

COMMONWEALTH OF PENNSYLVANIA
The Pennsylvania Labor Relations Board

NISI ORDER OF CERTIFICATION

IN THE MATTER OF THE EMPLOYEES OF :
: *R1211-E*
JOHN F. KENNEDY MEMORIAL HOSPITAL : Case No. PERA-R-1211-E
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A Joint Request for Certification was filed with the Pennsylvania Labor Relations Board, herein called the "Board" on July 26, 1971, by the Professional Pharmacist Guild of Delaware Valley, herein called "Pharmacist Guild" and the John F. Kennedy Memorial Hospital, herein called "Employer".

Thereafter, on August 5, 1971, the Board issued an Order and Notice of Hearing, fixing Thursday, September 16, 1971, at 10:00 A.M., in Philadelphia, Pennsylvania, as the time and place for the hearing to determine the appropriate unit.

The aforesaid hearing was held and completed on September 16, 1971, before Larrick B. Stapleton, Esquire, a duly designated Hearing Examiner of the Board, at which time all parties were afforded a full opportunity to present testimony, cross-examine and examine witnesses and to introduce evidence.

The Board, on the basis of testimony and evidence presented at the hearing and from all other matters and documents of record, makes the following:

FINDINGS OF FACT

1. That John F. Kennedy Memorial Hospital is a public employer with its principal place of business at Langdon and Cheltenham Avenue, Philadelphia, Pennsylvania 19124.
2. That Professional Pharmacist Guild of Delaware Valley is an employe organization which exists for the purpose, in whole or in part, of dealing with employers concerning wages, terms and conditions of employment with its principal office at One North 13th Street, Room 1007, Philadelphia, Pennsylvania 19107.

3. That there are four non-supervisory employees engaged at the main hospital at Langdon and Cheltenham Avenues, namely Robert Mosaicant, Theodore Keesal, Thomas Campione and Philip Richter.

4. That the fifth pharmacist there employed, one Albert Hanowitz, is a supervisor over all other pharmacists employed by the respondent and has general authority to hire, fire, transfer, discipline and adjust grievances of all other employees. As such, he appears to be a supervisor at or above the first level of supervision within the meaning of the Act and therefore properly excludable from the proposed unit. (N. T. 8)

5. That there are one full-time and one part-time employees at the 1323 Arch Street center, namely Emanuel Zevin and an I. Ithelson. It appeared that Mr. Ithelson had been employed in excess of nine months at the time of the hearing, that he works a regular and systematic work schedule performing functions identical to all of the other pharmacists and that it is contemplated that he will continue in such employ. It is therefore, believed that he would constitute an appropriate member of the proposed unit. (N. T. 12 et seq.)

6. That the petitioner produced authorization cards which were individually examined and compared against the payroll list. All appeared to have been recently executed and to be in proper form and they represented a showing of interest clearly in excess of the minimum required in the Act. (N. T. 9-10)

7. That it was stipulated and agreed that the proposed unit would not include guards within the meaning of the Act. (N. T. 9)

8. That it was stipulated and agreed that the proposed unit would not include professionals and non-professional employees (N. T. 7)

9. That it was stipulated and agreed that no other proposed bargaining agent was known to exist claiming any right of representation of the instant employees. (N. T. 9)

10. That the respondent appeared without question to be a public employer within the meaning and terms of the Act.

11. That the budget submission date of the employer is July 1. (See Petition, Paragraph 8)

12. That it appeared that the members of the proposed unit have a sufficient community of interest to qualify them all as members of a unit. All of the proposed members have received identical education and have been licensed and certified as pharmacists by the appropriate authority. Each and all of them are presently engaged as such by the Employer and none of them perform any functions or duties other than the filling of prescriptions prepared either by staff physicians or other medical doctors referring patients to the 1323 Arch Street center. All of them are restricted to work as pharmacists and they are controlled purely in their work product by the physicians prescribing to them. Their sole performance supervisor is the chief pharmacist, Albert Hanowitz, who also performs solely as a pharmacist. (N. T. 9, 14-15, 16 17)

DISCUSSION

The matter came before the Examiner on a Joint Request for Certification that was filed with the Board on July 26, 1971. In said Joint Request, it was proposed that a single bargaining unit be certified representing all pharmacists employed at the Employer's two hospital sites, Langdon and Cheltenham Avenues and the Arch Street Center, Philadelphia, Pennsylvania.

The Employer operates two related but separate physical plants, one at Langdon and Cheltenham Avenues and one at 1323 Arch Street, Philadelphia, Pennsylvania. The former is the principal facility of Employer and handles in-patient care; while the latter is in the nature of a purely out-patient service facility. (N. T. 4).

There are a total of seven pharmacists at both locations, with five employed at the main hospital at Langdon and Cheltenham and two at the out-patient service at 1323 Arch Street. (N. T. 6, et seq.) Of the five employed at the main hospital, namely Albert Hanowitz, Robert Mosaicant, Theodore Keesal, Thomas Campione and Philip Richter, it was stipulated and agreed that Albert Hanowitz is at or above the first level of supervision and should therefore not be included within the proposed unit. Of the two employes at 1323 Arch Street, namely Emanuel Zevin and I. Ithelson, it was stipulated and agreed that his work load, length of employment and prospective status as a continuing employe were sufficient to make him an appropriate member of the unit. (N. T. 13)

The pharmacists do not participate in and are prohibited from taking part in any direct patient care, either for in-patients or out-patients. They are even restricted from administering in any way the drugs they compound. (N. T. 17, 18)

They perform their work exclusively within separate and segregated facilities at both hospital locations and do not come into other than incidental day-to-day contact with any other group of employes at either site. The examiner questioned at length on this issue and was unable to develop that the pharmacists had any discernible degree of interchange or interface with any other class of employes. (N. T. 18, 19 et. seq.)

The pharmacists all work under and are licensed and supervised by the Pharmacy Board of the Commonwealth which itself has no jurisdiction over other types of employes at the hospitals. (N. T. 20)

Certain authorities were cited at the hearing by counsel and all and a number of additional sources and decisions were examined by the hearing examiner. While none were clearly on point and while none involved construction of a provision similar to Pennsylvania's "appropriate unit" clause, the overall impact of outside authorities appears to support a view of limiting the proposed unit, at least at the present time, to the members proposed.

Although extensive reference was made to New York cases, these are by and large incompatible because of the special provision

of Section 705(2) of the New York Act which has no counterpart in the Pennsylvania Act. That section provides that:

" . . . in the case of a non-profitmaking hospital or a residential care center where a majority of the employees of a particular profession or craft shall so decide, the Board shall designate such profession or craft as a unit appropriate for the purposes of collective bargaining." (Emphasis supplied).

Thus, in New York, whenever members of a discrete profession such as pharmacists elect, they must be granted a separate and distinct bargaining unit. See, Wyckoff Heights Hospital, 27 N. Y. S. L. R. B. 17, Mount Sinai Hospital, 27 N. Y. S. L. R. B. 255, University Hospital of New York, 29 N. Y. S. L. R. B. 166, New York Infirmary, 27 N. Y. S. L. R. B. 55.

There are, however, several reported New York decisions where pharmacists did not elect separate representation or where section 705(a) was not applicable. The Board has, for example, included pharmacists and retail clerks in the same unit in cases involving retail or discount retail store employers. See, e. g., Casson Pharmacy, 26 N. Y. S. L. R. B. 395, L. H. Martin Value Centers, Inc., 25 N. Y. S. L. R. B. 392, 296-97. In these cases, the New York Board has emphasized that in such store operations both such classes of employees perform essentially the same basic functions and duties. Conversely, pharmacists in such employment are not usually performing or pursuing the customary work patterns and specialized service they perform in the usual hospital setting. Moreover, the National Labor Relations Board has reached a directly contrary result. See, Skaggs Pay Less Drug Stores, 134 N. L. R. B. No. 27.

In one instance, the New York Board has included pharmacists in the same unit with highly specialized technical employees, such as X-ray technicians, EKG technicians, bacteriologists and histologists. See, Flushing Hospital and Dispensary, 26 N. Y. S. L. R. B. 445. The National Labor Relations Board has, however, apparently only gone so far as to include interns with pharmacists when a clear and close relationship between their work functions was shown. See, Drug Fair, 73 L. R. R. M., at p. 168.

In the present case, upon the evidence showing that the instant pharmacists are performing exclusively the classic functions of their profession in a setting where they are for all intents and purposes isolated and set apart from all other types and classes of employees, the Board believes that it would not be proper to rule that they did not constitute an appropriate unit. It may well be that at some point, other classes of employees will petition for the John F. Kennedy Memorial Hospital who might appear to have an adequate community of interest with their pharmacists. At that point, it might be appropriate to expand the present unit. See, Drug Fair, supra. For the moment, however, it appears to the Board that the instant unit is appropriate and in the present setting would not result in over or undue fragmentation.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, concludes and finds:

1. That John F. Kennedy Memorial Hospital is a "public employer" within the meaning of Section 301 (1) of the Act.

2. That the Professional Pharmacists Guild of Delaware Valley be deemed a duly qualified and constituted "employe organization" within the meaning of Section 301 (3) of the Act.

3. That the Pennsylvania Labor Relations Board has jurisdiction over the parties hereto.

4. That Albert Hanowitz is a supervisor within the meaning of Section 301 (6) of the Act.

5. That the Board has determined that the unit appropriate for the purposes of collective bargaining is a subdivision of the employer unit comprised of all pharmacists and excluding supervisors, first level supervisors and confidential employes as defined in the Act.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that PROFESSIONAL PHARMACIST GUILD OF DELAWARE VALLEY

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of pharmacists and excluding supervisors, first level supervisors and confidential employes as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board, approved October 9, 1970, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this sixth day of December, 1971.

PENNSYLVANIA LABOR RELATIONS BOARD

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s/ MALCOLM B. PETRIKIN
MALCOLM B. PETRIKIN, CHAIRMAN

s/ JOSEPH J. LICASTRO
JOSEPH J. LICASTRO, MEMBER

s/ GEORGE B. STUART
GEORGE B. STUART, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: :
HOME-HEALTH SERVICES OF : Case No. PERA-R-2197-C
LUZERNE COUNTY :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter referred to as the "Board", on June 15, 1972, by the Pennsylvania Nurses Association, hereinafter referred to as the "Petitioner", alleging that it represented thirty percent (30%) or more of the Registered Nurses and Public Health Nurses employed by the Home-Health Services of Luzerne County, hereinafter referred to as the "Employer", and requesting that pursuant to Section 603, subsection (c), of the Public Employe Relations Act, Act 195, July 23, 1970, hereinafter referred to as the "Act", a hearing be scheduled, the proposed unit be approved and an Order be issued for an election.

On July 13, 1972, the Board issued an Order and Notice of Hearing, fixing August 2, 1972, in Wilkes-Barre, Pennsylvania, as the time and place of hearing. The hearing was subsequently re-scheduled for November 22, 1972, and held before Lewis W. Wetzell, a duly designated Hearing Examiner of the Board.

At the hearing, the Petitioner amended its original Petition so that the proposed unit now included Licensed Practical Nurses as well as Registered Nurses and Public Health Nurses.

Pursuant to the foregoing, the Board on January 29, 1973, issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Thursday, February 15, 1973, among the employes of the Employer to ascertain the exclusive representative for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT numbers 1 through 8, inclusive, as set forth in the Board's Order and Notice of Election dated January 29, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

9. That the Board conducted an election, by secret ballot, on Thursday, February 15, 1973, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued January 29, 1973.

10. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Pennsylvania Nurses Association, or whether the said employes wished No Representative.

11. That the professional employes were asked to indicate their preference as to whether or not they desired to be included in a unit of professional and non-professional employes.

12. That the tally of the ballots cast by the professional employes in the Unit Determination Election revealed the following results: twenty-one (21) ballots were cast in favor of being included in a unit comprised of professional and non-professional employes; and no (0) ballots were cast in favor of being included in a unit comprised of only professional employes.

13. That a tally of the ballots cast in the representation election revealed the following results: twenty-seven (27) ballots were cast by eligible voters, no (0) ballots were spoiled or cancelled, and no (0) ballots were challenged, thus leaving twenty-seven (27) ballots to be accounted for and canvassed.

14. That of the said twenty-seven (27) ballots, twenty-seven (27) ballots were cast in favor of representation by Pennsylvania Nurses Association, and no (0) ballots were cast for No Representative.

15. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the Election conducted on February 15, 1973, concludes and finds:

The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election numbers 1 through 5, inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Pennsylvania Nurses Association as their exclusive representative for the purpose of collective bargaining.

7. That Pennsylvania Nurses Association is the exclusive representative of all the employes of the Employer within the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

C E R T I F I E S

that PENNSYLVANIA NURSES ASSOCIATION

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of the following classifications of employes: Public Health Nurses, Registered Nurses, and Licensed Practical Nurses; excluding supervisors, first level supervisors and confidential employes as defined in the Act.


IT IS HEREBY ORDERED AND DECREED


6.


that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this twenty-sixth day of February, 1973.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
The Pennsylvania Labor Relations Board

CERTIFICATION OF REPRESENTATIVE

IN THE MATTER OF THE EMPLOYEES OF

:
: No. PERA-R-5033-C
:

LACKAWANNA COUNTY DAY CARE CENTER

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W H E R E A S , a Joint Request for Certification was filed with the Pennsylvania Labor Relations Board pursuant to ARTICLE VI, SECTION 602(a) of the PUBLIC EMPLOYE RELATIONS ACT, being Act 195 of 1970, and

W H E R E A S , the Pennsylvania Labor Relations Board has found the unit appropriate, and the Public Employer has complied with the five (5) day notice required by RULE 3.1(h), and

W H E R E A S , no objections having been filed to the Joint Request for Certification, the Pennsylvania Labor Relations Board hereby

C E R T I F I E S

that SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL #406

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in unit described below for the purposes of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of drivers, and excluding management level employes, supervisors, first level supervisors, confidential employes, and guards, as defined in the Act.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania,

this 16th day of May 1974.

PENNSYLVANIA LABOR RELATIONS BOARD



[Signature]
CHAIRMAN
[Signature]
MEMBER
[Signature]
MEMBER

COMMONWEALTH OF PENNSYLVANIA
THE PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF
LEWISTOWN HOSPITAL

:
: No. **PERA-R-221-C**
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:

NISI ORDER OF CERTIFICATION

WHEREAS, an Election has been conducted in the above matter on December 23, 1970 in accordance with Petition filed, Rules and Regulations and Order of the Pennsylvania Labor Relations Board and it appearing from the tally of ballots that a collective bargaining representative has been selected and no objections have been filed to the conduct of the election to the date of this Order.

NOW, THEREFORE, the Pennsylvania Labor Relations Board pursuant to authority of Act No. 195 known as the Public Employee Relations Act

HEREBY ORDERS AND DECREES

that Local 1199C, National Union of Hospital & Nursing Home Employees, Div. of RWDSU-AFL-CIO

be and it is hereby

CERTIFIED

as the exclusive representative for all the employees in a subdivision of the employer unit comprised of dietary aides, storeroom clerk, laundry workers,

maintenance, housekeeping ward clerks, orderlies, nurses aides (excluding junior aides) and excluding all supervisors, first level supervisors and confidential employees as defined in the Act.

for the purposes of collective bargaining with respect to wages, hours, terms and conditions of employment, subject to provisions of the aforesaid Act No. 195, and,

IT IS HEREBY FURTHER ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this **fourth** day of **January**, 19 **71**.

PENNSYLVANIA LABOR RELATIONS BOARD

Malcolm B. Petrik
MALCOLM B. PETRIKEN, CHAIRMAN

Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

George B. Stuart
GEORGE B. STUART, MEMBER

FINDINGS OF FACT

The Findings of Fact numbers 1 through 11 inclusive, as set forth in the Board's Order and Notice of Election, dated September 6, 1974, are hereby affirmed and incorporated by reference herein and made a part hereof.

12. That the Board conducted an election, by secret ballot, on September 24, 1974, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued on September 6, 1974.

13. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Philadelphia Federation of Teachers, Local #3, AFT, AFL-CIO or whether the said employes wished No Representative.

14. That the professional employes were asked to indicate their preference as to whether or not they desired to be included in a unit of professional and non-professional employes.

15. That a tally of the ballots cast by the professional employes in the Unit Determination Election revealed the following results: three (3) ballots were cast in favor of being included in a unit comprised of professional and non-professional employes, and no (0) ballots were cast in favor of being included in a unit comprised of only professional employes.

16. That a tally of the ballots cast by the professional and non-professional employes in the representation election revealed the following results: eleven (11) ballots were cast in favor of representation by Philadelphia Federation of Teachers, Local #3, AFT, AFL-CIO; no (0) ballots were cast for No Representative; no (0) ballots were void or blank; and four (4) ballots were cast by persons whose votes were challenged.

17. That the duly appointed Watcher in attendance at the said election has certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by persons whose votes were challenged since their inclusion in the total votes cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on September 24, 1974, concludes and finds:

The Board's Conclusions as set forth in its aforesaid Order and Notice of Election, numbers 1 through 6 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Philadelphia Federation of Teachers, Local #3, AFT, AFL-CIO as their exclusive representative for the purpose of collective bargaining with the Employer.

8. That Philadelphia Federation of Teachers, Local #3, AFT, AFL-CIO, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, pay, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that PHILADELPHIA FEDERATION OF TEACHERS, LOCAL #3, AFT, AFL-CIO, is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of: all Teachers, Teacher's Aides, Community Organizers, Cooks, Custodians, Playground Aide, Housekeeper, Secretary, and Bookkeeper, excluding all other employes of the employer, and further excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to 34 Pa. Code Ch. 95.98 within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania this third day of October, 1974.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
:
: Case No. PERA-R-4244-C
:
LOCK HAVEN HOSPITAL :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on December 28, 1973, by Laborers' International Union of North America, Laborers' District Council of Western Pennsylvania, AFL-CIO, hereinafter called the "Petitioner", alleging that it represented 30% or more of the employes of the Lock Haven Hospital, hereinafter called the "Employer", and requesting the Board to order an election to determine the exclusive representative for the purpose of collective bargaining pursuant to the provisions of the Public Employe Relations Act, hereinafter called the "Act".

On January 10, 1974, the Board issued an Order and Notice of Hearing, fixing Wednesday, January 30, 1974, in Lock Haven, Pennsylvania, as the time and place of hearing.

The hearing was held as scheduled before Vasil Fisanick, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity was afforded to all parties in interest to determine positions on the ballot, the site or sites for the conducting of the election, the eligibility list and all other matters pertaining to the conduct of the election.

Thereafter, on February 21, 1974, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Thursday, March 21, 1974, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of: maintenance, dietary, housekeeping, laundry, central supply, nurse's aides, ward unit clerks, operating room aides, licensed practical nurses, operating room technicians, and storeroom clerks, and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, on the basis of testimony and evidence presented at the hearing, and from all other matters and documents of record, makes the following:

FINDINGS OF FACT

The Findings of Fact numbers 1 through 6 inclusive, as set forth in the Board's Order and Notice of Election, dated February 21, 1974, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That the Board conducted an election, by secret ballot, on March 21, 1974, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued on February 21, 1974.

8. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Laborers' International Union of North America, Laborers' District Council of Western Pennsylvania, AFL-CIO or whether the said employes wished No Representative.

9. That one hundred thirty-nine (139) ballots were cast by eligible voters, four (4) ballots were void or blank, and four (4) ballots were cast by persons whose votes were challenged; thus leaving one hundred thirty-nine (139) ballots to be accounted for and canvassed.

10. That of the one hundred thirty-nine (139) ballots, one hundred eleven (111) ballots were cast in favor of representation by Laborers' International Union of North America, Laborers' District Council of Western Pennsylvania, AFL-CIO and twenty-eight (28) ballots were cast for No Representative.

11. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted, and that a true and perfect return thereof has been made by the designated agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by persons whose votes were challenged since their inclusion in the total votes cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, concludes and finds:

The Board's Conclusions as set forth in its Order and Notice of Election, numbers 1 through 4 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected

and designated Laborers' International Union of North America, Laborers' District Council of Western Pennsylvania, AFL-CIO, as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That Laborers' International Union of North America, Laborers' District Council of Western Pennsylvania, AFL-CIO, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that LABORERS' INTERNATIONAL UNION OF NORTH AMERICA, LABORERS' DISTRICT COUNCIL OF WESTERN PENNSYLVANIA, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of: maintenance, dietary, housekeeping, laundry, central supply, nurse's aides, ward unit clerks, operating room aides, licensed practical nurses, operating room technicians, and storeroom clerks, and excluding management level employes, supervisors, first level supervisors, confidential employes, and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board, approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania this first day of April, 1974.

3.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEFF, CHAIRMAN


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-R-4852-C
: :
LOCK HAVEN HOSPITAL AND ITS :
EXTENDED CARE UNIT :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", March 29, 1974, by Laborers' International Union of North America, Laborers' District Council of Western Pennsylvania, AFL-CIO, hereinafter called the "Petitioner", alleging that it represented 30% or more of certain employes of Lock Haven Hospital and Its Extended Care Unit, hereinafter called the "Employer", and requesting that pursuant to Section 603 (c) of the Public Employe Relations Act, hereinafter called the "Act", a hearing be scheduled and an Order be issued for an election.

Pursuant to due notice, a hearing was held on April 25, 1974, on the above-numbered case, in Lock Haven, Pennsylvania, before Sidney Lawrence, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded to all parties in interest.

Thereafter, on May 15, 1974, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Thursday, June 13, 1974, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of: All full-time and regular part-time Office Clerical employes; and excluding management level employes, supervisors, first level supervisors, confidential employes, and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, on the basis of testimony and evidence presented at the hearing, and from all other matters and documents of record, makes the following:

FINDINGS OF FACT

The Findings of Fact numbers 1 through 10 inclusive, as set forth in the Board's Order and Notice of Election, dated

May 15, 1974, are hereby affirmed and incorporated by reference herein and made a part hereof.

11. That the Board conducted an election, by secret ballot, on June 13, 1974, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued on May 15, 1974.

12. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Laborers' International Union of North America, Laborers' District Council of Western Pennsylvania, AFL-CIO or whether the said employes wished No Representative.

13. That twenty-seven (27) ballots were cast by the employes of the Employer.

14. That of the twenty-seven (27) ballots, nineteen (19) were cast in favor of representation by Laborers' International Union of North America, Laborers' District Council of Western Pennsylvania, AFL-CIO and one (1) ballot was cast in favor of No Representative with no (0) ballots void or blank and seven (7) ballots were cast by persons whose votes were challenged.

15. That the duly appointed Watcher in attendance at the said election has certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, concludes and finds:

The Board's Conclusions as set forth in its Order and Notice of Election, numbers 1 through 4 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Laborers' International Union of North America, Laborers' District Council of Western Pennsylvania, AFL-CIO, as their exclusive representative for the purpose of collective bargaining with the employer.

6. That Laborers' International Union of North America, Laborers' District Council of Western Pennsylvania, AFL-CIO is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that LABORERS' INTERNATIONAL UNION OF NORTH AMERICA, LABORERS' DISTRICT COUNCIL OF WESTERN PENNSYLVANIA, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of: All full-time and regular part-time Office Clerical employes; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to 34 Pa. Code Ch. 95.98 within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania this twentieth day of June, 1974.

PENNSYLVANIA LABOR RELATIONS BOARD



RAYMOND L. SCHEZ, CHAIRMAN


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-R-4851-C
: :
LOCK HAVEN HOSPITAL AND ITS :
EXTENDED CARE UNIT :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on March 29, 1974, by Laborers' International Union of North America, Laborers' District Council of Western Pennsylvania, AFL-CIO, hereinafter called the "Petitioner", alleging that it represented 30% or more of certain employes of Lock Haven Hospital and Its Extended Care Unit, hereinafter called the "Employer", and requesting that pursuant to Section 603 (c) of the Public Employe Relations Act, hereinafter called the "Act", a hearing be scheduled and an Order be issued for an election.

Pursuant to due notice, a hearing was held on April 25, 1974, on the above-numbered case, in Lock Haven, Pennsylvania, before Sidney Lawrence, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded to all parties in interest.

Thereafter, on May 15, 1974, the Board issued an Order and Notice of Election directing that an election, by secret ballot, will be held and conducted on Thursday, June 13, 1974, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of: All full-time and regular part-time Registered Nurses and Registered Nurses Anesthetists; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The Election was conducted as ordered by an election officer assigned by the Pennsylvania Labor Relations Board.

The Board, on the basis of testimony and evidence presented at the hearing, and from all other matters and documents of record, makes the following:

FINDINGS OF FACT

The Findings of Fact numbers 1 through 10 inclusive, as set forth in the Board's Order and Notice of Election, dated

May 15, 1974, are hereby affirmed and incorporated by reference herein and made a part hereof.

11. That the Board conducted an election, by secret ballot, on June 13, 1974, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued on May 15, 1974.

12. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Laborers' International Union of North America, Laborers' District Council of Western Pennsylvania, AFL-CIO or whether the said employes wished No Representative.

13. That fifty (50) ballots were cast by the employes of the Employer.

14. That of the fifty (50) ballots, thirty-six (36) ballots were cast in favor of representation by Laborers' International Union of North America, Laborers' District Council of Western Pennsylvania, AFL-CIO and twelve (12) were cast for No Representative with no (0) ballots void or blank and two (2) ballots were cast by persons whose votes were challenged.

15. That the duly appointed Watcher in attendance at the said election has certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, concludes and finds:

The Board's Conclusions as set forth in its Order and Notice of Election, numbers 1 through 4 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Laborers' International Union of North America, Laborers' District Council of Western Pennsylvania, AFL-CIO, as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That Laborers' International Union of North America, Laborers' District Council of Western Pennsylvania, AFL-CIO is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that LABORERS' INTERNATIONAL UNION OF NORTH AMERICA, LABORERS' DISTRICT COUNCIL OF WESTERN PENNSYLVANIA, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of: All full-time and regular part-time Registered Nurses and Registered Nurses Anesthetists; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

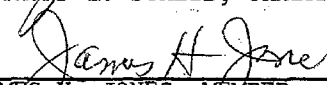
IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to 34 Pa. Code Ch. 95.98 within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania this twentieth day of June, 1974.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEEL, CHAIRMAN


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
:
:
LOCK HAVEN HOSPITAL AND ITS : No. PERA-R-5140-C
EXTENDED CARE UNIT :
:

NISI ORDER OF CERTIFICATION

On August 8, 1974 an Election was conducted in the above matter in accordance with the Joint Request for Election filed with the Pennsylvania Labor Relations Board. The tally of the ballots cast shows that thirty (30) ballot(s) was/were cast for LABORERS' INTERNATIONAL UNION OF NORTH AMERICA, LABORERS' DISTRICT COUNCIL OF WESTERN PENNSYLVANIA, AFL-CIO and five (5) ballot(s) was/were cast for no representation.

WHEREAS, the tally of the ballots cast shows that a collective bargaining representative has been selected and no objections having been filed to the conduct of the election to the date of this Order,

NOW, THEREFORE, the Pennsylvania Labor Relations Board, pursuant to authority of Act No. 195 known as the Public Employee Relations Act,

HEREBY ORDERS AND DECREES

that LABORERS' INTERNATIONAL UNION OF NORTH AMERICA, LABORERS' DISTRICT COUNCIL OF WESTERN PENNSYLVANIA, AFL-CIO
be and it is hereby

CERTIFIED

as the exclusive representative for all the employees in a subdivision of the employer unit comprised of Laboratory and Technical employees; and excluding management level employees, supervisors, first level supervisors, confidential employees and guards as defined in the Act.



for the purpose of collective bargaining with respect to wages, hours, terms and conditions of employment, subject to the provisions of the aforesaid Act No. 195, and

IT IS HEREBY FURTHER ORDERED AND DECREED

that in the absence of any exceptions filed, pursuant to Rule 15.1 of the Pennsylvania Labor Relations Board's Rules and Regulations, approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this fifteenth day of August, 1974.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN

JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
: Case No. PERA-R-3936-W
McKEESPORT HOSPITAL :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on September 13, 1973, by Teamsters Local Union No. 205, affiliated with the International Brotherhood of Teamsters, hereinafter called the "Petitioner", alleging that it represented thirty percent (30%) or more of certain employees of the McKeesport Hospital, hereinafter called the "Employer", and requesting that pursuant to Section 603 (c) of the Public Employe Relations Act, hereinafter called the "Act", a hearing be scheduled and an Order be issued for an election.

Pursuant to due notice, a Pre-Election Conference was held on October 17, 1973 and continued to November 5, 1973 in Pittsburgh, Pennsylvania, before Isadore E. Binstock, Esquire, a duly designated Hearing Examiner of the Board, at which time the parties were afforded an opportunity to determine positions on the ballot, the site or sites for the conducting of the election, the eligibility list and all other matters pertaining to the conduct of the election.

Thereafter, on December 27, 1973, the Board issued an Order and Notice of Election directing that an election by secret ballot, be held and conducted on Thursday, January 17, 1974, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of the following classifications of employes: all laundry, dietary, nursing assistants, aides comprised of pharmacy messengers, physical therapy escorts, social service, utility technicians, anesthesia and x-ray escorts and housekeeping, elevator operators, storeroom and snack bar employes; and excluding office and clerical, technical, professional, registered nurses, staff development nurses, licensed practical nurses, department coordinators, ward clerks and maintenance employes, and further excluding management level, supervisors, first level supervisors and confidential employes as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The Findings of Fact numbers 1 through 5 inclusive, as set forth in the Board's Order and Notice of Election, dated December 27, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That the Board conducted an Election, by secret ballot, on January 17, 1974, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued on December 27, 1973.

7. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Teamsters Local Union No. 205, affiliated with the International Brotherhood of Teamsters, or whether the said employes wished No Representative.

8. That four hundred thirty-eight (438) ballots were cast by eligible voters, eight (8) ballots were void or blank, and sixteen (16) ballots were cast by persons whose votes were challenged; thus leaving four hundred thirty-eight (438) ballots to be accounted for and canvassed.

9. That of the four hundred thirty-eight (438) ballots, two hundred sixty-nine (269) ballots were cast in favor of representation by Teamsters Local Union No. 205, affiliated with the International Brotherhood of Teamsters, and one hundred sixty-nine (169) ballots were cast for No Representative.

10. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by persons whose votes were challenged since its inclusion in the total votes would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, concludes and finds:

The Board's Conclusions as set forth in its aforesaid Order and Notice of Election, numbers 1 through 4 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Teamsters Local Union No. 205, affiliated with the International Brotherhood of Teamsters, as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That Teamsters Local Union No. 205, affiliated with the International Brotherhood of Teamsters, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with

respect to wages, rates of pay, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that TEAMSTERS LOCAL UNION NO. 205, AFFILIATED WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of the following classifications of employes: all laundry, dietary, nursing assistants, aides comprised of pharmacy messengers, physical therapy escorts, social service, utility technicians, anesthesia and x-ray escorts and housekeeping, elevator operators, storeroom and snack bar employes; and excluding office and clerical, technical, professional, registered nurses, staff development nurses, licensed practical nurses, department coordinators, ward clerks and maintenance employes, and further excluding management level, supervisors, first level supervisors, and confidential employes as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania this twenty-fourth day of January, 1974.

PENNSYLVANIA LABOR RELATIONS BOARD


Raymond L. Schetz
RAYMOND L. SCHEZB, CHAIRMAN

Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

James H. Jones
JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
The Pennsylvania Labor Relations Board

NISI ORDER OF CERTIFICATION

IN THE MATTER OF THE EMPLOYES OF :
MAGEE-WOMENS HOSPITAL : Case No. PERA-R-175-W
:

A Petition for Representation by Public Employees, Group of Public Employees or Employee Organization was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on November 16, 1970 by International Union of Operating Engineers, Local 95-95A. The Petition alleged as an appropriate bargaining unit, a subdivision of the employer, Magee-Women's Hospital.

A Pre-Election Conference was held and completed on March 26, 1971, at which time all parties agreed that the appropriate unit is a subdivision of the employer unit comprised of Engineers, Apprentice Engineers and Fireman, Maintenance Mechanics, Laborers, Carpenters, Air Conditioning Refrigeration Mechanics, Painters, Working Supervisors, excluding all supervisory, first level supervisors and confidential employes as defined in Act 195.

On April 30, 1971, the Board issued an Order and Notice of Election, by secret ballot, to be held on May 14, 1971.

FINDINGS OF FACT

1. That Magee-Womens Hospital is a nonprofit health organization receiving grants or appropriations from local, state or federal governments and whose address is Forbes and Halket Streets, Pittsburgh, Pennsylvania 15213.

2. That International Union of Operating Engineers, Local 95-95A is a labor organization which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, employee-employer disputes, wages, rates of pay, hours of employment or conditions of work having its principal office at 1410 Lawyers Building, 428 Forbes Avenue, Pittsburgh, Pennsylvania 15222.

3. That the appropriate unit determined by the Board, for the purposes of collective bargaining is a subdivision of the employer unit comprised of Engineers, Apprentice Engineers and Fireman, Maintenance

Mechanics, Laborers, Carpenters, Air Conditioning Refrigeration Mechanics, Painters, Working Supervisors, excluding all supervisory, first level supervisors and confidential employes as defined in Act 195.

4. That an Election was held within the bargaining unit on May 14, 1971, at which time the choices set forth on the ballot were as follows: On the left, International Union of Operating Engineers, Local 95-95A, and on the right, No Representative.

5. That forty-two (42) ballots were cast, of which twenty-two (22) ballots were cast in favor of International Union of Operating Engineers, Local 95-95A; and twenty (20) ballots were cast in favor of No Representative.

6. That the duly appointed watchers in attendance at said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

The unit agreed to by all parties in this case consists of a subdivision of the employer unit comprised of Engineers, Apprentice Engineers and Fireman, Maintenance Mechanics, Laborers, Carpenters, Air Conditioning Refrigeration Mechanics, Painters, Working Supervisors, excluding all supervisory, first level supervisors and confidential employes as defined in Act 195.

The Board is of the opinion that such a unit is appropriate to effectuate the policies of Act 195.

CONCLUSIONS

The Board, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the results of the Election conducted on May 14, 1971, concludes and finds:

1. That the Pennsylvania Labor Relations Board has jurisdiction over the parties hereto.

2. That Magee-Womens Hospital is a "public employer" within the meaning of Section 301 (1) of the Act.

3. That International Union of Operating Engineers, Local 95-95A is an "employe organization" within the meaning of Section 301 (3) of the Act.

4. That the unit appropriate for the purposes of collective bargaining between the Employer and its employes within the meaning of Section 604 of the Act, is a subdivision of the employer unit comprised of Engineers, Apprentice Engineers and Fireman, Maintenance Mechanics, Laborers, Carpenters, Air Conditioning Refrigeration Mechanics, Painters, Working Supervisors, excluding all supervisory, first level supervisors, and confidential employes as defined in Act 195.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit, have selected and designated International Union of Operating Engineers, Local 95-95A, as their exclusive representative for the purposes of collective bargaining with the Employer.

6. That International Union of Operating Engineers, Local 95-95A, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer, within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 95-95A is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purposes of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT:

In a subdivision of the employer unit comprised of Engineers, Apprentice Engineers and Fireman, Maintenance Mechanics, Laborers, Carpenters, Air Conditioning Refrigeration Mechanics, Painters, Working Supervisors, excluding all supervisory, first level supervisors and confidential employes as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board, approved October 9, 1970, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this first day of September, 1971.

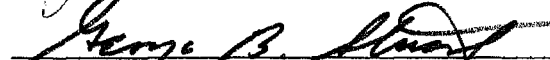
PENNSYLVANIA LABOR RELATIONS BOARD



MALCOLM B. PETRIKIN, CHAIRMAN



JOSEPH J. LICASTRO, MEMBER



GEORGE B. STUART, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

NISI ORDER OF CERTIFICATION

IN THE MATTER OF THE EMPLOYES OF :
:
WOMEN'S MEDICAL COLLEGE OF : PERA-R-225-E
PENNSYLVANIA, doing business as :
MEDICAL COLLEGE OF PENNSYLVANIA :

A Petition for Representation by Public Employees, Group of Public Employees or Employee Organization was filed on November 23, 1970, by Local 1199C, National Union of Hospital & Nursing Home Employees, Division of RWDSU, AFL-CIO, hereafter called "Local 1199C", requesting its certification as the employe representative for certain employes of Women's Medical College of Pennsylvania, doing business as Medical College of Pennsylvania. On February 9, 1971, a similar Petition was filed with the Board, docketed to No. PERA-R-913-E, by Local 835-835A, International Union of Operating Engineers, AFL-CIO, with respect to certain employes of the aforesaid Employer. These Petitions were consolidated for further proceedings.

Hearings were held on March 4, 1971, April 2, 1971 and April 12, 1971 before a duly designated Trial Examiner of the Board, and a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded to all parties in interest.

Thereafter, on December 7, 1971, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Tuesday, December 21, 1971. Among the employes of the employer to ascertain the exclusive representative for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment of the employes of Women's Medical College of Pennsylvania, doing business as Medical College of Pennsylvania is a subdivision of the employer unit comprised of all service employes engaged in non-professional service directly related to patient care, including all full-time and regular part-time service employes (who work 20 or more hours per week), including: aide, serviceman, floorman, terminal cleaner, laundress, washman, seamstress, laundry helper, presser, linen room attendant, second cook, dietary aide, storekeeper, nurse assistant, floor or ward clerk, orderlies, laboratory aide; and excluding practical dieticians, supervisors, first level supervisors, and confidential employes as defined in the Act.

The Election was conducted as ordered on December 21, 1971, by an Elections officer assigned by the Pennsylvania Labor Relations Board.

FINDINGS OF FACT

The Board from all matters and documents of record finds the following facts:

1. That Findings of Fact No. 1 through No. 41, inclusive, are incorporated herein by reference as fully as though they were here set forth at length.

2. That the Board conducted an Election by secret ballot on December 21, 1971, among the employes of the Employer within the above-stated appropriate unit, in accordance with the order of the Board issued December 7, 1971.

3. That the question voted at the said election was: "Shall Local 1199C, National Union of Hospital & Nursing Home Employees, Division of RWDSU, AFL-CIO or 'No Representative' represent you exclusively for the purpose of collective bargaining with your employer, Women's Medical College of Pennsylvania, doing business as Medical College of Pennsylvania?"

4. That one hundred seventy-eight (178) ballots were cast by eligible voters, two (2) ballots were void or blank, eleven (11) ballots were challenged, thus leaving one hundred seventy-eight (178) ballots to be accounted for and canvassed.

5. That of the said one hundred seventy-eight (178) ballots, one hundred thirty-five (135) ballots were cast in favor of representation by Local 1199C, National Union of Hospital & Nursing Home Employees, Division of RWDSU, AFL-CIO, and forty-three (43) ballots were cast against such representation.

6. That the duly appointed watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted, and that a true and perfect return has been made by a designated agent of the Board.

DISCUSSION

We have fully considered the issue of the appropriateness of a unit of service employes in this case in our previous Order of December 7, 1971, and incorporate our discussion there in this Order.

We will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose ballots were challenged since their inclusion in the total vote cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on December 21, 1971, concludes and finds:

1. That the Conclusions No. 1 through No. 12, inclusive, of our Order of December 7, 1971, are incorporated herein by reference as fully as though they were here set forth at length.

2. That a majority of the employes of the Employer, within the heretofore defined appropriate unit, have selected and designated Local 1199C as their exclusive representative for the purpose of collective bargaining with the Employer.

3. That Local 1199C, by virtue of the provisions of the Act, is the exclusive representative of all of the employes of the Employer, within the heretofore defined appropriate unit, for the purpose of collective bargaining, with respect to wages, hours, terms, and conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that LOCAL 1199C, NATIONAL UNION OF HOSPITAL & NURSING HOME EMPLOYEES, DIVISION OF RWDSU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT:

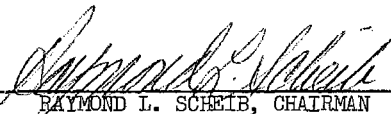
In a subdivision of the employer unit comprised of all service employes engaged in non-professional service directly related to patient care, including all full-time and regular part-time service employes (who work 20 or more hours per week), including: aide, serviceman, floorman, terminal cleaner, laundress, washman, seamstress, laundry helper, presser, linen room attendant, second cook, dietary aide, storekeeper, nurse assistant, floor or ward clerk, orderlies, laboratory aide; and excluding practical dieticians, supervisors, first level supervisors, and confidential employes as defined in the Act.

IT IS HEREBY FURTHER ORDERED AND DECREED

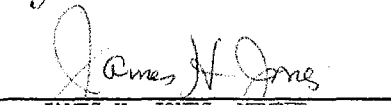
that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this eighteenth day of January, 1972.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LECASTRO, MEMBER


JAMES H. JONES, MEMBER

Extra 3

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
 :
 : Case No. PERA-R-2270-E
 :
 HOSPITAL OF THE MEDICAL COLLEGE :
 OF PENNSYLVANIA :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, herein called the "Board", by Local 1199C, Guild of Professional, Technical and Office Employees, National Union of Hospital and Nursing Home Employees, Div. RWDSU, AFL-CIO, herein called the "Petitioner", alleging that it represented 30% or more of certain employees of the Hospital of the Medical College of Pennsylvania, herein called the "Employer".

Pursuant to due notice, a hearing was held on September 7, 1972, in Philadelphia, Pennsylvania, before Joseph T. Kelley, Jr., Esquire, a duly designated Hearing Examiner of the Board, at which time the parties were afforded an opportunity to examine and cross-examine witnesses and to present testimony, and introduce evidence.

Thereafter, on September 18, 1972, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Wednesday, October 4, 1972, among the employees of the Employer to ascertain the exclusive representative for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment in a subdivision of the Employer unit comprised of all social workers who work twenty (20) hours or more per week and excluding all other employees of the Employer, and further excluding management level employees, supervisors, first level supervisors and confidential employees as defined in Act 195.

The election was conducted as ordered by an Elections Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, and more particularly in consideration of the election conducted on October 4, 1972, makes the following:

FINDINGS OF FACT

THE FINDINGS OF FACT NUMBERS 1 through 6 inclusive as set forth in the Board's Order and Notice of Election dated September 18, 1972, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That the Board conducted an election, by secret ballot, on October 4, 1972, among the employees of the Employer within the hereto-

fore defined appropriate unit in accordance with the Order of the Board issued on September 18, 1972.

8. That the question voted on was whether the eligible employees in the appropriate unit wished to be represented by Local 1199C, Guild of Professional, Technical and Office Employees, National Union of Hospital and Nursing Home Employees, Div. RWDSU, AFL-CIO or whether said employees wished No Representative.

9. That eight (8) ballots were cast by eligible voters, no (0) ballots were spoiled or cancelled, no (0) ballots were cast by persons not on the eligibility list; thus leaving eight (8) ballots to be accounted for and canvassed.

10. That of the eight (8) ballots, seven (7) ballots were cast in favor of representation by Local 1199C, Guild of Professional, Technical and Office Employees, National Union of Hospital and Nursing Home Employees, Div. RWDSU, AFL-CIO and one (1) ballot was cast for No Representative.

11. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole and, more particularly in consideration of the Election conducted on October 4, 1972, concludes and finds:

The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election, dated September 18, 1972, Numbers 1 through 4, inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employees of the Employer within the heretofore defined appropriate unit have selected and designated Local 1199C, Guild of Professional, Technical and Office Employees, National Union of Hospital and Nursing Home Employees, Div. RWDSU, AFL-CIO as their exclusive representative.

6. That Local 1199C, Guild of Professional, Technical and Office Employees, National Union of Hospital and Nursing Home Employees, Div. RWDSU, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of the employees of the Employer within the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that LOCAL 1199C, GUILD OF PROFESSIONAL, TECHNICAL AND OFFICE EMPLOYEES, NATIONAL UNION OF HOSPITAL AND NURSING HOME EMPLOYEES, DIV. RWDSU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment:

UNIT: In a subdivision of the Employer unit comprised of all social workers who work twenty (20) hours or more per week and excluding all other employes of the employer, and further excluding management level employes, supervisors, first level supervisors and confidential employes as defined in Act 195.

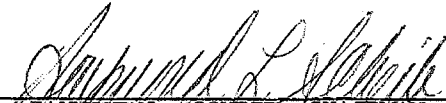
IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

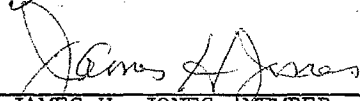
SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania this sixteenth day of October, 1972.

3.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
: :
: : Case No. PERA-R-3627-E
: :
MEDICAL COLLEGE & HOSPITAL OF :
PENNSYLVANIA :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on June 7, 1973, by Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, hereinafter called "Local 1199C", alleging that it represented 30% or more of certain employes of the Medical College and Hospital of Pennsylvania, hereinafter called the "Employer", and requesting the Board to order an election to determine the exclusive representative for the purpose of collective bargaining pursuant to provisions of the Public Employee Relations Act, hereinafter called the "Act".

On June 20, 1973, the Board issued an Order and Notice of Hearing fixing July 24, 1973, in Philadelphia, Pennsylvania, as the time and place of hearing, at which time all parties in interest were afforded a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence.

Thereafter, on August 6, 1973, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Tuesday, August 28, 1973, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of the following classifications of employes: All licensed practical nurses who work twenty or more hours a week and excluding management level employes, supervisors, first level supervisors, and confidential employes as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT numbers 1 through 3 inclusive, as set forth in the Board's Order and Notice of Election dated August 6, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

4. That the Board conducted an election, by secret ballot, on August 28, 1973, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued August 6, 1973.

5. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, or whether the said employes wished No Representative.

6. That thirty-six (36) ballots were cast by eligible voters, no (0) ballots were void or blank, and one (1) ballot was cast by a person whose vote was challenged; thus leaving thirty-six (36) ballots to be accounted for and canvassed.

7. That of the thirty-six (36) ballots, twenty-two (22) ballots were cast in favor of representation by Local 1199C, and fourteen (14) ballots were cast for No Representative.

8. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballot cast by the person whose ballot was challenged since its inclusion in the total votes cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on August 28, 1973, concludes and finds:

That the Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election, numbers 1 through 4 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That Local 1199C, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that LOCAL 1199C, NATIONAL UNION OF HOSPITAL AND NURSING HOME EMPLOYEES, DIVISION OF RWDSU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the Employer unit comprised of all licensed practical nurses who work twenty or more hours a week and excluding management level employes, supervisors, first level supervisors, and confidential employes as defined in the Act.


IT IS HEREBY ORDERED AND DECREED


that in the absence of any Exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this seventh day of September, 1973.

3.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

NISI ORDER OF CERTIFICATION

IN THE MATTER OF THE EMPLOYES OF :
 :
MERCY HOSPITAL OF PITTSBURGH 1/ : Case No. PERA-R-1181-W
 :
 :

A Petition for Representation by Public Employees, Group of Public Employees or Employee Organization was filed with the Pennsylvania Labor Relations Board, herein called the "Board", on July 12, 1971, by the International Union of Operating Engineers, Local 95-95A, herein called "Local 95-95A", alleging that it represented 30% or more of certain employees of Mercy Hospital of Pittsburgh, herein called "Employer".

Thereafter, on October 4, 1971, the Board issued an Order and Notice of Hearing fixing November 8, 1971, at Pittsburgh, Pennsylvania, as the time and place of the hearing. The aforesaid hearing was continued to November 24, 1971, and held before Morton B. DeBroff, Esquire, a duly designated Hearing Examiner of the Board at which time the parties in interest were afforded a full opportunity to examine and cross-examine witnesses and to present testimony and introduce evidence.

Pursuant to the foregoing, the Board, on January 13, 1972, issued an Order and Notice of Election, directing that an election, by secret ballot, be held and conducted on Wednesday, January 26, 1972, among the employees of the Employer to ascertain the exclusive representative for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment.

The election was conducted as ordered by an Elections Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT NUMBERS 1, 2, 3, and 4, as set forth in the Board's Order and Notice of Election dated January 13, 1972, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That the Board conducted an election, by secret ballot, on Wednesday, January 26, 1972, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued January 13, 1972.

6. That the question voted on at said Election was: "Shall International Union of Operating Engineers, Local 95-95A, AFL-CIO, or No Representative, represent you exclusively for the purpose of collective bargaining with your Employer, Mercy Hospital of Pittsburgh?"

7. That forty (40) ballots were cast by eligible voters, no (0) ballots were spoiled or cancelled, and two (2) ballots were cast by persons not on the eligibility list which were challenged by the Agent of the Board; thus leaving forty (40) ballots to be accounted for and canvassed.

