

1 carry his grievance through the appropriate channels within the
2 union structure. If, after such action is taken, the complainant
3 yet feels aggrieved, he may again petition this board for a
4 hearing.

5 CAVEAT

6 Testimony offered by Mr. John Verbanac, President of AFSCME
7 Local #1906, revealed that the procedures employed by the officers
8 of the local to conduct elections do not meet standards set by
9 law. Section 59-1603(4) states: "Certification as an exclusive
10 representative shall be extended or continued as the case may be
11 only to a labor or employee organization the written by-laws of
12 which provide for and guarantee the following rights and safe-
13 guards and whose practices conform to such rights and safeguards
14 as: provisions are made for democratic organization and proce-
15 dures; elections are conducted pursuant to adequate standards
16 and safeguards; controls are provided for the regulation of
17 officers and agents having fiduciary responsibility to the
18 organization;...." Because Complainant's charges did not encompass
19 the admitted flagrant abuse of the rights and safeguards guaranteed
20 by statute, the board did not rule on the matter. However, this
21 board is alarmed by such abuse and encourages the local to remedy
22 the situation immediately.

23 Dated August 18, 1976.

24 BOARD OF PERSONNEL APPEALS

25
26 BY Donna K. Davis
27 Donna K. Davis
28 Hearing Examiner
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CERTIFICATE OF MAILING

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I, Vonda Brewster, hereby certify and state that I did on the 18th day of August, 1976, mail a copy of the above Finding of Fact, Conclusion of Law, and Recommended Order to the following:

Robert Moe
3102 Terrace Ave.
Helena, MT 59601

John Verbanac
President
AFSCME Local #1906
P. O. Box 210
East Helena, MT 59635

Don Judge
AFSCME
600 North Cooke
Helena, MT 59601

Vonda Brewster