

1 Department of Labor and Industry  
2 Board of Personnel Appeals  
3 PO Box 201503  
4 Helena, MT 59620-1503  
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 NOS. 1-2013 & 3-2013

11 CITY OF COLSTRIP, )  
12 )  
13 Complainant, )  
14 )  
15 -vs- )  
16 )  
17 MONTANA PUBLIC EMPLOYEES )  
18 ASSOCIATION, )  
19 )  
20 )  
21 Defendant. )

RECOMMENDED  
ORDER

22 \*\*\*\*\*

23  
24  
25 A petition was filed by the City of Colstrip requesting a clarification of a bargaining unit  
26 described in the collective agreement between the Montana Public Employees  
27 Association and Montana Public Employees Association as: All permanent fulltime and  
28 permanent part-time personnel in the positions of: Custodian, Solid Waste Operator,  
29 Deputy City Clerk, Maintenance Worker/Utility Operator, Maintenance Worker/Utility  
30 Senior Operator, Lead Operator-Wastewater, Lead Operator-Water, City Judge, and  
31 Planning Building Official, that was certified by the State of Montana Board of Personnel  
32 Appeals on August 2, 2011. The petition requested that the bargaining unit be clarified  
33 to include the Court Clerk and exclude the City Judge.  
34

35 The petition was duly served on Montana Public Employees Association and the  
36 respondent had no objection to amending certification. There being no question of fact,  
37 and the parties agreeing to the requested clarification, it is recommended that Unit  
38 Clarification Petition 1-2013 & 3-2013 be granted and the bargaining unit clarified in  
39 accord with ARM 24.26.630 (5)(a) to include Court Clerk and exclude the City Judge.  
40

41 DATED this 19<sup>th</sup> day of November, 2012.

42  
43  
44 BOARD OF PERSONNEL APPEALS

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46  
47 By: William Smith  
48 William Smith  
49 Board Agent  
50

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**CERTIFICATE OF MAILING**

I, Quidy Knudson, do hereby certified that a true and correct copy of this document was mailed to the following on the 19<sup>th</sup> day of November, 2012, postage paid and addressed as follows:

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