8. That of the said forty (40) ballots, twenty-seven (27) ballots were cast in favor of representation by International Union of Operating Engineers, Local 95-95A, AFL-CIO, and thirteen (13) ballots were cast for No Representative.

9. That the duly appointed Watchers in attendance at the said Election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose ballots were challenged since their inclusion in the total vote cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election Numbers 1, 2, 3, and 4, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated International Union of Operating Engineers, Local 95-95A, AFL-CIO, as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That International Union of Operating Engineers, Local 95-95A, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

2.

CERTIFIES

that INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 95-95A,
AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named
Employer in the unit described below for the purpose of collective bargaining
with respect to wages, hours, and terms and conditions of employment.

UNIT:

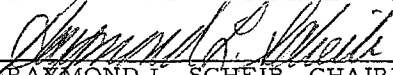
In a subdivision of the employer unit comprised of
all employes in the Maintenance Department and the
Boiler Plant operation in the following job classifications:
Engineers, Firemen, Electricians, Carpenters, Plasterers,
Painters, Plumbers, Machinists, Maintenance planners,
Refrigeration Mechanics, General Utility, Upholsterers,
and Group leaders, and excluding Elevator Operators,
management level employes, supervisors, first level
supervisors, confidential employes and guards as defined
in the Act.


IT IS HEREBY ORDERED AND DECREED


that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules
and Regulations of the Pennsylvania Labor Relations Board approved October
9, 1970, as amended, within ten (10) days of the date hereof, this Decision
and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania,
this eighth day of February, 1972.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: Case No. PERA-R-11,441-E
: WORDSWORTH ACADEMY :

NISI ORDER OF CERTIFICATION

On May 25, 1979, the Pennsylvania Labor Relations Board (Board) issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on June 8, 1979, among certain employes of Wordsworth Academy (Employer) to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board with thirty-three (33) ballots out of eighty-eight (88) being challenged by the parties.

On July 18, 1979, the Board issued an Order Directing and Fixing the Time and Place of Hearing for the Purpose of Taking Additional Testimony on the Validity of Challenged Ballots and on Jurisdiction. A hearing was held on September 21, 1979, before a duly designated Hearing Examiner of the Board at which time the parties were given a full opportunity to present testimony, introduce evidence and to examine and cross-examine witnesses.

On May 21, 1980, the Board issued an Order Fixing Time and Place for the Canvassing of Challenged Ballots setting June 2, 1980, in Philadelphia as the date and place for the canvassing of the challenged ballots. The ballots were canvassed on the date scheduled.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT, numbers 1 through 24 inclusive, as set forth in the Board's Order and Notice of Pre-Election

Conference dated April 12, 1979, and FINDING OF FACT number 25, as set forth in the Board's Order and Notice of Election dated May 25, 1979, and FINDINGS OF FACT, numbers 26 through 32 inclusive, as set forth in the Board's Order Fixing Time and Place for the Canvassing of Challenged Ballots dated May 21, 1980, are hereby affirmed and incorporated by reference herein and made a part hereof.

33. That the Commonwealth of Pennsylvania through its Department of Education (DOE) conducts two types of examinations of Wordsworth Academy: (1) a financial audit conducted annually; and (2) a program evaluation which is conducted at least once every three years. (N.T. II-1, 6-16)

34. That in the program evaluations, the DOE evaluators determine whether in fact the Individualized Education Programs (IEPs) which have been developed for each student, pursuant to statutory requirements, are being carried out. (N.T. II, 15-19)

35. That the DOE evaluators review the personnel files of the teachers at Wordsworth to check their teaching certificates, credentials, qualifications, and in-service training. That the DOE evaluators also determine the ability of the teachers to handle their assignments by auditing classes. (N.T. II, 32-38)

36. That the DOE evaluations may address such issues as staff morale, salary details and differentials, job descriptions, and teachers' clothing. (N.T. II, 42-47)

37. That the DOE evaluators' composite report is sent directly to the Department of Education which then submits its own report to the school which has been evaluated, indicating whether the school has been approved or disapproved and the remedial action, if any, required (N.T. II, 48-49); such a report cannot directly order a school to take any action. (N.T. II, 110-112, 120-121, 151-152)

38. That the Commonwealth of Pennsylvania sets standards for programs including class size, teacher certification and length of the school year. (N.T. II, 65-70)

39. That the DOE evaluator may examine hiring policy, fringe benefit policy and compliance with rules and regulations; such review is at a policy level and does not involve review of management's judgment or actions in specific cases. (N.T. II, 86-91, 128-130)

1/ N.T. II references are to testimony taken at the second hearing in this matter conducted on September 21, 1979.

40. That fiscal audits and evaluations of expenditures by the Commonwealth are aggregated by type of service or program and do not concern the appropriateness of services rendered to an individual child. (N.T. II, 113-116, 123-124)

41. That of the eighty-eight (88) ballots cast at the election, fifty-nine (59) ballots were cast in favor of representation by the American Federation of Teachers, AFT, AFL-CIO; twenty-nine (29) ballots were cast for No Representative; and no (0) ballots were void or blank.

DISCUSSION

A challenge to the Board's jurisdiction in this case has been mounted on two fronts. First, it is alleged that Wordsworth Academy is not a public employer within the meaning of Section 301(1) of the Act as it does not receive grants or appropriations. It is argued that the Commonwealth Court's decision in Brownsville General Hospital v. Pennsylvania Labor Relations Board, 16 Pa. Commonwealth Ct. 428, 325 A.2d 662 (1974) should control this matter. In Brownsville, supra, the Commonwealth Court determined that the Board did not have jurisdiction over a nonprofit corporation which received reimbursements rather than grants or appropriations from local, state or federal governments.^{2/}

Reimbursement was defined as an itemized appropriation to an individual for whom services were rendered as opposed to a direct appropriation to a nonprofit organization. As we stated in our Order and Notice of Pre-Election Conference, we do not find Brownsville applicable in the instant matter. The testimony presented at the second hearing supports our prior conclusion.

The record in this case establishes that Wordsworth Academy does not submit a budget in advance of the fiscal year. The Commonwealth, at the conclusion of the fiscal year, conducts an audit of Wordsworth Academy's expenditures. The auditors determine the approved aggregate expenditures and then calculate the amount per student in each of the recognized student categories. The figure arrived at is an average amount per student per year, and the funding does not depend upon specific, itemized, individual bills for individual students.

^{2/} The Pennsylvania Supreme Court has never addressed the issue as to whether a nonprofit organization or institution is a public employer without regard to the receipt of grants or appropriations. The Board petitioned the Supreme Court for allowance of appeal from the decision of the Commonwealth Court in Brownsville. The Board's petition was granted but after the passage of the 1974 Health Care Amendments to the National Labor Relations Act, the appeal was dismissed as moot. 464 Pa. 151, 346 A.2d 260 (1975).

Wordsworth Academy receives the same amount for each child, in the approved categories, without regard to the actual cost of services for each child. We believe that monies received by Wordsworth Academy more appropriately are characterized as governmental appropriations rather than the itemized dollar-for-dollar reimbursements for patient-care relationships that existed in Brownsville.

A second jurisdictional argument is made wherein it is contended that the Board does not have jurisdiction over the employees of Wordsworth Academy due to the recent National Labor Relations Board (NLRB) decision in National Transportation, Inc., 240 NLRB. No. 64, 100 LRRM 1263 (1979). In that case, the NLRB asserted jurisdiction over private employers whose employees provide services to a public entity. The employer in that case provided school bus service for handicapped children. In asserting jurisdiction, the NLRB abandoned the "intimate connection"^{3/} test in favor of the "right of control"^{4/} test. We do not agree with the argument that National Transportation, Inc., preempts us from asserting jurisdiction over Wordsworth Academy.

Wordsworth Academy assists the public school system of the Commonwealth of Pennsylvania in carrying out the mandate set forth in Article III, Section 14 of the Pennsylvania Constitution^{5/} by providing educational programs for handicapped school-aged persons.^{6/}

3/ The "intimate connection" test is employed by determining whether the non-exempt employer retains sufficient control over the conditions of employment of its employees to the extent that it would be capable of bargaining effectively with them and by looking to the nature of the relationship between the purposes of the exempt institution and the services provided by the non-exempt employer. Rural Free Protection Company, 216 NLRB 584, 88 LRRM 1305 (1975).

4/ The "right to control test" is employed by determining whether the employer has sufficient control over the employment conditions of its employees to enable it to bargain with a labor organization representing its employees. National Transportation Inc., supra.

5/ Article III, Section 14 provides:

"The General Assembly shall provide for the maintenance and support of a thorough and efficient system of public education to serve the needs of the Commonwealth."

6/ 22 Pa. Code §13.1 defined "handicapped school-aged" persons as:

"(i) Handicapped school-aged persons -- This term shall include the following:

(A) Mentally handicapped persons who are educable mentally retarded, trainable mentally retarded, severely and profoundly mentally retarded, and socially and emotionally disturbed.

(B) Physically handicapped persons who are physically handicapped, brain damaged, learning disabled, speech or language impaired, visually handicapped, and hearing impaired.

(C) Multi-handicapped persons who have two or more severe handicaps as defined in clauses (A) and (B) of this paragraph."

Wordsworth Academy provides programs for learning disabled children, brain-injured or brain-damaged children, socially and emotionally disturbed children, epileptic children and children with severe reading disabilities. Pursuant to Article III, Section 14, the General Assembly had adopted the Public School Code of 1949 (24 P.S. §101 et seq.) to establish a thorough and efficient system of public education. See Danson v. Casey, 33 Pa. Commonwealth Ct. 614, 382 A.2d 1238 (1978), aff'd 484 Pa. 415, 399 A.2d 360 (1979).

The courts of this Commonwealth have held that handicapped school-aged persons are entitled to appropriate educational and training programs which are the responsibility of the local school districts. Savka v. Commonwealth Department of Education, 44 Pa. Commonwealth Ct. 62, 403 A.2d 142 (1979). School districts are given several options concerning the manner in which such educational services to handicapped children are provided.^{7/} 22 Pennsylvania Code §13.14 provides that school districts may utilize approved private schools, such as Wordsworth Academy, to fulfill their responsibility in the education of handicapped children. The standards for such approved schools are set forth in 22 Pennsylvania Code, Chapter 171.

The students at Wordsworth Academy are referred through school districts or intermediate units and it is funded primarily

7/ 22 Pennsylvania Code §13.11 provides in pertinent part:

"(b) The primary responsibility for providing an appropriate program of education or training, or both, shall be that of a school district. Where such school district board cannot provide an appropriate program effectively and efficiently, it shall use the services of the intermediate unit. The services of approved private schools, state schools, and out-of-state institutions may be used, as hereinafter provided, where intermediate unit boards and school district boards agree that they cannot provide services effectively and efficiently for handicapped school-aged persons.

The following priority order of educational placement for handicapped school-aged persons shall be followed except where a deviation is needed to meet the appropriate needs of the person or the purpose of these regulations:

- (1) A regular class in a regular school with supporting services.
- (2) A school district special education program in a regular school, including homebound instruction.
- (3) A school district special education program in a special facility.
- (4) An intermediate unit program in a regular school.
- (5) An intermediate unit program in a special facility.
- (6) An approved private school program.
- (7) A State school program.
- (8) An approved out-of-state program, subject to the requirements of §13.12 of this title (relating to placement in out-of-state institutions).
- (9) An intermediate unit program of instruction in the home."

by the Commonwealth. Wordsworth Academy is assisting the public school system in fulfilling its obligation to educate handicapped children and may be deemed an adjunct of the public school system.

We must reject the argument that the NLRB would possess jurisdiction over Wordsworth Academy. As the Supreme Court of Pennsylvania stated in Teachers' Tenure Act Cases, 329 Pa. 213, 197 A.2d 334 (1938): "The powers of the state over education fall into that class of powers which are made fundamental to our government." Utilizing the rationale expressed by the United States Supreme Court in National League of Cities v. Usery, 426 U.S. 833, 96 S.Ct. 2465, 49 L.Ed.2d 245 (1976),^{8/} the PLRB and not the NLRB would possess jurisdiction over these employes as they perform essential services in an area which is traditionally a local government function.^{9/} Due to the close and continuing relationship between Wordsworth Academy and the Commonwealth, it is clearly a public employer within the meaning of Section 301(1) of the Public Employee Relations Act. Therefore, we must reject the argument made on this point.^{10/} See Western Pennsylvania School for the Deaf, Case No. PERA-R-12,523-W, 11 PPER 11158 (1980).

8/ In National League of Cities, supra, the Supreme Court held that the 1974 amendments to the Fair Labor Standards Act were not within the authority granted to Congress by the Commerce Clause as they operated directly to displace the states' ability to structure employer-employee relationships in areas of traditional government functions.

9/ In Pennsylvania, a public school system was mandated as early 1776. The Constitution of 1776, §44 provided:

"A school or schools should be established in each county by the legislature for the convenient instruction of youth with salaries... paid by the public."

The Free School Act of 1834 was the genesis of the common school system. See Danson v. Casey, supra.

10/ We have advanced a similar argument to the National Labor Relations Board which is presently considering the issue of its jurisdiction over Wordsworth Academy. We contend that the PLRB, and not the NLRB, possesses jurisdiction for the reasons advanced above. We also contend that the NLRB improperly abandoned the "intimate connection" test and substituted the "right of control" test. We believe that the "right of control" test, when used with regard to institutions such as Wordsworth Academy, raises serious questions about unconstitutional intrusions into local governmental affairs. Specifically, we believe that the "right of control" test violates the Tenth Amendment of the United States Constitution which provides: "The powers not delegated to the United States by constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." It is our contention that the PLRB has exclusive jurisdiction over employes who provide essential services in areas of traditional government functions. See National League of Cities, supra.

The public interest is best served by our assertion of jurisdiction over an employer such as Wordsworth Academy. In enacting the PERA, the General Assembly provided safeguards to protect the interests of the citizens in Pennsylvania in maintaining essential government services. Among these safeguards, which are not present in the National Labor Relations Act, 29 U.S.C.A. §141 et seq., are the impasse procedures contained in Article VIII of the PERA which must be exhausted prior to a strike or without which could effectively shut down the educational process.^{11/} The PERA was designed to limit such strikes so as to protect the paramount concern of keeping inviolate the health, safety, and welfare of the citizens of the Commonwealth.^{12/} Additionally, the PERA provides that the PLRB protects the interest of the public at large as well as those interests of the parties.^{13/} Thus the public interest is best served by the Board's assertion of jurisdiction over Wordsworth Academy, a non-profit institution which provides educational services to school-aged children.

On June 9, 1980, Wordsworth Academy filed a letter in the form of exceptions to the Board's Conduct of the election. Section 95.97 of the Board's Rules and Regulations provides:

"All objections to the conduct of a party to an election or exceptions to the Board's conduct of an election shall be filed within five working days of the election and of the initial canvass of the ballots." (emphasis added)

As these exceptions were filed well after five days of the election and of the initial canvass of the ballots, we must dismiss them as untimely filed.

11/ Section 1002 of the PERA provides in relevant part:

"Strikes by public employes during the pendency of collective bargaining procedures set forth in Section 801 and 802 of Article VIII are prohibited."

12/ Section 101 of the PERA provides in relevant part:

"The General Assembly of the Commonwealth of Pennsylvania declares that it is the public policy of this Commonwealth and the purpose of this act to promote orderly and constructive relationships between all public employers and their employes subject, however, to the paramount right of the citizens of this Commonwealth to keep inviolate the guarantees for their health, safety, and welfare. Unresolved disputes between the public employer and its employes are injurious to the public and the General Assembly is therefore aware that adequate means must be established for minimizing them and providing for their resolution." 43 P.S. §1101.101.

13/ Section 101 provides in relevant part:

"The General Assembly has determined that the overall policy may best be accomplished by... (3) establishing procedures to provide for the protection of the rights of the public employe, the public employer and the public at large." 43 P.S. §1101.101.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on June 8, 1979, concludes and finds:

The Board's CONCLUSIONS, numbers 1 through 4 inclusive, as set forth in the Board's Order and Notice of Pre-Election Conference dated April 12, 1979, and CONCLUSION number 5, as set forth in the aforesaid Order Fixing Time and Place for the Canvassing of Challenged Ballots, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the employes of Wordsworth Academy within the heretofore defined appropriate unit have selected and designated American Federation of Teachers, AFL-CIO, as their exclusive representative for the purpose of collective bargaining with Wordsworth Academy.

7. That the American Federation of Teachers, AFL-CIO, is the exclusive representative of all the employes of Wordsworth Academy within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, hours of employment, wages, and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that AMERICAN FEDERATION OF TEACHERS, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of all full-time and regular part-time professional employes including but not limited to teachers, teacher assistants, staff psychologists, social workers, art therapists, speech therapists, and career counsellors employed by Wordsworth Academy at its Main, Linfield and Wyncote subdivisions; excluding nonprofessional employes, substitute teachers, clerical employes, confidential employes, CETA employes, maintenance employes, guards and supervisors as defined in the Act.

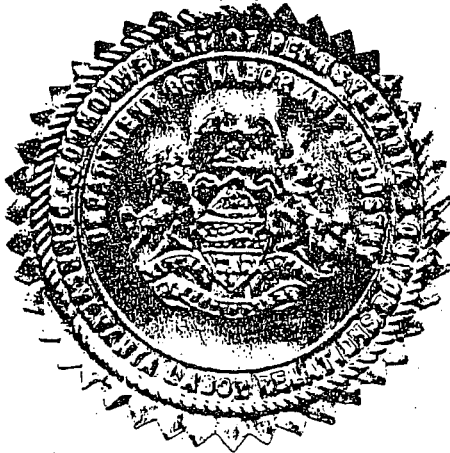
IT IS HEREBY ORDERED AND DECREED

that the Exceptions filed on June 9, 1980, by Wordsworth Academy to the Board's conduct of the election, be and the same, are hereby dismissed, and

IT IS HEREBY FURTHER ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to 34 Pa. Code Ch. 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this second day of September, 1980.



PENNSYLVANIA LABOR RELATIONS BOARD

s/ Joseph J. Licastro

JOSEPH J. LICASTRO, MEMBER

s/ James H. Jones

JAMES H. JONES, MEMBER

Commonwealth of Pennsylvania
PENNSYLVANIA LABOR RELATIONS BOARD

In the Matter of the Employes of :
WORDSWORDH ACADEMY : Case No. PERA-R-11,441-E
:

FINAL ORDER

On September 2, 1980, the Pennsylvania Labor Relations Board (Board) issued a Nisi Order of Certification wherein the American Federation of Teachers, AFL-CIO (AFT) was certified as the exclusive representative of certain professional employes of Wordsworth Academy (Employer). On September 22, 1980, the Employer filed timely Exceptions to the Nisi Order of Certification.

The Employer first argues that the Board erred in determining that the Employer is a "public employer" within the meaning of Section 301(1) of the Public Employe Relations Act (Act). The Employer contends that the Commonwealth Court's decision in Brownsville General Hospital v. Pennsylvania Labor Relations Board, 16 Pa. Commonwealth Ct. 428, 325 A.2d 662 (1974) controls this matter. In Brownsville, the Commonwealth Court held that the Board did not have jurisdiction over a nonprofit corporation which received reimbursements rather than grants or appropriations from local state, or federal governments. 1/

As we stated at length in our previous orders in this matter, we do not find Brownsville applicable herein. In

1

The Board petitioned the Supreme Court for allowance of appeal from the decision of the Commonwealth Court in Brownsville. The Board's petition was granted, but subsequent to the passage of the 1974 Health Care amendments to the National Labor Relations Act (NLRA), the appeal was dismissed as moot. 464 Pa. 151, 346 A.2d 260 (1975). The Pennsylvania Supreme Court has therefore never addressed the issue as to whether a nonprofit organization or institution is a public employer without regard to the receipt of grants or appropriations.

Brownsville, the Commonwealth Court distinguished between reimbursements and grants or appropriations. 2/ The Court based this distinction upon the Pennsylvania Supreme Court case of Schade v. Allegheny County Institution, 386 Pa. 507, 126 A.2d 911 (1956) wherein that Court held that payments to sectarian organizations for the care and support of delinquent children were not appropriations within the meaning of Article III, Section 18 of the Pennsylvania Constitution (since repealed) but reimbursements. The Supreme Court in Schade stated that the monies received by the institutions were in partial reimbursement for the cost of room and board of the minors.

The payments received by the Employer are more appropriately characterized as governmental appropriations rather than reimbursements. As we have outlined in our previous orders, the Commonwealth conducts an audit, at the conclusion of the fiscal year, of the Employer's expenditures. The auditors determine the approved aggregate expenditures and then calculate the amount per student in each of the recognized student categories. The Employer receives funding based upon a per capita averaging of educationally-related expenditures and not upon an actual cost basis, as was the case in Brownsville.

The Employer points to the federal regulations governing the Medicare Program and argues that these regulations are similar to those governing Wordsworth Academy. We recognize that these regulations provide that vendors of medical services may be reimbursed for overhead and certain lump sum expenditures. However, these payments are but a part of the actual services rendered to individual patients. As the Commonwealth Court stated in Brownsville:

"... a review of these federal standards does not alter the express legislative intent that these payments constitute appropriations to the medically needy and

2

"Reimbursement" was defined as in effect, an appropriation to the individual for whom services have been rendered.

"Appropriation" was defined as a designation of money raised by taxation to be withdrawn from the public treasury for a specifically designated purpose which is awarded for a non-profit organization's own use.

reimbursements for the cost of health services rendered the participating vendors of services..."

For the reasons advanced above, we believe that Brownsville does not apply.

Additionally, the Employer argues that the Board erred by arrogating to itself the determination that the National Labor Relations Board (NLRB) does not possess jurisdiction over the Employer. In our Nisi Order of Certification, we did not presume to usurp any of the powers of the NLRB. We have an affirmative obligation when a petition for representation is filed with us to determine whether or not we possess jurisdiction over the employer of the petitioned-for employees. As set forth in our Nisi Order of Certification, Wordsworth Academy falls clearly within the ambit of the definition of "public employer" contained in Section 301(1) of the Act. Inherent in such a determination is the belief that the NLRB does not possess jurisdiction, as Section 301(1) provides that "public employer...shall not include employers covered or presently subject to coverage...under the National Labor Relations Act."

In our analysis on the issue of jurisdiction in the Nisi Order of Certification, we rejected the argument that the NLRB would possess jurisdiction over the Employer. As we stated therein, utilizing the rationale expressed by the United States Supreme Court in National League of Cities v. Usery, 426 U.S. 833, 96 S.Ct. 2465, 49 L.Ed.2d 245 (1976), the PLRB and not the NLRB possesses jurisdiction over these employees as they perform essential services in an area which is traditionally a local government function. Due to the close and continuing relationship between the Employer and the Commonwealth, which has been detailed in our previous orders, it is clearly a public employer within the meaning of Section 301(1) of the Act. Therefore, we dismiss the Employer's Exceptions on this issue.

Finally, the Employer contends that the Board erred in dismissing its Exceptions to the Board's conduct of the Election. As we stated in our Nisi Order of Certification, Section 95.97 of the Boards Rules and Regulations provides:

"All objections to the conduct of a party to an election or exceptions to the Board's conduct of an election shall be filed within five working days of an election and of the initial canvass of the ballots. (emphasis added)

As these exceptions were filed more than one year after the date of the election and of the initial canvass of the ballots, we dismissed them as untimely filed.

The Employer argues that Section 605(6) of the Act permits the filing of the Exceptions. Section 605(6) provides in relevant part:

"The board shall certify the results of said election within five working days after the final tally of votes if no charge is filed by any person alleging that an 'unfair practice' existed in connection with said election."

Section 605(6) does not, as alleged by the Employer, conflict with 34 Pennsylvania Code Section 95.97. Section 605(6) allows the Board to certify the election results within five days of the final tally of the ballots so long as no unfair practice charges have been filed by any party. Section 95.97, on the other hand, sets forth the time deadlines for the filing of objections or exceptions. Nothing in Section 605(6) suggests, as the Employer argues, that a party may wait more than one year after the holding of the election to file Exceptions to the Board's Conduct of the Election. As the Employer did not file its Exceptions within five days of the election and of the initial canvassing of the ballots, the Exceptions must be dismissed as untimely filed.

The Board has reviewed all the pleadings, testimony, briefs, and all other matters of record in this case and is of the opinion that the Board's findings are based on substantial and legally credible evidence and the conclusions derived therefrom are neither arbitrary, capricious, nor illegal. Therefore, the Employer's Exceptions must be dismissed.

ORDER

In view of the foregoing and in order to effectuate the policies of the Act, the Pennsylvania Labor Relations Board

HEREBY ORDERS AND DIRECTS

that the Exceptions filed on September 22, 1980, to the Board's Nisi Order of Certification of September 2, 1980, be and the same, are hereby dismissed, and the Nisi Order of Certification be and the same is hereby made absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this fifth day of November, 1980.



PENNSYLVANIA LABOR RELATIONS BOARD

s/ Joseph J. Licastro

JOSEPH J. LICASTRO, MEMBER

s/ James H. Jones

JAMES H. JONES, MEMBER

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COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYEES OF :
:
:
: Case No. PERA-R-99-252-E
:
ALLENTOWN SYMPHONY ASSOCIATION

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on June 23, 1999, by the Allentown Musician's Association, Local 561, American Federation of Musicians, AFL-CIO (Petitioner) alleging that it represented thirty (30) percent or more of certain employes of the Allentown Symphony Association (Employer) and requesting that pursuant to Section 603(c) of the Public Employee Relations Act (Act) a hearing be scheduled and an order be issued for an election to determine the exclusive representative for collective bargaining under the Act.

Pursuant to due notice, a telephone pre-hearing conference was held on July 13, 1999, at which time the parties agreed to consider entering into a memorandum of agreement. Thereafter, memoranda of agreement were filed with the Board by the Petitioner and Employer on July 26, 1999, and August 6, 1999, respectively, stipulating to the unit composition, the site for the election, the position on the ballot, the eligibility list and other matters pertaining to the conduct of the election.

On August 12, 1999, an Order and Notice of Election was issued directing that an election, by secret ballot, be held and conducted on November 12, 1999, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time musicians, including but not limited to tenured and non-tenured musicians; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted by an election officer assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 7 inclusive, as set forth in the Order and Notice of Election dated August 12, 1999, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That the Board conducted an election, by secret ballot, on November 12, 1999, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued August 12, 1999.

9. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the Allentown Musician's

Association, Local 561, American Federation of Musicians, AFL-CIO or whether said employes wished no representative.

10. That fifty-two (52) ballots were cast at the election.

11. That of the fifty-two (52) ballots, forty-three (43) ballots were cast in favor of representation by the Allentown Musician's Association, Local 561, American Federation of Musicians, AFL-CIO; nine (9) ballots were cast for No Representative; and no (0) ballots were cast by persons whose votes were challenged. No (0) ballots were void or blank.

12. That the duly appointed watchers in attendance at the said election have certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

CONCLUSIONS

That CONCLUSIONS numbers 1 through 5 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the valid votes cast by employes in the aforesaid appropriate unit designated the Allentown Musician's Association, Local 561, American Federation of Musicians, AFL-CIO as the exclusive representative for the purpose of collective bargaining with the Employer.

7. That the Allentown Musician's Association, Local 561, American Federation of Musicians, AFL-CIO is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that the ALLENTOWN MUSICIAN'S ASSOCIATION, LOCAL 561, AMERICAN FEDERATION OF MUSICIANS, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

UNIT: All full-time and regular part-time musicians, including but not limited to tenured and non-tenured musicians; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

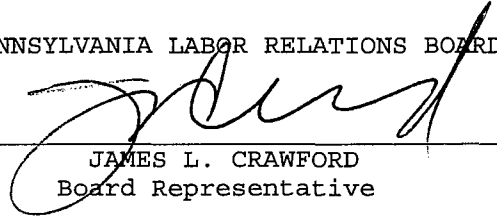
IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98

within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, DATED and MAILED this twenty-third day of November, 1999,
pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD

A handwritten signature in black ink, appearing to read "J. Crawford", is written over a horizontal line. The signature is fluid and cursive.

JAMES L. CRAWFORD
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-R-99-207-E
: :
MANCHESTER AMBULANCE CLUB :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on May 6, 1999, by Teamsters Local Union No. 430, affiliated with the International Brotherhood of Teamsters, AFL-CIO (Petitioner) alleging that it represented thirty (30) percent or more of certain employes of Manchester Ambulance Club (Employer) and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employee Relations Act (Act).

Pursuant to due notice, a telephone pre-hearing conference was held on May 27, 1999, at which time the parties agreed to consider entering into a memorandum of agreement. Thereafter, memoranda of agreement were filed with the Board by the Petitioner and Employer on June 8 and 16, 1999, respectively, stipulating to the unit composition, the site for the election, the position on the ballot, the eligibility list and other matters pertaining to the conduct of the election.

On June 16, 1999, an Order and Notice of Election was issued directing that an election, by secret ballot, be held and conducted on June 29, 1999, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time nonprofessional employes including but not limited to emergency medical technicians; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted by an election officer assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 6 inclusive, as set forth in the Order and Notice of Election dated June 16, 1999, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That the Board conducted an election, by secret ballot, on June 29, 1999, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued June 16, 1999.

8. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Teamsters Local Union No. 430, affiliated with the International Brotherhood of Teamsters, AFL-CIO or whether said employes wished no representative.

9. That two (2) ballots were cast at the election.

10. That of the two (2) ballots, two (2) ballots were cast in favor of representation by Teamsters Local Union No. 430, affiliated with the International Brotherhood of Teamsters, AFL-CIO; no (0) ballots were cast for No Representative; and no (0) ballots were cast by persons whose votes were challenged. No (0) ballots were void or blank.

11. That the duly appointed watchers in attendance at the said election have certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on June 29, 1999, concludes and finds:

That CONCLUSIONS numbers 1 through 4 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the valid votes cast by employes in the aforesaid appropriate unit designated Teamsters Local Union No. 430, affiliated with the International Brotherhood of Teamsters, AFL-CIO as the exclusive representative for the purpose of collective bargaining with the Employer.

6. That Teamsters Local Union No. 430, affiliated with the International Brotherhood of Teamsters, AFL-CIO is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that TEAMSTERS LOCAL UNION NO. 430, affiliated with the INTERNATIONAL BROTHERHOOD OF TEAMSTERS, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.


UNIT: All full-time and regular part-time nonprofessional employes including but not limited to emergency medical technicians; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, DATED and MAILED this eighth day of July, 1999, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
:
: Case No. PERA-R-99-27-E
:
PHILADELPHIA COMMERCIAL DEVELOPMENT :
CORPORATION :

CERTIFICATION OF REPRESENTATIVE

WHEREAS, a Joint Request for Certification was filed with the Pennsylvania Labor Relations Board pursuant to ARTICLE VI, SECTION 602(a) of the PUBLIC EMPLOYE RELATIONS ACT, being Act 195 of 1970, and

WHEREAS, the Board Representative has found the unit appropriate, and the Public Employer has complied with the five (5) day notice required by 34 Pa. Code § 95.11(b)(8), and

WHEREAS, no objections having been filed to the Joint Request for Certification, the Board Representative hereby

CERTIFIES

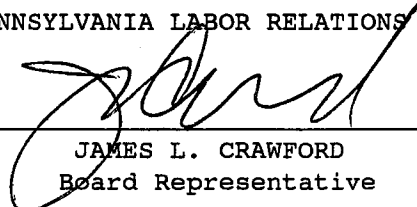
that the AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, DISTRICT COUNCIL 47, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

UNIT: All full-time and regular part-time nonprofessional employes, including but not limited to case managers, receptionists, executive administrative assistants, site supervisors, senior sit supervisors, administrative assistants, and legal assistants; and excluding professional employes, management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

SIGNED, DATED and MAILED this eighteenth day of February, 1999, pursuant to 34 Pa. Code § 95.11(d).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
:
: Case No. PERA-R-99-28-E
:
PHILADELPHIA COMMERCIAL DEVELOPMENT :
CORPORATION :

CERTIFICATION OF REPRESENTATIVE

WHEREAS, a Joint Request for Certification was filed with the Pennsylvania Labor Relations Board pursuant to ARTICLE VI, SECTION 602(a) of the PUBLIC EMPLOYE RELATIONS ACT, being Act 195 of 1970, and

WHEREAS, the Board Representative has found the unit appropriate, and the Public Employer has complied with the five (5) day notice required by 34 Pa. Code § 95.11(b)(8), and

WHEREAS, no objections having been filed to the Joint Request for Certification, the Board Representative hereby

CERTIFIES

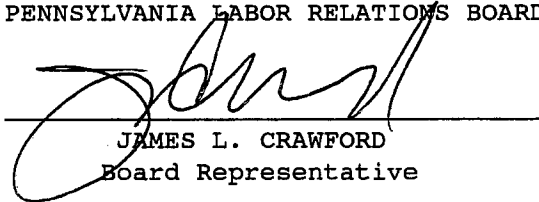
that the AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, DISTRICT COUNCIL 47, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

UNIT: All full-time and regular part-time professional employes, including but not limited to commercial area specialists, business developers, comcast managers, HCP fund managers, capital improvement/facade managers, venture fund managers, accountants, microloan fund managers, OPCS program managers, financial analysts, administrative procurement officers, A/P and personnel administrators, NCR program managers, and loan officers; and excluding nonprofessional employes, management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

SIGNED, DATED and MAILED this eighteenth day of February, 1999, pursuant to 34 Pa. Code § 95.11(d).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

3

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-R-97-676-W
PLANTATION PARK CAMPERS' :
ASSOCIATION, INC. :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on December 15, 1997, by Teamsters Local Union #261, affiliated with the International Brotherhood of Teamsters, AFL-CIO (Petitioner) alleging that it represented thirty (30) percent or more of certain employes of Plantation Park Campers' Association, Inc. (Employer) and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employee Relations Act (Act).

Thereafter, memoranda of agreement were filed with the Board by the Petitioner and Employer on January 23 and 26, 1998, respectively, stipulating to the unit composition, the site for the election, the position on the ballot, the eligibility list and other matters pertaining to the conduct of the election.

On February 5, 1998, an Order and Notice of Election was issued directing that an election, by secret ballot, be held and conducted on February 19, 1998, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time nonprofessional employes including but not limited to maintenance workers, maintenance foreman and clerical employes; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted by an election officer assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 7 inclusive, as set forth in the Order and Notice of Election dated February 5, 1998, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That the Board conducted an election, by secret ballot, on February 19, 1998, among the employees of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued February 5, 1998.

9. That the question voted on was whether the eligible employees in the appropriate unit wished to be represented by Teamsters Local Union #261, affiliated with the International Brotherhood of Teamsters, AFL-CIO or whether said employees wished no representative.

10. That four (4) ballots were cast at the election.

11. That of the four (4) ballots, four (4) ballots were cast in favor of representation by Teamsters Local Union #261, affiliated with the International Brotherhood of Teamsters, AFL-CIO; no (0) ballots were cast for No Representative; and no (0) ballots were cast by persons whose votes were challenged. No (0) ballots were void or blank.

12. That the duly appointed watchers in attendance at the said election have certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on February 19, 1998, concludes and finds:

That CONCLUSIONS numbers 1 through 5 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the valid votes cast by employees in the aforesaid appropriate unit designated Teamsters Local Union #261, affiliated with the International Brotherhood of Teamsters, AFL-CIO as the exclusive representative for the purpose of collective bargaining with the Employer.

7. That Teamsters Local Union #261, affiliated with the International Brotherhood of Teamsters, AFL-CIO is the exclusive representative of all the employees of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that TEAMSTERS LOCAL UNION #261, affiliated with the INTERNATIONAL BROTHERHOOD OF TEAMSTERS, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

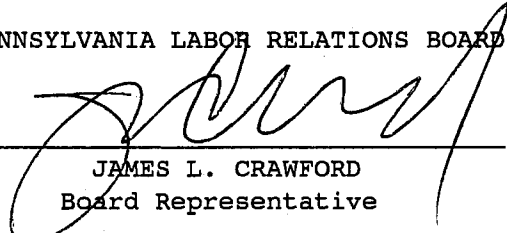
UNIT: All full-time and regular part-time nonprofessional employees including but not limited to maintenance workers, maintenance foreman and clerical employees; and excluding management level employees, supervisors, first level supervisors, confidential employees and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, DATED and MAILED this third day of March, 1998, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

2

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
:
:
: Case No. PERA-U-02-41-E
:
: (PERA-R-97-613-E) ✓
:
TEMPLE UNIVERSITY :
(LOWER BUCKS HOSPITAL) :

NISI ORDER OF AMENDED CERTIFICATION

On January 25, 2002, the Pennsylvania Labor Relations Board (Board) received a Petition for Amendment of Certification, pursuant to 34 Pa. Code § 95.24, filed by the Nurses Association of Lower Bucks Hospital, PSEA (Association) requesting that the Board amend the name of the exclusive certified representative to reflect a change in the name of the exclusive representative to the Nurses Association of Lower Bucks Hospital/Pennsylvania Association of Staff Nurses & Allied Professionals. The request is based upon the Association's affiliation with the Pennsylvania Association of Staff Nurses & Allied Professionals (PASNAP), to reflect a change in the Association's affiliation from the Pennsylvania State Education Association (PSEA) to the Pennsylvania Association of Staff Nurses & Allied Professionals.

The Board has consistently held that the amendment of certification process cannot be employed to occasion a change in the relationship between the employe organization and the public employer or raise a question of representation. Lincoln Intermediate Unit #12, 7 PPER 137 (Final Order, 1976). The Board has also recognized that the decision to affiliate is an internal union matter. School District of Pittsburgh, 5 PPER 68 (Nisi Order of Amended Certification, 1974).

In Lincoln Intermediate Unit #12, *supra*, the Board set forth four (4) criteria which must be satisfied before a previously issued certification will be amended to permit an affiliation. The petitioning party must establish (1) that the newly affiliated local is a continuation of the prior unaffiliated local, with the same officers and functional leaders; (2) that a majority of the membership has approved the requested amendment; (3) that there is no change in the day-to-day relationship with the employer; and (4) that all contract commitments with the employer will be honored. The petitioning party must provide the required information to the Board prior to the processing of the petition. Based on such information, the Board can determine whether the granting of the petition assures affected employes a continuity of their organization and representation, and, whether the procedure utilized in bringing about the change accurately reflects the desires of the employes involved.

Based on the information submitted by the Association, the affiliated organization is a continuation of the prior organization altered only by the change in affiliation from PSEA to PASNAP. The Association has assured the Board that its officers will remain intact, that it will honor its contract commitments with the Employer, and that there will be no change in the day-to-day relationship with the Employer. It is therefore apparent that the continuity essential for approval of the petition is present.

The Board also finds that the procedure utilized in bringing about the Association's affiliation with PASNAP accurately reflects the desires of the employes involved. A secret mail ballot election was conducted in which one hundred seven (107) employes voted in favor of the affiliation and four (4) employes voted against the affiliation.

In view of the above, the Board Representative concludes that the Association's petition should be granted.

ORDER

In view of the foregoing and in order to effectuate the policies of the Public Employe Relations Act, the Board Representative

HEREBY ORDERS AND DIRECTS

that the Certification of Representative issued on December 3, 1997, to Case No. PERA-R-97-613-E, be amended to change the name of the employe organization to Nurses Association of Lower Bucks Hospital/Pennsylvania Association of Staff Nurses & Allied Professionals.

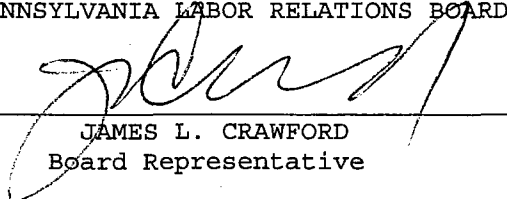
The Certification of Representative issued by the Board on December 3, 1997, in all other matters and respects shall be and remain in full force and effect.

IT IS HEREBY FURTHER ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, DATED and MAILED this twenty-fifth day of March, 2002, pursuant to 34 Pa. Code § 95.24(c).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
 :
 : Case No. PERA-R-97-613-E
 :
 TEMPLE UNIVERSITY :
 (LOWER BUCKS HOSPITAL) :

CERTIFICATION OF REPRESENTATIVE

WHEREAS, a Joint Request for Certification was filed with the Pennsylvania Labor Relations Board pursuant to ARTICLE VI, SECTION 602(a) of the PUBLIC EMPLOYE RELATIONS ACT, being Act 195 of 1970, and

WHEREAS, the Board Representative has found the unit appropriate, and the Public Employer has complied with the five (5) day notice required by 34 Pa. Code § 95.11(b)(8), and

WHEREAS, no objections having been filed to the Joint Request for Certification, the Board Representative hereby

CERTIFIES

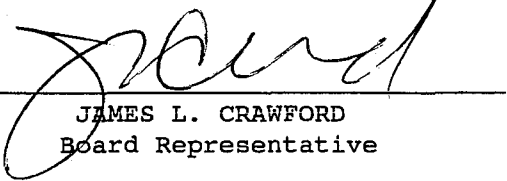
that the NURSES ASSOCIATION OF LOWER BUCKS HOSPITAL, PSEA

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

UNIT: All full-time and regular part-time registered nurses employed at the Lower Bucks Hospital; and excluding other professional employes, nonprofessional employes, licensed technical, service and maintenance and clerical employes, management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

SIGNED AND DATED at Harrisburg, Pennsylvania, this third day of December, 1997, pursuant to 34 Pa. Code § 95.11(d).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
:
:
: Case No. PERA-R-96-610-W
:
NEW CASTLE PUBLIC LIBRARY :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on December 12, 1996, by American Federation of State, County and Municipal Employees, AFL-CIO, District Council 85 (Petitioner) alleging that it represented thirty (30) percent or more of certain employes of New Castle Public Library (Employer) and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employe Relations Act (Act).

Pursuant to due notice, a telephone pre-hearing conference was held on January 14, 1997, at which time the parties agreed to consider entering into a memorandum of agreement. Thereafter, memoranda of agreement were filed with the Board by the Employer and Petitioner on January 23 and 24, 1997, respectively, stipulating to the unit composition, the site for the election, the position on the ballot, the eligibility list and other matters pertaining to the conduct of the election.

On January 30, 1997, an Order and Notice of Election was issued directing that an election, by secret ballot, be held and conducted on February 25, 1997, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time nonprofessional employes including but not limited to clerical employes, artist printers, assistant youth services librarian, pages, janitorial employes, inter-library loan clerks, drivers, library aides and secretaries; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted by an election officer assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 8 inclusive, as set forth in the Order and Notice of Election dated January 30, 1997, are hereby affirmed and incorporated by reference herein and made a part hereof.

9. That the Board conducted an election, by secret ballot, on February 25, 1997, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued January 30, 1997.

10. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the American Federation of State, County and Municipal Employees, AFL-CIO, District Council 85 or whether said employes wished no representative.

11. That seventeen (17) ballots were cast at the election.

12. That of the seventeen (17) ballots, thirteen (13) ballots were cast in favor of representation by the American Federation of State, County and Municipal Employees, AFL-CIO, District Council 85; four (4) ballots were cast for No Representative; and no (0) ballots were cast by persons whose votes were challenged. No (0) ballots were void or blank.

13. That the duly appointed watcher in attendance at the said election has certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on February 25, 1997, concludes and finds:

That CONCLUSIONS numbers 1 through 6 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That a majority of the valid votes cast by employes in the aforesaid appropriate unit designated American Federation of State, County and Municipal Employees, AFL-CIO, District Council 85 as the exclusive representative for the purpose of collective bargaining with the Employer.

8. That American Federation of State, County and Municipal Employees, AFL-CIO, District Council 85 is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, DISTRICT COUNCIL 85

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.


UNIT: All full-time and regular part-time nonprofessional employes including but not limited to clerical employes, artist printers, assistant youth services librarian, pages, janitorial employes, interlibrary loan clerks, drivers, library aides and secretaries; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED AND DATED at Harrisburg, Pennsylvania, this sixth day of March, 1997, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

3

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
:
: Case No. PERA-R-95-63-E
:
LEHIGH VALLEY CHAMBER ORCHESTRA :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on February 6, 1995, by the Allentown Musicians Association, Local 561, American Federation of Musicians, AFL-CIO (Petitioner) alleging that it represented thirty (30) percent or more of certain employees of Lehigh Valley Chamber Orchestra (Employer) and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employe Relations Act (Act).

Pursuant to due notice, a telephone pre-hearing conference was held on February 22, 1995, at which time the parties agreed to consider entering into a memorandum of agreement. Thereafter, memoranda of agreement were filed with the Board by the Employer and Petitioner on February 23 and 24, 1995, respectively, stipulating to the unit composition, the site for the election, the position on the ballot, the eligibility list and other matters pertaining to the conduct of the election.

Thereafter, on February 24, 1995, an Order and Notice of Election was issued directing that an election, by secret ballot, be held and conducted on March 11, 1995, among the employees of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time professional employes including but not limited to musicians; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted by an election officer assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 6 inclusive, as set forth in the Order and Notice of Election dated February 24, 1995, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That the Board conducted an election, by secret ballot, on March 11, 1995, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued February 24, 1995.

8. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the Allentown Musicians Association Local 561, American Federation of Musicians, AFL-CIO or whether said employes wished no representative.

9. That thirty-one (31) ballots were cast at the election.

10. That of the thirty-one (31) ballots, twenty-six (26) ballots were cast in favor of representation by the Allentown Musicians Association Local 561, American Federation of Musicians, AFL-CIO; five (5) ballots were cast for No Representative; and no (0) ballots were cast by persons whose votes were challenged. No (0) ballots were void or blank.

11. That the duly appointed watchers in attendance at the said election have certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on March 11, 1995, concludes and finds:

That CONCLUSIONS numbers 1 through 4 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the valid votes cast by employes in the aforesaid appropriate unit designated the Allentown Musicians Association Local 561, American Federation of Musicians, AFL-CIO as the exclusive representative for the purpose of collective bargaining with the Employer.

6. That the Allentown Musicians Association Local 561, American Federation of Musicians, AFL-CIO is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that the ALLENTOWN MUSICIANS ASSOCIATION LOCAL 561, AMERICAN FEDERATION OF MUSICIANS, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

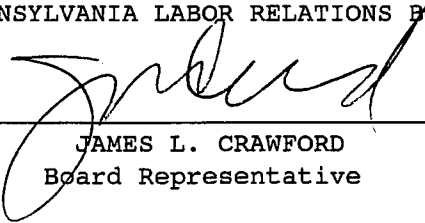
UNIT: All full-time and regular part-time professional employes including but not limited to musicians; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED AND DATED at Harrisburg, Pennsylvania, this twenty-third day of March, 1995, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
:
: Case No. PERA-R-95-392-W
:
HEAD START OF FAYETTE COUNTY :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on August 3, 1995, by the United Mine Workers of America, AFL-CIO (Petitioner) alleging that it represented thirty (30) percent or more of certain employes of Head Start of Fayette County (Employer) and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employee Relations Act (Act).

On August 9, 1995, the Board issued an Order and Notice of Hearing establishing September 8, 1995, in Pittsburgh as the time and place of hearing. The hearing was held as scheduled before Thomas P. Leonard, Esquire, a hearing examiner of the Board, at which time all parties in interest were afforded a full opportunity to present testimony, cross-examine witnesses and introduce documentary evidence.

On November 16, 1995, the hearing examiner issued an Order Directing Submission of Eligibility List resolving all outstanding issues and directing the Employer to submit a list of names and addresses of the employes in the unit found appropriate. That list was received by the Board on November 30, 1995.

Thereafter, on December 5, 1995, an Order and Notice of Election was issued directing that an election, by secret ballot, be held and conducted on December 18, 1995, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time professional and nonprofessional employes including but not limited to instructors, instructor aides, bus drivers, bus/nutrition aide, family liaison, special needs driver, health assistant, family service workers, family intervention specialist, and speech therapist; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

Pursuant to Section 604(2) of the Act, the professional employees were afforded an opportunity to indicate their preference for representation in a separate unit consisting of only professional employees or an overall unit of professional and nonprofessional employees.

The election was conducted by an election officer assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 48 inclusive, as set forth in the Order and Notice of Election dated December 5, 1995, are hereby affirmed and incorporated by reference herein and made a part hereof.

49. That the Board conducted an election, by secret ballot, on December 18, 1995, among the employees of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued December 5, 1995.

50. That the question voted on was whether the eligible employees in the appropriate unit wished to be represented by the United Mine Workers of America, AFL-CIO or whether said employees wished no representative.

