a number of duties that aggregate to result in meeting the statutory definition of supervisor status with respect to assigning and directing employees. The Highway General Foreman trains new employees in methods and procedures used and various Town/department work rules; plans and issues daily

work assignments; monitors work in progress at various work sites, checks completed work to ensure that proper work safety procedures are followed, and evaluates employee job performance. These responsibilities indicate that the Highway General Foreman exercises independent judgment in assigning employees and responsibly directing them as a significant part of overall duties.

We hold similarly with respect to the Chief Water System Operator. Among the duties and responsibilities of the Chief Water System Operator are the training of employees, issuing daily work assignments, monitoring work in progress and checking completed work, ensuring proper work safety procedures are followed, and assisting staff with difficult or unusual projects. The Chief Water System Operator is responsible for coordinating the installation and repair of water mains and water service lines, as well as coordination and performing leak detection and troubleshooting issues regarding water services, meters, hydrants and water mains. These duties aggregate to indicate that the Chief Water System Operator exercises independent judgment in assigning employees and responsibly directing them as a significant part of overall duties.

We reach the same conclusion with respect to the Wastewater Chief Plant Operator. Among the duties and responsibilities of the Wastewater Chief Plant Operator are to train employees, plan and issue daily work assignments, monitor work in progress and check completed work, assist staff with difficult or unusual tasks, and plan work schedules. He also is responsible for supervising and performing: 1) the inspection, testing, regular maintenance, troubleshooting of malfunctions, and repair of plant equipment; and 2) collection and lab analysis of samples. These duties aggregate to indicate that he exercises independent judgment in assigning employees and responsibly directing them as a significant part of overall duties.

These determinations are sufficient to hold that the Highway General Foreman, Wastewater Chief Plant Operator and Chief Water System Operator are supervisory employees within the meaning of the Municipal Employee Relations Act. Nonetheless, we examine the other listed powers in the statutory definition of supervisory employee to determine if these three employees possess such responsibilities.

The Employer contends that the three employees meet the statutory definition with respect to disciplining employees. The authority to take a specific disciplinary action or effectively recommend a specific disciplinary action must be demonstrated for supervisory status to be found. New England Police Benevolent Association and City of Rutland, 34 VLRB 274, 286 (2018). Colchester Police Officers Association and Town of Colchester, 26 VLRB 9, 17 (2003). Teamsters, Local 597 and Burlington Housing Authority, 9 VLRB 85 (1986). If the employee can recommend disciplinary action, but the recommendation is not followed, then the employee is not a supervisor. Local 1343, AFSCME and City of St. Albans Fire Department, 10 VLRB 99 (1987).

We conclude that the Employer has not presented sufficient evidence demonstrating that the three employees exercise supervisory authority with respect to disciplining employees. In conjunction with this proceeding, the Employer made changes to the job descriptions of the Highway General Foreman, Wastewater Chief Plant Operator and Chief Water System Operator to include among their duties and responsibilities disciplining employees verbally and in writing, and recommending further discipline up to and including termination to the Director of Public Works and Town Manager. Nonetheless, as the above-cited precedents indicate, theoretical or paper power does not translate into supervisory authority.

Since the existing Director of Public Works began employment in 2018, the only discipline imposed on a department employee was a verbal warning issued by the Assistant Director of Public Works. Further experience may demonstrate that the Highway General Foreman, Wastewater Chief Plant Operator and/or Chief Water System Operator possess supervisory authority to discipline employees but we cannot reach such a conclusion given the evidence before us.

Finally, we conclude that the Highway General Foreman, Wastewater Chief Plant Operator and Chief Water System Operator do not meet the statutory test with respect to the other listed statutory powers. They do not have authority to hire, transfer, layoff, recall, promote, or reward employees or effectively to recommend such action. They also do not have the required statutory power with respect to adjusting employee grievances.

/s/ Robert Greemore

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Robert Greemore, Acting Chairperson

/s/ Alan Willard

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Alan Willard

#### DISSENTING OPINION

I respectfully dissent from the holding of my colleagues that the Highway General Foreman, Wastewater Chief Plant Operator and Chief Water System Operator are supervisory employees within the meaning of the Municipal Employee Relations Act. Contrary to the majority opinion, I believe the burden should be on the Employer to demonstrate that circumstances have changed with respect to the supervisory duties of the employees since the Employer agreed to include them in the bargaining unit and



convince the Board by a preponderance of the evidence that the employees now are supervisory employees. The loss of the rights to be represented by a union and covered by a collective bargaining agreement should not occur absent the Employer bearing the burden to justify such a result.

The Employer has not met its burden of establishing that the employees should be excluded from the bargaining unit as supervisory employees. The record before us is insufficient to demonstrate that the employees' duties go beyond simply ensuring established policies and procedures are followed and require use of independent judgment in directing and assigning employees. Further, as the majority concludes, the Employer has not presented sufficient evidence demonstrating that the employees exercise supervisory authority with respect to disciplining employees, and the employees do not meet the statutory test with respect to the other listed statutory powers. Thus, the Employer has not established that the employees meet the statutory definition of supervisor.

/s/ Roger P. Donegan

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Roger P. Donegan

## ORDER

Based on the foregoing facts and for the foregoing reasons, it is ordered:

- 1) The Highway General Foreman, Wastewater Chief Plant Operator and Chief Water System Operator of the Town of Hartford Public Works Department are supervisory employees as defined in the Municipal Employee Relations Act and are thereby excluded from the right to be included in a bargaining unit represented by an exclusive bargaining representative; and
- 2) The Vermont Labor Relations Board shall conduct a secret ballot election by mail ballot among the Waste Water Plant Operators 1 & 2, Solid Waste Attendant, Highway Equipment Operators 1 & 2, Mechanic, Water Plant Operators and Water System Operators of the Public Works Department, and the Laborer/Maintenance and Laborer/Mechanic of the Parks and Recreation Department of the Town of Hartford to determine whether they wish to be represented for exclusive bargaining purposes by the International Brotherhood of Electrical Workers, Local 300.

Dated this 28th day of September, 2020, at Montpelier, Vermont.

VERMONT LABOR RELATIONS BOARD

/s/ Robert Greemore

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Robert Greemore, Acting Chairperson

/s/ Alan Willard

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Alan Willard