

RECEIVED

JAN 04 1980

BOARD OF PERSONNEL APPEALS

STATE OF MONTANA
BEFORE THE BOARD OF PERSONNEL APPEALS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

PIONEER SPECIAL SERVICES, MFT, AFT,)
 AFL-CIO,)
)
 Petitioner,)
)
 -vs-) UD 9-79
)
 DEER LODGE ELEMENTARY SCHOOL DISTRICT)
 NO. 1,)
)
 Employer,)
)
 and)
)
 MONTANA EDUCATION ASSOCIATION and its)
 affiliate, DEER LODGE EDUCATION)
 ASSOCIATION,)
)
 Bargaining Agent)

MOTION TO ADD MONTANA EDUCATION ASSOCIATION
 AS A PARTY

The Montana Education Association, on behalf of its affiliate, the Deer Lodge Education Association, has participated in this matter and should be named as a party.

The Association is the recognized bargaining agent for the professional employees of the Employer, Deer Lodge Elementary School District No. 1. On March 12, 1979 Petitioner sought a unit of some seven employees of the School District. A hearing was held on June 27, 1979, at which time the Association was represented by staff member Owen Nelson. Petitioner objected to the presence of the Association representative, the objection was overruled by the hearing examiner, and Mr. Nelson participated in the hearing.

The hearing examiner found 1) the requested unit not appropriate and 2) the requested unit would be a partial decertification of an existing unit and recommended dismissal of the petition. Petitioner has filed exceptions and appealed to the full Board of Personnel Appeals.

1 The Montana Education Association wishes to support the
2 position of the hearing examiner, particularly his finding the
3 requested unit would be a partial decertification of its existing
4 unit. The Association has been treated as a party and documents
5 have been served on it at its Helena address. It should be added
6 as a formal party and service should also be made on its attor-
7 neys at the address shown below.

8 Dated this 2nd day of January, 1980.

9
10 HILLEY & LORING, P C.
11 1713 Tenth Avenue South
12 Great Falls, MT 59405

13 By: Emilie Loring
14 Attorneys for Bargaining Agent

15 CERTIFICATE OF SERVICE BY MAIL

16 THIS IS TO CERTIFY that on the 3rd day of January,
17 1980, a true and exact copy of the foregoing Motion to Add
18 Montana Education Association as a Party was mailed, postage
19 prepaid, to:

20 DUANE JOHNSON
21 Labor Relations Coordinator
22 Montana School Boards Association
23 501 North Sanders
24 Helena, Montana 59601

25 JAMES J. MCGARVEY
26 Executive Director
27 Montana Federation of Teachers
28 P.O. Box 1246
29 Helena, Montana 59601

30
31
32
Emilie Loring