51. That the thirty-three (33) professional employees were asked to indicate their preference as to whether or not they desired to be included in a unit of professional and nonprofessional employees.

52. That a tally of the ballots cast by the professional employees in the unit determination election revealed the following results: twenty-six (26) ballots were cast in favor of being included in a unit comprised of professional and nonprofessional employees, and one (1) ballot was cast in favor of being included in a unit comprised of only professional employees. No (0) ballots were cast by persons whose votes were challenged, and no (0) ballots were void or blank.

53. That a tally of the ballots cast by the professional and nonprofessional employees in the representation election in a combined unit revealed the following results: sixty-two (62) ballots were cast in favor of representation by the United Mine Workers of America, AFL-CIO; three (3) ballots were cast for No Representative; and two (2) ballots were challenged. No (0) ballots were void or blank.

54. That the duly appointed watchers in attendance at the said election have certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

DISCUSSION

The Board will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose votes were challenged since their inclusion in the total votes cast would have no material effect upon the results of the election.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on December 18, 1995, concludes and finds:

That CONCLUSIONS numbers 1 through 27 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

28. That a majority of the eligible professional employees have voted to be included in a unit of professional and non-professional employees.

29. That a majority of the valid votes cast by employees in the aforesaid appropriate unit of professional and nonprofessional employees designated the United Mine Workers of America, AFL-CIO as the exclusive representative for the purpose of collective bargaining with the Employer.

30. That the United Mine Workers of America, AFL-CIO is the exclusive representative of all the employees of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that the UNITED MINE WORKERS OF AMERICA, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

UNIT: All full-time and regular part-time professional and nonprofessional employees including but not limited to instructors, instructor aides, bus drivers, bus/nutrition aide, family liaison, special needs

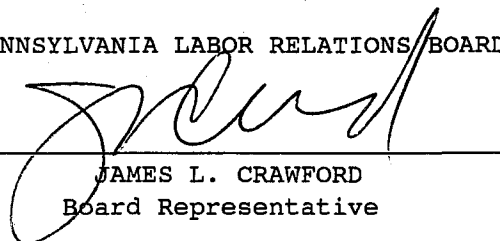
driver, health assistant, family service workers, family intervention specialist, and speech therapist; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED AND DATED at Harrisburg, Pennsylvania, this second day of January, 1996, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
:
: Case No. PERA-R-95-233-W
:
JOB TRAINING FOR BEAVER COUNTY, INC. :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on April 28, 1995, by the Service Employees International Union, Local 585, AFL-CIO/CLC (Petitioner) alleging that it represented thirty (30) percent or more of certain employes of Job Training for Beaver County, Inc. (Employer) and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employe Relations Act (Act).

On May 11, 1995, an Order and Notice of Hearing was issued by the Board establishing June 23, 1995, in Pittsburgh as the time and place of hearing. The hearing was held as scheduled before Thomas G. McConnell, Esquire, a hearing examiner of the Board, at which time all parties in interest were afforded a full opportunity to present testimony, cross-examine witnesses and introduce documentary evidence.

On July 28, 1995, an Order Directing Submission of Eligibility List was issued by the hearing examiner resolving all outstanding issues and directing the Employer to submit a list of names and addresses of the employes in the unit found appropriate. That list was received by the Board on August 7, 1995.

Thereafter, on August 10, 1995, an Order and Notice of Election was issued directing that an election, by secret ballot, be held and conducted on August 25, 1995, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time professional and nonprofessional white-collar employes including but not limited to training representative, employability planner, youth coordinator, youth representative, OJT representative, administrative assistant, instructor/tester, computer specialist, special initiative representative, resource center coordinator, program coordinator, bookkeeper, single point of contact representative, MIS clerks, receptionists, accounts payable clerks, and administrative support; excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

Pursuant to Section 604(2) of the Act, the professional employees were afforded an opportunity to indicate their preference for representation in a separate unit consisting of only professional employees or an overall unit of professional and nonprofessional employees.

The election was conducted by an election officer assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 17 inclusive, as set forth in the Order and Notice of Election dated August 10, 1995, are hereby affirmed and incorporated by reference herein and made a part hereof.

18. That the Board conducted an election, by secret ballot, on August 25, 1995, among the employees of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued August 10, 1995.

19. That the question voted on was whether the eligible employees in the appropriate unit wished to be represented by the Service Employees International Union, Local 585, AFL-CIO/CLC or whether said employees wished no representative.

20. That the professional employees were asked to indicate their preference as to whether or not they desired to be included in a unit of professional and nonprofessional employees.

21. That a tally of the ballots cast by the professional employees in the unit determination election revealed the following results: sixteen (16) ballots were cast in favor of being included in a unit comprised of professional and nonprofessional employees, and one (1) ballot was cast in favor of being included in a unit comprised of only professional employees. No (0) ballots were cast by persons whose votes were challenged, and no (0) ballots were void or blank.

22. That a tally of the ballots cast by the professional and nonprofessional employees in the representation election in a combined unit revealed the following results: twenty-three (23) ballots were cast in favor of representation by the Service Employees International Union, Local 585, AFL-CIO/CLC; no (0) ballots were cast for No Representative; and no (0) ballots were challenged. No (0) ballots were void or blank.

23. That the duly appointed watchers in attendance at the said election have certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on August 25, 1995, concludes and finds:

That CONCLUSIONS numbers 1 through 8 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

9. That a majority of the valid votes cast by employees in the aforesaid appropriate unit of professional and nonprofessional employees designated the Service Employees International Union, Local 585, AFL-CIO/CLC as the exclusive representative for the purpose of collective bargaining with the Employer.

10. That the Service Employees International Union, Local 585, AFL-CIO/CLC is the exclusive representative of all the employees of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that the SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 585, AFL-CIO/CLC is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

UNIT: All full-time and regular part-time professional and nonprofessional white-collar employees including but not limited to training representative, employability planner, youth coordinator, youth representative, OJT representative, administrative assistant, instructor/tester, computer specialist, special initiative representative, resource center coordinator, program coordinator, bookkeeper, single point of contact representative, MIS clerks, receptionists, accounts payable clerks, and admin-

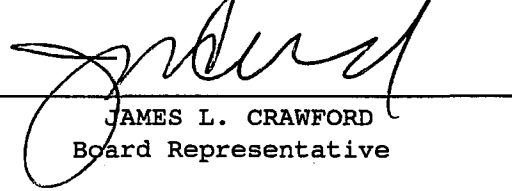
istrative support; excluding management level employees, supervisors, first level supervisors, confidential employees and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED AND DATED at Harrisburg, Pennsylvania, this sixth day of September, 1995, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



A handwritten signature in cursive script, appearing to read 'J. Crawford', is written over a horizontal line. Below the line, the name and title are printed.

JAMES L. CRAWFORD
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
:
INDIANA COUNTY COMMUNITY : Case No. PERA-R-94-479-W
ACTION PROGRAM, INC. :

CERTIFICATION OF REPRESENTATIVE

WHEREAS, a Joint Request for Certification was filed with the Pennsylvania Labor Relations Board pursuant to ARTICLE VI, SECTION 602(a) of the PUBLIC EMPLOYE RELATIONS ACT, being Act 195 of 1970, and

WHEREAS, the Board Representative has found the unit appropriate, and the Public Employer has complied with the five (5) day notice required by 34 Pa. Code § 95.11(b)(8), and

WHEREAS, no objections having been filed to the Joint Request for Certification, the Board Representative hereby

CERTIFIES

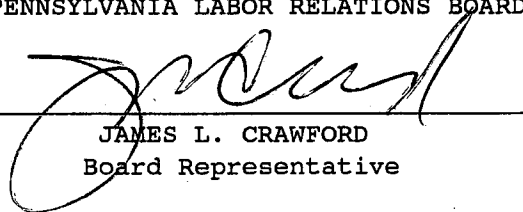
that the PENNSYLVANIA SOCIAL SERVICES UNION, LOCAL 668, SEIU

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

UNIT: All full-time and regular part-time nonprofessional employes including but not limited to maintenance-warehouse worker, adult services case manager, mortgage counselor, telecommunications counselor, HSDF housing counselor, DPW housing assistance counselor, homeless case manager, intake counselor, transportation counselor, insulation worker, energy utility clerk, employment and training counselor, weatherization finance clerk, energy auditor, energy auditor/warehouse supervisor, shelter staff, rental maintenance worker, and data assistant; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

SIGNED AND DATED at Harrisburg, Pennsylvania, this twenty-sixth day of September, 1994, pursuant to 34 Pa. Code § 95.11(d).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
:
: Case No. PERA-R-92-162-E
:
MIFFLIN COUNTY LIBRARY ASSOCIATION :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on March 13, 1992, by the United Steelworkers of America, AFL-CIO-CLC (Petitioner) alleging that it represented thirty (30) percent or more of certain employes of the Mifflin County Library Association (Employer) and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employee Relations Act (Act).

Pursuant to due notice a telephone pre-hearing conference was held on April 15, 1992, at which time the parties agreed to consider entering into a memorandum of agreement. Thereafter, memoranda of agreement were filed with the Board by the Employer and Union on April 28, 1992, and May 4, 1992, respectively, stipulating to the unit composition, the position on the ballot, the eligibility list and other matters pertaining to the conduct of the election.

Thereafter, on May 6, 1992, an Order and Notice of Election was issued directing that an election, by secret ballot, be held and conducted by United States mail among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time nonprofessional employes including but not limited to librarians, custodial/maintenance employes and secretarial/clerical employes; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted by United States mail as ordered by the Board Representative.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 8 inclusive, as set forth in the Order and Notice of Election dated May 6, 1992, are hereby affirmed and incorporated by reference herein and made a part hereof.

9. That the Board conducted a secret ballon election by United States mail among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued May 6, 1992.

10. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the United Steelworkers of America, AFL-CIO-CLC or whether said employes wished no representative.

11. That twelve (12) ballots were cast at the election.

12. That of the twelve (12) ballots, twelve (12) ballots were cast in favor of representation by the United Steelworkers of America, AFL-CIO-CLC; no (0) ballots were cast for No Representative; and no (0) ballots were cast by persons whose votes were challenged. No (0) ballots were void or blank.

13. That the duly appointed watcher in attendance at the ballot count has certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted by United States mail, concludes and finds:

That CONCLUSIONS numbers 1 through 6 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That a majority of the valid votes cast by employes in the aforesaid appropriate unit designated the United Steelworkers of America, AFL-CIO-CLC as the exclusive representative for the purpose of collective bargaining with the Employer.

8. That the United Steelworkers of America, AFL-CIO-CLC is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that the UNITED STEELWORKERS OF AMERICA, AFL-CIO-CLC

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

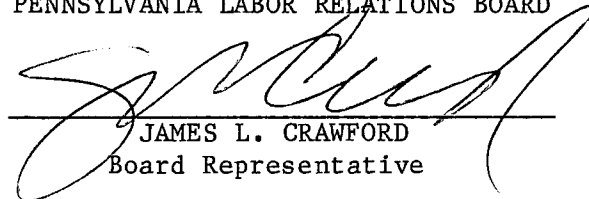
UNIT: All full-time and regular part-time nonprofessional employes including but not limited to librarians, custodial/maintenance employes and secretarial/clerical employes; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED AND DATED at Harrisburg, Pennsylvania, this twenty-second day of June, 1992, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
:
: Case No. PERA-R-91-222-E
:
GREEN TREE SCHOOL :

NISI ORDER OF CERTIFICATION

On April 22, 1991, the Pennsylvania Federation of Teachers, AFT, AFL-CIO (Federation) and the Green Tree School (Employer) filed a Joint Election Request with the Pennsylvania Labor Relations Board (Board). The parties requested that the Board order an election to determine whether certain employes of the Employer wish to be represented for the purpose of collective bargaining by the Federation pursuant to Section 603(b) of the Public Employe Relations Act (Act).

In a letter dated May 21, 1991, the Secretary of the Board declined to direct a hearing with respect to the petition "as it appears that jurisdiction lies not with the Pennsylvania Labor Relations Board but with the National Labor Relations Board because of the employer's impact on commerce." On June 10, 1991, the parties filed joint exceptions to the Secretary's decision. In these exceptions, the parties set forth various arguments for reversal of the Secretary's decision.

After the PLRB granted the parties' request for an extension time in which to file a brief in support of the exceptions, the parties filed such a brief on June 27, 1991. In an order dated August 1, 1991, the Board remanded the case to the Secretary with the directive to schedule a hearing regarding the jurisdictional question. On August 8, 1991, the Secretary issued an Order and Notice of Hearing, in which a hearing date of October 2, 1991, was set. In subsequent discussions with the parties, the parties advised the designated hearing examiner, Thomas G. McConnell, that a stipulated record would be prepared and filed with the Board. The hearing was then cancelled in accordance with the parties' request. On October 10, 1991, the parties filed joint stipulations and a joint memorandum of law concerning the jurisdictional question. In a letter dated October 29, 1991, the examiner requested additional stipulations with respect to the jurisdictional question. These stipulations were filed with the Board on December 5, 1991. In a letter dated January 3, 1992, the examiner requested additional stipulations. The Employer filed a satisfactory response to this letter on January 24, 1992.

On January 29, 1992, an Order Directing Submission of Eligibility List was issued by the hearing examiner resolving all outstanding issues and directing the Employer to submit a list of names and addresses of the employes in the unit found appropriate. That list was received by the Board on February 10, 1992.

Thereafter, on March 24, 1992, an Order and Notice of Election was issued directing that an election, by secret ballot, be held and conducted on April 10, 1992, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time professional and nonprofessional employes, including but not limited to teachers, assistant teachers, librarians, counselors, non-confidential secretarial employes, maintenance employes, non-confidential assistant bookkeepers, drivers, bus attendants, specialist-BMC, and assistant-BMC; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted by an Election Officer assigned by the Board. The results of the election were inconclusive in that one (1) ballot was challenged by the Board and its inclusion could affect the outcome of the election.

On April 16 and April 29, 1992, the Board received letters from the Employer and Petitioner agreeing that the ballot of Paul Townsend is valid and should be opened and canvassed.

On May 1, 1992, the Board Representative issued an Order Directing the Opening and Canvassing of challenged Ballots fixing May 13, 1992, in Harrisburg, as the time and place thereof. The challenged ballot was then opened and canvassed as scheduled.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 77 inclusive, as set forth in the Order and Notice of Election dated March 24, 1992, are hereby affirmed and incorporated by reference herein and made a part hereof.

78. That the Board conducted an election, by secret ballot, on April 10, 1992, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued March 24, 1992.

79. That the question voted on was whether the eligible employees in the appropriate unit wished to be represented by the Green Tree Federation of Teachers, PaFT, AFT, AFL-CIO or whether said employees wished no representative.

80. That the professional employees were asked to indicate their preference as to whether or not they desired to be included in a unit of professional and nonprofessional employees.

81. That a tally of the ballots cast by the professional employees in the unit determination election revealed the following results: twelve (12) ballots were cast in favor of being included in a unit comprised of professional and nonprofessional employees, and eleven (11) ballots were cast in favor of being included in a unit comprised of only professional employees. One (1) ballot was cast by a person whose vote was challenged, and no (0) ballots were void or blank.

82. That in the professional representation election, twelve (12) ballots were cast in favor of representation by the Green Tree Federation of Teachers, PaFT, AFT, AFL-CIO; eleven (11) ballots were cast for No Representative; and one (1) ballot was cast by a person whose vote was challenged. No (0) ballots were void or blank.

83. That the original tabulation of ballots in the professional representation portion of the election resulted in inconclusive outcome because one (1) ballot was challenged by the Board and this one (1) ballot could have affected the outcome of the election.

84. That the parties subsequently stipulated that the challenged voter was eligible to vote in the election and that ballot was subsequently opened and canvassed.

85. That a recapitulation of the ballots cast in the professional representation election was as follows: thirteen (13) ballots were cast in favor of representation by the Green Tree Federation of Teachers, PaFT, AFT, AFL-CIO; eleven (11) ballots were cast for No Representative; and no (0) ballots were cast by persons whose votes were challenged. No (0) ballots were void or blank.

86. That the duly appointed watchers in attendance at the said election have certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

DISCUSSION

On April 17, 1992, the Employer filed objections to the Board's conduct of the election. On April 29, 1992, the Petitioner filed its response to the Employer's objections. On May 15, 1992, the Employer filed its reply brief in support of its objections.

In its objections, the Employer contends that the Board's inclusion on the ballot of "Green Tree Federation of Teachers, PaFT, AFT, AFL-CIO," as opposed to the petitioning Pennsylvania Federation of Teachers, AFT, AFL-CIO, may have led voters to believe that in casting a ballot for a choice that included the words "Green Tree," they were voting in favor of the school and not the union.

The Employer's objections are without merit and do not warrant the conduct of a hearing. As the Petitioner points out, the Employer has not alleged any actual confusion on the part of employees as a result of the Board's inclusion of the choice of "Green Tree Federation of Teachers, PaFT, AFT, AFL-CIO" on the ballot. The Employer is correct that the appropriate inquiry is whether or not it is reasonable to conclude that employees were prevented by the Board's conduct from forming and expressing their free choice in the election. Metropolitan Hospital, 2 PPER 72 (Nisi Decision and Order, 1972). However, it is simply not reasonable to conclude that the use of the words "Green Tree" in the ballot choice, when that choice clearly and unambiguously indicated that it was a vote for representation by a Federation local, would confuse employees into believing that they were voting for the Employer as their representative.

The use of a local affiliate that includes the name of the employer is the overwhelming practice in school district settings under the Act, as the Pennsylvania Federation of Teachers and the other statewide school bargaining representative, the Pennsylvania State Education Association, both include the name of the school district, vocational-technical school or intermediate unit in the name of the employe organization that represents the bargaining unit. Indeed, it is far more accurate to use the name of the local affiliate that includes the name of the employer so as to avoid the countervailing argument that the use of the statewide organization on the ballot deceived the employees into thinking that the statewide officers and functional leaders were going to represent them on a day-to-day basis, when the actual representation will be by the group of local leaders elected from the bargaining unit.

This result is consistent with the Board's determination that with regard to a showing of interest, authorization cards submitted on behalf of a parent organization are valid support for a local affiliate when there was no intent to deceive the employees with respect to the organization that would provide day-to-day representation to the employees. See Oxford Area School District, 9 PPER ¶ 9048 (Order and Notice of Election, 1978). Here, the ballot choice indicates that, consistent with the practice of the Pennsylvania Federation of Teachers, the day-to-day representation would be provided by the local and not the statewide organization. It is not objectionable for an employe organization to choose to appear on the ballot in a way that accurately reflects the representation for which the voters are voting.

Further, a hearing is not necessary on the Employer's objections because the Employer does not allege any actual confusion on the part of the employees, but relies upon the mere possibility of confusion which, as stated previously, is not reasonable. See Stroud Township, 19 PPER ¶ 19157 (Final Order, 1988); see also NLRB v. ARA Services, 717 F.2d 57 (3rd Cir. 1983). Accordingly, no hearing will be directed on the Employer's objections.

Turning to the preferential bargaining unit choice made by the professional employees, a majority of the professional employees have not chosen to be included in a unit including nonprofessional employees. There were twenty-six (26) professional employees eligible to vote in the election. These professional employees were asked to vote on their preference as to whether or not they desired to be included in a unit of professional and nonprofessional employees. The results of that unit determination vote were that eleven (11) ballots were cast in favor of being included in a unit comprised of only professional employees; twelve (12) ballots were cast in favor of being included in a unit comprised of both professional and nonprofessional employees; and one (1) ballot was challenged. The Act requires that before professional employees will be included in a unit with nonprofessional employees, a majority of the eligible professional employees in the unit must cast their ballots in favor of such inclusion. Bradford County, 14 PPER ¶ 14160 (Final Order, 1983); Northampton County, 12 PPER ¶ 12139 (Final Order, 1981). In the instant case, only twelve (12) of the twenty-six (26) eligible professional employees voted for inclusion in a professional and nonprofessional unit. Since this does not constitute a majority, even if the one (1) challenged ballot had been cast in favor of a combined unit, a separate unit of professional employees is appropriate.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on April 10, 1992, concludes and finds:

That CONCLUSIONS numbers 1 through 7 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

9. That a majority of the professional employees in Unit I have not voted to be included in a unit with nonprofessional employees.

10. That a majority of the valid votes cast by the professional employees in Unit I designated the Green Tree Federation of Teachers, PaFT, AFT, AFL-CIO as the exclusive representative for the purpose of collective bargaining with the Employer.

11. That a majority of the valid votes cast by the nonprofessional employes in Unit II designated the Green Tree Federation of Teachers, PaFT, AFT, AFL-CIO as the exclusive representative for the purpose of collective bargaining with the Employer.

12. That the Green Tree Federation of Teachers, PaFT, AFT, AFL-CIO is the exclusive representative of the employes of the Employer within Unit I and Unit II for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that the GREEN TREE FEDERATION OF TEACHERS, PaFT, AFT, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the units described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

UNIT I: All full-time and regular part-time professional employes including but not limited to teachers, librarians, and counselors; and excluding nonprofessional employes, management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

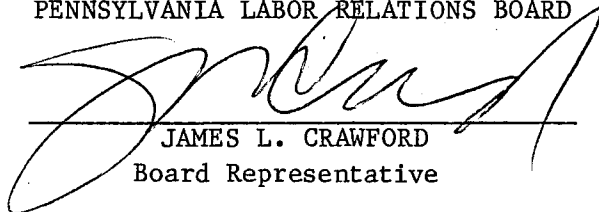
UNIT II: All full-time and regular part-time nonprofessional employes including but not limited to non-confidential secretarial employes, non-confidential assistant bookkeepers, drivers, bus attendants, maintenance employes, assistant teachers, specialist-BMC, and assistant-BMC; and excluding professional employes, management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED AND DATED at Harrisburg, Pennsylvania, this eighth day of June, 1992, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-R-11-197-E
: :
RADNOR FIRE COMPANY :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on June 24, 2011, by the International Association of Fire Fighters (Petitioner) alleging that it represented thirty (30) percent or more of certain employes of Radnor Fire Company (Employer) and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employe Relations Act (Act).

Pursuant to due notice, a telephone pre-hearing conference was held on July 14, 2011, at which time the parties agreed to consider entering into a memorandum of agreement. Thereafter, memoranda of agreement were filed with the Board by the Petitioner and the Employer on September 16, and September 20, 2011, respectively, stipulating to the unit composition, position on the ballot, the eligibility list, and other matters pertaining to the conduct of the election.

On September 22, 2011, an Order and Notice of Election was issued directing that a secret ballot election be conducted by United States Mail, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time nonprofessional employes including but not limited to fire fighters and Emergency Medical Technicians; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted by election officers assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 7 inclusive, as set forth in the Order and Notice of Election dated September 22, 2011, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That the Board conducted a secret ballot election by United States mail among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued September 22, 2011.

9. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the International Association of Fire Fighters or whether said employes wished no representative.

10. That eighteen (18) ballots were cast at the election.

11. That of the eighteen (18) ballots, seventeen (17) ballots were cast in favor of representation by the International Association of Fire Fighters; no (0) ballots were cast for No Representative; and one (1) ballot was cast by a person whose vote was challenged. No (0) ballots were void.

12. That the duly appointed watcher in attendance at the ballot count has certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

DISCUSSION

The Board will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose votes were challenged since their inclusion in the total votes cast would have no material effect upon the results of the election.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on October 28, 2011, concludes and finds:

That CONCLUSIONS numbers 1 through 5 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the valid votes cast by employes in the aforesaid appropriate unit designated the International Association of Fire Fighters as the exclusive representative for the purpose of collective bargaining with the Employer.

7. That the International Association of Fire Fighters is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that the INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

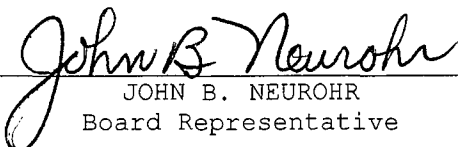
UNIT: All full-time and regular part-time nonprofessional employes including but not limited to fire fighters and Emergency Medical Technicians; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, DATED and MAILED this seventh day of November, 2011, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JOHN B. NEUROHR
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-R-11-181-W
: :
TRI-COMMUNITY SOUTH EMS :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on June 6, 2011, by the Fraternal Association of Professional Paramedics, affiliated with IUPA, AFL-CIO (Petitioner) alleging that it represented thirty (30) percent or more of certain employes of Tri-Community South EMS (Employer) and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employee Relations Act (Act).

Pursuant to due notice, a telephone pre-hearing conference was held on July 11, 2011, at which time the parties agreed to consider entering into a memorandum of agreement. Thereafter, memoranda of agreement were filed with the Board by the Petitioner and the Employer on July 14 and 18, 2011, respectively, stipulating to the unit composition, the site for the election, position on the ballot, the eligibility list, and other matters pertaining to the conduct of the election.

On July 19, 2011, an Order and Notice of Election was issued directing that an election, by secret ballot, be held and conducted on August 3, 2011, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time blue-collar, nonprofessional employes including but not limited to paramedics, crew chiefs and emergency medical technicians; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted by an election officer assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 7 inclusive, as set forth in the Order and Notice of Election dated July 19, 2011, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That the Board conducted an election, by secret ballot, on August 3, 2011, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued July 19, 2011.

9. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the Fraternal Association of Professional Paramedics, affiliated with IUPA, AFL-CIO, or whether said employes wished no representative.

10. That nineteen (19) ballots were cast at the election.

11. That of the nineteen (19) ballots, thirteen (13) ballots were cast in favor of representation by the Fraternal Association of Professional Paramedics, affiliated with IUPA, AFL-CIO; six (6) ballots were cast for No Representative; and no (0) ballots were cast by persons whose votes were challenged. No (0) ballots were void.

12. That the duly appointed watchers in attendance at the election have certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on August 3, 2011, concludes and finds:

That CONCLUSIONS numbers 1 through 5 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the valid votes cast by employes in the aforesaid appropriate unit designated the Fraternal Association of Professional Paramedics, affiliated with IUPA, AFL-CIO, as the exclusive representative for the purpose of collective bargaining with the Employer.

7. That the Fraternal Association of Professional Paramedics, affiliated with IUPA, AFL-CIO, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that the FRATERNAL ASSOCIATION OF PROFESSIONAL PARAMEDICS, AFFILIATED WITH IUPA, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

UNIT: All full-time and regular part-time blue-collar, nonprofessional employes including but not limited to paramedics, crew chiefs and emergency medical technicians; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as

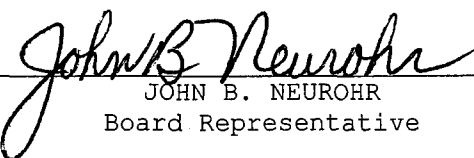
defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, DATED and MAILED this eleventh day of August, 2011, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JOHN B. NEUROHR
Board Representative

d

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
 :
 : Case No. PERA-R-11-123-E
 STEWARTSTOWN EMS :
 :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on April 28, 2011, by the International Association of Fire Fighters (Petitioner) alleging that it represented thirty (30) percent or more of certain employes of Stewartstown EMS (Employer) and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employe Relations Act (Act).

Pursuant to due notice, a telephone pre-hearing conference was held on May 25, 2011, at which time the parties agreed to consider entering into a memorandum of agreement. Thereafter, memoranda of agreement were filed with the Board by the Petitioner and Employer on June 20 and June 22, 2011, respectively, stipulating to the unit composition, the position on the ballot, the eligibility list and other matters pertaining to the conduct of the election.

On June 23, 2011, an Order and Notice of Election was issued directing that a secret ballot election be conducted by United States Mail, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time nonprofessional employes including but not limited to paramedics and EMTs; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted by election officers assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 7 inclusive, as set forth in the Order and Notice of Election dated June 23, 2011, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That the Board conducted a secret ballot election by United States mail among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued June 23, 2011.

9. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the International Association of Fire Fighters or whether said employes wished no representative.

10. That two (2) ballots were cast at the election.

11. That of the two (2) ballots, two (2) ballots were cast in favor of representation by the International Association of Fire Fighters; no (0) ballots

were cast for No Representative; and no (0) ballots were cast by persons whose votes were challenged. No (0) ballots were void.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on July 26, 2011, concludes and finds:

That CONCLUSIONS numbers 1 through 5 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the valid votes cast by employes in the aforesaid appropriate unit designated the International Association of Fire Fighters as the exclusive representative for the purpose of collective bargaining with the Employer.

7. That the International Association of Fire Fighters is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that the INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

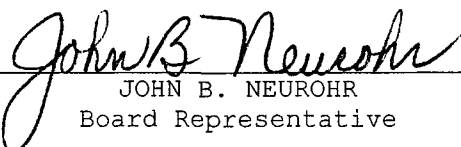
UNIT: All full-time and regular part-time nonprofessional employes including but not limited to paramedics and EMTs; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, DATED and MAILED this third day of August, 2011, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JOHN B. NEUROHR
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
 :
 : Case No. PERA-R-11-110-E
MALVERN FIRE COMPANY :
 :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on April 21, 2011, by the International Association of Fire Fighters (Petitioner) alleging that it represented thirty (30) percent or more of certain employes of the Malvern Fire Company (Employer) and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employee Relations Act (Act).

Pursuant to due notice, a telephone pre-hearing conference was held on May 12, 2011, at which time the parties agreed to consider entering into a memorandum of agreement. Thereafter, memoranda of agreement were filed with the Board by the Petitioner and Employer on May 18 and May 23, 2011, respectively, stipulating to the unit composition, the position on the ballot, the eligibility list and other matters pertaining to the conduct of the election.

On May 24, 2011, an Order and Notice of Election was issued directing that a secret ballot election be conducted by United States Mail, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time nonprofessional employes including but not limited to fire fighters/EMTs and fire fighters/paramedics; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted by election officers assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 5 inclusive, as set forth in the Order and Notice of Election dated May 24, 2011, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That the Board conducted a secret ballot election by United States mail among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued May 24, 2011.

7. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the International Association of Fire Fighters or whether said employes wished no representative.

8. That fourteen (14) ballots were cast at the election.

10. That of the fourteen (14) ballots, fourteen (14) ballots were cast in favor of representation by the International Association of Fire Fighters; no (0) ballots were cast for No Representative; and no (0) ballots were cast by persons whose votes were challenged. No (0) ballots were void.

11. That the duly appointed watcher in attendance at the ballot count has certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on June 21, 2011, concludes and finds:

That CONCLUSIONS numbers 1 through 4 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the valid votes cast by employes in the aforesaid appropriate unit designated the International Association of Fire Fighters as the exclusive representative for the purpose of collective bargaining with the Employer.

6. That the International Association of Fire Fighters is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that the INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

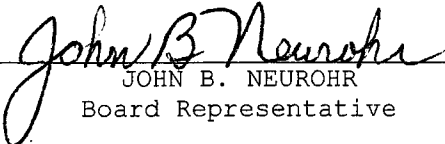
UNIT: All full-time and regular part-time nonprofessional employes including but not limited to fire fighters/EMTs and fire fighters/paramedics; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, DATED and MAILED this twenty-ninth day of June, 2011, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JOHN B. NEUROHR
Board Representative

2

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYEES OF :
: :
: Case No. PERA-R-10-312-E :
: (PERA-R-98-572-E) :
: :
TEMPLE UNIVERSITY HEALTH SYSTEM :
EPISCOPAL HOSPITAL :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on September 2, 2010 by the Health Professionals and Allied Employees, AFT/AFL-CIO (Union) alleging that it represented thirty percent or more of certain employes of the Temple University Health System, Episcopal Hospital (Employer), and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employee Relations Act (Act).

On September 14, 2010, the Secretary of the Board issued an Order and Notice of Hearing directing that a hearing be held on November 19, 2010, in Harrisburg. The hearing was rescheduled to and held on November 1, 2010, in Harrisburg, at which time, both parties were afforded a full and fair opportunity to present evidence and cross-examine witnesses.

On December 22, 2010, the Hearing Examiner issued an Order Directing Submission of Eligibility List resolving all outstanding issues and directing the Employer to submit a list of names and addresses of the employes in the unit found appropriate. That list was received by the Board on January 4, 2011.

On January 11, 2011, the Board issued an election order directing that an election, by secret ballot, be held and conducted on January 27, 2011, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the Employer unit comprised of all full-time and regular part-time professional employes including but not limited to registered nurses, social workers, behavioral therapists and behavioral therapist coordinators; and excluding nonprofessional employes, management level employes, first-level supervisors, confidential employes and guards as defined in the Act.

The election was conducted by an election officer assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 33 inclusive, as set forth in the Order and Notice of Election dated January 11, 2011, are hereby affirmed and incorporated by reference herein and made a part hereof.

34. That the Board conducted a secret ballot election on January 27, 2011, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued January 11, 2011.

35. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the Health Professionals and Allied Employes, AFT/AFL-CIO, or whether said employes wished no representative.

36. That eighteen (18) ballots were cast at the election.

37. That of the eighteen (18) ballots, fifteen (15) ballots were cast in favor of representation by the Health Professionals and Allied Employes, AFT/AFL-CIO; two (2) ballots were cast for No Representative; and one (1) ballot was cast by a person whose vote was challenged. No (0) ballots were void.

38. That the duly appointed watchers in attendance at the election have certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on January 27, 2011, concludes and finds:

That CONCLUSIONS numbers 1 through 6 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That a majority of the valid votes cast by employes in the aforesaid appropriate unit designated the Health Professionals and Allied Employes, AFT/AFL-CIO, as the exclusive representative for the purpose of collective bargaining with the Employer.

8. That the Health Professionals and Allied Employes, AFT/AFL-CIO, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that the HEALTH PROFESSIONALS AND ALLIED EMPLOYES, AFT/AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.


UNIT: All full-time and regular part-time professional employes including but not limited to registered nurses, social workers, behavioral therapists and behavioral therapist coordinators; and excluding nonprofessional employes, management level employes, first-level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, DATED and MAILED this fourth day of February, 2011, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JOHN B. NEUROHR
Board Representative

2

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-R-10-225-E
: :
WEST END FIRE COMPANY NO. 3 :
OF PHOENIXVILLE :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on June 24, 2010, by the International Association of Fire Fighters (Petitioner) alleging that it represented thirty (30) percent or more of certain employes of the West End Fire Company No. 3 of Phoenixville (Employer) and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employee Relations Act (Act).

Pursuant to due notice, a telephone pre-hearing conference was held on August 6, 2010, at which time the parties agreed to consider entering into a memorandum of agreement. Thereafter, memoranda of agreement were filed with the Board by the Petitioner and Employer on August 23 and 30, 2010, respectively, stipulating to the unit composition, the position on the ballot, the eligibility list and other matters pertaining to the conduct of the election.

On August 30, 2010, an Order and Notice of Election was issued directing that a secret ballot election be conducted by United States Mail, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time nonprofessional employes including but not limited to fire fighters/medics, fire fighters/EMTs and medics; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted by election officers assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 5 inclusive, as set forth in the Order and Notice of Election dated August 30, 2010, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That the Board conducted a secret ballot election by United States mail among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued August 30, 2010.

7. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the International Association of Fire Fighters or whether said employes wished no representative.

8. That thirty-three (33) ballots were cast at the election.

10. That of the thirty-three (33) ballots, twenty-five (25) ballots were cast in favor of representation by the International Association of Fire Fighters; five (5) ballots were cast for No Representative; and three (3) ballots were cast by persons whose votes were challenged. No (0) ballots were void.

11. That the duly appointed watcher in attendance at the ballot count has certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

DISCUSSION

The Board will neither open, canvass nor pass upon the validity of the ballots cast by persons whose votes were challenged since their inclusion in the total votes cast would have no material effect upon the results of the election.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on September 28, 2010, concludes and finds:

That CONCLUSIONS numbers 1 through 4 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the valid votes cast by employes in the aforesaid appropriate unit designated the International Association of Fire Fighters as the exclusive representative for the purpose of collective bargaining with the Employer.

6. That the International Association of Fire Fighters is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that the INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

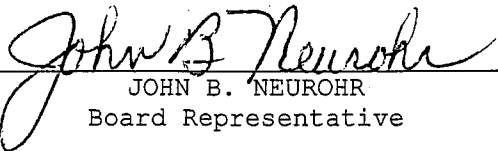
UNIT: All full-time and regular part-time nonprofessional employes including but not limited to fire fighters/medics, fire fighters/EMTs and medics; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, DATED and MAILED this sixth day of October, 2010, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JOHN B. NEUROHR
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-R-09-224-E
: :
RIDLEY TOWNSHIP PUBLIC LIBRARY :

CERTIFICATION OF REPRESENTATIVE

WHEREAS, a Joint Request for Certification was filed with the Pennsylvania Labor Relations Board (Board) pursuant to ARTICLE VI, SECTION 602(a) of the PUBLIC EMPLOYE RELATIONS ACT, being Act 195 of 1970, and

WHEREAS, the Board Representative has found the unit appropriate, and the Public Employer has complied with the five-day notice required by 34 Pa. Code § 95.11(b) (8), and

WHEREAS, no objections having been filed to the Joint Request for Certification, the Board Representative hereby

CERTIFIES

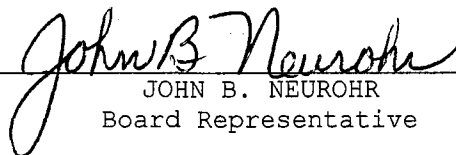
that SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 32BJ

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

UNIT: All full-time and regular part-time nonprofessional employes; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

SIGNED, DATED and MAILED this seventeenth day of September, 2010, pursuant to 34 Pa. Code § 95.11(d).

PENNSYLVANIA LABOR RELATIONS BOARD



JOHN B. NEUROHR
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-R-09-223-E
: :
RIDLEY TOWNSHIP PUBLIC LIBRARY :

CERTIFICATION OF REPRESENTATIVE

WHEREAS, a Joint Request for Certification was filed with the Pennsylvania Labor Relations Board (Board) pursuant to ARTICLE VI, SECTION 602(a) of the PUBLIC EMPLOYE RELATIONS ACT, being Act 195 of 1970, and

WHEREAS, the Board Representative has found the unit appropriate, and the Public Employer has complied with the five-day notice required by 34 Pa. Code § 95.11(b)(8), and

WHEREAS, no objections having been filed to the Joint Request for Certification, the Board Representative hereby

CERTIFIES

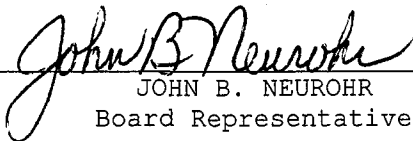
that SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 32BJ

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

UNIT: All full-time and regular part-time professional employes; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

SIGNED, DATED and MAILED this seventeenth day of September, 2010, pursuant to 34 Pa. Code § 95.11(d).

PENNSYLVANIA LABOR RELATIONS BOARD



JOHN B. NEUROHR
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYEES OF :
 :
 : Case No. PERA-R-07-112-E
 :
 :
 TEMPLE UNIVERSITY HEALTH SYSTEM :
(JEANES HOSPITAL) :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on March 9, 2007, by the Pennsylvania Association of Staff Nurses and Allied Professionals (Petitioner) alleging that it represented thirty (30) percent or more of certain employes of Temple University Health System (Employer) and requesting that a hearing be scheduled and an order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employe Relations Act (Act).

Pursuant to due notice, a telephone pre-hearing conference was held on April 9, 2007, at which time the parties agreed to consider entering into a memorandum of agreement. Thereafter, memoranda of agreement were filed with the Board by the Employer and the Petitioner on April 16 and 23, 2007, respectively, stipulating to the unit composition, the site for the election, position on the ballot, the eligibility list and other matters pertaining to the conduct of the election.

On April 23, 2007, an Order and Notice of Election was issued directing that an election, by secret ballot, be held and conducted on May 16, 2007, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the Employer unit comprised of all full-time and regular part-time staff registered nurses employed at Jeanes Hospital; and excluding nonprofessional employes, management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted by an election officer assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 8 inclusive, as set forth in the Order and Notice of Election dated April 23, 2007, are hereby affirmed and incorporated by reference herein and made a part hereof.

9. That the Board conducted an election, by secret ballot, on

May 16, 2007, among the employes of the Employer within the heretofore-defined appropriate unit in accordance with the Order and Notice of Election issued April 23, 2007.

10. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the Pennsylvania Association of Staff Nurses and Allied Professionals; or whether said employes wished no representative.

11. That two hundred twenty-nine (229) ballots were cast at the election.

12. That of the two hundred twenty-nine (229) ballots, one hundred thirty-four (134) ballots were cast in favor of representation by the Pennsylvania Association of Staff Nurses and Allied Professionals; eighty-six (86) ballots was cast for No Representative; and nine (9) ballots were cast by persons whose votes were challenged. One (1) ballot was void.

13. That the duly appointed watchers in attendance at the election have certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

DISCUSSION

The Board will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose votes were challenged since their inclusion in the total votes cast would have no material effect upon the results of the election.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on May 16, 2007, concludes and finds:

That CONCLUSIONS numbers 1 through 6 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That a majority of the valid votes cast by employes in the aforesaid appropriate unit designated the Pennsylvania Association of Staff Nurses and Allied Professionals as the exclusive representative for the purpose of collective bargaining with the Employer.

8. That the Pennsylvania Association of Staff Nurses and Allied Professionals is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that the PENNSYLVANIA ASSOCIATION OF STAFF NURSES AND ALLIED PROFESSIONALS

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

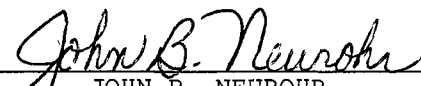
UNIT: All full-time and regular part-time staff registered nurses employed at Jeanes Hospital; and excluding nonprofessional employes, management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, DATED and MAILED this twenty-fourth day of May, 2007, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JOHN B. NEUROHR
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
 :
 : Case No. PERA-R-07-353-E
 :
 POTTSTOWN SYMPHONY ORCHESTRA :
 ASSOCIATION :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on August 10, 2007, by the American Federation of Musicians, Local 135-211 (Petitioner) alleging that it represented thirty (30) percent or more of certain employes of Pottstown Symphony Orchestra Association (Employer) and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employe Relations Act (Act).

Pursuant to due notice, a telephone pre-hearing conference was held on September 5, 2007, at which time the parties agreed to consider entering into a memorandum of agreement. Thereafter, memoranda of agreement were filed with the Board by the Employer and Petitioner on September 10 and 12, 2007, respectively, stipulating to the unit composition, the position on the ballot, the eligibility list and other matters pertaining to the conduct of the election.

On September 13, 2007, an Order and Notice of Election was issued directing that a secret ballot election, by United States mail, be held and conducted among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time symphonic musicians; and excluding substitute musicians, management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 7 inclusive, as set forth in the Order and Notice of Election dated September 13, 2007, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That the Board conducted a secret ballot election, by United States mail, among the employes of the Employer within the heretofore-defined appropriate unit in accordance with the Order and Notice of Election issued September 13, 2007.

9. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the American Federation of Musicians, Local 135-211 or whether said employes wished no representative.

10. That thirty-seven (37) ballots were cast at the election.

11. That of the thirty-seven (37) ballots, twenty-eight (28) ballots were cast in favor of representation by the American Federation of Musicians, Local 135-211; nine (9) ballots were cast for No Representative; and no (0) ballots were cast by a person whose vote was challenged. No (0) ballots were void or blank.

12. That the duly appointed watchers in attendance at the ballot count have certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted by United States mail, concludes and finds:

That CONCLUSIONS numbers 1 through 4 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the valid votes cast by employes in the aforesaid appropriate unit designated the American Federation of Musicians, Local 135-211 as the exclusive representative for the purpose of collective bargaining with the Employer.

6. That the American Federation of Musicians, Local 135-211 is the exclusive representative of all the employes of the Employer within the heretofore-defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that the AMERICAN FEDERATION OF MUSICIANS, LOCAL 135-211

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

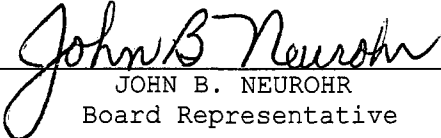
UNIT: All full-time and regular part-time symphonic musicians; and excluding substitute musicians, management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, DATED and MAILED this seventeenth day of October, 2007, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JOHN B. NEUROHR
Board Representative

3

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYEES OF :
: :
: Case No. PERA-R-07-38-E
: (PERA-R-01-447-E)
NEWBERRY TOWNSHIP FIRE DEPARTMENT :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on January 26, 2007, by the International Association of Firefighters, Local 4549, AFL-CIO (Petitioner) alleging that it represented thirty (30) percent or more of certain employes of the Newberry Township Fire Department (Employer) and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employee Relations Act (Act). Teamsters Local No. 430, affiliated with the International Brotherhood of Teamsters (Incumbent) is currently certified to represent the subject employes but there is no current collective bargaining agreement between the Employer and the Incumbent. On February 2, 2007, the Board received a letter from the Incumbent disclaiming interest in representing the petitioned-for employes.

Pursuant to due notice, a telephone pre-hearing conference was held on February 26, 2007, at which time the parties¹ agreed to consider entering into a memorandum of agreement. Thereafter, memoranda of agreement were filed with the Board by the Employer and the Union on March 6 and 7, 2007, respectively, stipulating to the unit composition, the position on the ballot, the eligibility list and other matters pertaining to the conduct of the election.

On March 12, 2007, an Order and Notice of Election was issued directing that a secret ballot election, by United States mail, be held and conducted among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time nonprofessional employes including but not limited to emergency medical technicians and EMS Assistant Manager; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted as directed by election officers assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

¹ Because the Incumbent has disclaimed interest in further representing the petitioned-for employes, the term "parties" refers to the Employer and the Petitioner.

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 7 inclusive, as set forth in the Order and Notice of Election dated March 12, 2007, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That the Board conducted a secret ballot election, by United States mail, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued March 12, 2007.

9. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the International Association of Firefighters, Local 4549, AFL-CIO; or whether said employes wished no representative.

10. That ten (10) ballots were cast at the election.

11. That of the ten (10) ballots, ten (10) ballots were cast in favor of representation by International Association of Firefighters, Local 4549, AFL-CIO; no (0) ballots was cast for No Representative; and no (0) ballots were cast by a person whose vote was challenged. No (0) ballots were void or blank.

12. That the duly appointed watchers in attendance at the ballot count have certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted by United States mail, concludes and finds:

That CONCLUSIONS numbers 1 through 5 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the valid votes cast by employes in the aforesaid appropriate unit designated the International Association of Firefighters, Local 4549, AFL-CIO as the exclusive representative for the purpose of collective bargaining with the Employer.

7. That the International Association of Firefighters, Local 4549, AFL-CIO is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that the INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 4549, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

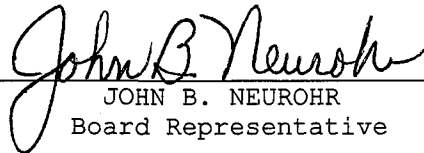
UNIT: All full-time and regular part-time nonprofessional employes including but not limited to emergency medical technicians and EMS Assistant Manager; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, DATED and MAILED this eighteenth day of April, 2007, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JOHN B. NEUROHR
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: Case No. PERA-R-06-589-E
:
TEMPLE UNIVERSITY HEALTH SYSTEM :

CERTIFICATION OF REPRESENTATIVE

WHEREAS, the Pennsylvania Labor Relations Board (Board) issued a Nisi Order of Certification on October 6, 1972, at Case No. PERA-R-2119-E certifying the District 1199C, National Union of Hospital and Health Care Employees, AFSCME (Union) as the exclusive bargaining representative of certain clerical employes of Temple University who are now employed by Temple University Health System (Employer), which also employs other clerical employes at its satellite offices; and

WHEREAS, a Joint Request for Certification was filed with the Board pursuant to ARTICLE VI, SECTION 602(a) of the PUBLIC EMPLOYE RELATIONS ACT seeking to certify the Union as the exclusive representative of the clerical employes of the Employer at its various locations; and

WHEREAS, the Board Representative has found the unit appropriate, and the Employer has complied with the five (5) day notice required by 34 Pa. Code § 95.11(b)(8); and

WHEREAS, no objections having been filed to the Joint Request for Certification, the Board Representative hereby

CERTIFIES

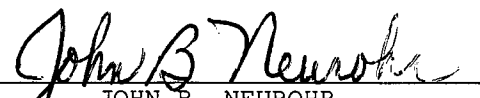
that DISTRICT 1199C, NATIONAL UNION OF HOSPITAL AND HEALTH CARE EMPLOYEES, AFSCME

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

UNIT: All full-time and regular part-time clerical employes of the employer working at Temple University Hospital, Temple University Children's Medical Center and at the Temple University Health System Satellite Offices; and excluding all other employes and management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

SIGNED, DATED and MAILED this ninth day of May, 2007, pursuant to 34 Pa. Code § 95.11(d).

