

1 Department of Labor and Industry
2 Board of Personnel Appeals
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8 STATE OF MONTANA
9 BEFORE THE BOARD OF PERSONNEL APPEALS

10 IN THE MATTER OF UNFAIR LABOR PRACTICE CHARGE NO. 9-2001:

13 BROWNING FEDERATION OF)	
14 CLASSIFIED EMPLOYEES, LOCAL NO.)	
15 4532, MEA/MFT/AFL-CIO,)	INVESTIGATIVE REPORT
16 Complainant,)	AND
17 -vs-)	NOTICE OF INTENT TO DISMISS
18)	
19 BROWNING PUBLIC SCHOOLS,)	
20 Respondent)	

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25 **I. INTRODUCTION**

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27 On April 2, 2001 the Browning Federation of Classified Employees, Local No.
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29 4532 filed an unfair labor practice charge with this Board alleging that the Browning
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31 Public Schools were violating the Act by unilaterally attempting to exclude temporary
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33 employees from the bargaining unit. Defendant denies any violation of the law and asks
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35 that the charge be dismissed.
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40 **II. Background**

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42 The Board of Personnel Appeals has jurisdiction over this matter under Sections
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44 39-31-103 (2) and 39-31-405, MCA. The Parties are in the midst of bargaining a
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46 successor agreement. On April 19, 2001 Defendant's counsel motioned, with the
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