

1 Department of Labor and Industry  
2 Board of Personnel Appeals  
3 PO Box 6518  
4 Helena, MT 59624-6518  
5 (406) 444-2718  
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8 STATE OF MONTANA  
9 BEFORE THE BOARD OF PERSONNEL APPEALS

10 IN THE MATTER OF UNIT CLARIFICATION NO. 4-2005

13 MERGED MISSOULA CLASSIFIED )  
14 EMPLOYEES ORGANIZATION )  
15 (MMCEO), MEA-MFT )  
16 )  
17 ) Petitioner, )  
18 vs. )  
19 ) MISSOULA COUNTY PUBLIC SCHOOLS )  
20 )  
21 ) Respondent )

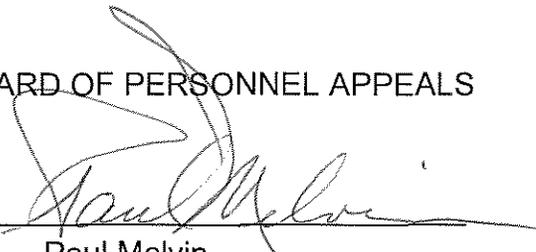
ORDER

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24 On September 17, 2004 a notice was mailed to the Respondent that a petition for  
25 unit clarification was received by this board seeking to establish whether or not the  
26 newly created position of Data Manager should be included in the Petitioner's  
27 bargaining unit. The Respondent timely filed a response on October 7, 2004. Upon the  
28 initiation of an investigation into this matter, the Petitioner requested that the processing  
29 of this petition be suspended pending the outcome of negotiations between the parties.  
30

31 The parties have stipulated to a modification of the existing unit as a result of  
32 these negotiations. Pursuant to ARM 24.26.630(5)(a) the position of Data Manager is  
33 deemed to be included in the MMCEO bargaining unit. This is subject to the stipulation  
34 that the incumbent occupying this position is grandfathered as part of this agreement.  
35 When this position becomes vacant, it shall be treated in the same manner as any other  
36 bargaining unit position.  
37

38 DATED this 7th day of November, 2005.

39  
40 BOARD OF PERSONNEL APPEALS

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44 By:   
45 Paul Melvin  
46 Board Agent  
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**CERTIFICATE OF MAILING**

I, Paul Melvin, do hereby certified that the above document was mailed to the following on the 7th day of November, 2005:

BILL HOWELL  
MEA-MFT FIELD CONSULTANT  
1001 SW HIGGINS STE 101  
MISSOULA MT 59803

LARRY JOHNSON  
ASSISTANT SUPERINTENDENT  
PERSONNEL AND SPECIAL SERVICES  
215 SOUTH SIXTH WEST  
MISSOULA MT 59801