PENNSYLVANIA LABOR RELATIONS BOARD



JOHN B. NEUROHR
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYEES OF :
:
:
Case No. PERA-R-06-29-E
WILLS COMMUNITY SURGICAL SERVICES :
OF CENTER CITY, INC. :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on January 23, 2006, by the Pennsylvania Association of Staff Nurses & Allied Professionals (Petitioner) alleging that it represented thirty (30) percent or more of certain employes of the Wills Community Surgical Services of Center City, Inc. (Employer) and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employee Relations Act (Act).

Pursuant to due notice, a telephone pre-hearing conference was held on February 23, 2006, at which time the parties agreed to consider entering into a memorandum of agreement. Thereafter, memoranda of agreement were filed with the Board by the Employer and Petitioner on March 2 and 9, 2006, respectively, stipulating to the unit composition, the site for the election, position on the ballot, the eligibility list and other matters pertaining to the conduct of the election.

On March 9, 2006, an Order and Notice of Election was issued directing that an election, by secret ballot, be held and conducted on March 24, 2006, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time professional and nonprofessional employes including but not limited to Registered Nurses, Surgical Technicians, SPD Technicians and CPD Technicians; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

Pursuant to Section 604(2) of the Act, the professional employes were afforded an opportunity to indicate their preference for representation in a separate unit consisting of only professional employes or an overall unit of professional and nonprofessional employes.

The election was conducted by an election officer assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 9 inclusive, as set forth in the Order and Notice of Election dated March 9, 2006, are hereby affirmed and incorporated by reference herein and made a part hereof.

10. That the Board conducted an election, by secret ballot, on March 24, 2006, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued March 9, 2006.

11. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the Pennsylvania Association of Staff Nurses & Allied Professionals or whether said employes wished no representative.

12. That the twenty-nine (29) eligible professional employes were asked to indicate their preference as to whether or not they desired to be included in a unit of professional and nonprofessional employes.

13. That a tally of the ballots cast by the professional employes in the unit determination election revealed the following results: twenty-two (22) ballots were cast in favor of being included in a unit comprised of professional and nonprofessional employes; and no (0) ballots were cast in favor of being included in a unit comprised of only professional employes. Two (2) ballots were cast by persons whose votes were challenged and no (0) ballots were void or blank.

14. That a tally of the ballots cast by the professional and nonprofessional employes in the representation election revealed the following results: twenty-nine (29) ballots were cast in favor of representation by the Pennsylvania Association of Staff Nurses & Allied Professionals; three (3) ballots were cast for No Representative; and two (2) ballots were challenged. No (0) ballots were void or blank.

15. That the duly appointed watchers in attendance at the said election have certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

DISCUSSION

The Board will not open, canvass or pass upon the validity of the ballots cast by the persons whose votes were challenged since their inclusion in the total votes cast would have no material effect upon the results of the election.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on March 24, 2006, concludes and finds:

That CONCLUSIONS numbers 1 through 7 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That a majority of the professional employes have voted to be included in a combined unit of professional and nonprofessional employes.

9. That a majority of the valid votes cast by employes in the aforesaid appropriate professional and nonprofessional unit designated the Pennsylvania Association of Staff Nurses & Allied Professionals as the exclusive representative for the purpose of collective bargaining with the Employer.

10. That the Pennsylvania Association of Staff Nurses & Allied Professionals is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that the PENNSYLVANIA ASSOCIATION OF STAFF NURSES & ALLIED PROFESSIONALS is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

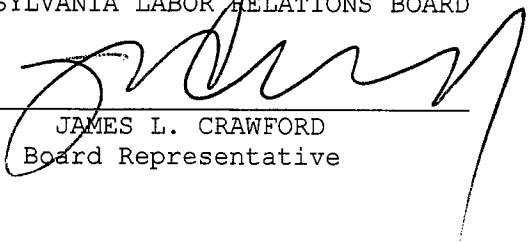
UNIT: All full-time and regular part-time professional and nonprofessional employes including but not limited to Registered Nurses, Surgical Technicians, SPD Technicians and CPD Technicians; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, DATED and MAILED this fifth day of April, 2006, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

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COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
:
: Case No. PERA-R-04-612-E
:
:
GRANTLEY FIRE COMPANY :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on December 20, 2004, by Teamsters Local Union No. 776, affiliated with the International Brotherhood of Teamsters, AFL-CIO (Petitioner) alleging that it represented thirty (30) percent or more of certain employes of Grantley Fire Company (Employer) and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employe Relations Act (Act).

Pursuant to due notice, a telephone pre-hearing conference was held on February 1, 2005, at which time the parties agreed to consider entering into a memorandum of agreement. Thereafter, memoranda of agreement were filed with the Board by the Employer and Petitioner on February 7 and February 11, 2005, respectively, stipulating to the unit composition, the site for the election, the position on the ballot, the eligibility list and other matters pertaining to the conduct of the election.

On February 16, 2005, an Order and Notice of Election was issued directing that an election, by secret ballot, be held and conducted on March 2, 2005, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time nonprofessional employes including but not limited to emergency medical technicians; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards.

The election was conducted by an election officer assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 6 inclusive, as set forth in the Order and Notice of Election dated February 16, 2005, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That the Board conducted an election, by secret ballot, on March 2, 2005, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued February 16, 2005.

8. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Teamsters Local Union No. 776, affiliated with the International Brotherhood of Teamsters, AFL-CIO or whether said employes wished no representative.

9. That five (5) ballots were cast at the election.

10. That of the five (5) ballots, five (5) ballots were cast in favor of representation by Teamsters Local Union No. 776, affiliated with the International Brotherhood of Teamsters, AFL-CIO; no (0) ballots were cast for No Representative; and no (0) ballots were cast by persons whose votes were challenged. No (0) ballots were void or blank.

12. That the duly appointed watchers in attendance at the said election have certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on March 2, 2005, concludes and finds:

That CONCLUSIONS numbers 1 through 4 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the valid votes cast by employes in the aforesaid appropriate unit designated Teamsters Local Union No. 776, affiliated with the International Brotherhood of Teamsters, AFL-CIO as the exclusive representative for the purpose of collective bargaining with the Employer.

6. That Teamsters Local Union No. 776, affiliated with the International Brotherhood of Teamsters, AFL-CIO is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that TEAMSTERS LOCAL UNION NO. 776, AFFILIATED WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

UNIT: All full-time and regular part-time nonprofessional employes including but not limited to emergency medical

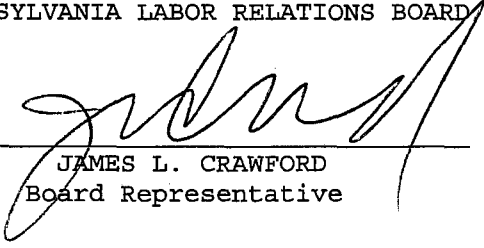
technicians; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, DATED and MAILED this eleventh day of March 11, 2005, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

4

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYEES OF :
: :
: Case No. PERA-R-05-498-E
: (PERA-R-5757-E)
TEMPLE UNIVERSITY HEALTH SYSTEM :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on October 25, 2005, by the Pennsylvania Association of Staff Nurses and Allied Professions (PASNAP) alleging that it represented thirty (30) percent or more of certain employes of Temple University Health System (TUHS) and Temple University (University) and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employee Relations Act (Act). The Petition further alleged that the subject employes are currently represented by the Professional and Technical Employees Association, an affiliate of the National Union of Hospital and Health Care Employees, AFSCME, District 1199C, AFL-CIO (Incumbent Union) and that a five-year collective bargaining contract covering said employes expires on June 30, 2006.

On November 9, 2005, the Secretary of the Board issued an Order and Notice of Hearing establishing November 29, 2005, as the time for a pre-hearing telephone conference and December 30, 2005, in Philadelphia, Pennsylvania as the time and place of hearing, if necessary. The hearing was necessary and was continued to and held on January 30, 2006. On February 13 and 14, 2006, additional days of hearings were held. All parties were afforded a full opportunity to present testimony, cross-examine witnesses and introduce documentary evidence. On March 10, 2006, PASNAP filed a post-hearing brief and on March 13, 2006, the University, the Incumbent Union and TUHS filed post-hearing briefs. On April 4 and 7, 2006, respectively, PASNAP and TUHS filed replies regarding a jurisdictional issue raised in the Incumbent Union's post-hearing brief.

On April 21, 2006, the hearing examiner issued an Order Directing Submission of Eligibility List directing TUHS to submit a list of names and addresses of the employes of TUHS in the unit found appropriate. In that Order, the hearing examiner concluded that the representation election should be conducted in the unit as it is presently certified, consisting of both professional and nonprofessional employes. The hearing examiner rejected the argument that the Board must afford the professional employes included in this unit another opportunity to vote whether they desire to be included in a unit with nonprofessional employes pursuant to Section 604(2) of the Act. TUHS filed the list of eligible voters with the Board on April 28, 2006.

On May 10, 2006, the Board Representative issued an Order Directing Remand for Further Proceedings, concluding that in the unique circumstances of this case, the professional employes should be afforded a preferential

unit determination ballot pursuant to Section 604(2) of the Act. Because the list of employes previously submitted by TUHS did not differentiate between professional and nonprofessional employes, the Board Representative directed that TUHS submit separate professional and nonprofessional employe lists for the consideration of the parties. Those lists were received by the Board on May 17, 2006. Thereafter, the parties were able to agree to a list of professional classifications included in the unit, but were unable to agree on the status of the position of respiratory therapist. The Incumbent Union contended that the position was professional. A hearing limited to that issue was conducted on June 2, 2006, at which time the Incumbent Union was given the opportunity to substantiate its contention that the respiratory therapists are professional employes within the meaning of the Act.

On June 14, 2006, the hearing examiner issued a Second Order Directing Submission of Eligibility List in which he concluded that the Incumbent Union had failed to prove that the respiratory therapist is a professional classification within the meaning of the Act and directed the Employer to submit lists of the names and addresses of the professional and nonprofessional employes of TUHS in the unit found appropriate. Those lists were received by the Board on June 22, 2006.

On June 22, 2006, an Order and Notice of Election was issued directing that an election, by secret ballot, be held and conducted on July 14, 2006, among the employes of TUHS to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment a subdivision of TUHS's unit working at Temple University Hospital and Temple University Children's Medical Center, comprised of all full-time and regular part-time professional and technical employes; and excluding physicians, nurses, pharmacists, office clerical employes, students, and employes on temporary visas, management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

Pursuant to Section 604(2) of the Act, the professional employes were afforded an opportunity to indicate their preference for representation in a separate unit consisting of only professional employes or an overall unit of professional and nonprofessional employes.

The election was conducted by election officers assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 20 inclusive, as set forth in the Order and Notice of Election dated June 22, 2006, are hereby affirmed and incorporated by reference herein and made a part hereof.

21. That the Board conducted an election, by secret ballot, on July 14, 2006, among the employes within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued June 22, 2006.

22. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the Pennsylvania Association of Staff Nurses & Allied Professionals; District 1199C/PTEA or whether said employes wished no representative.

23. That the one hundred fifty-four (154) eligible professional employes were asked to indicate their preference as to whether or not they desired to be included in a unit of professional and nonprofessional employes.

24. That a tally of the ballots cast by the professional employes in the unit determination election revealed the following results: one hundred two (102) ballots were cast in favor of being included in a unit comprised of professional and nonprofessional employes; twenty-eight (28) ballots were cast in favor of being included in a unit comprised of only professional employes; and three (3) ballots were cast by persons whose votes were challenged. No (0) ballots were void or blank.

25. That a tally of the ballots cast by the professional and nonprofessional employes in the representation election in a combined unit revealed the following results: two hundred seventy-two (272) ballots were cast in favor of representation by the Pennsylvania Association of Staff Nurses & Allied Professionals; one hundred twenty-eight (128) ballots were cast for District 1199C/PTEA; nineteen (19) ballots were cast for No Representative; and eleven (11) ballots were cast by persons whose votes were challenged. Two (2) ballots were void or blank.

26. That the duly appointed watchers in attendance at the said election have certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

DISCUSSION

The Board will not open, canvass or pass upon the validity of the ballots cast by the persons whose votes were challenged since their inclusion in the total votes cast would have no material effect upon the results of the election.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on July 14, 2006, concludes and finds:

That CONCLUSIONS numbers 1 through 5 inclusive, as set forth in the aforesaid Order and Notice of Election and CONCLUSIONS numbers 6 and 7 as set forth in the aforesaid Second Order Directing Submission of Eligibility List, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That a majority of the eligible professional employes have voted to be included in a combined unit of professional and nonprofessional employes.

9. That a majority of the valid votes cast by employes in the aforesaid appropriate professional and nonprofessional unit designated the Pennsylvania Association of Staff Nurses & Allied Professionals as the exclusive representative for the purpose of collective bargaining with the employer.

10. That the Pennsylvania Association of Staff Nurses & Allied Professionals is the exclusive representative of all the employes of the employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that the PENNSYLVANIA ASSOCIATION OF STAFF NURSES & ALLIED PROFESSIONALS is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

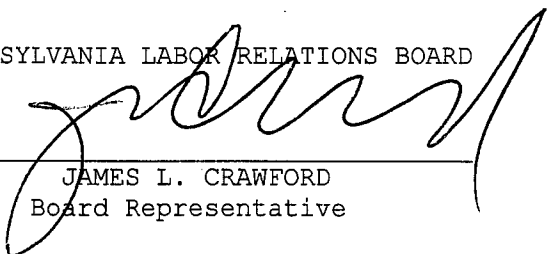
UNIT: A subdivision of Temple University Health System's unit working at Temple University Hospital and Temple University Children's Medical Center comprised of all full-time and regular part-time professional and technical employes; and excluding physicians, nurses, pharmacists, office clerical employes, students, and employes on temporary visas, management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, DATED and MAILED this twenty-fourth day of July, 2006, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
 :
 : Case No. PERA-R-06-402-E
 : (PERA-R-04-310-E)/
PLEASANT VALLEY MANOR, INC. :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on August 23, 2006, by the American Federation of State, County and Municipal Employees, District Council 87, AFL-CIO (Petitioner) alleging that it represented thirty (30) percent or more of certain employes of the Pleasant Valley Manor, Inc. (Employer) and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining to the provisions of Section 603 of the Public Employee Relations Act (Act).

Pursuant to due notice, a telephone pre-hearing conference was held on October 5, 2006, at which time the parties agreed to consider entering into a memorandum of agreement. Thereafter, memoranda of agreement were filed with the Board by the Petitioner and the Employer on October 11 and 12, 2006, respectively, stipulating to the unit composition, the site for the election, the position on the ballot, the eligibility list and other matters pertaining to the conduct of the election.

On October 13, 2006, an Order and Notice of Election was issued directing that an election, by secret ballot, be held and conducted on November 3, 2006, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time nonprofessional employes including but not limited to Helpers, Maids, Porters, Maintenance Personnel, Laundry Workers, Seamstresses, Licensed Practical Nurses, Unit Clerks and Attendants; and excluding the Executive Administrator, Administrative Assistant, Executive Secretary, Stenographer (Administrative), Dietary Supervisor, Cooks, Executive Housekeeper, Maintenance Supervisor, Director of Nursing, Registered Nurses, Activities Director, professional employes, management level employes, supervisors, first level supervisors and confidential employes as defined in the Act.

The election was conducted by an election officer assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 7 inclusive, as set forth in the Order and Notice of Election dated October 13, 2006, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That the Board conducted an election, by secret ballot, on November 3, 2006, among the employees of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued October 13, 2006.

9. That the question voted on was whether the eligible employees in the appropriate unit wished to be represented by the American Federation of State, County and Municipal Employees, District Council 87, AFL-CIO, or whether said employees wished no representative.

10. That twenty-two (22) ballots were cast at the election.

11. That of the twenty-two (22) ballots, twenty (20) ballots were cast in favor of representation by the American Federation of State, County and Municipal Employees, District Council 87, AFL-CIO; no (0) ballot was cast for No Representative; and two (2) ballots were cast by a person whose vote was challenged. No (0) ballots were void or blank.

12. That the duly appointed watchers in attendance at the election have certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

DISCUSSION

The Board will not open, canvass or pass upon the validity of the ballots cast by the persons whose votes were challenged since their inclusion in the total votes cast would have no material effect upon the results of the election.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on November 3, 2006, concludes and finds:

That CONCLUSIONS numbers 1 through 4 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the valid votes cast by employees in the aforesaid appropriate unit designated the American Federation of State, County and Municipal Employees, District Council 87, AFL-CIO, as the exclusive representative for the purpose of collective bargaining with the Employer.

6. That the American Federation of State, County and Municipal Employees, District Council 87, AFL-CIO, is the exclusive representative of all the employees of the Employer within the heretofore defined appropriate

unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that the AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, DISTRICT COUNCIL 87, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

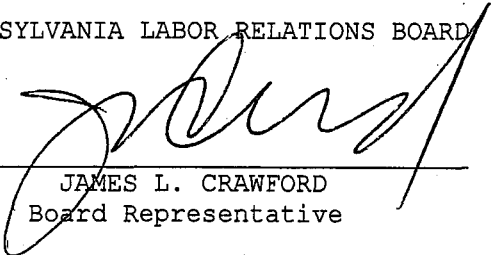
UNIT: All full-time and regular part-time nonprofessional employes including but not limited to Helpers, Maids, Porters, Maintenance Personnel, Laundry Workers, Seamstresses, Licensed Practical Nurses, Unit Clerks and Attendants; and excluding the Executive Administrator, Administrative Assistant, Executive Secretary, Stenographer (Administrative), Dietary Supervisor, Cooks, Executive Housekeeper, Maintenance Supervisor, Director of Nursing, Registered Nurses, Activities Director, professional employes, management level employes, supervisors, first level supervisors and confidential employes as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, DATED and MAILED this seventeenth day of November, 2006, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

6

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-D-02-601-E
: (PERA-R-01-281-E) ✓
DOVER AREA AMBULANCE CLUB, INC. :

NISI ORDER OF DECERTIFICATION

A Petition for Decertification was filed with the Pennsylvania Labor Relations Board (Board) on December 9, 2002, by John Livingston II (Petitioner) alleging that he represents a group of employes of Dover Area Ambulance Club, Inc. (Employer) and requesting the Board to order a decertification election pursuant to Section 607 of the Public Employe Relations Act (Act) to determine whether or not Teamsters Local Union 430, affiliated with the International Brotherhood of Teamsters, AFL-CIO (Union) is supported by a majority of said employes in the bargaining unit certified at Case No. PERA-R-01-281-E for collective bargaining purposes.

Pursuant to due notice, a telephone pre-hearing conference was held on January 24, 2003, at which time the parties agreed to consider entering into a memorandum of agreement. Thereafter, memoranda of agreement were filed with the Board of the Employer, Union and Petitioner on February 13, February 19 and March 7, 2003, respectively, stipulating to the position on the ballot, the site for the election, the eligibility list and other matters pertaining to the conduct of the election.

On March 10, 2003, an Order and Notice of Decertification Election was issued directing that a decertification election, by secret ballot, be held and conducted by United States Mail, among the employes of the Employer to ascertain whether they wished to continue to be represented by the present collective bargaining representative for purposes of collective bargaining or whether said employes wished no representative in a subdivision of the employer unit comprised of all full-time and regular part-time nonprofessional employes including but not limited to emergency medical technicians and emergency medical service employes; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The decertification election was conducted by United States mail as directed.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT, numbers 1 through 7 inclusive, as set forth in the Order and Notice of Decertification Election dated March 10, 2003, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That the Board conducted a secret ballot decertification election, by United States Mail, among the employees of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Decertification Election issued March 10, 2003.

9. That the question voted on was whether the eligible employees in the appropriate unit wished to continue to be represented by the present collective bargaining representative or whether said employees wished no representative.

10. That sixteen (16) ballots were cast at the decertification election.

11. That of the sixteen (16) ballots, five (5) ballots were cast in favor of representation by Teamsters Local Union 430, affiliated with the International Brotherhood of Teamsters, AFL-CIO; eleven (11) ballots were cast for No Representative; and no (0) ballots were cast by persons whose votes were challenged. No (0) ballots were void or blank.

12. That the duly appointed watchers in attendance at the ballot count have certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the decertification election conducted by United States Mail, concludes and finds:

That CONCLUSIONS, numbers 1 through 5 inclusive, as set forth in the aforesaid Order and Notice of Decertification Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the employees of the Employer in the aforesaid appropriate unit have voted to decertify Teamsters Local Union 430, affiliated with the International Brotherhood of Teamsters, AFL-CIO as their exclusive representative for the purpose of collective bargaining with the Employer.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

DECERTIFIES

TEAMSTERS LOCAL UNION 430, AFFILIATED WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS, AFL-CIO

as the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

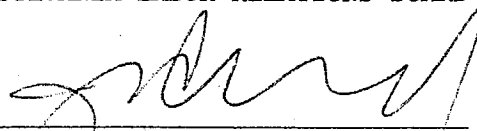
UNIT: All full-time and regular part-time nonprofessional employes, including but not limited to emergency medical technicians and emergency medical service employes; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, DATED and MAILED this seventeenth day of April, 2003, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
 :
 : Case No. PERA-R-01-281-E
 :
 DOVER AREA AMBULANCE CLUB, INC. :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on June 27, 2001, by Teamsters Local Union 430, affiliated with the International Brotherhood of Teamsters, AFL-CIO (Petitioner) alleging that it represented thirty (30) percent or more of certain employees of the Dover Area Ambulance Club, Inc. (Employer) and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employee Relations Act (Act).

Pursuant to due notice, a pre-hearing telephone conference was held on July 26, 2001, at which time the parties agreed to consider entering into a memorandum of agreement. On August 15, 2001, the Board received a memorandum of agreement executed by the Petitioner and the Employer wherein they agreed to the unit composition, the position on the ballot, the eligibility list and other matters pertaining to the conduct of the election. In the memorandum of agreement, the parties requested that the election be conducted by United States Mail.

On August 21, 2001, an Order and Notice of Election was issued directing that a secret ballot election, by United States Mail, be held and conducted among the employees of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time nonprofessional employees including but not limited to emergency medical technicians and emergency medical service employees; and excluding management level employees, supervisors, first level supervisors, confidential employees and guards as defined in the Act.

The election was conducted by United States mail as directed.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 5 inclusive, as set forth in the Order and Notice of Election dated August 21, 2001, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That the Board conducted a secret ballot election, by United States mail, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued August 21, 2001.

7. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Teamsters Local Union 430, affiliated with the International Brotherhood of Teamsters, AFL-CIO or whether said employes wished no representative.

8. That thirteen (13) ballots were cast at the election.

9. That of the thirteen (13) ballots, seven (7) ballots were cast in favor of representation by Teamsters Local Union 430, affiliated with the International Brotherhood of Teamsters, AFL-CIO; four (4) ballots were cast for No Representative; and two (2) ballots were cast by persons whose votes were challenged. No (0) ballots were void or blank.

10. That the duly appointed watchers in attendance at the said election have certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

DISCUSSION

The Board will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose votes were challenged since their inclusion in the total votes cast would have no material effect upon the results of the election.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted by United States mail, concludes and finds:

That CONCLUSIONS numbers 1 through 4 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the valid votes cast by employes in the aforesaid appropriate unit designated Teamsters Local Union 430, affiliated with the International Brotherhood of Teamsters, AFL-CIO as the exclusive representative for the purpose of collective bargaining with the Employer.

6. That Teamsters Local Union 430, affiliated with the International Brotherhood of Teamsters, AFL-CIO is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that TEAMSTERS LOCAL UNION 430, AFFILIATED WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

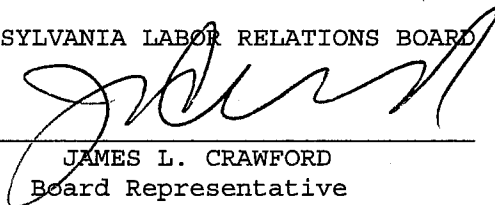
UNIT: All full-time and regular part-time nonprofessional employes including but not limited to emergency medical technicians and emergency medical service employes; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, DATED and MAILED this first day of October, 2001, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



A handwritten signature in black ink, appearing to read 'J. Crawford', is written over a horizontal line.

JAMES L. CRAWFORD
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
:
:
:
:
:
BELLE VERNON CEMETERY ASSOCIATION :

Case No. PERA-R-03-183-W

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on May 16, 2003, by the United Steel Workers of America (Petitioner) alleging that it represented thirty (30) percent or more of certain employes of the Belle Vernon Cemetery Association (Employer) and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employe Relations Act (Act).

Thereafter, memoranda of agreement were filed with the Board by the Petitioner and Employer on June 30, 2003, stipulating to the unit composition, the site for the election, the position on the ballot, the eligibility list and other matters pertaining to the conduct of the election.

On July 9, 2003, an Order and Notice of Election was issued directing that an election, by secret ballot, be held and conducted on July 25, 2003, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time blue-collar nonprofessional employes including but not limited to cemetery workers; and excluding management level employes, supervisors, first-level supervisors, confidential employes and guards as defined in the Act.

The election was conducted by an election officer assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 6 inclusive, as set forth in the Order and Notice of Election dated July 9, 2003, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That the Board conducted an election, by secret ballot, on July 25, 2003, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued July 9, 2003.

8. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the United Steelworkers of America or whether said employes wished no representative.

9. That two (2) ballots were cast at the election.

10. That of the two (2) ballots, two (2) ballots were cast in favor of representation by the United Steelworkers of America; no (0) ballots were cast for No Representative; and no (0) ballots were cast by persons whose votes were challenged. No (0) ballots were void or blank.

11. That the duly appointed watchers in attendance at the said election have certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on July 25, 2003, concludes and finds:

That CONCLUSIONS numbers 1 through 4 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the valid votes cast by employes in the aforesaid appropriate unit designated the United Steelworkers of America as the exclusive representative for the purpose of collective bargaining with the Employer.

6. That the United Steelworkers of America is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that the UNITED STEELWORKERS OF AMERICA

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

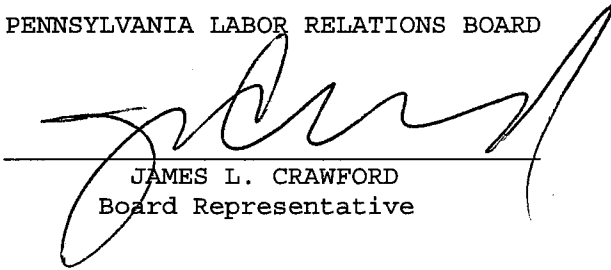
UNIT: All full-time and regular part-time blue-collar nonprofessional employes including but not limited to cemetery workers; and excluding management level employes, supervisors, first-level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, DATED and MAILED this sixth day of August, 2003, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD

A handwritten signature in black ink, appearing to read 'J. Crawford', is written over a horizontal line. The signature is fluid and cursive.

JAMES L. CRAWFORD
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
 :
 : Case No. PERA-R-00-386-E
GREATER PHILADELPHIA HEALTH SERVICES :
CORPORATION :
 :

CERTIFICATION OF REPRESENTATIVE

WHEREAS, Greater Philadelphia Health Services Corporation is a wholly-owned of Temple University, and

WHEREAS, a Joint Request for Certification was filed with the Pennsylvania Labor Relations Board pursuant to ARTICLE VI, SECTION 602(a) of the PUBLIC EMPLOYE RELATIONS ACT, being Act 195 of 1970, and

WHEREAS, District 1199C, National Union of Hospital and Health Care Employees, AFSCME, AFL-CIO has represented the petitioned-for bargaining unit under the National Labor Relations Act, the Board Representative has found the unit appropriate, and the Public Employer has complied with the five (5) day notice required by 34 Pa. Code § 95.11(b)(8), and

WHEREAS, no objections having been filed to the Joint Request for Certification, the Board Representative hereby

CERTIFIES

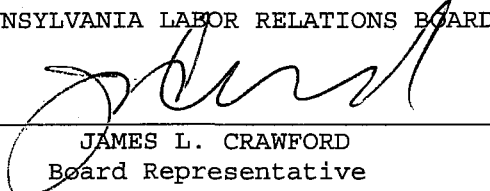
that DISTRICT 1199C, NATIONAL UNION OF HOSPITAL AND HEALTH CARE EMPLOYEES, AFSCME, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

UNIT: All full-time and regular part-time service and maintenance employes, including nurses aides, all other aides, dietary, laundry and maintenance employes and licensed practical nurses; and excluding physical therapists, recreational therapists, cooks, social workers, registered nurses, charge nurses, occupational therapists, office clerical employes, guards, supervisor, confidential, executive and managerial employes.

SIGNED, DATED and MAILED this twenty-third day of February, 2001, pursuant to 34 Pa. Code § 95.11(d).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
 :
 : Case No. PERA-R-00-223-W
 :
 AMBULANCE COMMISSION OF THE CITY OF :
 McKEESPORT AN UNINCORPORATED ASSN :
 t/d/b/a McKEESPORT AMBULANCE RESCUE :
 SERVICES :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on June 14, 2000, by the Fraternal Association of Professional Paramedics (Petitioner) alleging that it represented thirty (30) percent or more of certain employes of the Ambulance Commission of the City of McKeesport, an unincorporated Association t/d/b/a McKeesport Ambulance Rescue Service (Employer) and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employe Relations Act (Act).

Pursuant to due notice, telephone pre-hearing conferences were held on June 13 and 18, 2000, at which time the parties agreed to consider entering into a memorandum of agreement. Thereafter, memoranda of agreement were filed with the Board by the Petitioner and Employer on July 19 and 20, 2000, respectively, stipulating to the unit composition, the site for the election, the position on the ballot, the eligibility list and other matters pertaining to the conduct of the election.

On July 28, 2000, an Order and Notice of Election was issued directing that an election, by secret ballot, be held and conducted on August 11, 2000, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time nonprofessional employes including but not limited to paramedics and emergency medical technicians; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted by an election officer assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 6 inclusive, as set forth in the Order and Notice of Election dated July 28, 2000, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That the Board conducted an election, by secret ballot, on August 11, 2000, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued July 28, 2000.

8. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the Fraternal Association of Professional Paramedics or whether said employes wished no representative.

9. That nineteen (19) ballots were cast at the election.

10. That of the nineteen (19) ballots, fifteen (15) ballots were cast in favor of representation by the Fraternal Association of Professional Paramedics; three (3) ballots were cast for No Representative; and one (1) ballot was cast by a person whose vote was challenged. No (0) ballots were void or blank.

11. That the duly appointed watchers in attendance at the said election have certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

DISCUSSION

The Board will neither open, canvass nor pass upon the validity of the ballot cast by the person whose vote was challenged since its inclusion in the total votes cast would have no material effect upon the results of the election.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on August 11, 2000, concludes and finds:

That CONCLUSIONS numbers 1 through 4 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the valid votes cast by employes in the aforesaid appropriate unit designated the Fraternal Association of Professional Paramedics as the exclusive representative for the purpose of collective bargaining with the Employer.

6. That the Fraternal Association of Professional Paramedics is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that the FRATERNAL ASSOCIATION OF PROFESSIONAL PARAMEDICS

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

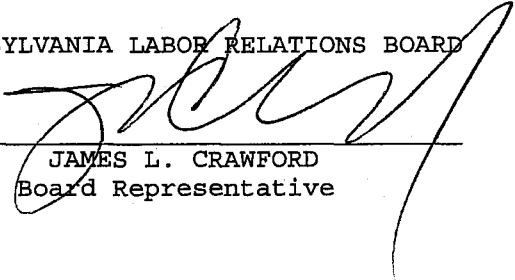
UNIT: All full-time and regular part-time nonprofessional employes including but not limited to paramedics and emergency medical technicians; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, DATED and MAILED this twenty-first day of August, 2000, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: Case No. PERA-R-2631-E
: METROPOLITAN HOSPITAL :
:

NISI ORDER OF CERTIFICATION

On November 14, 1972, Guild of Professional, Technical and Office Employees, Local 1199C, Division of RWDSU, AFL-CIO, hereinafter called "Local 1199C", and Metropolitan Hospital, hereinafter called "Employer", filed to the above-numbered case a Joint Election Request with the Pennsylvania Labor Relations Board, hereinafter called the "Board", requesting an Election to be held pursuant to Section 603 (b) of the Public Employee Relations Act, hereinafter called the "Act".

Pursuant to the foregoing, the Board, on November 17, 1972, issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Tuesday, December 5, 1972, in a subdivision of the employer unit comprised of all Technical and related employes and excluding all other employes, and further excluding management level employes, supervisors, first-level supervisors, confidential employes and guards as defined in the Act.

The said election was conducted, as ordered, by the Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, and more particularly in consideration of the election conducted on December 5, 1972, makes the following:

FINDINGS OF FACT

1. That Metropolitan Hospital is a public employer with its principal place of business at 201 North 8th Street, Philadelphia, Pennsylvania.
2. That Guild of Professional, Technical and Office Employees, Local 1199C, Division of RWDSU, AFL-CIO, is an employe organization which exists for the purpose in whole or in part, of dealing with employers concerning grievances, employe-employer disputes, wages, rates of pay, hours of employment, and conditions of work, with its principal place of business at 1315 Race Street, Philadelphia, Pennsylvania.

3. That the unit appropriate for the purpose of collective bargaining is a subdivision of the employer unit comprised of all Technical and related employes and excluding all other employes, and further excluding management level employes, supervisors, first-level supervisors, confidential employes and guards as defined in the Act.

4. That the Board conducted an election, by secret ballot, on December 5, 1972, among the agreed employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued November 17, 1972.

5. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Guild of Professional, Technical and Office Employees, Local 1199C, Division of RWDSU, AFL-CIO, or whether the said employes wished No Representative.

6. That there were fifty (50) ballots cast by eligible employes, no (0) ballots were spoiled or cancelled, one (1) ballot was cast by a person whose vote was challenged; thus leaving fifty (50) ballots to be accounted for and canvassed.

7. That of the said fifty (50) ballots, thirty-one (31) ballots were cast in favor of representation by Guild of Professional, Technical and Office Employees, Local 1199C, Division of RWDSU, AFL-CIO, and nineteen (19) ballots were cast for No Representative.

8. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballot cast by the person whose ballot was challenged since his inclusion in the total vote cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole and more particularly in consideration of the election conducted on December 5, 1972, concludes and finds:

1. That Metropolitan Hospital is a "public employer" within the meaning of Section 301 (1) of the Act.

2. That Guild of Professional, Technical and Office Employees, Local 1199C, Division of RWDSU, AFL-CIO, is an "employee organization" within the meaning of Section 301 (3) of the Act.

3. That the Pennsylvania Labor Relations Board has jurisdiction over the parties hereto.

4. That the unit appropriate for the purpose of collective bargaining is a subdivision of the employer unit comprised of all Technical and related employes and excluding all other employes, and further excluding management level employes, supervisors, first-level supervisors, confidential employes and guards as defined in the Act.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Guild of Professional, Technical and Office Employees, Local 1199C, Division of RWDSU, AFL-CIO, as their exclusive representative for the purpose of collective bargaining.

6. That Guild of Professional, Technical and Office Employees, Local 1199C, Division of RWDSU, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

C E R T I F I E S

3,

that GUILD OF PROFESSIONAL, TECHNICAL AND OFFICE EMPLOYEES, LOCAL 1199C, DIVISION OF RWDSU, AFL-CIO,

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of all Technical and related employes and excluding management level employes, supervisors, first-level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY FURTHER ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations

Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this twenty-seventh day of December, 1972.

4.

PENNSYLVANIA LABOR RELATIONS BOARD

Raymond L. Scheib
RAYMOND L. SCHEIB, CHAIRMAN

Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

James H. Jones
JAMES H. JONES, MEMBER

3

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :

Case No. PERA-R-7260-E

MONTGOMERY COUNTY - NORRISTOWN :
PUBLIC LIBRARY COMPANY :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on September 22, 1975, by the American Federation of State, County and Municipal Employees, District Council 88, AFL-CIO, hereinafter called "AFSCME", alleging that it represented thirty-percent (30%) or more of certain employes of Montgomery County - Norristown Public Library Company, hereinafter called the "Employer", and requesting that pursuant to Section 603(c) of the Public Employee Relations Act, hereinafter called the "Act", a hearing be scheduled and an Order be issued for an election.

Pursuant to due notice, a hearing was held on November 14, 1975, at Philadelphia, Pennsylvania, before William Draper Lewis, Esquire, a duly designated Hearing Examiner of the Board. Said hearing was continued to December 15, 1975, at which time the parties entered into a Memorandum of Agreement stipulating to the position on the ballot, the site or sites for the conducting of the election, the eligibility list, and all other matters pertaining to the conduct of the election.

Thereafter, on January 21, 1976, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on February 6, 1976, among the employes of the employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of the following classifications of employes: all full-time and regular part-time professional and non-professional employes including reference librarians, catalogers, bookmobile drivers, clerks, janitors, librarian aides, maintenance and pages; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, on the basis of testimony and evidence presented at the hearing and from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT numbers 1 through 6 inclusive, as set forth in the Board's Order and Notice of Election dated January 21,

(By the Examiner)

Respectfully,
Peter Frankenfield

1976, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That the Board conducted an election, by secret ballot, on February 6, 1976, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued January 21, 1976.

8. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the American Federation of State, County and Municipal Employees, District Council 88, AFL-CIO, or whether said employes wished No Representative.

9. That the professional employes were asked to indicate their preference as to whether or not they desired to be included in a unit of professional and non-professional employes.

10. That a tally of the ballots cast by the professional employes in the Unit Determination Election revealed the following results: two (2) ballots were cast in favor of being included in a unit comprised of professional and non-professional employes, and no (0) ballots were cast in favor of being included in a unit comprised of only professional employes.

11. That a tally of the ballots cast by the professional and non-professional employes in the representation election revealed the following results: twenty-two (22) ballots were cast in favor of representation by AFSCME; sixteen (16) ballots were cast for No Representative; one (1) ballot was void or blank; and no (0) ballots were challenged.

12. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board.

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on February 6, 1976, concludes and finds:

CONCLUSIONS

The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election, numbers 1 through 6 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated the American Federation of State, County and Municipal Employees, District Council 88, AFL-CIO as their exclusive representative for the purpose of collective bargaining with the employer.

8. That AFSCME, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other terms and conditions of employment.

- 2 -

(By the Examiner)

Pearl Frankfield

that there are two employes and who are those two employes?

In view of the foregoing and in order to effectuate the policies of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that the AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, DISTRICT COUNCIL 88, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and other terms and conditions of employment.

UNIT: In a subdivision of the Employer unit comprised of the following classifications of employees: all full-time and regular part-time professional and non-professional employees including reference librarians, catalogers, bookmobile drivers, clerks, janitors, librarian aides, maintenance and pages; and excluding management level employees, supervisors, first level supervisors, confidential employees, and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to 34 Pa. Code Ch. 95.98, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this seventeenth day of February, 1976.

PENNSYLVANIA LABOR RELATIONS BOARD

Raymond L. Scheib
RAYMOND L. SCHEIB, CHAIRMAN

James H. Jones
JAMES H. JONES, MEMBER

27

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :

VISITING NURSE ASSOCIATION OF : Case No. PERA-R-2444-E
NORRISTOWN AND VICINITY :
:

NISI ORDER OF CERTIFICATION

On September 12, 1972, the Pennsylvania Nurses Association, herein called the "Union", filed a Petition for Representation with the Pennsylvania Labor Relations Board, herein called the "Board". The Union, in its Petition, alleged that it represented thirty (30) per cent or more of certain employes of the Visiting Nurse Association of Norristown and Vicinity, herein called the "Employer", and requested the Board to order an election to determine the exclusive representative, if any, for the purpose of collective bargaining pursuant to the provisions of the Public Employe Relations Act, herein called the "Act".

Thereafter, on October 19, 1972, the Board issued an Order and Notice of Hearing, fixing November 15, 1972, in Philadelphia, Pennsylvania, as the time and place of hearing to determine the issues raised in the petition. At the aforesaid hearing, the parties were afforded a full opportunity to examine and cross-examine witnesses and to present testimony and introduce evidence.

Pursuant to the foregoing, the Board, on November 29, 1972, issued an Order and Notice of Election, directing that an election, by secret ballot, be conducted on December 15, 1972. The said election was conducted as ordered by an Elections Officer assigned by the Board.

The Board, from all matters and documents of record, and more particularly in consideration of the election conducted on December 15, 1972, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT NUMBERS 1, 2, and 3, as set forth in the Board's Order and Notice of Election dated November 29, 1972, are hereby affirmed and incorporated by reference herein and made a part hereof.

4. That the Board conducted an election, by secret ballot, on December 15, 1972, among the employes of the Employer in an appropriate unit, in accordance with the Order of the Board issued November 29, 1972.

5. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the Pennsylvania Nurses Association, or whether the said employes wished No Representative.

6. That thirteen (13) ballots were cast by eligible employes, no (0) ballots were spoiled or cancelled, and no (0) ballots were cast by persons not on the eligibility list; thus leaving thirteen (13) ballots to be accounted for and canvassed.

7. That of the said thirteen (13) ballots, twelve (12) ballots were cast in favor of representation by Pennsylvania Nurses Association, and one (1) ballot was cast for No Representative.

8. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS OF LAW

The Board, therefore, after due consideration of the foregoing and the record as a whole, concludes and finds:

The Board's CONCLUSIONS Numbers 1, 2, 3, and 4, as set forth in its aforesaid Order and Notice of Election are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the appropriate unit have selected and designated Pennsylvania Nurses Association as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That Pennsylvania Nurses Association, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that PENNSYLVANIA NURSES ASSOCIATION

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT:

In a subdivision of the employer unit comprised of professional employes designated as Visiting Nurses, Speech Therapists and Physical Therapists; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

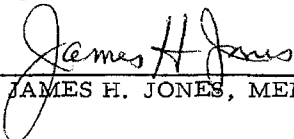
that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board, approved as of October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this twenty-fourth day of January, 1973.

3. PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
The Pennsylvania Labor Relations Board

CERTIFICATION OF REPRESENTATIVE

IN THE MATTER OF THE EMPLOYES OF

No. PERA-R- 4843-C

NORTHEASTERN PENNSYLVANIA VECTOR
CONTROL ASSOCIATION

W H E R E A S , a Joint Request for Certification was filed with the Pennsylvania Labor Relations Board pursuant to ARTICLE VI, SECTION 602(a) of the PUBLIC EMPLOYE RELATIONS ACT, being Act 195 of 1970, and

W H E R E A S , the Pennsylvania Labor Relations Board has found the unit appropriate, and the Public Employer has complied with the five (5) day notice required by RULE 3.1(h), and

W H E R E A S , no objections having been filed to the Joint Request for Certification, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 406, AFL-CIO



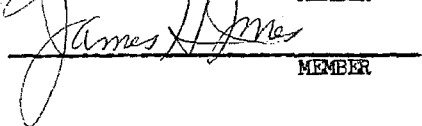
is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in unit described below for the purposes of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT: In a subdivision of the Employer unit comprised of: Secretarial employes, Health Worker, and Vector Control I and II; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania,

this eighth day of April , 1974.

PENNSYLVANIA LABOR RELATIONS BOARD


CHAIRMAN

MEMBER

MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
:
:
:
: Case No. PERA-R-85-85-W
:
:
OAKWOOD CEMETERY ASSOCIATION :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on December 26, 1984, by Teamsters Union Local 261, affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America (Teamsters), to represent certain employes of the Oakwood Cemetery Association (Cemetery). The petition was filed under the Pennsylvania Labor Relations Act (PLRA), 43 P.S. § 211.1 et seq., and was docketed by the Board to Case No. PLRA-R-84-26-W. On January 17, 1985, the Secretary of the Board issued an Order and Notice of Hearing in which she fixed February 1, 1985, in Pittsburgh as the time and place for a pre-hearing conference and February 14, 1985, in Pittsburgh, as the time and place for a hearing. Since the pre-hearing conference did not result in an agreement of the parties, the hearing was held as scheduled before Donald A. Wallace, a Hearing Examiner of the Board, at which time all parties in interest were afforded a full opportunity to present testimony, examine and cross-examine witnesses and introduce documentary evidence.

During pre-hearing discussions on the day of the hearing, it was disclosed that the Cemetery is a nonprofit corporation. Since the Board's jurisdiction over nonprofit organizations is under the Public Employe Relations Act (PERA or Act), 43 P.S. § 1101.1 et seq., rather than under the PLRA, see Employees of Student Services, Inc., 495 Pa. 42, 432 A.2d 189 (1981), the Teamsters refiled its petition under the PERA and requested permission to withdraw its petition under the PLRA (N.T. 5). Both parties then agreed to proceed with the hearing on the basis of the newly filed petition and expressly waived any procedural irregularities occasioned thereby (N.T. 5-6). The Board subsequently docketed the Teamsters' PERA petition to Case No. PERA-R-85-85-W.

On March 29, 1985, the Hearing Examiner issued an Order Directing Submission of Eligibility List resolving all disputed issues. That list was received by the Board on April 8, 1985.

Thereafter, on April 16, 1985, an Order and Notice of Election was issued directing that an election, by secret ballot, be held and conducted on May 3, 1985, among the employes of the Cemetery to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised

of all full-time and regular part-time nonprofessional employes including but not limited to truck drivers and heavy, light and medium mechanical equipment operators; and excluding professional employes, management level employes, supervisors, first-level supervisors, confidential employes and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT, numbers 1 through 16 inclusive, as set forth in the Order and Notice of Election dated April 16, 1985, are hereby affirmed and incorporated by reference herein and made a part hereof.

17. That the Board conducted an election, by secret ballot, on May 3, 1985, among the employes of the Cemetery within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued April 16, 1985.

18. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Teamsters Union Local 261, affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America or whether said employes wished no representative.

19. That eight (8) ballots were cast at the election.

20. That of the eight (8) ballots, eight (8) ballots cast in favor of representation by Teamsters Union Local 261, affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America; no (0) ballots were cast for No Representative; and no (0) ballots were cast by persons whose votes were challenged. No (0) ballots were void or blank.

21. That the duly appointed Watcher in attendance at the said election has certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on May 3, 1985, concludes and finds:

That CONCLUSIONS, numbers 1 through 7 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That a majority of the valid votes cast by employes in the aforesaid appropriate unit designated Teamsters Union Local 261, affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America as the exclusive representative for the purpose of collective bargaining with the Cemetery.

9. That Teamsters Union Local 261, affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America is the exclusive representative of all the employes of the Cemetery within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that TEAMSTERS UNION LOCAL 261, affiliated with the INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS OF AMERICA

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

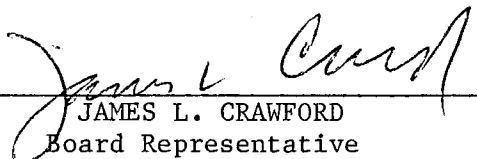
UNIT: All full-time and regular part-time nonprofessional employes including but not limited to truck drivers and heavy, light and medium mechanical equipment operators; and excluding professional employes, management level employes, supervisors, first-level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any Exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED AND DATED at Harrisburg, Pennsylvania, this fifteenth day of May, 1985, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

3

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYEES OF :
: :
: : Case No. PERA-R-5840-W
: :
HUMAN SERVICES CENTER :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on December 19, 1974, by the American Federation of State, County and Municipal Employees, Council 85, AFL-CIO, hereinafter called "AFSCME", alleging that it represented 30% or more of certain employes of the Human Services Center, hereinafter called the "Employer", and requesting that pursuant to Section 603(c) of the Public Employee Relations Act, hereinafter called the "Act", a hearing be scheduled and an Order be issued for an election.

Pursuant to due notice, a hearing was held on January 28, 1975, in New Castle, Pennsylvania, before William J. LeWinter, Esquire, a duly designated Hearing Examiner of the Board. At the hearing the parties entered into a Memorandum of Agreement, stipulating to the position on the ballot, the site or sites for the conducting of the election, the eligibility list and all other matters pertaining to the conduct of the election.

