



Department of Labor and Industry
Labor Standards Division

1331 HELENA AVENUE, HELENA, MONTANA 59601

THOMAS L. JUDGE
GOVERNOR OF MONTANA

SIDNEY T. SMITH
COMMISSIONER OF LABOR & INDUSTRY

TONY SOFTICH
ADMINISTRATOR

November 9, 1973

4-73

Robert R. Jensen
Executive Secretary
Board of Personnel Appeals
Helena, Montana 59601

Dear Mr. Jensen:

The runoff election for Ravalli County Road and Bridge Department employees for selecting a representative for purposes of collective bargaining, was conducted on November 7, 1973 at the County Shops in Hamilton between the hours of 4:00 and 6:00 P.M.

Jeremy Thame, Attorney at Law representing Ravalli County Commissioners challenged the ballots of the following employees;

Harlem B. Clark	Thomas W. Richards
Robert F. Evanoff	Edward A. Schreckendgust
Homer N. Jones	Karl Short
James D. Loesch	Henry M. Suarez
Phillip G. Richards	Eldon D. Wildey

on grounds that they were no longer on the payroll.

Cecil William representing the Teamsters Union, challenged the ballots of Delbert E. Dye and Lawrence C. Haas, on grounds that they were supervisors.

All employees that were eligible to vote on the election of October 16, 1973 were eligible to vote in this election.

There were twenty-six (26) employees eligible to vote, and twenty-four (24) employees cast ballots.

The challenged ballots were sealed in individual envelopes bearing their last name, and all the ballots were placed in a large manila envelope and sealed. (enclosed).

The twelve (12) unchallenged ballots were tallied as follows:
eight (8) votes for no union and four (4) votes for Teamsters Union
for a total of twenty-four (24) ballots cast.

There being unfair labor charges filed, the challenged ballots
and election will not be ruled upon until the charges are disposed by
the Board of Personnel Appeals.

Very truly yours,



Tony Softich, Administrator
Labor Standards Division

Enclosure

CC: Jerney Thame, Attorney at Law
Cecil Williams, Business Manager, Teamsters Local #448
Ravalli County Commissioners

4-73

B R I E F

RAVALLI COUNTY ROAD AND BRIDGE DEPARTMENT

On August 27, 1973 the Teamsters, Local #448 petitioned for certification for the Ravalli County Road and Bridge Department. On September 17, 1973 the Operating Engineers, Local #371 petitioned to intervene.

On October 3, 1973, in the County Commissioners office, a meeting was held "for the purpose of establishing a collective bargaining unit, rules and regulations for the election, and time and place election is to be held." (From Tony Softich's September 21, 1973 letter to the County Commissioners). At this meeting it was agreed by all parties that the employees eligible to vote would be those on the September 30, 1973 payroll.

Election conducted October 16, 1973 with these results:

Operating Engineers	4
Teamsters	9
No Representation	12

With no choice receiving a majority, a run-off election was scheduled for November 7, 1973.

On October 24, 1973, the County discharged eleven (11) Road Department employees.

Run-off election held November 7, 1973 with these results:

Teamsters	4
No Representation	8
Challenged	12

Basis of challenges were:

- 10 by County on grounds that they were no longer on the payroll
- 2 by Teamsters on grounds that they were "supervisory employees."

QUESTION: How to resolve challenges?

SAM E. SILVERTHORN
Secretary and Business Manager

International Union of Operating Engineers

Affiliated With AFL-CIO
LOCAL UNION NO. 371
P. O. Box 65

PHONE 756-3686 347 2nd AVE. WEST
KALISPELL, MONTANA 59901



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SEP 18 1973
DEPT. OF LABOR INDUSTRY

Sept. 17, 1973

Sidney T. Smith
Commissioner of Labor
Helena, Mont. 59601

Dear Sid,

Pursuant to Section 6, Senate Bill 446, 1973 Legislature, the International Union of Operating Engineers, Local 371, Box 65, Kalispell, Montana 59901, hereby requests certification as the exclusive representative for the purpose of establishing a collective bargaining agreement by and between the County of Ravalli, Hamilton, Montana, 59840 and the International Union of Operating Engineers, Local 371.

The appropriate unit to be represented will be all employees excluding superintendents as defined by SB 446, employed on the County Road Dept. and the County Bridge Dept. for Ravalli County.

To justify this unit the work performed is of a like manner for all employees, that is the operators, maintenance and service of heavy and light equipment.

The International Union of Operating Engineers, Local 371, has historically represented this type of unit and is presently signatory to contracts of a similar nature.

to further substantiate our request, we have enclosed five original copies of confirmed signed authorized cards by a minimum of 10% of the above mentioned employees working with-in the discribed unit.

This Unit is being organized by the Teamsters, Local 448, and we request intervention.

We hereby request the Board or Agent of the Board to investigate this petition and to include the International Union of Operating Engineers, Local 371, on the Ballot of Election to represent the above named employees.

Yours, Truly,

Sam E. Silverthorn
(29)

Sam E. Silverthorn
Business Manager

CC: Pat F. Hooks, Jim Murray, Lee J. Tickle