

STATE OF MONTANA
DEPARTMENT OF LABOR AND INDUSTRY
BEFORE THE BOARD OF PERSONNEL APPEALS

IN THE MATTER OF UNIT DETERMINATION NO. 16-96:

MONTANA DISTRICT COUNCIL OF)
LABORERS, LOCAL NO. 254,)
)
Petitioner,)
)
CITY OF HELENA,)
)
Respondent.)

DISMISSAL ORDER

* * * * *

On May 2, 1997, the parties filed their joint Stipulated Settlement Agreement (Attached To And Incorporated Herein) with the Hearing Officer.

Now, therefore, finding good and sufficient cause, this matter is hereby **Dismissed With Prejudice**.

DATED this 6TH day of May, 1997.

BOARD OF PERSONNEL APPEALS

By: Gordon D. Bruce
Gordon D. Bruce
Hearing Officer

1 * * * * *

2 CERTIFICATE OF MAILING

3 The undersigned hereby certifies that true and correct copies
4 of the foregoing documents were, this day served upon the following
5 parties or such parties' attorneys of record by depositing the same
6 in the U.S. Mail, postage prepaid, and addressed as follows:

7 Eugene Fenderson - LIUNA
8 PO Box 702
9 Helena, MT 59601

10 David Nelson, City Attorney
11 City of Helena
12 316 N. Park
13 Helena, MT 59607

14 Troy McGee
15 Acting City Manager
16 City of Helena
17 316 N. Park
18 Helena, MT 59607

19 DATED this 6th day of May, 1997.

20 Christine A. Roland

1 STATE OF MONTANA
2 DEPARTMENT OF LABOR AND INDUSTRY
3 BEFORE THE BOARD OF PERSONNEL APPEALS

4 IN THE MATTER OF UNIT DETERMINATION NO. 16-96

4 MONTANA DISTRICT COUNCIL OF)
LABORERS, LOCAL NO. 254,)

5)
6 Petitioner,)

7 -vs-)

8 CITY OF HELENA,)

9 Respondent.)

STIPULATED SETTLEMENT AGREEMENT

10 RECITALS

11 On June 20, 1996, Montana District Council of Laborers, Local
12 #254, Laborers' Intl. Union of North America, AFL-CIO ("Union")
13 filed a Petition with the Montana Board of Personnel Appeals for
14 New Unit Determination and Election on behalf of the temporary
15 seasonal workers in the City of Helena Traffic Department. The
16 City of Helena filed a Counter-Petition in response. The parties
17 now desire to settle this issue.

18 STIPULATION

19 IT IS HEREBY STIPULATED AND AGREED by and between the parties
20 as follows:

21 1. The City agrees to recognize the employment positions of
22 temporary seasonal workers in the Traffic Department as being part
23 of the Agreement Between the City of Helena and the Laborer's
24 International Union, Local 254, effective July 1, 1995 through June
25 30, 2000 ("Agreement").

26 2. The Parties agree that the entry wage for these employee
27 positions will be the existing rate of \$5.50 per hour and the entry
28

1 | benefits will be those required by law.

2 | 3. These positions will not be counted against any numerical
3 | limitations for temporary workers in the Street or Solid Waste
4 | Departments as provided in the Agreement.

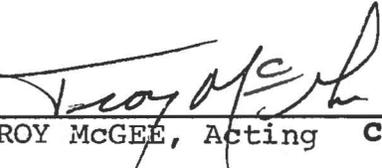
5 | 4. The Petition filed with the Board of Personnel Appeals as
6 | "In the Matter of Unit Determination No. 16-96" shall be dismissed
7 | without prejudice to either party.

8 | DATED this 30th day of April, 1997.

9 | MONTANA DISTRICT COUNCIL OF
10 | LABORERS, LOCAL NO. 254

11 | By 
12 | EUGENE FENDERSON, Business Mngr.

13 | CITY OF HELENA

14 | By  050197
15 | TROY MCGEE, Acting City Manager