Thereafter, on February 10, 1975, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on April 16, 1975, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the Employer unit comprised of the following classifications of employes: All full-time and regular part-time employes including Clerical Trainees, Clerk Stenos I, Clerk Typists I, Social Workers I, Caseworkers, Casework Supervisors I, Psychological Services Associates II, Rehabilitation Counselors II, and excluding Psychiatrists, Social Workers II, Social Workers III, Physicians I, and Psychologists I, and further excluding management level employes, supervisors, first level supervisors, confidential employes, and guards, as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, on the basis of testimony and evidence presented at the hearing and from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT numbers 1 through 7 inclusive, as set forth in the Board's Order and Notice of Election dated February 10,

1975, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That the Board conducted an election, by secret ballot, on April 16, 1975, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued February 10, 1975.

9. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the American Federation of State, County and Municipal Employees, Council 85, AFL-CIO, or whether the said employes wished No Representative.

10. That the professional employes were asked to indicate their preference as to whether or not they desired to be included in a unit of professional and non-professional employes.

11. That a tally of the ballots cast by the professional employes in the Unit Determination Election revealed the following results: seven (7) ballots were cast in favor of being included in a unit comprised of professional and non-professional employes, and no (0) ballots were cast in favor of being included in a unit comprised of only professional employes.

12. That a tally of the ballots cast by the professional and non-professional employes in the representation election revealed the following results: twelve (12) ballots were cast in favor of representation by AFSCME; no (0) ballots were cast for No Representative; no (0) ballots were void or blank; and no (0) ballots were challenged.

13. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board.

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on April 16, 1975, concludes and finds:

CONCLUSIONS

The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election, numbers 1 through 6 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated American Federation of State, County and Municipal Employees, Council 85, AFL-CIO as their exclusive representative for the purpose of collective bargaining with the employer.

8. That AFSCME, by virtue of the provision of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that the AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, COUNCIL 85, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the Employer unit comprised of the following classification of employes: All full-time and regular part-time employes including Clerical Trainees, Clerk Stenos I, Clerk Typists I, Social Workers I, Caseworkers, Casework Supervisors I, Psychological Services Associates II, Rehabilitation Counselors II, and excluding Psychiatrists, Social Workers II, Social Workers III, Physicians I, and Psychologists I, and further excluding management level employes, supervisors, first level supervisors, confidential employes, and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to 34 Pa. Code Ch. 95.98, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this first day of May, 1975.

PENNSYLVANIA LABOR RELATIONS BOARD


Raymond L. Scheib
RAYMOND L. SCHEIB, CHAIRMAN

Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

James H. Jones
JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-R-3558-E
: :
HOSPITAL OF THE UNIVERSITY OF :
PENNSYLVANIA :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on May 16, 1973, by International Union, United Plant Guard Workers of America (UPGWA), hereinafter called the "Petitioner", alleging that it represented 30% or more of certain employes of the Hospital of the University of Pennsylvania, hereinafter called the "Employer", and requesting that pursuant to Section 603(c) of the Public Employee Relations Act, hereinafter called the "Act", a hearing be scheduled and an Order be issued for an election.

On May 22, 1973, the Board issued an Order and Notice of Hearing, fixing June 15, 1973, at Philadelphia, Pennsylvania, as the time and place of hearing. The hearing was held before William Draper Lewis, Jr., Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses and to present testimony and introduce evidence was afforded to all parties in interest.

Thereafter, on August 1, 1973, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Friday, August 24, 1973, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of the following classifications of employes: All security guards employed by the Hospital of the University of Pennsylvania including guards and corporals but excluding all part time security guards, sergeants, lieutenants and the Director of Security, and further excluding supervisors, first level supervisors management level and confidential employes as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT numbers 1 through 7 inclusive, as set forth in the Board's Order and Notice of Election dated August 6, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That the Board conducted an election, by secret ballot, on August 24, 1973, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued August 1, 1973.

9. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by International Union, United Plant Guard Workers of America (UPGWA), or whether the said employes wished No Representative.

10. That twenty-two (22) ballots were cast by eligible voters, no (0) ballots were void or blank, and no (0) ballots were cast by persons whose votes were challenged; thus leaving twenty-two (22) ballots to be accounted for and canvassed.

11. That of the twenty-two (22) ballots, twenty-two (22) ballots were cast in favor of representation by International Union, United Plant Guard Workers of America (UPGWA), and no (0) ballots were cast for No Representative.

12. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board.

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on August 24, 1973, concludes and finds:

CONCLUSIONS

That the Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election, numbers 1 through 4 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated International Union, United Plant Guard Workers of America (UPGWA) as their exclusive representative for the purpose of collective bargaining with the Employer.

5. That the Petitioner, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that INTERNATIONAL UNION, UNITED PLANT GUARD WORKERS OF AMERICA (UPGWA)

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the Employer unit comprised of all security guards employed by the Hospital of the University of Pennsylvania including guards and corporals but excluding all part time security guards, sergeants, lieutenants and the Director of Security, and further excluding supervisors, first level supervisors, management level and confidential employes as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this twelfth day of September, 1973.

PENNSYLVANIA LABOR RELATIONS BOARD



Raymond L. Schetz
RAYMOND L. SCHEZB, CHAIRMAN

Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

James H. Jones
JAMES H. JONES, MEMBER

5. That some of these part-time nurses have been employed at the hospital for five (5) to ten (10) years and generally work the same days every week. (N. T. 35, 42, 43, 49, 51, 52, 53)

6. That there are four (4) nurses who are designated as "head" nurses but whose duties are limited to patient care and who do not supervise other nurses or employes. (N. T. 17, 19, 20, 27, 28)

7. That the appropriate unit determined by the Board for the purposes of collective bargaining is a subdivision of the employer unit comprised of registered nurses, including staff and head nurses, and excluding supervisors, first level supervisors and confidential employes as defined in Act 195.

8. That the choice set forth on the ballot was as follows: On the left, Pennsylvania Nurses Association; and on the right, No Representative.

9. That ninety (90) ballots were cast, of which nine (9) were challenged by the Board's agent.

10. That of the eighty-one (81) unchallenged ballots cast, fifty-nine (59) were cast in favor of representation by Pennsylvania Nurses Association, and twenty-two (22) ballots were cast in favor of No Representative.

11. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board.

DISCUSSION

The sole issue in this case is the propriety of including in the unit nurses who work less than three (3) days a week. The testimony establishes that these part-time nurses are employed on a regular basis with respect to their day or days of work and that many of them have been working in this arrangement for many years. As such, there is no significant difference between them and the full-time nurses with whom they share a community of interest. Obviously, they are not in the same category as temporary or emergency employes. It may also be noted that the four (4) head nurses, despite their designation as such, do not perform any supervisory duties with respect to other employes. Thus, they are properly included in the unit.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly the results of the election conducted on July 29, 1971, concludes and finds:

1. That the Pennsylvania Labor Relations Board has jurisdiction over the parties hereto.

2. That St. Joseph Hospital is a "public employer" within the meaning of Section 301(1) of the Act.

3. That Pennsylvania Nurses Association is an "employe organization" within the meaning of Section 301(3) of the Act.

4. That the unit appropriate for the purposes of collective bargaining between the employer and its employes within the meaning of Section 604 of the Act is a subdivision of the employer unit comprised of registered nurses, including staff and head nurses, and excluding supervisors, first level supervisors and confidential employes as defined in Act 195.

2.

5. That a majority of the employes of the employer within the heretofore defined appropriate unit have selected and designated Pennsylvania Nurses Association as their exclusive representative for the purposes of collective bargaining with the employer.

6. The Pennsylvania Nurses Association, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the employer within the heretofore defined appropriate unit for the purposes of collective bargaining with respect to wages, hours, terms and conditions of employment.

O R D E R

The Pennsylvania Labor Relations Board, therefore, after due consideration of the foregoing and the record as a whole,

HEREBY ORDERS AND DECREES

that PENNSYLVANIA NURSES ASSOCIATION, be and it is hereby

CERTIFIED

as the exclusive representative for all the employes in a subdivision of the employer unit comprised of registered nurses, including staff and head nurses, and excluding supervisors, first level supervisors and confidential employes as defined in Act 195, for the purposes of collective bargaining, with respect to wages, hours, terms and conditions of employment subject to the conditions of the aforesaid, and

IT IS HEREBY FURTHER ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this twelfth day of August, 1971.

PENNSYLVANIA LABOR RELATIONS BOARD



MALCOLM B. PETRIKIN, Chairman



GEORGE B. STUART, Member

3.

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF : Case Nos. PERA-R-3877-E
: (PERA-R-3879-E)
: PERA-R-3878-E
HOSPITAL OF THE MEDICAL COLLEGE :
OF PENNSYLVANIA :

NISI ORDER OF CERTIFICATION

On March 29, 1974, the Pennsylvania Labor Relations Board, hereinafter called the "Board", issued a Pre-Election Conference and Nisi Decision and Order wherein it set forth, inter alia, that an appropriate unit for the purpose of collective bargaining, entered to Case No. PERA-R-3877-E (PERA-R-3879-E), is a subdivision of the employer unit comprised of all full-time and regular part-time staff nurses and faculty nurses working twenty or more hours a week and excluding all other employes of the employer, and further excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The Board also determined and set forth that an appropriate unit for the purpose of meeting and discussing, filed to Case No. PERA-R-3878-E, is a subdivision of the employer unit comprised of all full-time and regular part-time head nurses, first level supervisors, working twenty or more hours a week and excluding all other employes of the Employer, and further excluding management level employes, confidential employes and guards as defined in the Act.

Thereafter, on May 1, 1974, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on May 23, 1974, among the employes in the two units set forth therein which the Board found to be appropriate.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT numbers 1 through 15 inclusive, as set forth in the Pre-Election Conference and Nisi Decision and Order dated March 29, 1974, are hereby affirmed and incorporated by reference herein and made a part hereof.

16. That the Board conducted an election, by secret ballot, on May 23, 1974, among the employes of the Employer within the heretofore defined appropriate units, in accordance with the Order of the Board issued May 1, 1974.

17. That the question voted on was whether the eligible employes in the two appropriate units wished to be represented by Pennsylvania Nurses Association, or whether the said employes wished No Representative.

18. That a tally of the ballots cast by the employes in the collective bargaining unit revealed the following results: Ninety (90) ballots were cast in favor of representation by Pennsylvania Nurses Association, four (4) ballots were cast for No Representative and twenty-four (24) ballots were cast by persons whose votes were challenged. No ballots were void or blank.

19. That a tally of the ballots cast by the employes in the meet and discuss unit revealed the following results: Fourteen (14) ballots were cast in favor of representation by Pennsylvania Nurses Association, no (0) ballots were cast for No Representative, and one (1) ballot was cast by a person whose vote was challenged. No ballots were void or blank.

20. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by persons whose ballots were challenged since their inclusion in the total vote cast would have no material affect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on May 23, 1974, concludes and finds:

The Board's CONCLUSIONS numbers 1 through 7 inclusive, as set forth in the Pre-Election Conference and Nisi Decision and Order dated March 29, 1974, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That a majority of the employes of the Employer within the heretofore defined appropriate units have selected and designated Pennsylvania Nurses Association as their exclusive representative for

the purpose of collective bargaining and meeting and discussing with the Employer.

9. That Pennsylvania Nurses Association, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate units for the purpose of collective bargaining and meeting and discussing with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that PENNSYLVANIA NURSES ASSOCIATION

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of all full-time and regular part-time staff nurses and faculty nurses working twenty or more hours a week and excluding all other employes of the employer, and further excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

and that the Pennsylvania Labor Relations Board further

CERTIFIES

that PENNSYLVANIA NURSES ASSOCIATION

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of meeting and discussing with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of all full-time and regular part-time head nurses, first level supervisors, working twenty or more hours a week and excluding all other employes of the Employer, and further excluding management level employes, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

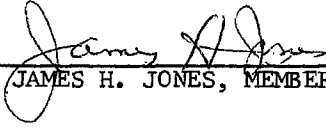
that in the absence of any Exceptions filed pursuant to 34 Pa. Code Ch. 95.98, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this third day of June, 1974.

4. PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-R-3366-C
: :
HONEYBROOK WATER COMPANY :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on March 22, 1973, by Teamsters Local Union No. 401, hereinafter called "Union", alleging that it represented 30% or more of certain employes of Honeybrook Water Company, hereinafter called "Employer", and requesting the Board to order an election to determine the exclusive representative for the purpose of collective bargaining pursuant to provisions of the Public Employee Relations Act, hereinafter called the "Act".

On April 12, 1973, the Board issued an Order and Notice of Hearing fixing April 27, 1973, in Wilkes-Barre, Pennsylvania, as the time and place of hearing. Said hearing was held as scheduled at which time all parties in interest were afforded a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence.

Thereafter, on June 6, 1973, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Tuesday, June 26, 1973, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of the following classifications of employes: All non-professional employes including pump house operators, labor-maintenance men, and backhoe operators, excluding the manager, foreman, clerk, professional employes, supervisors, first level supervisors and confidential employes as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT numbers 1 through 4 inclusive, as set forth in the Board's Order and Notice of Election dated June 6, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That the Board conducted an election, by secret ballot, on June 26, 1973, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued June 6, 1973.

6. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Teamsters Local Union No. 401, or whether the said employes wished No Representative.

7. That five (5) ballots were cast by eligible voters, no (0) ballots were void or blank, and no (0) ballots were cast by persons whose vote was challenged; thus leaving five (5) ballots to be accounted for and canvassed.

8. That of the said five (5) ballots, five (5) ballots were cast in favor of representation by Teamsters Local Union No. 401 and no (0) ballots were cast for No Representative.

9. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on June 26, 1973, concludes and finds:

The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election, numbers 1 through 5 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Teamsters Local Union No. 401 as their exclusive representative for the purpose of collective bargaining with the Employer.

7. That Teamsters Local Union No. 401, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that TEAMSTERS LOCAL UNION NO. 401

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the Unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of the following classifications of employees: All non-professional employes including pump house operators, labor-maintenance men, and back hoe operator, excluding the manager, foremen, clerk, professional employes, supervisors, first level supervisors and confidential employes as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this third day of July, 1973.

3.

PENNSYLVANIA LABOR RELATIONS BOARD


Raymond L. Scheib
RAYMOND L. SCHEIB, CHAIRMAN

Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

James H. Jones
JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-R-3541-E
: :
HOMEMAKER SERVICE OF METROPOLITAN :
AREA, INC. :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on May 9, 1973, by Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, hereinafter called the "Union", alleging that it represented 30% or more of certain employees of Homemaker Service of Metropolitan Area, Inc., hereinafter called the "Employer", and requesting the Board to order an election to determine the exclusive representative for the purpose of collective bargaining pursuant to provisions of the Public Employee Relations Act, hereinafter called the "Act".

On May 18, 1973, the Board issued an Order and Notice of Hearing fixing June 15, 1973, in Philadelphia, Pennsylvania, as the time and place of hearing, before Levan Gordon, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses and to present testimony and introduce evidence was afforded to all parties in interest.

Thereafter, on July 16, 1973, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Wednesday, August 8, 1973, among the employees of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of the following classifications: All non-professional employees and excluding management level employees, supervisors, first level supervisors, confidential employees and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT numbers 1 through 5 inclusive, as set forth in the Board's Order and Notice of Election dated July 16, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That the Board conducted an election, by secret ballot, on August 8, 1973, among the employees of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued July 16, 1973.

7. That the question voted on was whether the eligible employees in the appropriate unit wished to be represented by Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RSDSU, AFL-CIO, or whether the said employees wished No Representative.

8. That one hundred twenty (120) ballots were cast by eligible voters, one (1) ballot was void or blank, and six (6) ballots were cast by persons whose votes were challenged; thus leaving one hundred twenty (120) ballots to be accounted for and canvassed.

9. That of the one hundred twenty (120) ballots, one hundred thirteen (113) ballots were cast in favor of representation by Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, and seven (7) ballots were cast for No Representative.

10. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose ballots were challenged since their inclusion in the total votes cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on August 8, 1973, concludes and finds:

That the Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election, numbers 1 through 5 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the employees of the Employer within the heretofore defined appropriate unit have selected and designated Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO as their exclusive representative for the purpose of collective bargaining with the Employer.

7. That the Union, by virtue of the provisions of the Act, is the exclusive representative of all the employees of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that LOCAL 1199C, NATIONAL UNION OF HOSPITAL AND NURSING HOME EMPLOYEES, DIVISION OF RWDSU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the Employer unit comprised of the following classifications: All non-professional employes and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

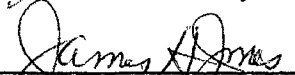
SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this sixteenth day of August, 1973.

3,

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-R-6241-C
PENNSYLVANIA STATE UNIVERSITY : PERA-R-6241A-C
(Milton S. Hershey Medical Center) :

NISI ORDER OF CERTIFICATION and
NISI ORDER OF DISMISSAL

Petitions for Representation were filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board," on February 24, 1975 and April 10, 1975, by the Pennsylvania Nurses Association, hereinafter called the "PNA," alleging that it represented thirty percent or more of certain employes of the Pennsylvania State University (Milton S. Hershey Medical Center), hereinafter called the "Employer," and requesting that pursuant to Section 603(c) of the Public Employee Relations Act, hereinafter called the "Act," a hearing be scheduled and an Order be issued for an election.

Pursuant to due notice, a hearing was held on April 4, 1975, in Case No. PERA-R-6241-C, before Sidney Lawrence, a duly designated Hearing Officer of the Board, at which time a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded to all parties in interest.

During the course of the hearing, the PNA requested and the parties stipulated that the record should reflect all the material and evidence needed not only in Case No. PERA-R-6241-C, but should also apply to the formulation of a meet and discuss unit in Case No. PERA-R-6241A-C, and that the Board could order an election in such a unit based on the record in addition to the election in a basic unit requested in the Petition docketed to No. 6241-C.

Thereafter, on August 12, 1975, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on August 27, 1975, among the employes in the two units which the Board found to be appropriate.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, on the basis of the testimony presented at the hearing, and from all other matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT numbers 1 through 14 inclusive as set forth in the Board's Order and Notice of Election dated August 12, 1975, and amended in the Board's Order Amending Order and Notice of Election issued August 14, 1975, are hereby affirmed and incorporated by reference herein and made a part hereof.

15. That the Board conducted an election, by secret ballot, on August 27, 1975, among the employes of the Employer within two appropriate units, in accordance with the Order of the Board issued August 12, 1975.

16. That the question voted on was whether the eligible employes in the appropriate units wished to be represented by Pennsylvania Nurses Association, or whether the said employes wished No Representative.

17. That a tally of the ballots cast by employes in the collective bargaining unit revealed the following results: One hundred and twelve (112) ballots were cast in favor of representation by Pennsylvania Nurses Association; forty-seven (47) ballots were cast for No Representation; three (3) ballots were challenged; and no (0) ballots were void or blank.

18. That a tally of the ballots cast by employes in the meet and discuss unit revealed the following results: Seven (7) ballots were cast in favor of representation by Pennsylvania Nurses Association; ten (10) ballots were cast for No Representative; no (0) ballots were challenged; and no (0) ballots were void or blank.

19. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by persons whose ballots were challenged, since their inclusion in the total votes cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on August 27, 1975, concludes and finds:

The Board's CONCLUSIONS numbers 1 through 8 inclusive, as set forth in the Board's aforesaid Order and Notice of Election, and amended in its aforesaid Order Amending Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

9. That a majority of the employes in the collective bargaining unit have selected and designated Pennsylvania Nurses Association as their exclusive representative for the purpose of collective bargaining with the Employer.

10. That Pennsylvania Nurses Association, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate collective bargaining unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours and other conditions of employment.

11. That a majority of the employes in the meet and discuss unit have selected and designated "No Representative."

In view of the foregoing and in order to effectuate the policies of Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that PENNSYLVANIA NURSES ASSOCIATION

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of all full-time and regular part-time graduate and registered nurses working in the hospital of the Milton S. Hershey Medical Center of the Pennsylvania State University including staff nurses, out-patient staff nurses, radiology staff nurses, staff nurse team leaders, and staff nurse team members, excluding all other employes, first level and above supervisors and confidential employes as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that the Petition for Representation heretofore filed on April 10, 1975, to Case No. PERA-R-6241A-C, be and the same is hereby dismissed, and

IT IS HEREBY FURTHER ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to 34 Pa. Code Ch. 95.98, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania this fourth day of September, 1975.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEZ, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: Case No. PERA-R-3435-C
: HARRISBURG POLYCLINIC HOSPITAL :
:

NISI ORDER OF CERTIFICATION

On April 3, 1973, the Pennsylvania Nurses Association, herein called "PNA", filed a Petition for Representation requesting that the Pennsylvania Labor Relations Board, herein called the "Board", pursuant to Section 603(c) of the Public Employe Relations Act, herein called the "Act", provide for appropriate hearing upon due notice given to Harrisburg Polyclinic Hospital, herein called the "Employer", and approve the proposed unit, issue an order for an election and certify the name of the employe representative designated, if any, for the purpose of collective bargaining in an appropriate unit. The Petition was filed to Case No. PERA-R-3406-C and the unit petitioned for was comprised of all registered general duty nurses.

On April 9, 1973, a Petition for Representation was filed by PNA to Case No. PERA-R-3426-C, requesting a unit comprised of all licensed practical nurses of the Employer.

On April 11, 1973, a Petition for Representation was filed with the Board by PNA, requesting a unit comprised of all registered head nurses, assistant head nurses and specialty nurses of the Employer. This petition was filed to No. PERA-R-3435-C.

Pursuant to the foregoing the Board on April 17, 1973, issued an Order and Notice of Hearing in all three cases and set Friday, May 4, 1973, in Room 1112, Labor and Industry Building, 7th and Forster Streets, Harrisburg, Pennsylvania, as the place for the holding of the hearing thereon. All three petitions were joined for hearing and at the hearing the Pennsylvania Nurses Association requested leave to amend the petition filed to Case No. PERA-R-3406-C to include the licensed practical nurses and requested leave to withdraw the petition filed to Case No. PERA-R-3426-C. Both of these requests were granted by the Hearing Examiner subject to the approval of the Board. The Board, upon considering these two requests is of the opinion that the Hearing Examiner's decision was proper and permission is granted to amend the petition filed to Case No. PERA-R-3406-C and to withdraw the petition filed to Case No. PERA-R-3426-C.

On July 6, 1973, the Board issued an Order and Notice of Election, directing that an election, by secret ballot, be held and conducted on Tuesday, July 17, 1973, among the employes of the Employer to ascertain the exclusive representative, for the purpose of meeting and discussing in a subdivision of the employer unit comprised of all head nurses, assistant head nurses and specialty nurses, and excluding nurses in the rehabilitation

unit and nurse anesthetists, and all supervisors, management and confidential employes as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, on the basis of the testimony and evidence presented at the hearing, and from all other matters and documents of record, makes the following:

FINDINGS OF FACT

That all pertinent Findings of Fact numbers 1 through 9, as set forth in the Board's Order and Notice of Election dated July 6, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

10. That the Board conducted an election, by secret ballot, on Tuesday, July 17, 1973, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued July 6, 1973.

11. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Pennsylvania Nurses Association or whether the said employes wished No Representative.

12. That thirty-one (31) ballots were cast by eligible voters, no (0) ballots were void or blank, one (1) ballot was cast by a person whose vote was challenged; thus leaving thirty-one (31) ballots to be accounted for and canvassed.

13. That of the said thirty-one (31) ballots, twenty-two (22) ballots were cast in favor of representation by Pennsylvania Nurses Association and nine (9) ballots were cast for No Representative.

14. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballot cast by the person whose vote was challenged since its inclusion in the total vote cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, concludes and finds:

That all pertinent Conclusions numbers 1 through 7 as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Pennsylvania Nurses Association as their exclusive representative for the purpose of meeting and discussing.

9. That Pennsylvania Nurses Association, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the unit described below for the purpose of meeting and discussing with respect to wages, hours and terms and conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

C E R T I F I E S

that PENNSYLVANIA NURSES ASSOCIATION

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of meeting and discussing in respect to wages, hours and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of all head nurses, assistant head nurses and specialty nurses, and excluding nurses in the rehabilitation unit and nurse anesthetists, and all supervisors, management and confidential employes as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this twenty-third day of July, 1973.

3.

PENNSYLVANIA LABOR RELATIONS BOARD


Raymond L. Scheib
RAYMOND L. SCHEIB, CHAIRMAN

Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

James H. Jones
JAMES H. JONES, MEMBER

Thereafter, on July 6, 1973, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Tuesday, July 17, 1973, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of all registered general duty nurses and licensed practical nurses and excluding all supervisors, first level supervisors, management and confidential employes as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, on the basis of testimony and evidence presented at the hearing, and from all other matters and documents of record, and particularly in consideration of the election conducted on July 17, 1973, makes the following:

FINDINGS OF FACT

That all pertinent FINDINGS OF FACT Numbers 1 through 9 as set forth in the Board's Order and Notice of Election dated July 6, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

10. That the Board conducted an election, by secret ballot, on July 17, 1973, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued July 6, 1973.

11. That the professional employes were asked to indicate their preference as to whether or not they desired to be included in a unit of professional and non-professional employes.

12. That a tally of the ballots cast by the professional employes in the Unit Determination Election revealed the following results: one hundred (100) ballots were cast in favor of being included in a unit comprised of professional and non-professional employes; and forty-four (44) ballots were cast in favor of being included in a unit comprised of only professional employes.

13. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Pennsylvania Nurses Association or whether the said employes wished No Representative.

14. That a tally of the ballots cast in the representation election revealed the following results: one hundred ninety-one (191) ballots were cast by eligible voters, four (4) ballots were void or blank and nine (9) ballots were cast by persons whose votes were challenged; thus leaving one hundred ninety-one (191) ballots to be accounted for and canvassed.

15. That of the one hundred ninety-one (191) ballots, one hundred sixty-six (166) were cast in favor of representation by Pennsylvania Nurses Association and twenty-five (25) ballots were cast for No Representative.

16. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by persons whose ballots were challenged since their inclusion in the total votes cast would have no material effect upon the results of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on July 17, 1973, concludes and finds:

That all pertinent CONCLUSIONS Numbers 1 through 7 as set forth in the Board's Order and Notice of Election issued on July 6, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That a majority of the employees of the Employer within the heretofore defined appropriate unit have selected and designated Pennsylvania Nurses Association as their exclusive representative for the purpose of collective bargaining with the Employer.

9. That Pennsylvania Nurses Association, by virtue of the provisions of the Act, is the exclusive representative of all the employees of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that PENNSYLVANIA NURSES ASSOCIATION

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and other terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of all registered general duty nurses and licensed practical nurses and excluding all supervisors, first level supervisors, management and confidential employees as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this twenty-third day of July, 1973.

4. PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

FINDINGS OF FACT

The FINDINGS OF FACT numbers 1 through 9 inclusive as set forth in the Board's Order and Notice of Election dated July 6, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

10. That the Board conducted an election, by secret ballot, on July 17, 1973, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued July 6, 1973.

11. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, or whether the said employes wished No Representative.

12. That two hundred and eighty-three (283) ballots were cast by eligible voters, thirteen (13) ballots were void or blank, and nine (9) ballots were cast by persons whose votes were challenged; thus leaving two hundred and eighty-three (283) ballots to be accounted for and canvassed.

13. That of the two hundred and eighty-three (283) ballots, two hundred and eleven (211) ballots were cast in favor of representation by Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, and seventy-two (72) ballots were cast for No Representative.

14. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose ballots were challenged since their inclusion in the total votes cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on July 17, 1973, concludes and finds:

That the Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election, numbers 1 through 5 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO as their exclusive representative for the purpose of collective bargaining with the Employer.

7. That Local 1199C, National Union, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that LOCAL 1199C, NATIONAL UNION OF HOSPITAL AND NURSING HOME EMPLOYEES, DIVISION OF RWDSU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the Unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT I: In a subdivision of the Employer unit comprised of the following classifications: All Service employes including - Folder, Head Washman, Linen Distributor, Seamstress, Shaker, Sorter, Press Operator, Tumbler Operator, Washroom Helper, Truck Driver, Assistant Washman, Delivery Man, Feeder, Maid, Porter, Dieter, Cook, Cafeteria Aide, Dishroom Helper, Potato Washing Man, Salad Maker, Storeroom Helper, Tray Girl, Aides, Ward Clerks, Orderlies, Senior Aides, Nursing Assistants, Physical Therapy Assistants, Occupational Therapy Assistant, Senior Activity Aide, and Morgue Assistants; and excluding all maintenance employes, professional and management level employes, supervisors and first level supervisors, confidential employes and guards as defined in the Act.

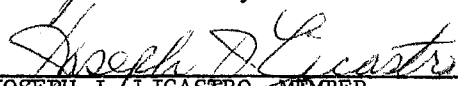
IT IS HEREBY ORDERED AND DECREED

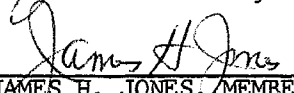
that in the absence of any Exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this twentieth day of July, 1973.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEZB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-R-3683-W
: :
HAMOT MEDICAL CENTER :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on June 21, 1973, by Service Employees International Union, Local 227, AFL-CIO, hereinafter called "SEIU", alleging that it represented 30% or more of certain employes of Hamot Medical Center, hereinafter called the "Employer", and requesting that pursuant to Section 603(c) of the Public Employe Relations Act, hereinafter called the "Act", a hearing be scheduled and an Order be issued for an election.

Pursuant to due notice, a hearing was held on August 10, 1973, before Sidney Lawrence, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses and to present testimony and introduce evidence was afforded to all parties in interest. At this hearing the American Federation of State, County and Municipal Employees, AFL-CIO, hereinafter called "AFSCME", filed a motion to intervene which was granted.

Thereafter, on September 18, 1973, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Friday, October 5, 1973 (which was later amended, by Order of the Board, to Friday, October 12, 1973), among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all technical employes in the Hamot Medical Center Laboratory, including Regional Clinical Laboratories and the Blood Bank including all technicians, technologists and phlebotomists; and excluding all professional employes, first level and above supervisors, managers and all other employes.

On September 24, 1973, the Board received a letter from James F. Duffy, Council Director of AFSCME, requesting permission to withdraw from the election. The Board, in its Order Amending Order and Notice of Election, dated September 27, 1973, granted the withdrawal of AFSCME and amended the Order and Notice of Election by removing the intervenor, AFSCME, from the ballot.

The election was conducted on October 12, 1973, by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT numbers 1 through 6 inclusive, as set forth in the Board's Order and Notice of Election dated September 18, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That the Board conducted an election, by secret ballot, on October 12, 1973, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Orders of the Board issued September 18, 1973, September 20, 1973, and September 27, 1973.

8. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Service Employees International Union, Local 227, AFL-CIO, or whether the said employes wished No Representative.

9. That thirty-nine (39) ballots were cast by eligible voters, no (0) ballots were void or blank, and no (0) ballots were cast by persons whose votes were challenged; thus leaving thirty-nine (39) ballots to be accounted for and canvassed.

10. That of the thirty-nine (39) ballots, twenty-five (25) ballots were cast in favor of representation by SEIU and fourteen (14) ballots were cast for No Representative.

11. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board.

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on October 12, 1973, concludes and finds:

CONCLUSIONS

That the Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election, numbers 1 through 4 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Service Employees International Union, Local 227, AFL-CIO as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That SEIU, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 227, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the Employer unit comprised of all technical employes in the Hamot Medical Center Laboratory, including Regional Clinical Laboratories and the Blood Bank including all technicians, technologists and phlebotomists; and excluding all professional employes, first level and above supervisors, managers and all other employes.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this twenty-fourth day of October, 1973.

3. PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHLIEB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

4

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYEES OF :
: :
: : Case No. PERA-R-3542-C
: :
HARRISBURG HOSPITAL :
(Mental Health Center) :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on May 9, 1973, by American Federation of State, County and Municipal Employees, AFL-CIO, hereinafter called "AFSCME", alleging that it represented 30% or more of certain employes of Harrisburg Hospital, hereinafter called "Employer", and requesting the Board to order an election to determine the exclusive representative for the purpose of collective bargaining pursuant to provisions of the Public Employee Relations Act, hereinafter called the "Act".

On May 17, 1973, the Board issued an Order and Notice of Hearing fixing June 12, 1973, in Harrisburg, Pennsylvania, as the time and place thereof. The hearing was later continued to, and held on June 26, 1973 and July 17, 1973, before Steve C. Nicholas, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses, present testimony, and introduce evidence was afforded to all parties in interest.

Thereafter, pursuant to due notice, a Pre-Election Conference was held and conducted on December 14, 1973, in Harrisburg, Pennsylvania, before Steve C. Nicholas, Esquire, at which time the parties were afforded an opportunity to determine positions on the ballot, the site or sites for the conducting of the election, the eligibility list and all other matters pertaining to the conduct of the election. At the Pre-Election Conference, an oral request for intervention was filed by Pennsylvania Social Services Union, Local 668, SEIU, AFL-CIO, hereinafter called "PSSU", which request was granted.

On January 7, 1974, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on January 25, 1974, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the Employer unit comprised of all caseworkers, caseworker trainees, psychologist, psychological services associates, occupational therapist, social workers, therapeutic activity workers and mental retardation specialist and excluding clerical employes and all other non-professional employes, registered nurses, registered psychiatric nurses and all other professional employes, supervisors, first level supervisors, management and confidential employes as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, on the basis of testimony and evidence presented at the hearings and from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT numbers 1 through 40 inclusive, as set forth in the Board's Order and Notice of Pre-Election Conference dated December 6, 1973, and numbers 21 (as amended), 41 and 42 inclusive, as set forth in the Board's Order and Notice of Election dated January 7, 1974, are hereby affirmed and incorporated by reference herein and made a part hereof.

43. That the Board conducted an election, by secret ballot, on January 25, 1974, among the employees of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued January 7, 1974.

44. That the question voted on was whether the eligible employees in the appropriate unit wished to be represented by American Federation of State, County and Municipal Employees, AFL-CIO; Pennsylvania Social Services Union, Local 668, SEIU, AFL-CIO; or No Representative.

45. That the professional employees were asked to indicate their preference as to whether or not they desired to be included in a unit of professional and non-professional employees.

46. That a tally of the ballots cast by the professional employees in the Unit Determination Election revealed the following results: seventeen (17) ballots were cast in favor of being included in a unit comprised of professional and non-professional employees; and one (1) ballot was cast in favor of being included in a unit comprised of only professional employees.

47. That a tally of the ballots cast by the professional and non-professional employees in the representation election revealed the following results: no (0) ballots were cast in favor of representation by AFSCME; seventeen (17) ballots were cast in favor of representation by PSSU; five (5) ballots were cast for No Representative; and two (2) ballots were challenged.

48. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose ballots were challenged since their inclusion in the total votes cast would have no material effect upon the result of the Election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on January 25, 1974, concludes and finds:

The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Pre-Election Conference, numbers 1 through 5 inclusive; and as set forth in its aforesaid Order and Notice of Election, numbers 4 (as amended) and 6 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That a majority of the employees of the Employer within the heretofore defined appropriate unit have selected and designated Pennsylvania Social Services Union, Local 668, SEIU, AFL-CIO as their exclusive representative for the purpose of collective bargaining with the Employer.

8. That PSSU, by virtue of the provisions of the Act, is the exclusive representative of all the employees of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that PENNSYLVANIA SOCIAL SERVICES UNION, LOCAL 668, SEIU, AFL-CIO is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

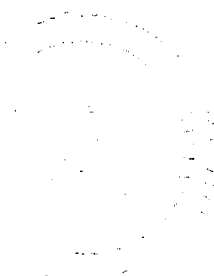
UNIT: In a subdivision of the Employer unit comprised of all caseworkers, caseworker trainees, psychologist, psychological services associates, occupational therapist, social workers, therapeutic activity workers and mental retardation specialist and excluding clerical employees and all other non-professional employees, registered nurses, registered psychiatric nurses and all other professional employees, supervisors, first level supervisors, management and confidential employees as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this fourth day of February, 1974.

4. PENNSYLVANIA LABOR RELATIONS BOARD


Raymond L. Scheffe
RAYMOND L. SCHEFFE, CHAIRMAN

Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

James H. Jones
JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
:
:
HAHNEMANN MEDICAL COLLEGE & : Case No. PERA-R-2616-E
HOSPITAL OF PHILADELPHIA :
:

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on November 6, 1972, by Local 6710, National Union of Security Officers and Guards, hereinafter called the "Union", alleging that it represented thirty percent (30%) or more of certain employes of Hahnemann Medical College & Hospital of Philadelphia, hereinafter called the "Employer", and requesting the Board to order an election to determine the exclusive representative for the purpose of collective bargaining pursuant to provisions of the Public Employee Relations Act, hereinafter called the "Act."

On November 20, 1972, the Board issued an Order and Notice of Hearing fixing December 14, 1972, in Philadelphia, Pennsylvania, as the time and place of hearing. The aforesaid hearing was held as scheduled before Levan Gordon, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses and to present testimony and introduce evidence was afforded to all parties in interest.

Thereafter, on February 2, 1973, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Tuesday, February 20, 1973, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of the following classifications of employes: all full-time and regular part-time guards and security officers who work 20 or more hours per week and excluding supervisors, first-level supervisors, management and confidential employes as defined in the Act.

The election was conducted as ordered by an Elections Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT numbers 1 through 4 inclusive as set forth in the Board's Order and Notice of Election dated February 2, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That the Board conducted an election, by secret ballot, on February 20, 1973, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued February 2, 1973.

6. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Local 6710, National Union of Security Officers and Guards, or whether the said employes wished No Representative.

7. That thirty-six (36) ballots were cast by eligible voters, no (0) ballots were void or blank, and no (0) ballots were cast by persons whose votes were challenged; thus leaving thirty-six (36) ballots to be accounted for and canvassed.

8. That of the said thirty-six (36) ballots, thirty-three (33) ballots were cast in favor of representation by Local 6710, National Union of Security Officers and Guards, and three (3) ballots were cast for No Representative.

9. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on February 20, 1973, concludes and finds:

The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election, Numbers 1 through 6 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Local 6710, National Union of Security Officers and Guards, as their exclusive representative for the purpose of collective bargaining with the Employer.

8. That Local 6710, National Union of Security Officers and Guards, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that LOCAL 6710, NATIONAL UNION OF SECURITY OFFICERS AND GUARDS

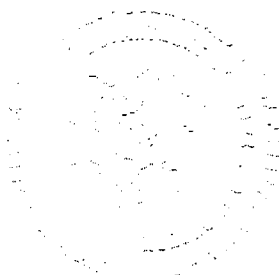
is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of the following classifications: all full-time and regular part-time guards and security officers who work 20 or more hours per week and excluding supervisors, first-level supervisors, management and confidential employes as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this nineteenth day of March, 1973.



3,

PENNSYLVANIA LABOR RELATIONS BOARD

Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

James H. Jones
JAMES H. JONES, MEMBER

4

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-R-2373-E
: :
HAHNEMANN MEDICAL COLLEGE AND :
HOSPITAL OF PHILADELPHIA :

NISI ORDER OF CERTIFICATION IN THE
PROFESSIONAL NON-SUPERVISORY UNIT I

NISI ORDER OF DISMISSAL IN THE
PROFESSIONAL SUPERVISORY UNIT II

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on August 28, 1972, by the Pennsylvania Society of Hospital Pharmacists, hereinafter called the "Petitioner", alleging that it represented thirty (30%) percent or more of certain employes of the Hahnemann Medical College and Hospital of Philadelphia, hereinafter called "Employer".

On September 21, 1972 the Board issued an Order and Notice of Hearing, fixing October 27, 1972 in Philadelphia, Pennsylvania as the time and place of hearing.

The aforesaid hearing was held on October 27, 1972 before Levan Gordon, Esquire, a duly designated Hearing Examiner of the Board. At the hearing the Petitioner amended the Petition to conform to a stipulated agreement between the parties that the petitioned-for employes contained a unit of professional non-supervisory Registered Pharmacists and a second unit of professional first level supervisory Registered Pharmacists.

Thereafter, on November 30, 1972, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Monday, December 18, 1972.

The unit appropriate for the purpose of collective bargaining and designated as Unit I is a subdivision of the employer unit comprised of all professional, non-supervisory Registered Pharmacists excluding all supervisors, first level supervisors, management and confidential employes as defined in Act 195.

The unit appropriate for the purpose of meeting and discussing and designated as Unit II is a subdivision of the employer unit comprised of all professional first level supervisory Registered Pharmacists excluding all supervisors, management and confidential employes as defined in Act 195.

The election was conducted as ordered by an Elections Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, and more particularly in consideration of the Election conducted on December 18, 1972, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT Numbers 1 through 6 inclusive as set forth in the Board's Order and Notice of Election issued on November 30, 1972, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That the Board conducted an election, by secret ballot, on December 18, 1972, among the employes of the Employer within the heretofore defined appropriate units in accordance with the Order of the Board issued on November 30, 1972.

8. That the question voted on in both Unit I and Unit II was whether the eligible employes wished to be represented by Pennsylvania Society of Hospital Pharmacists or whether said employes wished No Representative.

9. That a tally of the ballots cast by the professional, non-supervisory employes in Unit I revealed the following results: Six (6) ballots were cast for Pennsylvania Society of Hospital Pharmacists and no (0) ballots were cast for No Representative. No (0) ballots were void or blank and no (0) ballots were challenged.

10. That a tally of the ballots cast by the professional, first level supervisory employes in Unit II revealed the following results: One (1) ballot was cast for Pennsylvania Society of Hospital Pharmacists and one (1) ballot was cast for No Representative. No (0) ballots were void or blank and no (0) ballots were challenged.

11. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole and, more particularly in consideration of the Election conducted on December 18, 1972, concludes and finds:

The Board's CONCLUSIONS Numbers 1 through 5 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the employes in Unit I (professional, non-supervisory) have selected and designated Pennsylvania Society of Hospital Pharmacists as their exclusive representative for the purpose of collective bargaining with the Employer.

7. That a majority of the employes in Unit II (professional, first level supervisory) have selected and designated "No Representative" for the purpose of meeting and discussing.

8. That Pennsylvania Society of Hospital Pharmacists, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the employer within the heretofore defined Unit I, for the purpose of collective bargaining with respect to wages, hours, terms and conditions of employment.

9. That Pennsylvania Society of Hospital Pharmacists, by virtue of the provisions of the Act, is not the exclusive representative of the employes within the heretofore defined Unit II.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that PENNSYLVANIA SOCIETY OF HOSPITAL PHARMACISTS

is the EXCLUSIVE REPRESENTATIVE of the employes of Unit I described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of all professional, non-supervisory Registered Pharmacists excluding all supervisors, first level supervisors, management and confidential employes as defined in Act 195.

HEREBY ORDERS AND DECREES

that Pennsylvania Society of Hospital Pharmacists is not the representative of the employes in Unit II (professional, first level supervisory) for the purpose of meeting and discussing.

IT IS FURTHER ORDERED AND DECREED

that in the absence of any exceptions filed, pursuant to Rule 15.1 of the Pennsylvania Labor Relations Board's Rules and Regulations, approved as of October 9, 1970, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this ninth day of February, 1973.

4. PENNSYLVANIA LABOR RELATIONS BOARD

Raymond L. Scheib
RAYMOND L. SCHEIB, CHAIRMAN

Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

James H. Jones
JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
The Pennsylvania Labor Relations Board

CERTIFICATION OF REPRESENTATIVE

IN THE MATTER OF THE EMPLOYES OF

No. PERA-R-1633-E

THE HAHNEMANN MEDICAL COLLEGE &
HOSPITAL OF PHILADELPHIA

WHEREAS, a Joint Request for Certification was filed with the Pennsylvania Labor Relations Board pursuant to ARTICLE VI, SECTION 602(a) of the PUBLIC EMPLOYE RELATIONS ACT, being Act 195 of 1970, and

WHEREAS, the Pennsylvania Labor Relations Board has found the unit appropriate, and the Public Employer has complied with the five (5) day notice required by RULE 3.1(h), and

WHEREAS, no objections having been filed to the Joint Request for Certification, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that LOCAL 1199C, NATIONAL UNION OF HOSPITAL & NURSING HOME EMPLOYEES, DIVISION OF RWDSU/AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in unit described below for the purposes of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT:

In a subdivision of the Employer unit comprised of maintenance employes and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in Act 195.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania,

this 17th day of March, 1972.

PENNSYLVANIA LABOR RELATIONS BOARD

[Signature]
CHAIRMAN
[Signature]
MEMBER
[Signature]
MEMBER

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COMMONWEALTH OF PENNSYLVANIA
THE PENNSYLVANIA LABOR RELATIONS BOARD

NISI ORDER CERTIFYING UNIT #1 SERVICE
EMPLOYEES AND NISI ORDER DISMISSING
UNIT #2 MAINTENANCE EMPLOYEES

IN THE MATTER OF THE EMPLOYES OF :
: THE HAHNEMANN MEDICAL COLLEGE AND : No. PERA-R-28-E
: HOSPITAL OF PHILADELPHIA :
:

BY THE BOARD:

A Petition was filed with the Pennsylvania Labor Relations Board, herein called the "Board", on November 2, 1970, by Local 1199C, National Union of Hospital & Nursing Home Employees, Division of RWDSU, AFL-CIO, herein called "Local 1199C", for representation of the service and maintenance employes of The Hahnemann Medical College and Hospital of Philadelphia, herein called the "Public Employer", and requesting that pursuant to Section 603(c) of the Public Employee Relations Act, July 23, 1970, Act No. 195, a hearing be scheduled, the proposed unit be approved and an Order be issued for an election.

On November 20, 1970, the Board issued an Order Fixing December 8, 1970, at Philadelphia, Pennsylvania, as the time and place of the hearing.

At the outset of the hearing, a written motion to intervene was filed by Local 835-835A, International Union of Operating Engineers, AFL-CIO, herein called "Local 835-835A", and copies of said motion were then served for the first time upon Local 1199C and the Public Employer. The motion to intervene alleged that Local 835-835A did not become aware of the Petition filed by Local 1199C nor of the hearing scheduled until December 7, 1970, the day preceding the hearing. The purpose for the motion to intervene was to sever the maintenance employes from the unit proposed in the Petition filed by Local 1199C.

At the hearing held and completed on December 8, 1970, before a duly designated Trial Examiner of the Board, a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded to all parties of interest.

Thereafter, on April 22, 1971, the Board ordered and directed that an election by secret ballot be held and conducted among the employes of the Public Employer in a subdivision of the Public Employer unit hereinafter designated as "Unit I Service Employes", of all full time and regular part time service employes (who work 20 or more hours per week), including: licensed practical nurses, senior and junior nurse aides, orderlies 1 and 2, oxygen orderlies, ward clerks, clerk nurse assistants, animal caretakers, emergency room assistants, maids, dieners, parking attendants, porters, projection porters,

5. That pursuant to the petition filed by Local 1199C, a hearing was held on December 8, 1970. At the outset of the hearing, a written motion to intervene was filed by Local 835-835A. Copies of said motion were then served for the first time upon the Petitioner and the Public Employer. The reason why such motion was not filed prior to the time of the hearing was because Local 835-835A did not learn of said hearing until the morning prior to the hearing. Therefore, the intervention was permitted by the Hearing Examiner in accordance with Rule 7.2 and Rule 3.4(j) of the Rules and Regulations adopted by the Pennsylvania Labor Relations Board pursuant to Article V, Section 502, of the Public Employee Relations Act, July 23, 1970, Act No. 195. (N.T. pp.7-11, 94, 135-142)

6. That in accordance with the Order of the Pennsylvania Labor Relations Board, the Public Employer produced and offered into evidence the payroll of employes as of October 27, 1970, which was the payroll immediately prior to the date of filing the petition in this proceeding. The payroll list as submitted listed the names of 540 employes included within the unit originally requested in the petition together with the names of 88 licensed practical nurses which the Public Employer requested be included within the proposed unit. Subsequent to the hearing, in accordance with agreements reached at the hearing, an additional list of names of employes was submitted by the Public Employer under date of December 18, 1970, which included ten (10) additional names within the unit requested in the original petition and a second list was submitted under date of December 29, 1970, which included 33 additional names within the unit requested in the original petition. The said list of December 18, 1970 also included one additional licensed practical nurse. (Exhibit No. E-1 - N.T. pp. 14-17, 19-30, 131-132)

7. That the Petitioner, Local 1199C, amended the unit of service and maintenance employes attached to its original petition to correspond with the job classifications of the Public Employer. In addition, Local 1199C and the Public Employer agreed to include licensed practical nurses within the requested unit. Finally, Local 1199C and the Public Employer agreed that only employes who work 20 or more hours per week would be included within the requested unit. Therefore, as amended, the requested unit was as follows:

All full time and regular part time service and maintenance employes (who work 20 or more hours per week), including: senior & junior nurse aides, orderlies 1 and 2, oxygen orderlies, ward clerks, clerk nurse assistants, animal caretakers, E.R. assistants, dieners, parking attendants, porters, projection porters, maids, utility men, drape men, dietary helpers, counter girls, seamstress sorters, crew leaders, lead porters, animal caretaker leaders, elevator operators, cooks helpers, cook B, Jr. central supply tech., Sr. central supply tech., linen sorters, maintenance men, painters, mechanics, plumbers, electricians, carpenters, refrigeration mechanics, Jr. O.R. tech., Sr.

linen sorter, maintenance man, painter, mechanic, plumber, electrician, carpenter, refrigeration mechanics, Jr. O.R. Tech., Sr. O.R. Tech., messenger, receiving clerk, store room clerks, messenger, receiving clerk, messenger #2, physical ter. ass't., laborer redressing tech., laboratory ass't., licensed practical nurse, dietary clerks, maintenance clerk, housekeeping clerk, op. room clerk, central supply clerk, somat machine operator, I.V. solution clerk and mail clerks.

