

Department of Labor and Industry  
Board of Personnel Appeals  
PO Box 6518  
Helena, MT 59624-6518  
(406) 444-2718

STATE OF MONTANA  
BEFORE THE BOARD OF PERSONNEL APPEALS

IN THE MATTER OF UNIT CLARIFICATION NO. 12-2002

DEPARTMENT OF JUSTICE,	)	
REGISTRAR'S BUREAU,	)	
	)	
Petitioner,	)	
vs.	)	RECOMMENDED ORDER
	)	
MONTANA PUBLIC EMPLOYEES	)	
ASSOCIATION,	)	
	)	
Respondent.	)	

I. DISCUSSION

On January 31, 2002 the Department of Justice, Registrar's Bureau, (Employer), filed the instant petition requesting the Board clarify that position #17004 is excluded from the existing bargaining unit on the basis of supervisory duties and responsibilities. Montana Public Employees Association (Union) of Helena, Montana filed its response on February 14, 2002, wherein the Union stated it had received material facts from the Employer sufficient to convince the Union that position #17004 is supervisory in nature and that there was no objection to the petition to exclude said position from the bargaining unit.

III. DETERMINATION

It is determined that no question of fact exists and that in fact the parties have stipulated to a modification of the existing unit. Therefore, pursuant to ARM 24.26.630 (5)(a), consistent

1 with the agreement of the parties, the petition to exclude position #17004 from the existing  
2  
3 bargaining unit is hereby granted.  
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5 DATED this 25<sup>th</sup> day of February, 2002.  
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8  
9 BOARD OF PERSONNEL APPEALS  
10

11 By: Vicki Knudsen  
12 Vicki Knudsen  
13 Board Agent  
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18 NOTICE  
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21 ARM 24.26.630 (5) provides: The recommended order is subject to Board review if  
22 appealed within 10 business days to the Board of Personnel Appeals at PO Box 6518, Helena  
23 MT 59604-6518. If not appealed, the recommended order is the final Board order.  
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27 **CERTIFICATE OF MAILING**  
28

29 I, Vicki Knudsen, do hereby certified that the above  
30 document was mailed to the following on the 25<sup>th</sup> day of February, 2002:  
31  
32

33 MARK LANGDORF  
34 MPEA REPRESENTATIVE  
35 P O BOX 5600  
36 HELENA MT 59604-5600  
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38  
39 KEVIN MCRAE  
40 DEPARTMENT OF ADMINISTRATION  
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