

State of Montana
Department of Labor & Industry
Marc Racicot, Governor



Employment Relations Division

Board of Personnel Appeals
Collective Bargaining Unit

April 22, 1996

Alice Jagiello, Superintendent
Colstrip Public Schools
Po Box 159
Colstrip MT 59323-0159

SUBJECT: Unit Determination No. 25-94 - Election Certification

Dear Ms. Jagiello:

The results of the election conducted by the Board of Personnel Appeals on Thursday, April 11, 1996, to determine the representative for collective bargaining purposes for certain employees of the Colstrip Public Schools (Elementary and High School District No. 19) of Colstrip, Montana are as follows:

- 73 - eligible voters
- 62 - valid votes cast
- 32 - Montana Education Association, NEA
- 29 - No Representation
- 1 - void ballot

There being a clear majority, the Board hereby certifies the **MONTANA EDUCATION ASSOCIATION, AFFILIATED WITH THE NATIONAL EDUCATION ASSOCIATION, OF BILLINGS, MONTANA** as the exclusive representative for collective bargaining purposes for **EMPLOYEES EMPLOYED BY COLSTRIP SCHOOL DISTRICT NO. 19, AS (OR COMBINATION OF) ATTENDANCE FACILITATORS, SECRETARIES, AIDES, REPROGRAPHICS EMPLOYEES, NURSES, SWIMMING POOL EMPLOYEES, FOOD SERVICE EMPLOYEES, BUS DRIVERS AND MECHANICS EMPLOYED ON THE DAY OF THE FILING OF THE PETITION, JANUARY 26, 1995, EXCLUDING SUBSTITUTE EMPLOYEES, PART-TIME EMPLOYEES (THOSE EMPLOYEES WORKING LESS THAN 17 HOURS PER WEEK), TEMPORARY EMPLOYEES (THOSE WORKING LESS THAN 30 CONSECUTIVE SCHOOL DAYS IN THE BARGAINING UNIT), SUMMER EMPLOYEES (THOSE EMPLOYEES WORKING LESS THAN 90 WORK DAYS DURING THE SUMMER**

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BREAK), CASUAL EMPLOYEES, ALL COACHES, ALL STUDENTS, SCHOOL PHYSIOLOGISTS, STUDENT ASSISTANCE COORDINATORS, ALL EMPLOYEES EXCLUDED BY SECTION 39-31-103 MCA, ALL OTHER EMPLOYEES AND THOSE EMPLOYEES WHO HAVE VOLUNTARILY TERMINATED THEIR EMPLOYMENT BETWEEN THE FILING DATE AND THE DATE OF THE ELECTION.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Jacobson". The signature is written in dark ink and is positioned above the typed name.

Jennifer Jacobson
Election Judge

c: Steve Henry
Rick D'Hooge

State of Montana
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Marc Racicot, Governor



Employment Relations Division

Board of Personnel Appeals

November 27, 1996

Steve Henry, UniServe Consultant
Montana Education Association
510 North 29th
Billings, Mt 59101

Subject: UD 25-94 - Colstrip Public Schools

Dear Mr. Henry:

Per your request I have reviewed the certification letter issued by Jennifer Jacobson on April 22 pertaining to the election conducted by the Board of Personnel Appeals.

For the ease of everyone, I have enclosed a copy of that letter with certain portions highlighted. The highlighted portions do not appear in any of the proposals you or Rick D'Hooge made in your proposed descriptions of the bargaining unit. Rather, this is language used by the Board to specify which employees are eligible to vote in the representation election. This language should not have been in either the stipulation for certification upon consent or the certification letter. It was put in those documents in error, probably as the word processor copied language from one document to another. If these highlighted portions were deleted the description of the unit would conform with the intent of the Board, and I believe the intent of the parties.

I will copy this to Superintendent Jagiello and Mr. D'Hooge for their files. I apologize for any confusion this may have caused and hope my explanation has clarified the matter.

If there are any questions or my assessment is viewed in error, I can be reached at 444-4619.

Sincerely,

A handwritten signature in dark ink, appearing to read "J.A.", written over a horizontal line.

John Andrew, Chief
Labor Standards Bureau

c: Superintendent Jagiello
Rick D'Hooge