A leading case in the State of New York involving similar issues is that of Wyckoff Heights Hospital and Local 144, Hospital Division, BSEIR, AFL-CIO and Maintenance Division of the Building and Construction Trades Council, 27 SLRB 18. In the Wyckoff case, the New York State Labor Relations Board stated at pages 81-83 as follows:

Collective agreements between voluntary hospitals and unions, in the City of New York, generally have covered both service and maintenance employees. Maintenance Division has but one contract with a hospital (New York University Hospital) covering maintenance employees. Although Board decisions since the recent amendment of the Act have found service and maintenance units to be appropriate, in none of those proceedings had any party sought a unit limited to maintenance employees. Prior to the amendment, if no union sought a smaller unit, we generally found a service and maintenance unit appropriate in proprietary hospitals. However, in Long Island Home Ltd., 21 SLRB 1, we found a maintenance unit appropriate, and we conducted a consent election for a maintenance unit in Brunswick Home, Case No. SE-28892. In non-hospital cases, the Board frequently has found appropriate units limited to skilled maintenance employees.

From the foregoing, it appears that there are weighty considerations in favor of, and opposed to, establishing a separate unit for the engineer-maintenance employees. On the one hand, they are a homogenous group of skilled employees having relatively higher earnings and no interchange with the service employees, as well as a history of bargaining in, and Board decisions establishing, separate units of skilled building maintenance employees in non-hospital cases. On the other hand, there is our policy against over-compartmentalization of hospitals into numerous small bargaining units, and prior Board decisions (uncontested, to be sure) finding maintenance and service units appropriate in hospitals, as well as some history of bargaining in the hospital industry whereby the maintenance employees have been included in the same unit as the service employees. We find that these factors are equally balanced.

C. If the unit sought by Local 835 is appropriate what procedure should be followed in connection with the representation election required to be held under the terms of the PERA?

A Petition to Intervene is governed by Rules 7 and 3 of the Rules and Regulations adopted by the Pennsylvania Labor Relations Board pursuant to Article V, Section 502, of the Public Employe Relations Act, July 23, 1970, Act No. 195.

Rules 7.1 and 7.3 make it clear that the Board has discretion with regard to permitting intervention. In particular, Rule 7.2 grants authority to the Hearing Examiner to permit participation upon the showing of good cause, and such intervention is expressly made subject to Rules 3.1 and 3.4. Rules 3.1 and 3.3 are inapplicable to the present case since 3.1 deals with a joint certification and 3.3 involves a consent election. Therefore, the applicable rule is 3.4. Rule 3.4(j) provides as follows: "A one (1%) percent showing of interest among employes within said requested unit shall be required before any other employe representative may be permitted to intervene". Obviously, this "said requested unit" applies to the unit petitioned for in the original petition.

It is clear that Local 835-835A has shown good cause to intervene as required by Rule 7.2 in that it did not have notice of the proceedings until the day before the hearing and further it is clear that Local 835-835A has a one (1%) percent showing of interest among employes within the unit requested by Petitioner.

Having been permitted to intervene, the question then arises as to whether Local 835-835A has a right in the same proceedings to seek to represent a unit smaller in scope than that set forth in the original petition filed by Local 1199C.

It is the position of the Public Employer and the Petitioner that where intervention is permitted, the entire Rule 3.4 must be complied with. Rule 3.4(d) requires that if a labor organization desires to represent a particular unit it must give the Public Employer written notice of notification and request for election under Article VI, Section 603(a) of the PERA. In short, a labor union must first request an election of the Public Employer before it can file a motion to intervene. The Intervenor responds that this position is unsound under the circumstances of the present case because such a requirement would be contrary to the express purposes of the PERA and inconsistent with administrative procedures established in other jurisdictions.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the results of the election as conducted on May 5, 1971, concludes and finds:

1. That the Pennsylvania Labor Relations Board has jurisdiction over the parties hereto.
2. That Hahnemann Medical College and Hospital of Philadelphia is a "public employer" within the meaning of Section 301(1) of the Act.
3. That Local 1199C, National Union of Hospital & Nursing Home Employees, Division RWDSU, AFL-CIO, and Local 835-835A, International Union of Operating Engineers, AFL-CIO are employe organizations within the meaning of Section 301(3) of the Act.
4. That there are two separate units appropriate for collective bargaining between the employer and certain of its employes, to wit: Unit I Service Employes comprised of all full time and regular part time service employes (who work 20 or more hours per week), including: licensed practical nurses, senior and junior nurse aides, orderlies 1 and 2, oxygen orderlies, ward clerks, clerk nurse assistants, animal caretakers, emergency room assistants, maids, dieners, parking attendants, porters, projection porters, dietary helpers, seamstress sorters, lead porters, elevator operators, cooks helpers, cooks B, linen sorters, messengers, receiving clerks, store room clerks, messengers #2, physical therapists assistants, laboratory assistants, dietary clerks, operating room clerks, central supply clerks, somat machine operators, I.V. solution clerks, mail clerks, drape men, crew leaders, house-keeping clerks, truck drivers and firm file clerks and excluding supervisors, first level supervisors, and confidential employes as defined in Act 195, and Unit II Maintenance Employes comprised of all full time and regular part time maintenance employes (who work 20 or more hours per week), including: maintenance men, painters, mechanics, plumbers, electricians, carpenters, refrigeration mechanics, laborers, utility men and maintenance clerks, and excluding supervisors, first level supervisors and confidential employes as defined in Act 195.
5. That a majority of the ballots cast by employes of the Public Employer within Unit I Service Employes have selected and designated Local 1199C as their exclusive representative for the purpose of collective bargaining with the Public Employer.
6. That a majority of the ballots cast by employes within Unit II Maintenance Employes was not cast in favor of Local 835-835A, but was cast in favor of No Representative.

7. That Local 1199C National Union of Hospital & Nursing Home Employees RWDSU, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the employer, within the heretofore defined Unit I Service Employees, for the purposes of collective bargaining with respect to wages, hours, terms and conditions of employment.

8. That Local 835-835A, International Union of Operating Engineers, AFL-CIO, by virtue of the provisions of the Act is not the exclusive representative of the employes of the employer within the heretofore defined Unit II Maintenance Employees.

O R D E R

The Pennsylvania Labor Relations Board, therefore, after due consideration of the foregoing and the record as a whole,

HEREBY ORDERS AND DECREES

that Local 1199C National Union of Hospital & Nursing Home Employees, RWDSU, AFL-CIO, be and it is hereby

CERTIFIED

as the exclusive representative of the employes for the purposes of collective bargaining with respect to wages, hours and terms and conditions of employment in Unit I Service Employees, in a subdivision of the employer unit comprised of all full time and regular part time service employes (who work 20 or more hours per week), including: licensed practical nurses, senior and junior nurse aides, orderlies 1 and 2, oxygen orderlies, ward clerks, clerk nurse assistants, animal caretakers, emergency room assistants, maids, dieners, parking attendants, porters, projection porters, dietary helpers, seamstress sorters, lead porters, elevator operators, cooks helpers, cooks B, linen sorters, messengers, receiving clerks, store room clerks, messengers #2, physical therapist assistants, laboratory assistants, dietary clerks, operating room clerks, central supply clerks, somat machine operators, I. V. solution clerks, mail clerks, drape men, crew leaders, housekeeping clerks, truck drivers and firm file clerks, and excluding supervisors, first level supervisors, and confidential employes as defined in Act 195.

IT IS HEREBY FURTHER ORDERED AND DECREED

that International Union of Operating Engineers, Local 835-835A, is not the collective bargaining representative of all the employes of Hahnemann Medical College & Hospital of Philadelphia in Unit II Maintenance Employees

AND IT IS HEREBY FURTHER ORDERED AND DECREED

that in the absence of any exceptions filed, pursuant to Rule 15.1 of the Pennsylvania Labor Relations Board's Rules and Regulations, approved as of October 9, 1970, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania
this fourth day of June, 1971.

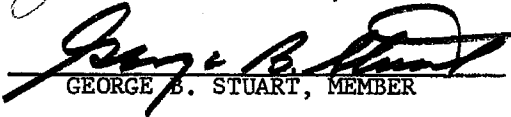
PENNSYLVANIA LABOR RELATIONS BOARD



MALCOLM B. PETRIKIN, CHAIRMAN



JOSEPH J. LICASTRO, MEMBER



GEORGE B. STUART, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
:
:
:
:
:
GIRARD COLLEGE :

Case No. PERA-R-87-272-E

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on June 17, 1987, by the Girard College School Service Personnel Association, PSSPA/NEA (Association) alleging that it represented thirty (30) percent or more of certain employes of Girard College (Employer) and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employee Relations Act (Act). The Petition further alleged that the subject employes are currently represented by the Philadelphia Federation of Teachers, Local 3, AFT, AFL-CIO (Incumbent Union).

Thereafter, on November 2, 1987, the Board received a letter from the Incumbent Union stating that it was no longer interested in representing the subject employes. Pursuant to due notice, a hearing was held on November 3, 1987, in Philadelphia before Thomas G. McConnell, Esquire, a Hearing Examiner of the Board, at which time the parties¹ entered into a Memorandum of Agreement stipulating to the unit composition, the site for the election, the positions on the ballot, the eligibility list and all other matters pertaining to the conduct of the election.

Thereafter, on November 25, 1987, an Order and Notice of Election was issued directing that an election, by secret ballot, be held and conducted on December 12, 1987, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time senior houseparents, houseparents and houseparents' aides; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 7 inclusive, as set forth in the Order and Notice of Election dated November 25, 1987, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That the Board conducted an election, by secret ballot, on December 12, 1987, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued November 25, 1987.

9. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the Girard College School Service Personnel Association/Pennsylvania School Service Personnel Association/National Education Association or whether said employes wished no representative.

10. That thirty-five (35) ballots were cast at the election.

11. That of the thirty-five (35) ballots, thirty-four (34) ballots were cast in favor of representation by the Girard College School Service Personnel Association/Pennsylvania School Service Personnel Association/National Education Association; no (0) ballots were cast for No Representative; and one (1) ballot was cast by a person whose vote was challenged. No (0) ballots were void or blank.

12. That the duly appointed Watcher in attendance at the said election has certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

DISCUSSION

The Board will neither open, canvass nor pass upon the validity of the ballot cast by the person whose vote was challenged since its inclusion in the total votes cast would have no material effect upon the results of the election.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on December 12, 1987, concludes and finds:

That CONCLUSIONS numbers 1 through 5 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the valid votes cast by employes in the aforesaid appropriate unit designated the Girard College School

Service Personnel Association/Pennsylvania School Service Personnel Association/National Education Association as the exclusive representative for the purpose of collective bargaining with the Employer.

7. That the Girard College School Service Personnel Association/Pennsylvania School Service Personnel Association/National Education Association is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that the GIRARD COLLEGE SCHOOL SERVICE PERSONNEL ASSOCIATION/
PENNSYLVANIA SCHOOL SERVICE PERSONNEL ASSOCIATION/NATIONAL EDUCATION
ASSOCIATION

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

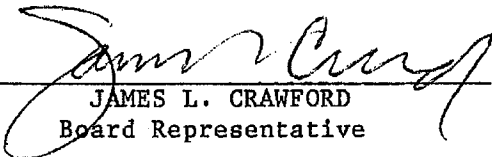
UNIT: All full-time and regular part-time senior house-
parents, houseparents and houseparents' aides; and
excluding management level employes, supervisors,
first level supervisors, confidential employes and
guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED AND DATED at Harrisburg, Pennsylvania, this twenty-
eighth day of December, 1987, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

4

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
:
: Case No. PERA-R-82-321-E
:
GIRARD COLLEGE :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on June 10, 1982, by the Girard College Employees Association (Association) alleging that it represented thirty (30) percent or more of certain employes of Girard College (College or Employer) and requesting that a hearing be scheduled and an order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employe Relations Act (Act).

The Petition further alleged that the petitioned-for employes are currently represented by the International Brotherhood of Firemen and Oilers, Local 473 (Firemen and Oilers) and that a collective bargaining contract covering said employes expired on August 31, 1982.

On August 12, 1982, the Board issued an Order and Notice of Hearing, fixing September 16, 1982, in Philadelphia, Pennsylvania as the time and place thereof. The hearing was rescheduled and held on September 30, 1982, before Elliot Newman, Esquire, a Hearing Examiner of the Board, at which time all parties in interest were afforded a full opportunity to present testimony, examine and cross-examine witnesses and introduce evidence.

On November 17, 1982, the Hearing Examiner issued an Order Directing Submission of Eligibility List resolving all issues raised by the Petition and directing the Employer to submit a list of the names and addresses of employes eligible to vote in the election. This list was received by the Board on December 2, 1982.

Thereafter, on December 27, 1982, an Order and Notice of Election was issued directing that an election, by secret ballot, be held and conducted on January 12, 1983, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time blue collar nonprofessional employes including but not limited to powerhouse operators, maintenance employes, laundry workers, dietary and service employes, maids, janitors, groundskeepers, shoe shop and tailor shop employes; and excluding guards (watchmen and gatemen), supervisors, first level supervisors, confidential and management employes as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT, numbers 1 through 7 inclusive, as set forth in the Order and Notice of Election dated December 27, 1982, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That the Board conducted an election, by secret ballot, on January 12, 1983, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued December 27, 1982.

9. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Girard College Employees Association, or the International Brotherhood of Firemen and Oilers, Local 473, AFL-CIO, or whether said employes wished No Representative.

10. That one hundred three (103) ballots were cast at the election.

11. That of the one hundred three (103) ballots, eighty-two (82) ballots were cast in favor of representation by Girard College Employees Association; six (6) ballots were cast in favor of representation by the International Brotherhood of Firemen and Oilers, Local 473, AFL-CIO; thirteen (13) ballots were cast for No Representative; and two (2) ballots were cast by persons whose votes were challenged. No (0) ballots were void or blank.

12. That the duly appointed Watchers in attendance at the said election have certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

DISCUSSION

The Board will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose votes were challenged since their inclusion in the total votes cast would have no material effect upon the results of the election.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on January 12, 1983, concludes and finds:

That CONCLUSIONS, numbers 1 through 5 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the valid votes cast by employes in the aforesaid appropriate unit designated Girard College Employees Association as the exclusive representative for the purpose of collective bargaining with the Employer.

7. That Girard College Employees Association is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that GIRARD COLLEGE EMPLOYEES ASSOCIATION

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: All full-time and regular part-time blue collar nonprofessional employes including but not limited to powerhouse operators, maintenance employes, laundry workers, dietary and service employes, maids, janitors, groundskeepers, shoe shop and tailor shop employes; and excluding guards (watchmen and gatemen), supervisors, first level supervisors, confidential and management employes as defined in the Act.


IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to 34 Pa. Code

\$95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED AND DATED at Harrisburg, Pennsylvania, this twenty-first day of January, 1983, pursuant to 34 Pa. Code §95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF:

: Case No. PERA-R-9893-E
:
:

GIRARD COLLEGE

NISI ORDER OF CERTIFICATION

A Petition for Representation (PERA-R-9340-E) was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on January 19, 1977, by the Philadelphia Federation of Teachers, Local No. 3, AFT, AFL-CIO, hereinafter called the "Petitioner", alleging that it represented thirty (30) per cent or more of certain employes of Girard College, hereinafter called the "Employer", and requesting that pursuant to Section 603(c) of the Public Employe Relations Act, hereinafter called the "Act", a hearing be scheduled and an Order be issued for an election.

On February 8, 1977, the Board issued an Order and Notice of Hearing, fixing Tuesday, March 22, 1977, in Philadelphia, Pennsylvania as the time and place of hearing.

On March 8, 1977, another Petition for Representation was filed by Petitioner (PERA-R-9893-E). On March 14, 1977, the Board issued an Order and Notice of Hearing, fixing Tuesday, March 22, 1977, in Philadelphia, Pennsylvania, as the time and place of hearing.

Hearings were held on Petitions docketed PERA-R-9340-E and PERA-R-9893-E on March 22, 1977 and May 5, 1977 before Stephen L. Hymowitz, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded to all parties in interest. At the Hearing on May 5, 1977, the Petition in PERA-R-9340-E was withdrawn by Petitioner without objection from the Employer.

Thereafter, on September 12, 1977, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Monday, September 26, 1977, among the employes of the employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivison of the employer unit comprised of the following classifications of employes: all full-time and regular part-time members of the house staff composed of Senior House Masters, House Masters, Junior House Masters, Governesses and Section Officers, and excluding management level employes, supervisors, first level supervisors, confidential employes, and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The Findings of Fact, numbers 1 through 16, inclusive, as set forth in the Board's Order and Notice of Election dated September 12, 1977, are hereby affirmed and incorporated by reference herein and made a part hereof.

17. That the Board conducted an election, by secret ballot, on September 26, 1977, among the employees of the Employer within the heretofore defined appropriate unit in accordance with the Order of the Board issued September 12, 1977.

18. That the question voted on was whether the eligible employees in the appropriate unit wished to be represented by the Philadelphia Federation of Teachers, Local No. 3, AFT, AFL-CIO, or whether the said employees wished No Representative.

19. That twenty-seven (27) ballots were cast at the election.

20. That of the twenty-seven (27) ballots, fourteen (14) ballots were cast in favor of representation by the Philadelphia Federation of Teachers, Local No. 3, AFT, AFL-CIO; five (5) ballots were cast for No Representative; and eight (8) ballots were cast by persons whose votes were challenged. No (0) ballots were void or blank.

21. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose ballots were challenged since their inclusion in the total votes cast would have no material effect upon the results of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on September 26, 1977, concludes and finds:

The Board's Conclusions, numbers 1 through 5 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated the Philadelphia Federation of Teachers, Local No. 3, AFT, AFL-CIO as their exclusive representative for the purpose of collective bargaining with the Employer.

7. That the Philadelphia Federation of Teachers, Local No. 3, AFT, AFL-CIO is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that the PHILADELPHIA FEDERATION OF TEACHERS, LOCAL NO. 3, AFT, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of the following classifications of employes: all full-time and regular part-time members of the house staff composed of Senior House Masters, House Masters, Junior House Masters, Governesses and Section Officers, and excluding management level employes, supervisors, first level supervisors, confidential employes, and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to 34 Pa. Code Ch. 95.98, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this sixth day of October, 1977.

PENNSYLVANIA LABOR RELATIONS BOARD


KENNETH F. KAHN, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: Case No. PERA-R-9027-E
GIRARD COLLEGE :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on October 12, 1976, by The International Union, United Plant Guard Workers of America (UPGWA), hereinafter called the "Petitioner", alleging that it represented thirty percent (30%) or more of certain employes of Girard College, hereinafter called the "Employer", and requesting that pursuant to Section 603(c) of the Public Employee Relations Act, hereinafter called the "Act", a hearing be scheduled and an Order be issued for an election.

Pursuant to due notice, a hearing was held on January 12, 1977 in Philadelphia, Pennsylvania, before William Draper Lewis, Jr., Esquire, a duly designated Trial Examiner of the Board, at which time the parties entered into a Memorandum of Agreement stipulating to the positions on the ballot, the site or sites for the conducting of the election, the eligibility list, and all other matters pertaining to the conduct of the election.

Thereafter, on January 20, 1977, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Monday, February 7, 1977, among the employes of the employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time Security Officers; excluding the head security officer, and further excluding management level employes, supervisors, first level supervisors and confidential employes as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The Findings of Fact, numbers 1 through 6 inclusive, as set forth in the Board's Order and Notice of Election dated January 20, 1977, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That the Board conducted an election, by secret ballot, on February 7, 1977, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order of the Board issued January 20, 1977.

8. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the Amalgamated Plant Guards, Local 506, International Union, United Plant Guard Workers of America, or whether the said employes wished No Representative.

9. That nine (9) ballots were cast at the election.

10. That of the nine (9) ballots, seven (7) ballots were cast in favor of representation by Amalgamated Plant Guards, Local 506, International Union, United Plant Guard Workers of America; one (1) ballot was cast for No Representative; and one (1) ballot was cast by a person whose vote was challenged. No (0) ballots were void or blank.

11. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballot cast by the person whose ballot was challenged since its inclusion in the total votes cast would have no material effect upon the results of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on February 7, 1977, concludes and finds:

The Board's Conclusions, numbers 1 through 4 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Amalgamated Plant Guards, Local 506, International Union, United Plant Guard Workers of America as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That Amalgamated Plant Guards, Local 506, International Union, United Plant Guard Workers of America is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that AMALGAMATED PLANT GUARDS, LOCAL 506, INTERNATIONAL UNION, UNITED PLANT GUARD WORKERS OF AMERICA

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of all full-time and regular part-time Security Officers; excluding the head security officer, and further excluding management level employes, supervisors, first level supervisors and confidential employes as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

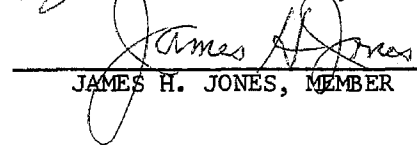
that in the absence of any Exceptions filed pursuant to 34 Pa. Code Ch. 95.98, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this ninth day of February, 1977.

PENNSYLVANIA LABOR RELATIONS BOARD



JOSEPH J. LICASTRO, MEMBER



JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

A-R-1464-E
t 10, 1972

IN THE MATTER OF THE EMPLOYES OF :
: Case No. PERA-R-1464-E
GIRARD COLLEGE :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, herein called the "Board", on January 21, 1972, by International Brotherhood of Firemen & Oilers, Local 473, AFL-CIO, herein called the "Union". The Petition requested the Board to hold a hearing to determine whether a certain unit comprised of service personnel was appropriate and issue an Order for an Election and certify the name of the employee representative, if any designated, for the purpose of collective bargaining by a majority of the employees in an appropriate unit of Girard College, herein called the "Employer".

The Board on February 7, 1972, issued an Order and Notice of Hearing and joined this case with Case No. PERA-R-1463-E for the purpose of taking testimony thereon. Pursuant to the aforesaid Order, a hearing was held on March 17, 1972, before Levan Gordon, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses and to present testimony and introduce evidence was afforded to all parties in interest.

On July 21, 1972, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Thursday, August 10, 1972, among the employees of the Employer to ascertain the exclusive representative for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment.

The election was conducted as ordered by an Elections Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT NUMBERS 1, 2, 3, 4, 5, and 6, as set forth in the Board's Order and Notice of Election dated July 21, 1972, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That the Board conducted an election, by secret ballot on Thursday, August 10, 1972, among the employees of the Employer in the heretofore defined appropriate unit in accordance with the Order of the Board issued July 21, 1972.

8. employees in International Brotherhood of Firemen & Oilers, Local 473, AFL-CIO, whether the

9. eligible voters' ballots were one hundred and

10. eighty-three International Brotherhood of Firemen & Oilers, Local 473, AFL-CIO, thirty-three

11. said Election impartially conducted and no objection has been made by

The Order and Notice of Election incorporated

5. the heretofore International Brotherhood of Firemen & Oilers, Local 473, AFL-CIO, their exclusive

6. 473, AFL-CIO, representative of the employees described herein to wages, hours and terms and conditions of employment.

In accordance with the provisions of the Act

that INTERNATIONAL BROTHERHOOD OF FIREMEN & OILERS, LOCAL 473, AFL-CIO,

is the EXCLUSIVE representative of the employees in bargaining with the Employer in respect to wages, hours and terms and conditions of employment.

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8. That the question voted on was whether the eligible employees in the appropriate unit wished to be represented by International Brotherhood of Firemen & Oilers, Local 473, AFL-CIO, or whether the said employees wished No Representative.

9. That one hundred and sixteen (116) ballots were cast by eligible voters, no (0) ballots were spoiled or cancelled, no (0) ballots were cast by persons not on the eligibility list; thus leaving one hundred and sixteen (116) ballots to be accounted for and canvassed.

10. That of the said one hundred and sixteen (116) ballots, eighty-three (83) ballots were cast in favor of representation by International Brotherhood of Firemen & Oilers, Local 473, AFL-CIO, and thirty-three (33) ballots were cast for No Representative.

11. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS

The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election Numbers 1, 2, 3, and 4, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employees of the Employer within the heretofore defined appropriate unit have selected and designated International Brotherhood of Firemen & Oilers, Local 473, AFL-CIO, as their exclusive representative for the purpose of collective bargaining.

6. That International Brotherhood of Firemen & Oilers, Local 473, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employees of the Employer within the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that INTERNATIONAL BROTHERHOOD OF FIREMEN & OILERS, LOCAL 473, AFL-CIO is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of Power Operators, Maintenance Employees, Laundry Workers, Diesel Service Employees, Fire Males, Janitors, Groundskeepers

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Shop and Tailor Shop Employees and excluding guards (Watchmen and Gate-men), supervisors, first level supervisors, confidential and management employes as defined in Act 195.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this twenty-second day of August, 1972.

PENNSYLVANIA LABOR RELATIONS BOARD

Raymond L. Schetz
RAYMOND L. SCHEZT, CHAIRMAN
Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER
James H. Jones
JAMES H. JONES, MEMBER

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COMMONWEALTH OF PENNSYLVANIA
The Pennsylvania Labor Relations Board

NISI ORDER OF CERTIFICATION

IN THE MATTER OF THE EMPLOYES OF :

GIRARD COLLEGE

:
: Case No. PERA-R-254-E
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On November 23, 1970, a Petition for Representation by Public Employees, Group of Public Employees or Employee Organization was filed with the Pennsylvania Labor Relations Board (hereinafter, "Board") by Girard College Educational Association, Philadelphia Federation of Teachers, Local No. 3, American Federation of Teachers, AFL-CIO (hereinafter, "PFT"). The Petition recited notice to Girard College (hereinafter, "Employer") pursuant to Section 603 (c) of the Public Employee Relations Act (hereinafter "Act") requesting the Employer to join in a Petition for Election and the Employer's refusal of the request, and requested that the Board conduct a representation election in a proposed unit of employees of the Employer comprised of Teachers, Resident Masters, Librarians and School Psychologists.

A hearing was held, pursuant to proper notice, on March 8, 1971, before a duly authorized Hearing Examiner of the Board at which time the parties were afforded full opportunity to present testimony and introduce evidence and to examine and cross-examine witnesses. At the hearing, the parties stipulated that the Employer is a public employer within the meaning of Section 301 (1) of the Act and that the appropriate bargaining unit consisted of Teachers, Resident Masters, Librarians and Counselors, the latter stipulation having the effect of amending the Petition to delete School Psychologists and add Counselors.

On June 2, 1971, a Motion to Intervene was filed with the Board by Girard College Education Association, PSEA-NEA (hereinafter, "GCEA"). The parties not being in agreement as to the propriety of the Motion, a conference was scheduled for June 8, 1971 for the purpose of establishing a proper showing of interest by GCEA and of arranging the mechanics of the representation election. On June 10, 1971, the Board issued an Order and Notice of Election setting June 16, 1971 as the date of the representation election, pursuant to the stipulation of PFT and GCEA at the conference. However, through the failure of the Board to provide proper notice of the conference to the Employer, it was not present at the conference nor was it a party to the Stipulation. Upon receipt of the Order and Notice of Election the Employer protested to the Board and requested that the election be postponed; accordingly on June 15, 1971 the Board issued an Order Postponing Election.

A further Pre-Election Conference was duly scheduled for July 2, 1971 at which Conference all parties were present and at which time the Hearing Examiner formally determined that GCEA has established a sufficient showing of interest to be permitted to intervene. PFT opposed the intervention.

Thereafter, on August 24, 1971, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Monday, September 13, 1971, among the employes of the Employer in the heretofore defined appropriate unit to ascertain the exclusive representative for the purposes of collective bargaining in respect to wages, hours and terms and conditions of employment.

The election was conducted as Ordered by an Elections Officer assigned by the Pennsylvania Labor Relations Board.

The Board, on the basis of the election conducted on September 13, 1971, and from all matters and documents of record makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT NUMBERS 1, 2, 3, 4, 5, 6, and 7, as set forth in the Board's Order and Notice of Election dated August 24, 1971, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That the Board conducted an election, by secret ballot, on September 13, 1971, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued August 24, 1971.

9. That the question voted on at said Election was: "Shall Girard College Educational Association, Philadelphia Federation of Teachers, American Federation of Teachers, AFL-CIO; or Girard College an Affiliate of Pennsylvania State Education; National Education Association; or No Representative, represent you exclusively for the purpose of collective bargaining with your Employer, Girard College?"

10. That thirty-eight (38) ballots were cast by persons on the eligibility list, three (3) of which were challenged by the parties in interest; no (0) ballots were spoiled or cancelled, and one (1) ballot was cast by a person not on the eligibility list which was challenged by the Agent of the Board; thus leaving thirty-five (35) ballots to be accounted for and canvassed.

11. That of the said thirty-five (35) ballots, twenty-one (21) ballots were cast in favor of representation by Girard College Educational Association, Philadelphia Federation of Teachers, American Federation of Teachers, AFL-CIO; eight (8) ballots were cast in favor of representation by Girard College an Affiliate of Pennsylvania State Education, National Education Association; and six (6) ballots were cast for No Representative.

12. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof, has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose ballots were challenged since their inclusion in the total vote cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election Numbers 1, 2, 3, 4, 5, and 6 are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Girard College Educational Association, Philadelphia Federation of Teachers, American Federation of Teachers, AFL-CIO, as their exclusive representative for the purposes of collective bargaining with the Employer.

8. That Girard College Educational Association, Philadelphia Federation of Teachers, American Federation of Teachers, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purposes of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that GIRARD COLLEGE EDUCATIONAL ASSOCIATION, PHILADELPHIA FEDERATION OF TEACHERS, AMERICAN FEDERATION OF TEACHERS, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purposes of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of Teachers, Resident Masters, Librarians, and Counselors, excluding supervisors, first level supervisors, and confidential employes as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania,
this twenty-third day of September, 1971.

PENNSYLVANIA LABOR RELATIONS BOARD

Malcolm B. Petrikin

MALCOLM B. PETRIKIN, CHAIRMAN

George B. Stuart

GEORGE B. STUART, MEMBER

2

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYEES OF :
:
: Case No. PERA-D-89-323-W
:
: (PERA-R-87-234-W)
FAYETTE COUNTY HEALTH CENTER :

NISI ORDER OF DECERTIFICATION

On July 21, 1989, the Pennsylvania Labor Relations Board (Board) received a letter from the Chauffeurs, Teamsters & Helpers, Local Union 491, affiliated with International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America (Union) stating that it is no longer interested in representing the employes of Fayette County Health Center (Employer) in the bargaining unit certified at Case No. PERA-R-87-234-W.

The Board accepts the Union's disclaimer of its status as the exclusive bargaining representative. Such disclaimer is a relinquishment by the Union of its right to act as the exclusive representative of the employes in the unit certified at Case No. PERA-R-87-234-W.

In consideration of the foregoing and in order to effectuate the policies of the Public Employee Relations Act (Act), the Board Representative hereby

DECERTIFIES

the CHAUFFEURS, TEAMSTERS & HELPERS, LOCAL UNION 491, affiliated with INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS OF AMERICA

as the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

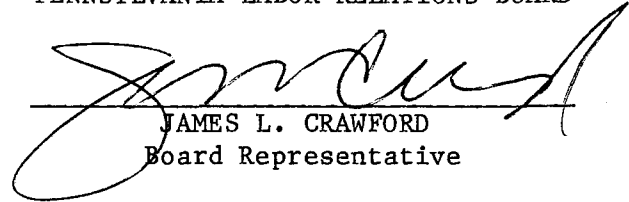
UNIT: All full-time and regular part-time blue-collar nonprofessional employes, including but not limited to janitors; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED AND DATED at Harrisburg, Pennsylvania, this fifth day of September, 1989, pursuant to 34 Pa. Code § 95.15(b).

PENNSYLVANIA LABOR RELATIONS BOARD

A handwritten signature in cursive script, appearing to read 'James L. Crawford', is written over a horizontal line. The signature is fluid and extends above and below the line.

JAMES L. CRAWFORD
Board Representative

2

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-R-87-234-W
: :
FAYETTE COUNTY HEALTH CENTER :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on May 15, 1987, by the Chauffeurs, Teamsters and Helpers, Local Union 491, affiliated with International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America (Petitioner) alleging that it represented thirty (30) percent or more of certain employes of Fayette County Health Center (Employer) and requesting that pursuant to Section 603(c) of the Public Employee Relations Act (Act) a hearing be scheduled and an Order be issued for an election.

On June 5, 1987, the Secretary of the Board issued an Order and Notice of Hearing establishing June 15, 1987, as the date of pre-hearing conference and July 22, 1987, as the date of hearing. The pre-hearing conference and hearing were continued after the parties informed the Board of their intent to enter into a Joint Request for Certification.

On August 10, 1987, the Board received a Joint Request for Certification filed by the Petitioner and Employer in which the Employer agreed to recognize the Petitioner as the exclusive representative of a unit of employes of the Employer comprised of all full-time and regular part-time blue-collar nonprofessional employes, including but not limited to janitors; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

In consideration of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that the CHAUFFEURS, TEAMSTERS & HELPERS, LOCAL UNION 491, affiliated with INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS OF AMERICA

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

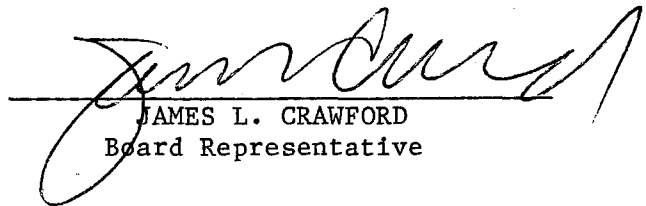
UNIT: All full-time and regular part-time blue-collar nonprofessional employees, including but not limited to janitors; and excluding management level employees, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED AND DATED at Harrisburg, Pennsylvania, this third day of September, 1987, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

-R-81-370-E
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COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

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IN THE MATTER OF THE EMPLOYES OF :

Case No. PERA-R-81-370-E

COMMONWEALTH OF PENNSYLVANIA :
(CALIFORNIA STATE COLLEGE) :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on June 8, 1981, by Pennsylvania State Education Association, PSEA/NEA (Payette County Head Start Local) (Association) alleging that it represented thirty (30) percent or more of certain employes of the Commonwealth of Pennsylvania (California State College) (Employer) and requesting that pursuant to Section 803(c) of the Public Employee Relations Act (Act) a hearing be scheduled and an Order be issued for an election.

On January 20, 1982, the Board issued an Order and Notice of Hearing, fixing March 2, 1982, in Pittsburgh, Pennsylvania, as the time and place of hearing. The hearing was rescheduled and held on March 5, 1982, at which time all parties in interest were afforded a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence.

On March 30, 1982, an Order and Notice of Election was issued directing that an election, by secret ballot, be held and conducted on April 16, 1982, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time professional and nonprofessional employes including but not limited to Family Service Team Members, G.E.D. Facilitator, Office Clerk, Special Service Assistant I, Special Service Assistant II, Handicapped Specialist, Nutritionist, Dental Hygienist, Transportation Aides, Teachers, Center Assistants, Family Service Workers and Home Visitors; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

Thereafter, objections to the Board's election in the form of a Charge of Unfair Practices was filed with the Board on April 16, 1982, by the Association alleging that the Employer had committed unfair practices within the meaning of Section 803 and Sections 1201(a)(1), (2), (3) and (4) of the Act. This charge was docketed to Case No. PERA-C-82-229-E.

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Pursuant to due notice, a hearing was held on June 15, 1982, before Elliot Newman, Esquire, a Hearing Examiner of the Board, at which time the parties, upon review of all the pertinent facts and without admitting culpability, stipulated and agreed that a new election was warranted in the unit found appropriate by the Board in its Order and Notice of Election dated March 30, 1982. The parties further stipulated and agreed that the results of the election held on April 16, 1982, be vacated and the matter submitted to the Board's Representative for further appropriate action to respectfully include but necessarily be limited to the issuance of a revised Order and Notice of Election.

Thereafter, on July 30, 1982, the Board Representative issued an Order and Notice of Election setting aside the election of April 16, 1982, and directing that a new election, by secret ballot, be held and conducted on August 16, 1982, among the employes of the Employer is the aforesaid appropriate collective bargaining unit.

The election was conducted as ordered by an Election Officer assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT, numbers 1 through 16 inclusive, as set forth in the Order and Notice of Election dated July 30, 1982, are hereby affirmed and incorporated by reference herein and made a part hereof.

17. That the Board conducted an election, by secret ballot, on August 16, 1982, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued July 30, 1982.

18. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Pennsylvania State Education Association, PSEA/NEA (Fayette County Head Start Local) or whether said employes wished No Representative.

19. That the professional employes were asked to indicate their preference as to whether or not they desired to be included in a unit of professional and nonprofessional employes.

20. That a tally of the ballots cast by the professional employes in the Unit Determination Election revealed the following results: seventeen (17) ballots were cast in favor of being included in a unit comprised of professional and nonprofessional employes and six (6) ballots were cast in favor of being included in a unit of only professional employes. No (0) ballots were cast by persons whose votes were challenged and three (3) ballots were void on

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21. That a tally of the ballots cast by the professional and nonprofessional employes in the representation election revealed the following results: thirty-one (31) ballots were cast in favor of representation by Pennsylvania State Education Association, PSEA/NEA (Fayette County Head Start Local); sixteen (16) ballots were cast for No Representative; and no (0) ballots were cast by persons whose votes were challenged. One (1) ballot was void or blank.

22. That the duly appointed Watchers in attendance at the said election have certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on August 16, 1982, concludes and finds:

That CONCLUSIONS, numbers 1 through 12 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

13. That a majority of the valid votes cast by employes in the aforesaid appropriate unit designated Pennsylvania State Education Association, PSEA/NEA (Fayette County Head Start Local) as the exclusive representative for the purpose of collective bargaining with the Employer.

14. That Pennsylvania State Education Association, PSEA/NEA (Fayette County Head Start Local) is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that PENNSYLVANIA STATE EDUCATION ASSOCIATION, PSEA/NEA (FAYETTE COUNTY HEAD START LOCAL)

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

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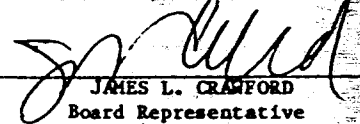
UNIT: All full-time and regular part-time professional and nonprofessional employees including but not limited to G.E.D. Facilitator, Office Clerk, Handicapped Specialist, Nutritionist, Dental Hygienist, Transportation Aides, Teachers, Center Assistants, Family Service Workers and Home Visitors; and excluding management level employees, supervisors, first level supervisors, confidential employees, and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to 34 Pa. Code §95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED AND DATED at Harrisburg, Pennsylvania, this thirtieth day of August, 1982, pursuant to 34 Pa. Code §95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD


JAMES L. CRAWFORD
Board Representative

Mr. James
Board Repr.
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Harrisburg

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COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: Case No. PERA-R-6881-W
: FAYETTE COUNTY COMMUNITY ACTION :
: AGENCY, INC. :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on June 11, 1975, by the Fayette County Head Start Education Association, PSEA/NEA, hereinafter called the "Petitioner", alleging that it represented thirty (30%) percent or more of certain employes of Fayette County Community Action Agency, hereinafter called the "Employer", and requesting that pursuant to Section 603(c) of the Public Employee Relations Act, hereinafter called the "Act", a hearing be scheduled and an Order be issued for an election.

Pursuant to due notice, a hearing was held on July 24, 1975, in Uniontown, Pennsylvania, before William J. LeWinter, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded to all parties in interest.

Thereafter, on November 5, 1975, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Thursday, November 20, 1975, among the employes of the employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time professional and non-professional employes in the following job classifications: Parent Involvement Coordinator, Social Services Coordinators, Nurses, Teachers, Aides, Cooks, Cooks' Helpers, Bookkeepers and Speech Therapists; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The Findings of Fact, numbers 1 through 6 inclusive, as set forth in the Board's Order and Notice of Election dated November 5, 1975, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That the Board conducted an election, by secret ballot, on November 20, 1975, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order of the Board issued November 5, 1975.

8. That the professional employes were asked to indicate their preference as to whether or not they desired to be included in a unit of professional and non-professional employes.

9. That a tally of the ballots cast by the professional employes in the Unit Determination Election revealed the following results: nineteen (19) ballots were cast in favor of being included in a unit comprised of professional and non-professional employes; and no (0) ballots were cast in favor of being included in a unit comprised of only professional employes.

10. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Fayette County Head Start Education Association, PSEA/NEA, or whether the said employes wished No Representative.

11. That thirty-four (34) ballots were cast at the election.

12. That of the thirty-four (34) ballots, thirty-three (33) ballots were cast in favor of representation by Fayette County Head Start Education Association, PSEA/NEA; no (0) ballots were cast for No Representative; and one (1) ballot was cast by a person whose vote was challenged. No (0) ballots were void or blank.

13. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballot cast by the person whose ballot was challenged since its inclusion in the total votes cast would have no material effect upon the results of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on November 20, 1975, concludes and finds:

The Board's Conclusions, numbers 1 through 5 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Fayette County Head Start Education Association, PSEA/NEA as their exclusive representative for the purpose of collective bargaining with the Employer.

7. That Fayette County Head Start Education Association, PSEA/NEA is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that FAYETTE COUNTY HEAD START EDUCATION ASSOCIATION, PSEA/NEA

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of all full-time and regular part-time professional and non-professional employes in the following job classifications: Parent Involvement Coordinator, Social Services Coordinators, Nurses, Teachers, Aides, Cooks, Cooks' Helpers, Bookkeepers and Speech Therapists; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to 34 Pa. Code Ch. 95.98, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this
fourth day of December, 1975.

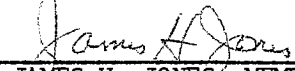
PENNSYLVANIA LABOR RELATIONS BOARD



RAYMOND L. SCHEIB, CHAIRMAN



JOSEPH J. LICASTRO, MEMBER



JAMES H. JONES, MEMBER

FINDINGS OF FACT

The Findings of Fact numbers 1 through 7 inclusive, as set forth in the Board's Order and Notice of Election, dated September 30, 1974, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That the Board conducted an election, by secret ballot, on October 29, 1974, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued on September 30, 1974.

9. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Pennsylvania Social Services Union, Local 668, SEIU, AFL-CIO or whether the employes wished No Representative.

10. That one (1) vote was cast by an employe of the Employer.

11. That one (1) ballot was cast in favor of representation by Pennsylvania Social Services Union, Local 668, SEIU, AFL-CIO, and no (0) ballots were cast for No Representative with no (0) ballots void or blank and no (0) ballots were cast by persons whose votes were challenged.

12. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, concludes and finds:

The Board's Conclusions as set forth in its Order and Notice of Election, numbers 1 through 7 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Pennsylvania Social Services Union, Local 668, SEIU, AFL-CIO, as their exclusive representative for the purpose of meeting and discussing with the Employer.

9. That Pennsylvania Social Services Union, Local 668, SEIU, AFL-CIO is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of meeting and discussing with respect to wages, pay, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that PENNSYLVANIA SOCIAL SERVICES UNION, LOCAL 668, SEIU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of meeting and discussing with respect to wages, hours and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of Social Worker II and Psychiatric Nurse II; excluding supervisors above the first level of supervision, management level employes, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to 34 Pa. Code Ch. 95.98 within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania this fourteenth day of November, 1974.

PENNSYLVANIA LABOR RELATIONS BOARD




RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

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COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: Case No. PERA-R-5409-W
: FAMILY COUNSELING CENTER OF :
: ARMSTRONG COUNTY, INC. :

NISI ORDER OF CERTIFICATION

On August 7, 1974, a Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", by Pennsylvania Social Services Union, Local 668, SEIU, AFL-CIO, hereinafter called the "Petitioner", alleging that it represented thirty percent (30%) or more of certain employes of the Family Counseling Center of Armstrong County, Inc., hereinafter called the "Employer", and requesting that pursuant to Section 603(c) of the Public Employee Relations Act, hereinafter called the "Act", a hearing be scheduled and an Order be issued for an election. This Petition was docketed to Case No. PERA-R-5409-W.

A companion Petition was filed by the Petitioner on the same date, requesting a meet and discuss unit comprised of Social Worker II and Psychiatric Nurse II, and docketed to Case No. PERA-R-5410-W.

The two cases were consolidated for a hearing which was held on September 20, 1974 in Pittsburgh, Pennsylvania, before James E. Lomeo, Esquire, a duly designated Hearing Examiner of the Board at which time a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded to all parties in interest.

Thereafter, on September 30, 1974, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Tuesday, October 29, 1974, among the employes of the employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of all professional and non-professional employes who provide individual and group psychotherapy and rehabilitation services, and all who do typing, clerical and supportive services; excluding Social Worker II and Psychiatric Nurse II, and further excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That all pertinent FINDINGS OF FACT numbers 1 through 7 inclusive, as set forth in the Board's Order and Notice of Election dated September 30, 1974, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That the Board conducted an election, by secret ballot, on Tuesday, October 29, 1974, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued September 30, 1974.

9. That the professional employes were asked to indicate their preference as to whether or not they desired to be included in a unit of professional and non-professional employes.

10. That a tally of the ballots cast by the professional employes in the Unit Determination Election revealed the following results: five (5) ballots were cast in favor of being included in a unit comprised of professional and non-professional employes; and no (0) ballots were cast in favor of being included in a unit comprised of only professional employes.

11. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Pennsylvania Social Services Union, Local 668, SEIU, AFL-CIO, or whether the said employes wished No Representative.

12. That ten (10) ballots were cast at the election.

13. That of the ten (10) ballots, ten (10) ballots were cast in favor of representation by Pennsylvania Social Services Union, Local 668, SEIU, AFL-CIO and no (0) ballots were cast for No Representative. No (0) ballots were cast by persons whose votes were challenged and no (0) ballots were void or blank.

14. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on October 29, 1974 concludes and finds:

That all pertinent CONCLUSIONS numbers 1 through 7 inclusive, as set forth in the Board's Order and Notice of Election issued on September 30, 1974, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Pennsylvania Social Services Union, Local 668, SEIU, AFL-CIO, as their exclusive representative for the purpose of collective bargaining with the Employer.

9. That Pennsylvania Social Services Union, Local 668, SEIU, AFL-CIO, is the exclusive representative of all the employes of the Employer within the unit described below for the purpose of collective bargaining with respect to wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that PENNSYLVANIA SOCIAL SERVICES UNION, LOCAL 668, SEIU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of all professional and non-professional employes who provide individual and group psychotherapy and rehabilitation services, and all who do typing, clerical and supportive services; excluding Social Worker II and Psychiatric Nurse II, and further excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to 34 Pa. Code Ch. 95.98, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this fourteenth day of November, 1974.

PENNSYLVANIA LABOR RELATIONS BOARD


Raymond L. Scheib
RAYMOND L. SCHEIB, CHAIRMAN

Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

James H. Jones
JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: Case No. PERA-R-240-E
: EPISCOPAL HOSPITAL :
:

NISI ORDER OF CERTIFICATION

On November 4, 1970, a Petition for Representation was filed by Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, hereinafter called "Local 1199C", entered to No. PERA-R-44-E, requesting that it be certified as the exclusive representative for collective bargaining purposes of a certain alleged appropriate unit of employees of Episcopal Hospital, hereinafter called "Employer".

On November 20, 1970 a similar Petition was filed to the above number by International Union of Operating Engineers, Local 835-835A, AFL-CIO, hereinafter called "Local 835-835A", requesting its certification for a unit comprised of Engineering and Maintenance employees of the Employer.

The two Petitions were consolidated for Hearings. These Hearings were held on December 29, 1970, January 6, 1971, January 8, 1971, January 19, 1971, February 3, 1971, and March 5, 1971, before Norman C. Henss, Esquire, a duly designated Hearing Examiner of the Board, at which time all parties in interest were afforded a full opportunity to present evidence and testimony, and to examine and cross-examine the witnesses.

