





STATE OF MONTANA  
DEPARTMENT OF LABOR AND INDUSTRY  
BOARD OF PERSONNEL APPEALS

PETITION FOR UNIT CLARIFICATION

RECEIVED  
MAY 23 1989  
APPEALS

DO NOT WRITE IN THIS SPACE

CASE NO. UC-5-89

DATE FILED 5/23/89

INSTRUCTIONS: Submit an original and five (5) copies of this petition to the Board of Personnel Appeals, P.O. Box 1728, Helena, Montana 59624. If more space is required for any item, attach additional sheets, numbering items accordingly. (Print or type in black.)

1. NAME OF BARGAINING REPRESENTATIVE: Montana Public Employees Association AFFILIATION, if any:

2. ADDRESS OF BARGAINING REPRESENTATIVE: P. O. Box 5600, Helena, MT 59604 TELEPHONE: (406) 442-4600

3. NAME OF PUBLIC EMPLOYER: Yellowstone County

4. ADDRESS OF PUBLIC EMPLOYER: P. O. Box 35000, Billings, MT 59107 TELEPHONE: (406) 256-2745

5. Description of existing bargaining unit in question, specifying inclusions and exclusions:  
See attached Recognition Clause (Exhibit A) taken from Article II of the agreement between Montana Public Employees Association and Yellowstone County.

6. Description of proposed clarification of the unit: (include job classifications and number of employees in each job classification affected by proposed clarification)  
Petitioner seeks to clarify the unit by excluding the position of Assistant Surveyor/Engineer from the unit as a managerial, supervisory one. One employee, who holds the position of Assistant Surveyor/Engineer in the County Surveyor's Office is involved. Job description (Code 9388 Assistant Surveyor/Engineer is attached as Exhibit B.

7. Statement setting forth the reasons why petitioner desires a clarification of the unit:  
Petitioner seeks clarification of the unit because the position of Assistant Surveyor/Engineer is properly a management/supervisory position which is excluded from the bargaining unit by Article II, Recognition, of the current agreement. See Exhibits A and B.

8. Is any employee organization, other than the representative listed in Number 1, certified to represent any of the employees who would be directly affected by the proposed clarification?  
Yes        No   x   (If yes, explain below)

9. A brief and concise statement of any other relevant facts:  
MPEA contends that the position of Assistant Surveyor/Engineer should be included in the unit because it allegedly functions no differently than the former position, Associate Engineer, which was included in the unit at the former employee's option. A copy of the job description for Associate Engineer is (See attached Page)

DATE: May 15, 1989 BY: Anne Shuby TITLE: Deputy County Attorney Yellowstone Co.