

BEFORE THE BOARD OF PERSONNEL APPEALS

1 IN THE MATTER OF UNIT DETERMINATION #6-77)
2)
3 MONTANA PUBLIC EMPLOYEES ASSOCIATION,)
4 Petitioner,)
5 -and-)
6 CENTER FOR THE AGED, DEPARTMENT)
7 OF INSTITUTIONS, STATE OF MONTANA,)
8 Employer.)

ORDER

8 * * * * *

9 This Board has received Motion from Petitioner, (Montana
10 Public Employees Association), in the above-entitled matter to
11 rule on challenged ballots cast in the representation election
12 held June 15, 1977, or in the alternative conduct a Unit Clarif-
13 ication.

14 After carefully reviewing the Petitioner's Motion and the
15 record in this matter, we find the challenged ballots in question
16 were cast by employees who were classified as Accounting Clerk II
17 and by Stipulation, (dated June 2, 1977) between the Petitioner
18 and Employer were excluded from the bargaining group. Further,
19 there is no evidence indicating a change in the bargaining group
20 since the date of the representation election and stipulation
21 to warrant unit clarification proceedings. Because of the existence
22 of the stipulation and there being no change, the Board does not
23 find validity with Petitioner's argument.

24 IT IS THEREFORE ORDERED, that Motion to Rule on Challenged
25 Ballots and Petition for Unit Clarification be denied.

26 Dated this 17th day of January, 1978.

27 BOARD OF PERSONNEL APPEALS

28 By Robert R. Jensen
29 Robert R. Jensen
30 Administrator

CERTIFICATE OF MAILING

1 I, Trenna Scoffield, hereby certify and state that I did
2 on the 17th day of January, 1978, mail a true and correct copy
3 of the ORDER in UD#6-77 to the following persons:

4 Cordell R. Brown
5 Chief, Operations
6 MPEA
7 P. O. Box 5600
8 Helena, Mt 59601

9 Dave Stiteler,
10 Attorney
11 Labor Relations Bureau
12 Department of Administration
13 Mitchell Bldg
14 Helena, Mt 59601

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Trenna Scoffield