On January 18, 1972 the Board issued an election order in both cases wherein Case No. PERA-R-44-E was designated Unit No. I and was described as a subdivision of the employer unit comprised of Service Employees: all full time and regular part time Service Employees including Nurses' Aides, Aides, Advanced Aides, Advanced Assistants, Nursing Assistants, Ward Clerks, Hospital Men, Nursing Messengers, all Medical Clerks, OB Technicians, OR Technicians, Storeroom (Stock) Clerks, Mailroom Clerks, Chauffeurs, Orderlies, Laboratory Assistants, Technicians' Aides, Medical Clerks, Community Health Workers, Storekeepers, Housekeeping Porters, Maids, Seamstresses, Laundry Utility Men, Laundry Washmen, Laundry Pressers, Laundry Processors, Pot Washers, Dietary Utility Men, Receivers, Busboys, Dietary Aides and Purchasing Stock Clerks, excluding supervisors, first level supervisors, management level and confidential employees as defined in the Act.

Case No. PERA-R-240-E was designated as Unit No. II and was described as a subdivision of the employer unit comprised of Maintenance Employees: all full time and regular part time Maintenance employes including Stationary Engineers, Maintenance Secretary, Mechanics, Mechanics' Helpers, Electricians, Carpenters, Plumbers, Plasterers, Bulb Men, Maintenance Porters, Painters, Mechanical Clerks, Air Conditioning Mechanic, Filter Men, Maintenance Helpers, Elevator Operator, and Groundsmen, and excluding supervisors, first level supervisors, management level and confidential employes as defined in the Act.

On February 9, 1972, the Employer filed a Charge of Unfair Practices against Local 1199C, which charge was entered to Case No. PERA-C-1492-E and is presently being litigated.

The Board, on the basis of testimony and evidence presented at the Pre-Election Conference and from all matters and documents of record, and more particularly in consideration of the election conducted on February 1, 1972, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT NUMBERS 1 through 118 inclusive as set forth in the Board's Order and Notice of Pre-Election Conference dated December 21, 1971 and the FINDINGS OF FACT NUMBERS 119 and 120 as set forth in the Board's Order and Notice of Election dated January 18, 1972, are hereby affirmed and incorporated by reference herein and made a part hereof.

121. That the Board conducted an election, by secret ballot, on February 1, 1972, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the order of the Board issued January 18, 1972.

122. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by International Union of Operating Engineers, Local 835-835A, AFL-CIO or whether the said employes wished No Representative.

123. That thirty-three (33) ballots were cast by eligible voters, no (0) ballots were spoiled or cancelled and no (0) ballots were cast by persons not on the eligibility list, thus leaving thirty-three ballots to be accounted for and canvassed.

124. That of the said thirty-three (33) ballots, twenty-four (24) ballots were cast in favor of representation by International Union of Operating Engineers, Local 835-835A, AFL-CIO, and nine (9) ballots were cast for No Representative.

125. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on February 1, 1972, concludes and finds:

The Board's CONCLUSIONS NUMBERS 1 through 4, inclusive, as set forth in the Board's Order and Notice of Pre-Election Conference dated December 21, 1971 and CONCLUSION NUMBER 5 as set forth in the Board's Order and Notice of Election dated January 18, 1972, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. A majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated International Union of Operating Engineers, Local 835-835A, AFL-CIO, as their exclusive representative for the purpose of collective bargaining with the Employer.

7. International Union of Operating Engineers, Local 835-835A, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 835-835A, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of Maintenance Employees: all full time and regular part time Maintenance employes including Stationary Engineers, Maintenance Secretary, Mechanics,

Mechanics' Helpers, Electricians, Carpenters, Plumbers, Plasterers, Bulb Men, Maintenance Porters, Painters, Mechanical Clerks, Air Conditioning Mechanic, Filter Men, Maintenance Helpers, Elevator Operator, and Groundsmen, and excluding supervisors, first level supervisors, management level and confidential employes as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

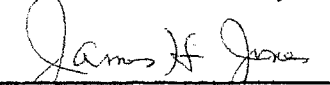
that in the absence of any Exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this sixth day of July, 1972.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

Men, Maintenance Helpers, Elevator Operator, and Groundsmen, and excluding supervisors, first level supervisors, management level and confidential employes as defined in the Act.

On February 9, 1972, the Employer filed a Charge of Unfair Practices against Local 1199C, which charge was entered to Case No. PERA-C-1492-E and was dismissed by order of the Board dated August 1, 1972.

The Board, on the basis of testimony and evidence presented at the Pre-Election Conference and from all matters and documents of record, and more particularly in consideration of the election conducted on February 1, 1972, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT NUMBERS 1 through 118, inclusive, as set forth in the Board's Order and Notice of Pre-Election Conference dated December 21, 1971 and the FINDINGS OF FACT NUMBERS 119 and 120 as set forth in the Board's Order and Notice of Election dated January 18, 1972, are hereby affirmed and incorporated by reference herein and made a part hereof.

121. That the Board conducted an election, by secret ballot, on February 1, 1972, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued January 18, 1972.

122. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, or whether the said employes wished No Representative.

123. That three hundred thirty (330) ballots were cast by eligible voters. No (0) ballots were spoiled or cancelled, three (3) ballots were void, and fifteen (15) ballots were cast by persons not on the eligibility list, thus leaving three hundred fifteen (315) ballots to be accounted for and canvassed.

124. That of the said three hundred fifteen (315) ballots, one hundred eighty-three (183) ballots were cast in favor of representation by Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, and one hundred thirty-two (132) ballots were cast for No Representative.

125. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on February 1, 1972, concludes and finds:

The Board's CONCLUSIONS NUMBERS 1 through 4, inclusive, as set forth in the Board's Order and Notice of Pre-Election Conference dated December 21, 1971 and CONCLUSION NUMBER 5 as set forth in the Board's Order and Notice of Election dated January 18, 1972, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. A majority of the employees of the Employer within the heretofore defined appropriate unit have selected and designated Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, as their exclusive representative for the purpose of collective bargaining with the Employer.

7. Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employees of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that LOCAL 1199C, NATIONAL UNION OF HOSPITAL AND NURSING HOME EMPLOYEES, DIVISION OF RWDSU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT:

In a subdivision of the employer unit comprised of Service Employees: all full time and regular part time Service Employees including Nurses' Aides, Aides, Advanced Aides, Advanced Assistants, Nursing Assistants, Ward Clerks, Hospital Men, Nursing Messengers, all Medical Clerks, OB Technicians, OR Technicians, Storeroom (Stock) Clerks, Mailroom Clerks, Chauffeurs, Orderlies, Laboratory Assistants, Technicians' Aides, Medical Clerks, Community Health Workers, Storekeepers, Housekeeping Porters, Maids, Seamstresses, Laundry Utility Men, Laundry Washmen, Laundry Pressers, Laundry Processors, Pot Washers, Dietary Utility Men, Receivers, Busboys, Dietary Aides and Purchasing Stock Clerks, excluding supervisors, first level supervisors, management level and confidential employes as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

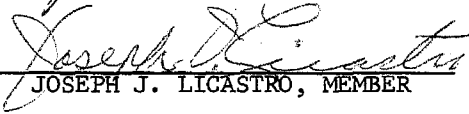
that in the absence of any Exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania,
this thirty-first day of August, 1972.

PENNSYLVANIA LABOR RELATIONS BOARD



RAYMOND L. SCHEIB, CHAIRMAN



JOSEPH J. LICASTRO, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
:
: Case No. PERA-D-93-237-E
: (PERA-R-11,405-C)
EASTON AREA PUBLIC LIBRARY :

NISI ORDER OF DECERTIFICATION

A Petition for Decertification was filed with the Pennsylvania Labor Relations Board (Board) on April 28, 1993, by the Easton Area Public Library (Employer) alleging a good faith doubt of the majority status of the duly certified employe representative, the Easton Area Librarians Association, ESPA/PSEA/NEA (Union), pursuant to Section 607 of the Public Employe Relations Act (Act) and requesting the Board to order an election to decertify the Union as the exclusive bargaining representative of the employes covered under the Board certification issued on December 8, 1978, at Case No. PERA-R-11,405-C.

Pursuant to due notice, a telephone pre-hearing conference was held on May 14, 1993, at which time the parties agreed to consider entering into a memorandum of agreement. Thereafter, memoranda of agreement were filed with the Board by the Employer and Union on May 21 and 25, 1993, respectively, wherein the parties stipulated to the position on the ballot, the site for the election, the eligibility list and all other matters pertaining to the conduct of the decertification election.

On May 26, 1993, an Order and Notice of Decertification Election was issued directing that a decertification election, by secret ballot, be held and conducted on June 29, 1993, among the employes of the Employer to ascertain whether they wished to continue to be represented by the present collective bargaining representative for purposes of collective bargaining or whether said employes wished no representative in a subdivision of the employer unit comprised of all full-time and regular part-time professional employes including but not limited to the children's services librarian, adult services librarian, technical services librarian, reference and information services librarian, audio-visual-interloan librarian and district services librarian; and excluding nonprofessional employes, management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The decertification election was conducted by an Election Officer assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT, numbers 1 through 6 inclusive, as set forth in the Order and Notice of Decertification Election dated May 26, 1993, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That the Board conducted a decertification election, by secret ballot, on June 29, 1929, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Decertification Election issued May 26, 1993.

8. That the question voted on was whether the eligible employees in the appropriate unit wished to continue to be represented by the present collective bargaining representative or whether said employees wished no representative.

9. That twenty-nine (29) ballots were cast at the decertification election.

10. That of the twenty-nine (29) ballots, two (2) ballots were cast in favor of representation by the Easton Area Librarians Association, ESPA/PSEA/NEA; twenty-six (26) ballots were cast for No Representative; and one (1) ballot was cast by a person whose vote was challenged. No (0) ballots were void or blank.

11. That the duly appointed watcher in attendance at the said election has certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

DISCUSSION

The Board will neither open, canvass nor pass upon the validity of the ballot cast by the person whose vote was challenged since its inclusion in the total votes cast would have no material effect upon the results of the election.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the decertification election conducted on June 29, 1993, concludes and finds:

That CONCLUSIONS, numbers 1 through 4 inclusive, as set forth in the aforesaid Order and Notice of Decertification Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer in the aforesaid appropriate unit have voted to decertify the Easton Area Librarians Association, ESPA/PSEA/NEA as their exclusive representative for the purpose of collective bargaining with the Employer.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

DECERTIFIES

the EASTON AREA LIBRARIANS ASSOCIATION, ESPA/PSEA/NEA

as the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

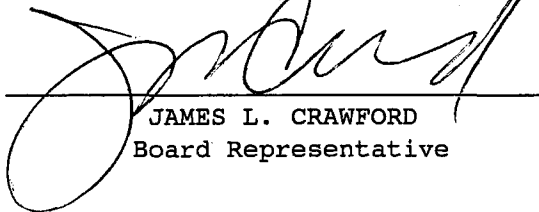
UNIT: All full-time and regular part-time professional employes including but not limited to the children's services librarian, adult services librarian, technical services librarian, reference and information services librarian, audio-visual-interloan librarian and district services librarian; and excluding nonprofessional employes, management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED AND DATED at Harrisburg, Pennsylvania, this thirteenth day of July, 1993, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYEES OF :
: Case No. PERA-R-11,347-C
THE EASTON AREA PUBLIC LIBRARY :

NISI ORDER OF CERTIFICATION

A Joint Election Request was filed with the Pennsylvania Labor Relations Board (Board) jointly executed by the Easton Librarians School Service Personnel Association, PSSPA/PSEA (ELSSPA) and the Easton Area Public Library (Employer) on April 13, 1978. The ELSSPA seeks to represent an overall unit of nonprofessional employees of the Employer.

A Petition for Representation was filed with the Board on April 28, 1978, and docketed to Case No. PERA-R-11,405-C, alleging that it represented thirty (30) percent or more of the Employer's professional employees and requesting that pursuant to Section 603(c) of the Public Employee Relations Act (Act) a hearing be scheduled and an Order be issued for an election.

The two cases were consolidated for a hearing which was held on May 24, 1978, in Easton, Pennsylvania, before Steve C. Nicholas, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded to all parties in interest.

On November 14, 1978, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on November 29, 1978, among the employees of the employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time nonprofessional employees including but not limited to library/clerical assistants, periodicals librarian, circulation librarian, bindery assistants, reference assistants, library assistants, pages and custodial workers; and excluding professional employees, first-level supervisors, supervisors, management level employees, confidential employees and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That all pertinent FINDINGS OF FACT, numbers 1 through 29 inclusive, as set forth in the Board's Order and Notice of Election dated November 14, 1978, are hereby affirmed and incorporated by reference herein and made a part hereof.

30. That the Board conducted an election, by secret ballot, on November 29, 1978, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order of the Board issued November 14, 1978.

31. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Easton Librarians School Service Personnel Association, PSSPA/PSEA or whether said employes wished No Representative.

32. That fourteen (14) ballots were cast at the election.

33. That of the fourteen (14) ballots, ten (10) ballots were cast in favor of representation by Easton Librarians School Service Personnel Association, PSSPA/PSEA; four (4) ballots were cast for No Representative; and no (0) ballots were cast by persons whose votes were challenged. No (0) ballots were void or blank.

34. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on November 29, 1978, concludes and finds:

That all pertinent CONCLUSIONS, numbers 1 through 11 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

12. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Easton Librarians School Service Personnel Association, PSSPA/PSEA as their exclusive representative for the purpose of collective bargaining with the Employer.

13. That Easton Librarians School Service Personnel Association, PSSPA/PSEA is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that EASTON LIBRARIANS SCHOOL SERVICE PERSONNEL ASSOCIATION, PSSPA/PSEA

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

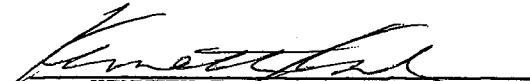
UNIT: In a subdivision of the employer unit comprised of all full-time and regular part-time non-professional employes including but not limited to library/clerical assistants, periodicals librarian, circulation librarian, bindery assistants, reference assistants, library assistants, pages and custodial workers; and excluding professional employes, first-level supervisors, supervisors, management level employes, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

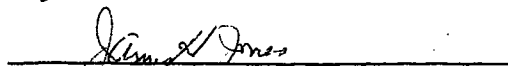
that in the absence of any Exceptions filed pursuant to 34 Pa. Code Ch. 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this eighth day of December, 1978.

PENNSYLVANIA LABOR RELATIONS BOARD


KENNETH F. KAHN, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :

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Case No. PERA-U-89-559-E
(PERA-R-11,405-C) ✓

EASTON AREA PUBLIC LIBRARY

NISI ORDER OF AMENDED CERTIFICATION

On December 8, 1978, the Pennsylvania Labor Relations Board (Board) issued a Nisi Order of Certification at Case No. PERA-R-11,405-C certifying the Easton Area Librarians Association, PSSPA/PSEA (Association) as the exclusive representative of certain employes employed by the Easton Area Public Library (Employer).

On November 1, 1989, the Association filed a Petition for Amendment of Certification pursuant to 34 Pa. Code § 95.24 requesting that the Board amend the above Nisi Order of Certification to reflect a change in the name of the exclusive representative to Easton Area Librarians Association, ESPA/PSEA/NEA. The request is based, in part, upon the Association's affiliation with the National Education Association (NEA) and, in part, upon a change in the name of the Pennsylvania School Service Personnel Association to the Educational Support Personnel Association.

The Board has consistently held that the amendment of certification process cannot be employed to occasion a change in the relationship between the employe organization and the public employer or raise a question of representation. Lincoln Intermediate Unit #12, 7 PPER 137 (Final Order, 1976). The Board has also recognized that the decision to affiliate is an internal union matter. School District of Pittsburgh, 5 PPER 68 (Nisi Order of Amended Certification, 1974).

In Lincoln Intermediate Unit #12, supra, the Board set forth four (4) criteria which must be satisfied before a previously issued certification will be amended to permit an affiliation. The petitioning party must establish (1) that the newly affiliated local is a continuation of the prior unaffiliated local, with the same officers and functional leaders; (2) that a majority of the membership has approved the requested amendment; (3) that there is no change in the day-to-day relationship with the employer; and (4) that all contract commitments with the employer will be honored. The petitioning party must provide the required information to the Board prior to the processing of the petition. Based on such information, the Board can determine whether the granting of the petition assures affected employes a continuity of their organization and representation, and, whether the procedure utilized in bringing about the change accurately reflects the desires of the employes involved.

Based on the information submitted by the Association, the affiliated organization is a continuation of the unaffiliated organization altered only by the newly established affiliation with NEA. The Association has assured the Board that its officers will remain intact, that it will honor its contract commitments with the Employer, and that there will be no change in the day-to-day relationship with the Employer. It is therefore apparent that the continuity essential for approval of the petition is present.

The Board also finds that the procedure utilized in bringing about the Association's affiliation with NEA accurately reflects the desires of the employees involved. On October 2, 1989, a secret ballot election was conducted. Eight (8) employees voted in favor of the affiliation and no (0) employees voted against the affiliation.

In view of the above, the Board Representative concludes that the Association's petition should be granted.

ORDER

In view of the foregoing and in order to effectuate the policies of the Public Employee Relations Act (Act), the Board Representative

HEREBY ORDERS AND DIRECTS

that the Nisi Order of Certification issued on December 8, 1978, to Case No. PERA-R-11,405-C, be amended to change the name of the employee organization to Easton Area Librarians Association, ESPA/PSEA/NEA.

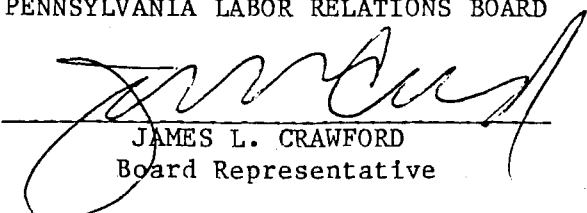
The Nisi Order of Certification issued by the Board on December 8, 1978, in all other matters and respects shall be and remain in full force and effect.

IT IS HEREBY FURTHER ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED AND DATED at Harrisburg, Pennsylvania, this eleventh day of December, 1989, pursuant to 34 Pa. Code §95.24(c).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

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COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: Case No. PERA-R-11,405-C
: THE EASTON AREA PUBLIC LIBRARY :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on April 28, 1978, by the Easton Area Librarians Association, PSSPA/PSEA (EALA), alleging that it represented 30% or more of the professional employes of the Easton Area Public Library (Employer), and requesting that pursuant to Section 603(c) of the Public Employee Relations Act (Act), a hearing be scheduled and an Order be issued for an election. This petition was docketed to Case No. PERA-R-11,405-C.

On April 13, 1978, a Joint Election Request was filed with the Board jointly executed by the Easton Librarians School Service Personnel Association, PSSPA/PSEA, and the Easton Area Public Library, requesting a unit of nonprofessional employes, which was docketed to Case No. PERA-R-11,347-C.

The two cases were consolidated for a hearing which was held on May 24, 1978, in Easton, Pennsylvania, before Steve C. Nicholas, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded to all parties in interest.

Thereafter, on November 14, 1978, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on November 29, 1978, among the employes of the employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time professional employes including but not limited to the Childrens Services Librarian, Adult Services Librarian, Technical Services Librarian, Reference and Information Services Librarian, Audio-Visual - Interloan Librarian and District Services Librarian; and excluding nonprofessional employes, first-level supervisors, supervisors, management level employes, confidential employes and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That all pertinent Findings of Fact, numbers 1 through 29 inclusive, as set forth in the Board's Order and Notice of Election dated November 14, 1978, are hereby affirmed and incorporated by reference herein and made a part hereof.

30. That the Board conducted an election, by secret ballot, on November 29, 1978, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order of the Board issued November 14, 1978.

31. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the Easton Area Librarians Association, PSSPA/PSEA, or whether the said employes wished No Representative.

32. That six (6) ballots were cast at the election.

33. That of the six (6) ballots, four (4) ballots were cast in favor of representation by Easton Area Librarians Association, PSSPA/PSEA; one (1) ballot was cast for No Representative; and one (1) ballot was void or blank. No (0) ballots were cast by persons whose votes were challenged.

34. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on November 29, 1978, concludes and finds:

That all pertinent Conclusions, numbers 1 through 11 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

12. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and

designated Easton Area Librarians Association, PSSPA/PSEA, as their exclusive representative for the purpose of collective bargaining with the Employer.

13. That Easton Area Librarians Association, PSSPA/PSEA is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that EASTON AREA LIBRARIANS ASSOCIATION, PSSPA/PSEA

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of all full-time and regular part-time professional employes including but not limited to the Childrens Services Librarian, Adult Services Librarian, Technical Services Librarian, Reference and Information Services Librarian, Audio-Visual - Interloan Librarian and District Services Librarian; and excluding nonprofessional employes, first-level supervisors, supervisors, management level employes, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

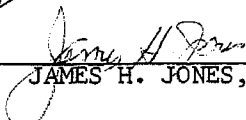
that in the absence of any Exceptions filed pursuant to 34 Pa. Code Ch. 95.98, within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this eighth day of December, 1978.

PENNSYLVANIA LABOR RELATIONS BOARD


KENNETH F. KAHN, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

MINI ORDER OF CERTIFICATION

IN THE MATTER OF THE EMPLOYEES OF DELAWARE VALLEY HOSPITAL LAUNDRY, INC. : No. PMA-2-791-S

A Petition for Representation by Public Employee Group of Public Employee Organization was filed with the Pennsylvania Labor Relations Board, herein called the "Board" on January 25, 1971, by Local 1199C National Union of Hospital & Nursing Home Employees, Div. of RHDNU, AFL-CIO, alleging it to be the employee representative of the Delaware Valley Hospital Laundry, Inc.. The Petitioner requested the approval of the proposed unit, the issuance of an Order for Election and Certification of Petitioner.

A Motion to Intervene was filed by Laundry, Dry Cleaning and Dye House Workers' International Union, Local No. 10, on January 29, 1971, which Motion was granted by the Board. The Intervenor claimed it represented a majority of said employees.

Thereafter, on April 22, 1971, the Board issued an Order and Notice of Election. The order directed that an Election by secret ballot, be conducted on May 7, 1971, in substitution of the employees unit consisted of service and maintenance employees, excluding security, professional, confidential, managerial and supervisory employees as defined in Act 195.

The Election was conducted as ordered by an Election Officer assigned by the Board.

FINDINGS OF FACT

The Board, on the basis of all documents and evidence of record finds the following facts:

1. That Delaware Valley Hospital Laundry, Inc., is a non-profit corporation having its principal place of business at 900 West Jefferson Street, Philadelphia, Pennsylvania.
2. That Local 1199C, National Union of Hospital & Nursing Home Employees, Div. of RHDNU, AFL-CIO and Laundry, Dry Cleaning and Dye House Workers, International Union, Local No. 10 are employee organizations which exist in whole or in part for the purpose of dealing with employers concerning terms and conditions of employment; with Local 1199C having its principal office at 1211 Chestnut Street, Philadelphia, Pennsylvania, and Local No. 10 having its principal office at 1239 Spring Garden Street, Philadelphia, Pennsylvania.
3. That the Board conducted an election by secret ballot on May 7, 1971, and that the employees of the unit defined appropriate unit comprised of forty (40) employees in accordance with the order of the Board issued on April 22, 1971.

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4. That the appropriate unit determined by the Board and as agreed upon by the parties for the purpose of collective bargaining is a subdivision of the employer unit comprised of Service and Maintenance employees, excluding security, professional, confidential, managerial and supervisory employees, as defined in Act 195.

5. That the question voted on at said election was: Shall Local 1199C, National Union of Hospital & Nursing Home Employees, Div. of NRSU, AFL-CIO, or Laundry, Dry Cleaning and Dye House Workers, International Union, Local No. 10, or No Representative, represent you exclusively for the purpose of collective bargaining with your Employer, Delaware Valley Hospital Laundry, Inc.?

6. That thirty-seven (37) ballots were cast by eligible voters, no (0) ballots were spoiled or cancelled, one (1) ballot was challenged by purchase in Lancaster and one (1) was challenged by an employe not on the eligibility list and was challenged by the Board's Agent, thus leaving thirty-five (35) ballots to be counted for and canvassed.

7. That of the said thirty-five (35) ballots, sixteen (16) ballots were cast for Local 1199C, National Union of Hospital & Nursing Home Employees, Div. of NRSU, AFL-CIO, one (1) ballot was cast for Laundry, Dry Cleaning and Dye House Workers, International Union, Local No. 10 and fifteen (15) ballots were cast for No Representative.

8. That the parties agreed that the ballot of Beverly Williams should be counted since her name was inadvertently left off the eligibility list and that in fact she is the appropriate unit and eligible to vote.

9. That the Employer agreed to withdraw its challenge to the vote of Dolores Thompson whose name appeared on the eligibility list.

10. That the parties agreed to open and canvass the ballots of Beverly Williams and Dolores Thompson and reserve the instructions of the challenge to the ballot of Grasse Williams pending the outcome of the canvass of these two (2) ballots.

11. That pursuant to the agreement, the thirty (30) ballots were opened and canvassed and one (1) ballot was cast in favor of 1199C and one (1) ballot was cast in favor of No Representative.

12. That a recanvass of the canvass of the thirty (30) ballots determined that of the thirty-seven (37) ballots of Local 1199C, twenty (20) ballots were for Local 1199C, National Union of Hospital & Nursing Home Employees, Div. of NRSU, AFL-CIO, one (1) ballot was cast for Laundry, Dry Cleaning and Dye House Workers, International Union, Local No. 10 and fifteen (15) ballots were cast for No Representative.

13. That the duly appointed watchers in attendance at the election have certified that the election was fair and

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an appeal from by the parties for the purpose of collective bargaining to a subdivision of the employer unit comprised of Service and Maintenance employees, including security, professional, confidential, managerial and supervisory employees, as defined in Act 195.

5. That the question voted on at said election was: Shall Local 1199C, National Union of Hospital & Nursing Home Employees, Div. of NHDU, AFL-CIO, or Laundry, Dry Cleaning and Dye House Workers, International Union, Local No. 10, or No Representative, represent you exclusively for the purposes of collective bargaining with your Employer, Delaware Valley Hospital Laundry, Inc.?

6. That thirty-seven (37) ballots were cast by eligible voters, no (0) ballots were spoiled or cancelled, two (2) ballots were challenged by parties in interest and one (1) was ballot was cast by an employe not on the eligibility list and one challenged by the Board's Agent, thus leaving thirty-five (35) ballots to be accounted for and canvassed.

7. That of the said thirty-five (35) ballots, nineteen (19) ballots were cast for Local 1199C, National Union of Hospital & Nursing Home Employees, Div. of NHDU, AFL-CIO, one (1) ballot was cast for Laundry, Dry Cleaning and Dye House Workers, International Union, Local No. 10 and fifteen (15) ballots were cast for No Representative.

8. That the parties agreed that the ballot of Beverly Williams should be counted since her name was inadvertently left off the eligibility list and that in fact she is in the appropriate list and eligible to vote.

9. That the Employer agreed to withdraw its challenge to the vote of Dolores Thompson whose name appeared on the eligibility list.

10. That the parties agreed to open and canvass the ballots of Beverly Williams and Dolores Thompson and reserve the determination of the challenge to the ballot of Orace Williams pending the results of the canvass of these two (2) ballots.

11. That pursuant to the agreement, the two (2) challenged ballots were opened and canvassed and one (1) ballot was cast in favor of 1199C and one (1) ballot was cast in favor of No Representation.

12. That a reexamination of the canvass of the ballots determined that of the thirty-seven (37) ballots cast and canvassed twenty (20) ballots were for Local 1199C, National Union of Hospital & Nursing Home Employees, Div. of NHDU, AFL-CIO, one (1) ballot was cast for Laundry, Dry Cleaning and Dye House Workers, International Union, Local No. 10 and sixteen (16) ballots were cast for No Representative.

13. That the duly appointed members in accordance with the provisions of the Act have certified that the election was impartially conducted and that a true and perfect record has been made by the designated Agent of the Board.

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DISCUSSION

The Board will not pass upon the validity of the challenge to the ballot of Orace Williams since its inclusion in the canvass could not affect the outcome of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on May 7, 1971, concludes and finds:

1. That the Pennsylvania Labor Relations Board has jurisdiction over the parties hereto.
2. That the Delaware Valley Hospital Laundry, Inc. is a "public employer" within the meaning of Section 301 (1) of the Act.

3. That Local 1199C, National Union of Hospital, Nursing Home Employees, Div. of RWDSU, AFL-CIO and Laundry, Dry Cleaning and Dye House Workers, International Union, Local No. 19 are "employees organizations" within the meaning of Section 301 (3) of the Act.

4. That the unit appropriate for the purposes of collective bargaining between the Employer and its employees within the meaning of Section 604 of the Act, is a subdivision of the Employer unit comprised of Service and Maintenance employees, excluding security, professional, confidential, managerial and supervisory employees as defined in Act 195.

5. That a majority of the employees of the Employer within the heretofore defined appropriate unit have selected and designated Local 1199C, National Union of Hospital, Nursing Home Employees, Div. of RWDSU, AFL-CIO, as their exclusive representative for the purposes of collective bargaining with the Employer.

6. That Local 1199C, National Union of Hospital & Nursing Home Employees, Div. of RWDSU, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employees of the Employer, within the heretofore defined appropriate unit for the purposes of collective bargaining, with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board

C E R T I F I C A T E

That LOCAL 1199C, NATIONAL UNION OF HOSPITAL & NURSING HOME EMPLOYEES, DIV. OF RWDSU, AFL-CIO

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The Board will not pass upon the validity of the challenge to the ballot of Orace Williams since its inclusion in the census could not effect the outcome of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on May 7, 1971, concludes and finds:

1. That the Pennsylvania Labor Relations Board has jurisdiction over the parties hereto.
2. That the Delaware Valley Hospital Laundry, Inc. is a "public employer" within the meaning of Section 301 (1) of the Act.

3. That Local 1199C, National Union of Hospital & Nursing Home Employees, Div. of RMRSU, AFL-CIO and Laundry, Dry Cleaning and Dry House Workers, International Union, Local No. 10 are "employee organizations" within the meaning of Section 301 (3) of the Act.

4. That the unit appropriate for the purposes of collective bargaining between the Employer and its employees within the meaning of Section 604 of the Act, is a subdivision of the employer unit comprised of service and maintenance employees, including security, professional, confidential, managerial and supervisory employees as defined in Act 195.

5. That a majority of the employees of the Employer, within the heretofore defined appropriate unit, have selected and designated Local 1199C, National Union of Hospital & Nursing Home Employees, Div. of RMRSU, AFL-CIO, as their exclusive representative for the purposes of collective bargaining with the Employer.

6. That Local 1199C, National Union of Hospital & Nursing Home Employees, Div. of RMRSU, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employees of the Employer, within the heretofore defined appropriate unit for the purposes of collective bargaining, with respect to rates of pay, wages, hours of employment and other conditions of employment.

In View of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

C E R T I F I C A T E

That LOCAL 1199C NATIONAL UNION OF HOSPITAL & NURSING HOME EMPLOYEES, DIV. OF RMRSU, AFL-CIO

is the EXCLUSIVE representative of the employees of the Employer for the purposes of collective bargaining.

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is the EXCLUSIVE REPRESENTATIVE of the employees of the above-
named Employer in all described below for the purpose of
collective bargaining with respect to wages, hours and terms
and conditions of employment.

UNIT:

In a subdivision of the employer unit
employed of service and maintenance
employees, including security, professional,
confidential, managerial and supervisory employees,
as defined in Act 193.

IT IS HEREBY GRANTED AND SAVED

that in the absence of any exceptions filed pursuant to Rule 15.1
of the Rules and Regulations of the Pennsylvania Labor Relations
Board, approved October 9, 1979, within ten (10) days of the
date hereof, this Decision and Order shall become final and unreviewable
and final.

GRANTED, SAVED AND SAVED at Harrisburg, Pennsylvania.

this twenty-ninth day of June, 1971.

PENNSYLVANIA LABOR RELATIONS BOARD

Malvin D. Peltz

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COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYEES OF :
: Case No. PERA-R-4109-E
: CROZER CHESTER MEDICAL CENTER :
:

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on November 5, 1973, by International Union, United Plant Guard Workers of America (UPGWA), hereinafter called "UPGWA", alleging that it represented 30% or more of certain employes of Crozer Chester Medical Center, hereinafter called "Employer", and requesting the Board to order an election to determine the exclusive representative for the purpose of collective bargaining pursuant to provisions of the Public Employe Relations Act, hereinafter called the "Act".

Pursuant to due notice, a hearing was held and conducted on December 3, 1973, in Philadelphia, Pennsylvania, before Stephen L. Hymowitz, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded all parties in interest.

Thereafter, on January 8, 1974, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Friday, February 1, 1974, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of Security Guards, and excluding management level employes, supervisors, first level supervisors, confidential employes, and all other employes, as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT numbers 1 through 5 inclusive as set forth in the Board's Order and Notice of Election dated January 8, 1974, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That the Board conducted an election, by secret ballot, on February 1, 1974, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued January 8, 1974.

7. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by International Union, United Plant Guard Workers of America (UPGWA), or whether the said employes wished No Representative.

8. That twenty-six (26) ballots were cast by eligible voters, no (0) ballots were void or blank, and one (1) ballot was cast by a person whose vote was challenged; thus leaving twenty-six (26) ballots to be accounted for and canvassed.

9. That of the said twenty-six (26) ballots, sixteen (16) ballots were cast in favor of representation by UPGWA, and ten (10) ballots were cast for No Representative.

10. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballot cast by the person whose ballot was challenged since its inclusion in the total votes cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on February 1, 1974, concludes and finds:

That the Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election, numbers 1 through 4 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated International Union, United Plant Guard Workers of America (UPGWA) as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That UPGWA, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that INTERNATIONAL UNION, UNITED PLANT GUARD WORKERS OF AMERICA (UPGWA)

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the Employer unit comprised of: Security Guards, and excluding management level employes, supervisors, first level supervisors, confidential employes, and all other employes, as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this thirteenth day of February, 1974.

3.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
 : PERA R-1180-E
CROZER-CHESTER MEDICAL CENTER :

NISI ORDER OF CERTIFICATION

A Joint Election Request was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on July 8, 1971, by Professional Pharmacists Guild of Delaware Valley, Local 1099, AFL-CIO, hereinafter called "Local 1099", and Crozer-Chester Medical Center, hereinafter called "Employer". The Joint Election Request sought the certification of Local 1099 as the collective bargaining representative in a unit comprised of pharmacists and interns and externs doing pharmacy work.

Hearings were held on August 16, 1971 and September 21, 1971, before A. Leo Sereni, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine the witnesses, and to present testimony and introduce evidence was afforded to all parties in interest. A Pre-Election Conference was held on February 3, 1972, before a duly designated Agent of the Board, at which time the parties were afforded an opportunity to determine positions on the ballot, the site or sites for the conducting of the election, the eligibility list and all other matters pertaining to the conduct of the election.

On February 9, 1972, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Thursday, March 2, 1972, among the employees of the Employer, in a subdivision of the employer unit comprised of all staff pharmacists, to ascertain the exclusive representative for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment.

The election was conducted as ordered by an Elections Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT Numbers 1 through 6, as set forth in the Board's Order and Notice of Election dated February 9, 1972, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That the Board conducted an election, by secret ballot, on Thursday, March 2, 1972, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued February 9, 1972.

8. that the question voted on at said Election was: "Shall Professional Pharmacists Guild of Delaware Valley, Local 1099, AFL-CIO or No Representative represent you exclusively for the purpose of collective bargaining with your Employer, Crozer-Chester Medical Center?"

9. That thirteen (13) ballots were cast by eligible voters, no (0) ballots were spoiled or cancelled, and no (0) ballots were challenged by the Agent of the Board; thus leaving thirteen (13) ballots to be accounted for and canvassed.

10. That of the said thirteen (13) ballots, eleven (11) ballots were cast in favor of representation by Local 1099, and two (2) ballots were cast for No Representative.

11. That the duly appointed Watcher in attendance at the said Election has certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS

The Board's CONCLUSIONS as set forth in the Board's Order and Notice of Pre-Election Conference dated January 12, 1972, Numbers 1 through 5, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Professional Pharmacists Guild of Delaware Valley, Local 1099, AFL-CIO, as their exclusive representative for the purpose of collective bargaining with the Employer.

7. That Professional Pharmacists Guild of Delaware Valley, Local 1099, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that PROFESSIONAL PHARMACISTS GUILD OF DELAWARE VALLEY, LOCAL 1099, AFL-CIO

2.

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT:

In a subdivision of the employer unit comprised of all staff pharmacists, but excluding supervisors, first level supervisors and confidential employes within the meaning of the Act.


IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this sixteenth day of March, 1972.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYEES OF :
:
CROZER-CHESTER MEDICAL CENTER : Case No. PERA-R-1177-E

NISI ORDER OF CERTIFICATION

On October 29, 1971 an Election was conducted in the above matter in accordance with the Joint Request for Election filed with the Pennsylvania Labor Relations Board. The tally of the ballots cast shows that one hundred eighty-one (181) ballots were cast for Laborers' International Union of North America, AFL-CIO, and one hundred thirty-two (132) ballots were cast for No Representative.

On November 3, 1971, a Charge of Unfair Practices, docketed to case number PERA-C-1325-E was filed with the Board by the Employer, alleging that Laborers' International Union of North America, AFL-CIO engaged in unfair labor practices in connection with the election conducted by the Board on October 29, 1971.

WHEREAS, on even date herewith, the Board has dismissed the Charge of Unfair Practices filed by the Employer; and

WHEREAS, the tally of the ballots cast shows that a collective bargaining representative has been selected,

NOW, THEREFORE, the Pennsylvania Labor Relations Board, pursuant to authority of Act No. 195, known as the Public Employe Relations Act,

HEREBY ORDERS AND DECREES

that LABORERS' INTERNATIONAL UNION OF NORTH AMERICA, AFL-CIO be and it is hereby

CERTIFIED

as the EXCLUSIVE REPRESENTATIVE for all the employes in a subdivision of the Employer unit comprised of the employes of the Maintenance Department, Dietary Department, Housekeeping Department, Escort Service, Central Supply Department, Nursing Service, Coffee Shop and Laundry; and excluding supervisors, first level supervisors and confidential employes as defined in the Act, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment, subject to the provisions of the aforesaid Act No. 195, and

IT IS HEREBY FURTHER ORDERED AND DECREED

that in the absence of any exceptions filed, pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board, approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania,
this sixth day of April, 1972.

PENNSYLVANIA LABOR RELATIONS BOARD



Raymond L. Scheib

RAYMOND L. SCHEIB, CHAIRMAN

James H. Jones

JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: Case No. PERA-D-6717-E
: UNITED CEREBRAL PALSY OF :
: DELAWARE COUNTY :
: (George Crothers Memorial School) :

NISI ORDER OF DECERTIFICATION

A Petition for Decertification was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on April 28, 1975, by a group of public employes represented by Donna Coston, Julie Northrup and Lynda Wilkinson, hereinafter called the "Petitioners", alleging that they represented 30% or more of certain employes of the United Cerebral Palsy of Delaware County (George Crothers Memorial School), hereinafter called the "Employer", and requesting the Board to order an election pursuant to Section 607 (i) of the Public Employee Relations Act, hereinafter called the "Act", to determine whether or not the Pennsylvania Federation of Teachers, AFL-CIO, hereinafter called the "PFT", is supported by a majority of the employes in the bargaining unit for collective bargaining purposes. (See PERA-R-3259-E)

Pursuant to due notice, a hearing was held on June 6, 1975, in Philadelphia, Pennsylvania, before Joseph T. Kelley, Jr., Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses, present testimony, and introduce evidence was afforded to all parties in interest.

Thereafter, on September 5, 1975, the Board issued an Order and Notice of Decertification Election directing that an election, by secret ballot, be held and conducted on Friday, September 26, 1975, among the employes of the employer to ascertain whether the employes of United Cerebral Palsy of Delaware County (George Crothers Memorial School) wish to continue to be represented by the present collective bargaining representative for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment, or whether said employes wish No Representative, in a subdivision of the employer unit comprised of all Teachers employed by the United Cerebral Palsy of Delaware County, teaching at the George Crothers Memorial School; and excluding management level employes, supervisors, first level supervisors, confidential employes, and guards, as defined in the Act.

The decertification election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The Findings of Fact numbers 1 through 6 inclusive, as set forth in the Board's Order and Notice of Decertification Election dated September 5, 1975, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That the Board conducted a decertification election, by secret ballot, on Friday, September 26, 1975, among the employes of the Employer, within the heretofore defined appropriate unit in accordance with the Order of the Board issued September 5, 1975.

8. That the question voted on was whether the eligible employes in the appropriate unit wished to continue to be represented by the present collective bargaining representative or whether said employes wished No Representative.

9. That eight (8) ballots were cast at the election.

10. That of the eight (8) ballots, eight (8) ballots were cast in favor of No Representative, and no (0) ballots were cast for Pennsylvania Federation of Teachers, AFL-CIO. No (0) ballots were cast by persons whose votes were challenged and no (0) ballots were void or blank.

11. That the duly appointed Watcher in attendance at the said Election has certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on September 26, 1975, concludes and finds:

The Board's Conclusions as set forth in its aforesaid Order and Notice of Decertification Election, numbers 1 through 6 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That a majority of the employes of the Employer in an appropriate unit have voted to decertify Pennsylvania Federation of Teachers, AFL-CIO, as their exclusive representative for the purpose of collective bargaining with the Employer.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

DECERTIFIES

PENNSYLVANIA FEDERATION OF TEACHERS, AFL-CIO

as the EXCLUSIVE REPRESENTATIVE of the employes of the Employer in a subdivision of the employer unit comprised of all Teachers employed by the United Cerebral Palsy of Delaware County, teaching at the George Crothers Memorial School; and excluding management level employes, supervisors, first level supervisors, confidential employes, and guards, as defined in the Act, and

IT IS HEREBY ORDERED AND DECREED


that in the absence of any Exceptions filed pursuant to 34 Pa. Code Ch. 95.98, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this ninth day of October, 1975.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-R-3259-E
: :
UNITED CEREBRAL PALSY OF :
: :
DELAWARE COUNTY :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on March 2, 1973, by Pennsylvania Federation of Teachers, AFL-CIO, hereinafter called "Union", alleging that it represented 30% or more of certain employes of United Cerebral Palsy of Delaware County, hereinafter called the "Employer", and requesting the Board to order an election to determine the exclusive representative for the purpose of collective bargaining pursuant to provisions of the Public Employee Relations Act, hereinafter called the "Act".

On March 15, 1973, the Board issued an Order and Notice of Hearing, fixing March 23, 1973, at Philadelphia, Pennsylvania, as the time and place of hearing. The aforesaid hearing was held as ordered before Levan Gordon, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses and to present testimony and introduce evidence was afforded to all parties in interest.

Thereafter, on April 23, 1973, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Friday, May 4, 1973, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of: All Teachers employed by the United Cerebral Palsy of Delaware County, teaching at the George Crothers School, and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, and more particularly in consideration of the election conducted on May 4, 1973, makes the following:

FINDINGS OF FACT

The Findings of Fact numbers 1 through 5 inclusive, as set forth in the Board's Order and Notice of Election dated

April 23, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That the Board conducted an election, by secret ballot, on May 4, 1973, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order of the Board issued April 23, 1973.

7. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Pennsylvania Federation of Teachers, AFL-CIO, or whether the said employes wished No Representative.

8. That nine (9) ballots were cast by eligible voters, no (0) ballots were void or blank, no (0) ballots were cast by persons whose votes were challenged; thus, leaving nine (9) ballots to be accounted for and canvassed.

9. That of the said nine (9) ballots, eight (8) ballots were cast in favor of representation by Pennsylvania Federation of Teachers, AFL-CIO, and one (1) ballot was cast for No Representative.

10. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on May 4, 1973, concludes and finds:

The Board's Conclusions as set forth in its aforesaid Order and Notice of Election, numbers 1 through 4 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Pennsylvania Federation of Teachers, AFL-CIO, as their exclusive representative for the purpose of collective bargaining.

6. That Pennsylvania Federation of Teachers, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

C E R T I F I E S

that PENNSYLVANIA FEDERATION OF TEACHERS, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of: All Teachers employed by the United Cerebral Palsy of Delaware County, teaching at the George Crothers School, and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

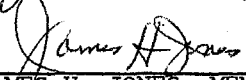
SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this
sixteenth day of May, 1973.

3.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

April 23,
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PERA-R- 3259-E

May 4, 1973

IN THE MATTER OF THE EMPLOYES OF :

Case No. PERA-R-3259-E

UNITED CEREBRAL PALSY OF
DELAWARE COUNTY

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NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on March 2, 1973, by Pennsylvania Federation of Teachers, AFI-CIO, hereinafter called "Union", alleging that it represented 30% or more of certain employees of United Cerebral Palsy of Delaware County, hereinafter called the "Employer", and requesting the Board to order an election to determine the exclusive representative for the purpose of collective bargaining pursuant to provisions of the Public Employee Relations Act, hereinafter called the "Act".

On March 15, 1973, the Board issued an Order and Notice of Hearing, fixing March 23, 1973, at Philadelphia, Pennsylvania, as the time and place of hearing. The aforesaid hearing was held as ordered before Levan Gordon, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses and to present testimony and introduce evidence was afforded to all parties in interest.

Thereafter, on April 23, 1973, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Friday, May 4, 1973, among the employees of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of: All Teachers employed by the United Cerebral Palsy of Delaware County, teaching at the George Crothers School, and excluding management level employees, supervisors, first level supervisors, confidential employees and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, and more particularly in consideration of the election conducted on May 4, 1973, makes the following:

FINDINGS OF FACT

The Findings of Fact numbers 1 through 5 are set forth in the Board's Order and Notice of Election dated

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April 23, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That the Board conducted an election, by secret ballot, on May 4, 1973, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order of the Board issued April 23, 1973.

7. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Pennsylvania Federation of Teachers, AFL-CIO, or whether the said employes wished No Representative.

8. That nine (9) ballots were cast by eligible voters, no (0) ballots were void or blank, no (0) ballots were cast by persons whose votes were challenged; thus, leaving nine (9) ballots to be accounted for and canvassed.

9. That of the said nine (9) ballots, eight (8) ballots were cast in favor of representation by Pennsylvania Federation of Teachers, AFL-CIO, and one (1) ballot was cast for No Representative.

10. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on May 4, 1973, concludes and finds:

The Board's Conclusions as set forth in its aforesaid Order and Notice of Election, numbers 1 through 4 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Pennsylvania Federation of Teachers, AFL-CIO, as their exclusive representative for the purpose of collective bargaining.

6. That Pennsylvania Federation of Teachers, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board

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C E R T I F I E S

that PENNSYLVANIA FEDERATION OF TEACHERS, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of: All Teachers employed by the United Cerebral Palsy of Delaware County, teaching at the George Crothers School, and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this sixteenth day of May, 1973.

PENNSYLVANIA LABOR RELATIONS BOARD

RAYMOND L. SCHEIB, CHAIRMAN

JOSEPH J. LICASTRO, MEMBER

JAMES H. JONES, MEMBER

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COMMONWEALTH OF PENNSYLVANIA
The Pennsylvania Labor Relations Board

CERTIFICATION OF REPRESENTATIVE

IN THE MATTER OF THE EMPLOYES OF

CRAWFORD COUNTY AREA
VOCATIONAL TECHNICAL SCHOOL

No. PERA-R-1119-W

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W H E R E A S , a Joint Request for Certification was filed with the Pennsylvania Labor Relations Board pursuant to ARTICLE VI, SECTION 602(a) of the PUBLIC EMPLOYE RELATIONS ACT, being Act 195 of 1970, and

W H E R E A S , the Pennsylvania Labor Relations Board has found the unit appropriate, and the Public Employer has complied with the five (5) day notice required by RULE 3.1(h), and

W H E R E A S , no objections having been filed to the Joint Request for Certification, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that CRAWFORD COUNTY AVTS EDUCATION ASSOCIATION

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in unit described below for the purposes of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT:

In a subdivision of the employer unit comprised of full-time instructors; and excluding all non-professional employes, supervisors, first level supervisors, and confidential employes as defined in the Act.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania,

this 11th day of June 1971.

PENNSYLVANIA LABOR RELATIONS BOARD

[Handwritten Signature]

CHAIRMAN

[Handwritten Signature]

MEMBER

[Handwritten Signature]

MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: Case No. PERA-R-10,165-W
: CRAWFORD COUNTY AREA VOCATIONAL :
: TECHNICAL SCHOOL :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed on May 31, 1977 with the Pennsylvania Labor Relations Board (Board), by the Crawford County Area Vocational Technical School Service Personnel Association/PSEA (Petitioner), alleging that the Crawford County Area Vocational Technical School (Respondent) had failed to reply to the Petitioner's request that the Respondent join in a Petition for Election.

On June 10, 1977, the Board issued an Order and Notice of Hearing to determine the appropriateness of a representation election, pursuant to Article VI, Section 603 of Act 195 of 1970. The hearing was held as scheduled on June 28, 1977, at Meadville, Pennsylvania, before a duly designated Hearing Examiner of the Board. At that time all parties in interest were afforded the opportunity to present testimony, examine and cross-examine the witnesses, and introduce evidence.

On December 22, 1977, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Wednesday, January 11, 1978, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time non-professional service and non-instructional employes including but not limited to clerks, custodians, library aides, cooks and teacher's aides and excluding management level employes, supervisors, first level supervisors, confidential employes, and guards, as defined in the Act.

Thereafter, on January 11, 1978, the Board issued an Order Rescheduling Election to Tuesday, January 24, 1978.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The Findings of Fact, numbers 1 through 20 inclusive, as set forth in the Board's Order and Notice of Election dated January 11, 1978, are hereby affirmed and incorporated by reference herein and made a part hereof.

21. That the Board conducted an election, by secret ballot, on January 24, 1978, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order of the Board issued January 11, 1978.

22. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the Crawford County Area Vocational Technical School School Service Personnel/PSEA, or whether the said employes wished No Representative.

23. That thirteen (13) ballots were cast at the election.

24. That of the thirteen (13) ballots, twelve (12) ballots were cast in favor of representation by Crawford County Area Vocational Technical School School Service Personnel/PSEA; no (0) ballots were cast for No Representative; and one (1) ballot was cast by a person whose vote was challenged. No (0) ballots were void or blank.

25. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballot cast by the person whose ballot was challenged since its inclusion in the total votes cast would have no material effect upon the results of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on January 24, 1978, concludes and finds:

The Board's Conclusions, numbers 1 through 6 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Crawford County Area Vocational Technical School School Service Personnel/PSEA, as their exclusive representative for the purpose of collective bargaining with the Employer.

8. That Crawford County Area Vocational Technical School School Service Personnel/PSEA is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that CRAWFORD COUNTY AREA VOCATIONAL TECHNICAL SCHOOL SCHOOL SERVICE PERSONNEL/PSEA

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of all full-time and regular part-time non-professional service and non-instructional employes including but not limited to clerks, custodians, library aides, cooks and teacher's aides and excluding management level employes, supervisors, first level supervisors, confidential employes, and guards, as defined in the Act.


IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to 34 Pa. Code Ch. 95.98, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this first day of February, 1978.

PENNSYLVANIA LABOR RELATIONS BOARD


KENNETH F. KAHN, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
:
:
No. PERA-R-4746-E
:
:
COMPREHENSIVE HEALTH SERVICES PROGRAM :

NISI ORDER OF CERTIFICATION

On April 4, 1974 an Election was conducted in the above matter in accordance with the Joint Request for Election filed with the Pennsylvania Labor Relations Board. The tally of the ballots cast shows that ninety-five (95) ballot(s) ~~were~~ were cast for National Union of Hospital and Health Care Employees, 1199C, Division RWDSU, AFL-CIO and twenty-six (26) ballot(s) ~~were~~ were cast for no representation.

WHEREAS, the tally of the ballots cast shows that a collective bargaining representative has been selected and no objections having been filed to the conduct of the election to the date of this Order,

NOW, THEREFORE, the Pennsylvania Labor Relations Board, pursuant to authority of Act No. 195 known as the Public Employee Relations Act,

HEREBY ORDERS AND DECREES

that NATIONAL UNION OF HOSPITAL AND HEALTH CARE EMPLOYEES, 1199C, Division RWDSU, AFL-CIO
be and it is hereby

CERTIFIED

as the exclusive representative for all the employees in a subdivision of the employer unit comprised of the following classifications of employees: All clerical, technical and service employees, excluding all other employees and further excluding management level employees, supervisors, first level supervisors, confidential employees and guards as defined in the Act.

for the purpose of collective bargaining with respect to wages, hours, terms and conditions of employment, subject to the provisions of the aforesaid Act No. 195, and

IT IS HEREBY FURTHER ORDERED AND DECREED

that in the absence of any exceptions filed, pursuant to Rule 15.1 of the Pennsylvania Labor Relations Board's Rules and Regulations, approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this eighteenth day of April, 1974.

PENNSYLVANIA LABOR RELATIONS BOARD

Raymond L. Scheib
RAYMOND L. SCHEIB, CHAIRMAN

Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

James H. Jones
JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
:
: Case No. PERA-R-5079-C
:
COMMUNITY MEDICAL CENTER-EAST :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on May 23, 1974, by International Brotherhood of Firemen and Oilers, and Hospital Employees, Local 1300, AFL-CIO, hereinafter called "Local 1300", alleging that it represented 30% or more of certain employes of Community Medical Center-East, hereinafter called the "Employer", and requesting the Board to order an election to determine the exclusive representative for the purpose of collective bargaining pursuant to the provisions of the Public Employe Relations Act, hereinafter called the "Act".

Pursuant to due notice, a hearing was held and conducted on July 2, 1974, in Seranton, Pennsylvania, before Charles S. Sobol, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded to all parties in interest.

Thereafter, on July 19, 1974, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on August 6, 1974, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of: All full-time and regular part-time Housekeeping employes; Dietary employes; Orderlies in the Nursing Service Department; Dietary Store Clerk; Maintenance and Boiler Room employes; and Nurses Aides; and excluding all other employes of the Community Medical Center, management level employes, supervisors, first level supervisors, confidential employes, and guards as defined in the Act.

The election was conducted as ordered by an election officer assigned by the Pennsylvania Labor Relations Board.

The Board, on the basis of testimony and evidence presented at the hearing, and from all other matters and documents of record, makes the following:

FINDINGS OF FACT

The Findings of Fact numbers 1 through 7 inclusive, as set forth in the Board's Order and Notice of Election, dated July 19, 1974, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That the Board conducted an election, by secret ballot, on August 6, 1974, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued on July 19, 1974.

9. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by International Brotherhood of Firemen and Oilers, and Hospital Employees, Local 1300, AFL-CIO or whether the said employes wished No Representative.

10. That one hundred and twenty-four (124) ballots were cast by the employes of the Employer.

11. That of the one hundred and twenty-four (124) ballots, eighty-one (81) ballots were cast for International Brotherhood of Firemen and Oilers, and Hospital Employees, Local 1300, AFL-CIO and thirty-nine (39) ballots were cast for No Representative with three (3) ballots that were void or blank and four (4) ballots were cast by persons whose votes were challenged.

12. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by persons whose votes were challenged since their inclusion in the total votes cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, concludes and finds:

The Board's Conclusions as set forth in its Order and Notice of Election, numbers 1 through 4 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated International Brotherhood of Firemen and Oilers, and Hospital Employees, Local 1300, AFL-CIO as their exclusive representative for the purpose of collective bargaining.

6. That International Brotherhood of Firemen and Oilers, and Hospital Employees, Local 1300, AFL-CIO is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to wages, pay, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that INTERNATIONAL BROTHERHOOD OF FIREMEN AND OILERS, AND HOSPITAL EMPLOYEES, LOCAL 1300, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

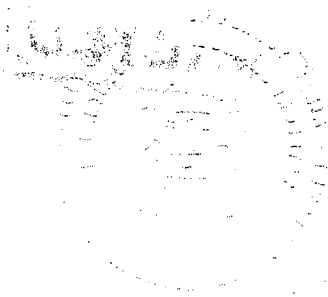
UNIT: In a subdivision of the employer unit comprised of: All full-time and regular part-time Housekeeping employes; Dietary employes; Orderlies in the Nursing Service Department; Dietary Store Clerk; Maintenance and Boiler Room employes; and Nurses Aides; and excluding all other employes of the Community Medical Center, management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to 34 Pa. Code.Ch. 95.98 within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania this fifteenth day of August, 1974.

PENNSYLVANIA LABOR RELATIONS BOARD



Raymond L. Scheib
RAYMOND L. SCHEIB, CHAIRMAN

Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

James H. Jones
JAMES H. JONES, MEMBER

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COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-R-84-318-W
: :
COMMUNITY AMBULANCE SERVICE, INC. :

NISI ORDER OF CERTIFICATION

A Joint Election Request was filed with the Pennsylvania Labor Relations Board (Board) on May 29, 1984, by District Lodge No. 83, International Association of Machinists and Aerospace Workers (Union) and the Community Ambulance Service, Inc. (Employer) alleging that the Union represented thirty (30) percent or more of certain employes of the Employer and requesting that the Board issue an Order and Notice of Election.

Thereafter, the Board received a Memorandum of Agreement from the parties wherein they agreed to the position on the ballot, the site for the conducting of the election and all other matters pertaining to the conduct of the election including a list of eligible voters.

Thereafter, on May 29, 1984, an Order and Notice of Election was issued directing that an election, by secret ballot, be held and conducted on June 12, 1984, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time employes including but not limited to driver/attendants, and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Public Employe Relations Act (Act).¹

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

¹The unit description in the Order and Notice of Election issued May 29, 1984, inadvertently contained exclusions which pertain to unit descriptions under the Pennsylvania Labor Relations Act, Act of June 1, 1937, P.L. 1168, as amended, 43 P.S. § 211.1 et seq. (PLRA) pursuant to a Memorandum of Agreement executed by the parties when they were proceeding under the PLRA. The unit description included herein is amended to conform it to the practice and procedure under the Public Employe Relations Act.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT, numbers 1 through 3 inclusive, and number 5, as set forth in the Order and Notice of Election dated May 29, 1984, are hereby affirmed and incorporated by reference herein and made a part hereof.

That FINDING OF FACT number 4, as set forth in the aforesaid Order and Notice of Election, is hereby vacated.

6. That the parties stipulated and agreed that the unit appropriate for the purpose of collective bargaining is a subdivision of the employer unit comprised of all full-time and regular part-time employes including but not limited to driver/attendants, and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

7. That the Board conducted an election, by secret ballot, on June 12, 1984, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued May 29, 1984.

8. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by District Lodge No. 83, International Association of Machinists and Aerospace Workers or whether said employes wished No Representative.

9. That eight (8) ballots were cast at the election.

10. That of the eight (8) ballots, seven (7) ballots were cast in favor of representation by District Lodge No. 83, International Association of Machinists and Aerospace Workers; one (1) ballot was cast for No Representative; and no (0) ballots were cast by persons whose votes were challenged. No (0) ballots were void or blank.

11. That the duly appointed Watchers in attendance at the said election have certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on June 12, 1984, concludes and finds:

That CONCLUSIONS, numbers 1 through 3 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

That CONCLUSION number 4, as set forth in the aforesaid Order and Notice of Election, is hereby vacated.

5. That the unit appropriate for the purpose of collective bargaining is a subdivision of the employer unit comprised of all full-time and regular part-time employees including but not limited to driver/attendants, and excluding management level employees, supervisors, first level supervisors, confidential employees and guards as defined in the Act.

6. That a majority of the valid votes cast by employees in the aforesaid appropriate unit designated District Lodge No. 83, International Association of Machinists and Aerospace Workers as the exclusive representative for the purpose of collective bargaining with the Employer.

7. That District Lodge No. 83, International Association of Machinists and Aerospace Workers is the exclusive representative of all the employees of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that DISTRICT LODGE NO. 83, INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

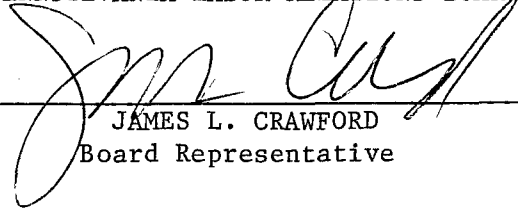
UNIT: All full-time and regular part-time employees including but not limited to driver/attendants, and excluding management level employees, supervisors, first level supervisors, confidential employees and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any Exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED AND DATED at Harrisburg, Pennsylvania, this twenty-
seventh day of June, 1984, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



A handwritten signature in cursive script, appearing to read "Jm Crawford", is written over a horizontal line.

JAMES L. CRAWFORD
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: Case No. PERA-R-1392-W
: COLUMBIA HOSPITAL :
:

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on December 24, 1971, by International Union of Operating Engineers, Local 95-95A, AFL-CIO, hereinafter called "Union", alleging that thirty percent (30%) or more of the twelve employes in the Engineering/Maintenance Department of Columbia Hospital, hereinafter called the "Employer", wished to be represented for collective bargaining purposes by the Union.

At a Pre-Hearing Conference held on February 2, 1972, the Employer disputed the appropriateness of the unit sought by the Union, and contended that the appropriate unit should consist of 235 of its non-professional employes.

To resolve this issue, a Hearing was scheduled and held on February 23, 1972, before Martin A. Hamburger, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses, present testimony, and introduce evidence, was afforded to all parties in interest.

Thereafter, on September 18, 1972, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Friday, October 6, 1972, among the employes of the Employer to ascertain the exclusive representative for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment in a subdivision of the Employer unit comprised of all persons employed in the Engineering/Maintenance department; excluding professionals, supervisors, first-level supervisors, and confidential employes as defined by the Act.

The election was conducted as ordered by an Elections Officer assigned by the Pennsylvania Labor Relations Board.

On October 11, 1972, the Employer filed objections to the conduct of the election alleging that there had been interference with the rights of the employes within the unit to freely determine

their collective bargaining representative. On October 30, 1972, the Board received evidence and testimony in regard to the conduct of the election, and on June 13, 1973, the Board dismissed the objections pursuant to finding and concluding that the outcome of the election had not been affected and that no corrective action was required.

The Board, from all matters and documents of record, and more particularly in consideration of the Election conducted on October 6, 1972, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT NUMBERS 1 through 9 inclusive as set forth in the Board's Order and Notice of Election dated September 18, 1972, are hereby affirmed and incorporated by reference herein and made a part hereof.

10. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by International Union of Operating Engineers, Local 95-95A, AFL-CIO, or whether said employes wished No Representative.

11. That eleven (11) ballots were cast by eligible voters, no (0) ballots were spoiled or cancelled, no (0) ballots were cast by persons whose votes were challenged; thus leaving eleven (11) ballots to be accounted for and canvassed.

12. That of the eleven (11) ballots, eight (8) ballots were cast in favor of representation by International Union of Operating Engineers, Local 95-95A, AFL-CIO, and three (3) ballots were cast for No Representative.

13. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on October 6, 1972, concludes and finds:

The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election, dated September 18, 1972, Numbers 1 through 4, are hereby affirmed and incorporated by reference herein and made a part hereof.

2.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated International Union of Operating Engineers, Local 95-95A, AFL-CIO, as their exclusive representative for the purpose of collective bargaining.

6. That International Union of Operating Engineers, Local 95-95A, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 95-95A, AFL-CIO,

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment:

UNIT: In a subdivision of the employer unit comprised of all persons employed in the Engineering/Maintenance department; excluding professionals, supervisors, first-level supervisors, and confidential employes as defined by the Act.

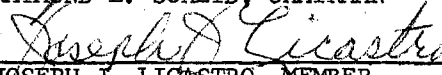
IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this fifth day of July, 1973.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
The Pennsylvania Labor Relations Board

NISI ORDER OF CERTIFICATION

IN THE MATTER OF THE EMPLOYEES OF :

CHILDREN'S HOSPITAL
OF PITTSBURGH

Case No. PERA-R-1183-W

On July 12, 1971, a Petition for Representation by Public Employees, Group of Public Employees or Employee Organization was filed with the Pennsylvania Labor Relations Board, herein called the "Board", alleging that it represented 30% or more of certain employees of the Children's Hospital, herein called "Employer".

Pursuant to due notice, a Pre-Election Conference was held before H. Turner Frost, Esquire, a duly designated Trial Examiner of the Board, at which time the parties were afforded an opportunity to determine positions on the ballot, the site or sites for the conducting of the election, the eligibility list and all other matters pertaining to the conduct of the election. At the Pre-Election Conference, the parties agreed and stipulated that the unit appropriate for the purposes of collective bargaining is a subdivision of the employer unit comprised of Engineers, Maintenance Engineers, General Maintenance, Electricians, Painters, Carpenters, Plumbers, Refrigeration, Refrigeration Helpers, Gardeners and Maintenance Laborers, and excluding management level employees, supervisors, first level supervisors, confidential employees and guards as defined in the Act.

Thereafter, on October 7, 1971, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Friday, October 22, 1971, among the employees of the Employer in order to ascertain the exclusive representative for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment.

The Election was conducted as ordered by an Elections Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents submitted to it, and particularly in consideration of the election conducted on October 22, 1971, makes the following:

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FINDINGS OF FACT

The FINDINGS OF FACT NUMBERS 1, 2, 3, and 4, as set forth in the Board's Order and Notice of Election dated October 7, 1971, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That the Board conducted an election, by secret ballot, on Friday, October 22, 1971, among the agreed employees of the Employer within the heretofore defined appropriate unit, and of a fixed number, in accordance with the Order of the Board issued October 7, 1971.

6. That the question voted on at said election was: "Shall International Union of Operating Engineers, Local 95-95A, AFL-CIO, or No Representative, represent you exclusively for the purpose of collective bargaining with your Employer, Children's Hospital of Pittsburgh?"

7. That nineteen (19) ballots were cast by employees on the eligibility list, no (0) ballots were spoiled or cancelled, and no (0) ballots were cast by persons not on the eligibility list; thus leaving nineteen (19) ballots to be accounted for and canvassed.

8. That of the said nineteen (19) ballots, ten (10) ballots were cast in favor of representation by International Union of Operating Engineers, Local 95-95A, AFL-CIO, and nine (9) ballots were cast for No Representative.

9. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS

The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election Numbers 1, 2, 3, and 4, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employees of the Employer within the heretofore defined appropriate unit have selected and designated International Union of Operating Engineers, Local 95-95A, AFL-CIO as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That International Union of Operating Engineers, Local 95-95A, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employees of the Employer within the appropriate unit for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

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In view of the foregoing and in order to effectuate the
provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 95-95A,
AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named
Employer in the unit described below for the purpose of collective bargaining
with respect to wages, hours, and terms and conditions of employment.

UNIT:

In a subdivision of the employer unit comprised
of Engineers, Maintenance Engineers, General
Maintenance, Electricians, Painters, Carpenters,
Plumbers, Refrigeration, Refrigeration Helpers,
Gardeners and Maintenance Laborers, and excluding
management level employes, supervisors, first-
level supervisors, confidential employes and guards
as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules
and Regulations of the Pennsylvania Labor Relations Board approved October
9, 1970, within ten (10) days of the date hereof, this Decision and Order shall
become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania
this seventeenth day of November, 1971.

PENNSYLVANIA LABOR RELATIONS BOARD
Malcolm B. Petrikin
MALCOLM B. PETRIKIN, CHAIRMAN
Joseph J. Lizastro
JOSEPH J. LIZASTRO, MEMBER
George B. Stuart
GEORGE B. STUART, MEMBER

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COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-R-5438-C
: :
CHILD DEVELOPMENT COUNCIL OF :
NORTHEASTERN PENNSYLVANIA :

NISI ORDER OF CERTIFICATION

A Joint Request for Certification was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on August 16, 1974, by the American Federation of State, County and Municipal Employees, District Council 87, hereinafter called the "Union", and the Child Development Council of Northeastern Pennsylvania, hereinafter called the "Employer", requesting that the Board, pursuant to Section 602 (a) of the Public Employee Relations Act, hereinafter called the "Act", approve the proposed unit as appropriate for purposes of collective bargaining and certify the Union as the exclusive collective bargaining representative for all employees in the unit.

Thereafter, pursuant to due notice, hearings were held on September 5 and November 12, 1974, in Wilkes-Barre, Pennsylvania, before Charles S. Sobol, Esquire, a duly designated Hearing Examiner of the Board, for the purpose of determining the issues raised in the aforesaid Joint Request for Certification.

At the hearings, the parties moved to amend their Joint Request for Certification, requesting that the Board certify two separate collective bargaining units: The first unit to be comprised of all professional employees, and the second unit to include all non-professional employees, excluding, inter alia, all other employees excluded by the Act. The motion was granted by the Hearing Examiner.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

1. That the Child Development Council of Northeastern Pennsylvania is a non-profit child care institution with its principal office at 45 East Northampton Street, Wilkes-Barre, Pennsylvania.
2. That the American Federation of State, County and Municipal Employees, District Council 87, is an employe organization which exists for the purpose, in whole or in part,

of dealing with employers concerning grievances, employee-employer disputes, wages, rates of pay, hours of employment or other conditions of employment with its principal office at 310 Jefferson Avenue, Scranton, Pennsylvania.

3. That the parties agreed and stipulated at the hearings that the Board certify two separate collective bargaining units, and that each of the two units deemed appropriate for the purpose of collective bargaining is a subdivision of the employer unit comprised of the following classifications of employees:

UNIT I - Professional employees including Parent Involvement Coordinator, Intake Coordinator, Nutrition Coordinator, Health Coordinator, Family Workers, Teachers and Teachers in Training; and excluding management level employees, supervisors, first level supervisors, confidential employees and guards as defined in the Act.

UNIT II- Non-Professional employees including Driver Maintenance employees, Clerk-Typist Aides, Assistant Bookkeepers, Licensed Practical Nurses, Head Start Aides and Aides; and excluding management level employees, supervisors, first level supervisors, confidential employees and guards as defined in the Act.

4. That the Union has demonstrated to the satisfaction of the Hearing Examiner that it represents a majority of the employees in each of the two proposed collective bargaining units.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, concludes and finds:

1. That the Child Development Council of Northeastern Pennsylvania is a "Public Employer" within the meaning of Section 301 (1) of the Act.

2. That the American Federation of State, County and Municipal Employees, District Council 87, is an "Employee Organization" within the meaning of Section 301 (3) of the Act.

3. That the Pennsylvania Labor Relations Board has jurisdiction over the parties hereto.

4. That a majority of the employees of the Employer within the heretofore defined appropriate units have selected and designated the American Federation of State, County and Municipal Employees, District Council 87 as their exclusive representative for the purpose of collective bargaining with the Employer.

5. That the American Federation of State, County and Municipal Employees, District Council 87, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate units, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, DISTRICT COUNCIL 87

is the EXCLUSIVE REPRESENTATIVE of the employes of the above named Employer in the units described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT I: In a subdivision of the employer unit comprised of: All Professional employes including Parent Involvement Coordinator, Intake Coordinator, Nutrition Coordinator, Health Coordinator, Family Workers, Teachers and Teachers in Training, excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

UNIT II: In a subdivision of the employer unit comprised of: All Non-Professional employes including Driver Maintenance employes, Clerk-Typist Aides, Assistant Bookkeepers, Licensed Practical Nurses, Head Start Aides and Aides, excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to 34 Pa. Code Ch. 95.98 within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania this ninth day of January, 1975.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYEES OF :
:
:
CHILD DEVELOPMENT COUNCIL OF :
CENTRE COUNTY 1/ :

Case No. PERA-R-5706-C

NISI DECISION AND ORDER

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on November 4, 1974, by District 1199P, National Union of Hospital and Health Care Employees, Division of RWDSU, AFL-CIO, hereinafter called "District 1199P", alleging that it represented 30% or more of certain employes of Small World Day Care, and requesting that pursuant to Section 603(c) of the Public Employee Relations Act, hereinafter called the "Act", a hearing be scheduled and an Order be issued for an election.

Pursuant to due notice, a hearing was held on December 5, 1974, in Bellefonte, Pennsylvania, before William M. Gross, Esquire, a duly designated Hearing Examiner of the Board, at which time all parties in interest were afforded the opportunity to examine and cross-examine witnesses, present testimony, and introduce evidence. At the hearing, the Petition was amended to change "Small World Day Care" to Child Development Council of Centre County, hereinafter called the "Employer".

The Board, on the basis of the testimony and evidence presented at the hearing, and from all other matters and documents of record, makes the following:

FINDINGS OF FACT

1. That Child Development Council of Centre County is a non-profit Pennsylvania corporation with its offices located at 216 West High Street, Bellefonte, Pennsylvania. (N.T. 4, 7)

2. That District 1199P, National Union of Hospital and Health Care Employees, Division of RWDSU, AFL-CIO is an employee organization which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, employee-employer disputes, wages, rates of pay, hours of employment, and conditions of work, having its principal office located at 1096 State College Avenue, State College, Pennsylvania. (N.T. 6,7)

3. That the business of the Employer consists of the operation of three (3) child day care centers, each located in Centre County; one each in Bellefonte, Philipsburg, and State College. (N.T. 8,9,19)

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4. That the three (3) day care centers are from about 13 to about 35 miles distant from each other. (N.T. 33, 34)

5. That the personnel at the headquarters in Bellefonte consists of the Coordinator/Business Manager, the Staff Assistant, a secretary, and a social worker. (N.T. 19)

6. That at each center there is a Director and a varying number of other personnel in positions of staff supervisors, aides and group supervisors. (N.T. 10-15)

7. That the management of the Employer is controlled by a Board of Directors. (N.T. 23-25)

8. That each center has its own policy advisory committee which has powers to recommend to the Board of Directors. (N.T. 21-23)

9. That on a day to day basis each center operates autonomously with respect to both program and staff but all actions, including such matters as hiring, firing, suspension, etc., are under the ultimate control of the employer's Board of Directors. (N.T. 24, 25, 57)

10. That the operations of the Employer, with respect to each of the three (3) day care centers, are governed by a single contract which the Employer has with the Pennsylvania Department of Public Welfare. (N.T. 45, 46, Employers Exhibit No. 2)

11. That the employer is required by the Pennsylvania Department of Public Welfare to have uniform salaries, wages, conditions of employment, fees, etc., throughout all three (3) centers. (N.T. 48)

12. That salaries for each position, number of hours of required service, employe benefits, etc., are uniform throughout the centers. (N.T. 44, 50, 51)

13. That the Directors at each center have no discretion to vary salaries, wages or employe benefits. (N.T. 51)

14. That the request of the Union is for a subdivision of the Employer unit comprised of non-supervisory employes working at the State College day care center. There is a sufficient showing of interest for such a unit but not for a single unit comprised of non-supervisory employes located at all three centers. (N.T. 7, 8, 75)

DISCUSSION

The Employer has objected to District 1199P's request for an election on the basis that the unit sought is inappropriate for collective bargaining purposes. Unless this question can be resolved in District 1199P's favor, it will not be necessary to reach decisions concerning the supervisor or professional status of certain employes although evidence was also presented at the hearing with respect to such matters.

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Several reasons have been advanced by District 1199P in justification of its request that the Board approve a unit comprised of employees who work at the State College center. These reasons include assertions that there is day to day local autonomy at each center, that there is a substantial geographical separation among the centers, and that there is no interchange of employees among the centers. The Petitioner also points out that there is no record of any bargaining history on a broader basis nor is any labor organization seeking a broader unit.

Although there was a lack of evidence as to some of these assertions at the hearing, nevertheless they would appear to be based on actual fact. Assuming they are true, however, the Board, nevertheless, finds them insufficient to justify the creation of a bargaining unit comprised only of employees working at the State College day care center.

The uncontroverted evidence presented at the hearing indicates that the Employer's operations and activities are necessarily limited by the single contract it holds with the Pennsylvania Department of Public Welfare and under which the major portion of its funding is obtained. This contract controls all three (3) of the day care centers on a collective basis and appears to require uniformity among the centers with respect to wages, salaries, employee benefits, and other matters normally associated with collective bargaining. The Employer hardly is in a position to negotiate for a collective bargaining agreement which would pertain to only one of the day care centers. Thus, there would appear to be no rational basis upon which a separate unit could be formed at one or more of the centers.

As the only unit that has been requested is one of State College day care center employees only, and as the only appropriate unit that the Board finds could be permitted is one for which no sufficient showing of interest has been made, we must dismiss the Petition filed in this case.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, concludes and finds:

1. That Child Development Council of Centre County is a "public employer" within the meaning of Section 301(1) of the Act.
2. That District 1199P, National Union of Hospital and Health Care Employees, Division of RWDSU, AFL-CIO is an "employee organization" within the meaning of Section 301(3) of the Act.
3. That the Pennsylvania Labor Relations Board has jurisdiction over the parties hereto.
4. That a subdivision of the employer unit comprised of employees at the State College day care center only, is inappropriate for collective bargaining purposes.

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In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board,

HEREBY ORDERS AND DIRECTS

that the Petition for Representation filed on November 4, 1974, to the above case number, be and the same is hereby dismissed, and

IT IS HEREBY FURTHER ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to 34 Pa. Code Ch. 95.98, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this thirty-first day of January, 1975.

PENNSYLVANIA LABOR RELATIONS BOARD

Raymond L. Scheib
RAYMOND L. SCHEIB, CHAIRMAN

Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

James H. Jones
JAMES H. JONES, MEMBER

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COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYEES OF :
: :
: Case No. PERA-R-85-222-W
: :
ARMSTRONG COUNTY COMMUNITY :
ACTION AGENCY :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on May 6, 1985, and amended on August 8, 1985, by Teamsters Local Union #538 (Teamsters) alleging that it represented thirty (30) percent or more of certain employees of the Armstrong County Community Action Agency (Employer) and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employee Relations Act (Act).

Pursuant to due notice, a Pre-Hearing Conference was held on June 5, 1985, in Pittsburgh, Pennsylvania, at which time parties failed to reach an agreement and requested additional time to resolve the matters in dispute.

A hearing was scheduled for August 8, 1985, in Pittsburgh, Pennsylvania, before Thomas P. Leonard, Esquire, a duly designated Hearing Examiner of the Board, at which time the parties stipulated and agreed to the positions on the ballot, the site for the election, the eligibility list, the unit composition, and all other matters pertaining to the conduct of the election.

Thereafter, on August 13, 1985, an Order and Notice of Election was issued directing that an election, by secret ballot, be held and conducted on August 26 1985, among the employees of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time nonprofessional employees, and excluding management level employees, supervisors, first level supervisors, confidential employees, and guards, as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Board. The results of the election were inconclusive in that one (1) ballot was challenged by the Employer and its inclusion could affect the outcome of the election.

On September 5, 1985, the Board received a letter from counsel for the Employer withdrawing its challenge to the one (1) ballot.

On September 11, 1985, the Board Representative issued an Order Directing the Opening and Canvassing of Challenged Ballots, fixing September 19, 1985, in Pittsburgh, Pennsylvania, as the time and place thereof. The challenged ballot was opened and canvassed as scheduled.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT, numbers 1 through 11 inclusive, as set forth in the Order and Notice of Election dated August 13, 1985, are hereby affirmed and incorporated by reference herein and made a part hereof.

12. That the Board conducted an election, by secret ballot, on August 26, 1985, among the employees of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued August 13, 1985.

13. That the question voted on was whether the eligible employees in the appropriate unit wished to be represented by Teamsters Local Union #538 or whether said employees wished no representative.

14. That sixteen (16) persons voted in the election and the results were as follows: eight (8) ballots were cast in favor of representation by Teamsters Local Union #538; seven (7) ballots were cast for No Representative; and one (1) ballot was cast by a person whose vote was challenged. No (0) ballots were void or blank.

15. That the original tabulation of ballots resulted in an inconclusive election because one (1) ballot was challenged by the Employer and this one (1) ballot could have affected the outcome of the election.

16. That the Armstrong County Community Action Agency subsequently withdrew its challenge to this one (1) ballot, which was then opened and canvassed.

17. That a recapitulation of the ballots cast in the election was as follows: nine (9) ballots were cast in favor of representation by Teamsters Local Union #538; seven (7) ballots were cast for No Representative; and no (0) ballots were cast by persons whose votes were challenged. No (0) ballots were void or blank.

18. That the duly appointed Watcher in attendance at the said election has certified that the counting and tabulating were

fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on August 26, 1985, concludes and finds:

That CONCLUSIONS, numbers 1 through 7 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That a majority of the valid votes cast by employees in the aforesaid appropriate unit designated Teamsters Local Union #538 as the exclusive representative for the purpose of collective bargaining with the Employer.

9. That Teamsters Local Union #538 is the exclusive representative of all the employees of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that TEAMSTERS LOCAL UNION #538

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

UNIT: All full-time and regular part-time nonprofessional employees, and excluding management level employees, supervisors, first level supervisors, confidential employees, and guards, as defined in the Act.

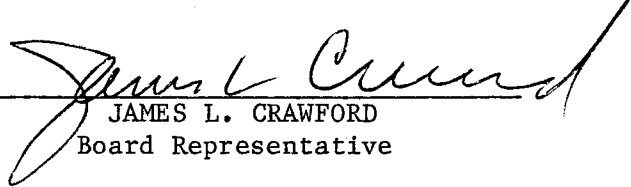
IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any Exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and

Order shall become and be absolute and final.

SIGNED AND DATED at Harrisburg, Pennsylvania, this second day of October, 1985, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



A handwritten signature in cursive script, reading "James L. Crawford", is written over a horizontal line. The signature is fluid and extends above and below the line.

JAMES L. CRAWFORD
Board Representative

COMMONWEALTH OF PENNSYLVANIA
The Pennsylvania Labor Relations Board

CERTIFICATION OF REPRESENTATIVE

IN THE MATTER OF THE EMPLOYES OF
ALLIED SERVICES FOR THE
HANDICAPPED, INC.

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No. PERA-R-2139-C
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W H E R E A S , a Joint Request for Certification was filed with the Pennsylvania Labor Relations Board pursuant to ARTICLE VI, SECTION 602(a) of the PUBLIC EMPLOYEE RELATIONS ACT, being Act 195 of 1970, and

W H E R E A S , the Pennsylvania Labor Relations Board has found the unit appropriate, and the Public Employer has complied with the five (5) day notice required by RULE 3.1(h), and

W H E R E A S , no objections having been filed to the Joint Request for Certification, the Pennsylvania Labor Relations Board hereby

C E R T I F I E S

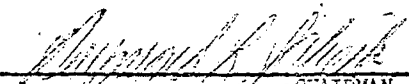
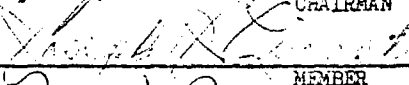
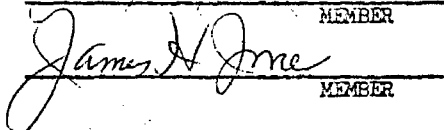
that Service Employees International, Local 406

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in unit described below for the purposes of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT: In a subdivision of the Employer unit comprised of all eligible full-time, non-professional employes and all regular part-time, non-professional employes who work 16 hours a week or more and excluding supervisors, first level supervisors, and confidential employes as defined in Act 195.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania,
this eighth day of June 1972.

PENNSYLVANIA LABOR RELATIONS BOARD


CHAIRMAN

MEMBER

MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYEES OF :
: Case No. PERA-R-1038-W
: ALLEGHENY GENERAL HOSPITAL :
:

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, herein called the "Board", on April 6, 1971, by International Union of Operating Engineers, Local 95-95A, AFL-CIO, herein called the "Union", alleging that it represented 30% or more of certain employes of the Allegheny General Hospital, herein called "Employer".

Pursuant to due notice to all interested parties, a hearing was held on October 15, 1971, in Pittsburgh, Pennsylvania, before Martin A. Hamburger, Esquire, a duly designated Trial Examiner of the Board, which hearing was continued and completed on October 20, 1971. All parties in interest were present and were afforded an opportunity to examine and cross-examine witnesses and to present testimony and introduce evidence.

Thereafter, on May 23, 1972, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on June 15, 1972, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit (described as the Maintenance Unit), comprised of the following classifications: Carpenter, Leadman Electrician, Electrician A, Electrician B, Leadman Elevators, Elevator Mechanic, Leadman Painter, Painter A, Painter B, Leadman Plumber, Plumber A, Plumber B, Plasterer (tile setter), Leadman Mechanic, Mechanic A, Mechanic C, Leadman Refrigeration, Refrigeration Mechanic, Operating Engineers, Fireman, Laborers, Compactor Operator, Machinist, Wall Washer, Sheetmetal Worker and Storeroom Attendant, and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted as ordered by an Elections Officer assigned by the Pennsylvania Labor Relations Board.

FINDINGS OF FACT

The Board, on the basis of testimony and evidence presented at the hearing, and documents of record, finds the following facts:

The FINDINGS OF FACT NUMBERS 1 through 18 inclusive as set forth in the Board's Order and Notice of Election dated May 23, 1972, are hereby affirmed and incorporated by reference herein and made a part hereof.

19. That the Board conducted an election, by secret ballot, on June 15, 1972, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued May 23, 1972.

20. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by International Union of Operating Engineers, Local 95-95A, AFL-CIO or whether the said employes wished No Representative.

21. That fifty-six (56) ballots were cast by eligible voters, no (0) ballots were spoiled or cancelled, and ten (10) ballots were cast by persons not on the eligibility list which were challenged by the Agent of the Board; thus leaving fifty-six (56) ballots to be accounted for and canvassed.

22. That of the said fifty-six (56) ballots, forty-four (44) ballots were cast in favor of representation by International Union of Operating Engineers, Local 95-95A, AFL-CIO, and twelve (12) ballots were cast for No Representative.

23. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by persons whose ballots were challenged since their inclusion in the total vote cast would have no material affect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on June 15, 1972, concludes and finds:

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The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election, Numbers 1 through 5 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. A majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated International Union of Operating Engineers, Local 95-95A, AFL-CIO, as their exclusive representative for the purpose of collective bargaining with the Employer.

7. International Union of Operating Engineers, Local 95-95A, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 95-95A, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit (described as the Maintenance Unit), comprised of the following classifications: Carpenter, Leadman Electrician, Electrician A, Electrician B, Leadman Elevators, Elevator Mechanic, Leadman Painter, Painter A, Painter B, Leadman Plumber, Plumber A, Plumber B, Plasterer (tile setter), Leadman Mechanic, Mechanic A, Mechanic C, Leadman Refrigeration, Refrigeration Mechanic, Operating Engineers, Fireman, Laborers, Compactor Operator, Machinist, Wall Washer, Sheetmetal Worker and Storeroom Attendant, and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this twelfth day of July, 1972.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

NISI ORDER OF CERTIFICATION

IN THE MATTER OF THE EMPLOYES OF :
: PERA-R-1365-W
ALIQUIPPA HOSPITAL :

A Petition for Representation by Public Employees, Group of Public Employees, or Employee Organization was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on December 6, 1971, by Local 1199P, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, hereinafter called "Local 1199P", alleging that it represented 30% or more of certain employees of the Aliquippa Hospital, hereinafter called "Employer".

On January 20, 1972, a Pre-Election Conference was held before William S. Hays, Esquire, a duly designated Hearing Examiner of the Board, at which time the parties were afforded an opportunity to determine positions on the ballot, the site or sites for the conducting of the election, the eligibility list and all other matters pertaining to the conduct of the election. At the Pre-Election Conference, the parties agreed and stipulated that the unit appropriate for the purpose of collective bargaining is a subdivision of the employer unit comprised of all full-time and regular part-time service and maintenance employees employed in the Nursing, Housekeeping, Laundry, Dietary and Maintenance Departments, excluding security personnel, licensed practical nurses, all technical, clerical and professional employees including registered nurses, also excluding all confidential, managerial, first level supervisors and supervisors as defined in the Act.

Thereafter, on January 27, 1972, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Tuesday, February 22, 1972, among the employees of the Employer to ascertain the exclusive representative for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment.

The election was conducted as ordered by an Elections Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT Numbers 1, 2, 3, and 4, as set forth in the Board's Order and Notice of Election dated January 27, 1972, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That the Board conducted an election, by secret ballot, on Tuesday, February 22, 1972, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued January 27, 1972.

6. That the question voted on at said Election was: "Shall Local 1199P, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO or No Representative represent you exclusively for the purpose of collective bargaining with your Employer, Aliquippa Hospital?"

7. That ninety-five (95) ballots were cast by eligible voters and three (3) ballots were cast by persons not on the eligibility list which were challenged by the Agent of the Board; thus leaving ninety-five (95) ballots to be accounted for and canvassed.

8. That of the said ninety-five (95) ballots, fifty-two (52) were cast in favor of representation by Local 1199P, and forty-three (43) ballots were cast for No Representative.

9. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose ballots were challenged since their inclusion in the total vote cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election Numbers 1, 2, 3, and 4, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Local 1199P, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That Local 1199P, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that LOCAL 1199P, NATIONAL UNION OF HOSPITAL AND NURSING HOME EMPLOYEES, DIVISION OF RWDSU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT:

In a subdivision of the employer unit comprised of all full-time and regular part-time service and maintenance employees employed in the Nursing, Housekeeping, Laundry, Dietary and Maintenance Departments, excluding security personnel, licensed practical nurses, all technical, clerical and professional employees including registered nurses, also excluding all confidential, managerial, first level supervisors and supervisors as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

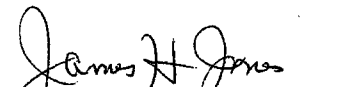
that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this tenth day of March, 1972.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

NISI ORDER OF CERTIFICATION

IN THE MATTER OF THE EMPLOYEES OF:

ALIQUIPPA HOSPITAL

:
: Case No. PERA-R-1300-W
:

A Petition for Representation by Public Employes, Group of Public Employes or Employee Organization was filed with the Pennsylvania Labor Relations Board, herein called the "Board", on October 5, 1971, by Local 1199P, National Union of Hospital & Nursing Home Employees, Division of RWDSU, AFL-CIO, herein called "Local 1199P", requesting representation of employes of the Aliquippa Hospital, herein called the "Employer".

On October 22, 1971, the Board issued an Order and Notice of Hearing fixing December 7, 1971 at Pittsburgh, Pennsylvania, as the time and place of hearing.

The aforesaid hearing was held on December 7, 1971, before George L. Dagher, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine the witnesses, and to present testimony and introduce evidence was afforded to all parties in interest.

Pursuant to the foregoing, the Board, on January 3, 1972, issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Thursday, January 13, 1972, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment.

The election was conducted as ordered by an Elections Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT NUMBERS 1 through 12 inclusive, as set forth in the Board's Order and Notice of Election dated January 3, 1972, are hereby affirmed and incorporated by reference herein and made a part hereof.

13. That the Board conducted an election, by secret ballot, on Thursday, January 13, 1972, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued January 3, 1972.

14. That the question voted on at said Election was: "Shall Local 1199P, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, or No Representative, represent you exclusively for the purpose of collective bargaining with your Employer, Aliquippa Hospital?"

15. That eighty-three (83) ballots were cast by eligible voters, no (0) ballots were void or blank, and one (1) ballot was cast by a person not on the eligibility list which was challenged by the Agent of the Board; thus leaving eighty-three (83) ballots to be accounted for and canvassed.

16. That of the said eighty-three (83) ballots, fifty-nine (59) ballots were cast in favor of representation by Local 1199P, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, and twenty-four (24) ballots were cast for No Representative.

17. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballot cast by the person whose ballot was challenged since his inclusion in the total vote cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election Numbers 1, 2, 3, and 4, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Local 1199P, National Union of Hospital and Nursing Home Employees, Division of RWDSU,

AFL-CIO, as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That Local 1199P, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employees of the Employer, within the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that LOCAL 1199P, NATIONAL UNION OF HOSPITAL AND NURSING HOME EMPLOYEES, DIVISION OF RWDSU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT:

In a subdivision of the employer unit comprised of the following classifications of employees: all full-time and regular part-time Licensed Practical Nurses in the Nursing Department of the Public Employer, excluding all other employees of the Public Employer, specifically, Service and Maintenance employees in the following departments of the Employer: Nursing, Housekeeping, Laundry, Dietary and Maintenance, Security, Professional (including Registered Nurses), Technical (including Licensed Practical Nurses), Clerical, and further excluding Managerial employees, supervisors, first level supervisors, confidential employees and guards as defined in Act 195.

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IT IS HEREBY ORDERED AND DECREED

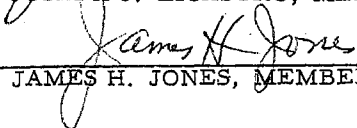
that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this twenty-first day of January, 1972.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

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COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

NISI ORDER OF CERTIFICATION

IN THE MATTER OF THE EMPLOYES OF :

ALIQUIPPA HOSPITAL

: Case No. PERA-R-1297-W

A Petition for Representation by Public Employees, Group of Public Employees or Employee Organization was filed with the Pennsylvania Labor Relations Board, herein called the "Board", on September 30, 1971, by the Pennsylvania Nurses Association, herein called the "Association", requesting representation of employes of the Aliquippa Hospital, herein called the "Employer".

On October 27, 1971 the Board issued an Order and Notice of Hearing fixing December 6, 1971, at Pittsburgh, Pennsylvania, as the time and place of hearing.

The aforesaid hearing was held on December 6, 1971, before George L. Dagher, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine the witnesses, and to present testimony and introduce evidence was afforded to all parties in interest.

Pursuant to the foregoing, the Board, on January 3, 1972, issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Thursday, January 13, 1972, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment.

The election was conducted as ordered by an Elections Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, following:

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FINDINGS OF FACT

The FINDINGS OF FACT NUMBERS 1 through 12 inclusive, as set forth in the Board's Order and Notice of Election dated January 3, 1972, are hereby affirmed and incorporated by reference herein and made a part hereof.

13. That the Board conducted an election, by secret ballot, on January 13, 1972, among the employees of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued January 3, 1972.

14. That the question voted on at said Election was: "Shall Pennsylvania Nurses Association, or No Representative, represent you exclusively for the purpose of collective bargaining with your Employer, Aliquippa Hospital?"

15. That ninety-four (94) ballots were cast by eligible voters, no (0) ballots were spoiled or cancelled, and no (0) ballots were cast by persons not on the eligibility list; thus leaving ninety-four (94) ballots to be accounted for and canvassed.

16. That of the said ninety-four (94) ballots, fifty-four (54) ballots were cast in favor of representation by Pennsylvania Nurses Association, and forty (40) ballots were cast for No Representative.

17. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS

The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election Numbers 1, 2, 3, and 4, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employees of the Employer within the heretofore defined appropriate unit have selected and designated Pennsylvania Nurses Association, as their exclusive representative for the purpose of collective bargaining with the Employer.

That Pennsylvania Nurses Association, by and through its duly authorized representatives, is the exclusive representative of all the employees within the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

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In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that PENNSYLVANIA NURSES ASSOCIATION

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT:

In a subdivision of the employer unit comprised of all registered Nurses, General Duty and Staff Nurses, full or part-time who regularly work at least one day per week, excluding Head Nurses, management level employes, supervisors, first level supervisors and confidential employes as defined in Act 195.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this twenty-first day of January, 1972.

PENNSYLVANIA LABOR RELATIONS BOARD

s/ RAYMOND L. SCHEIB
RAYMOND L. SCHEIB, CHAIRMAN

s/ JOSEPH J. LICASTRO
JOSEPH J. LICASTRO, MEMBER

s/ JAMES H. JONES
JAMES H. JONES, MEMBER

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COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYEES OF :

Case No. PERA-R-3699-E

ALBERT EINSTEIN MEDICAL CENTER,
NORTHERN DIVISION :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on June 28, 1973, by Pennsylvania Nurses Association, hereinafter called "PNA", alleging that it represented 30% or more of certain employees of Albert Einstein Medical Center, Northern Division, hereinafter called "Employer", and requesting that pursuant to Section 603(c) of the Public Employee Relations Act, hereinafter called the "Act", a hearing be scheduled and an Order be issued for an election.

Pursuant to due notice, a hearing was held on August 17, 1973 and continued to September 24, 1973, in Philadelphia, Pennsylvania, before Sidney Lawrence, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded all parties in interest.

Thereafter, on March 5, 1974, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on March 21, 1974, among the employees of the Employer to ascertain the exclusive representative, if any, for the purpose of meeting and discussing in respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of: All full-time and regular part-time Head Nurses; and excluding all supervisors above the first level of supervision, management level employees, confidential employees, and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT numbers 1 through 14 inclusive, which pertain to the present case, as set forth in the Board's Order and Notice of Election, dated March 5, 1974, are hereby affirmed and incorporated by reference herein and made a part hereof.

15. That the Board conducted an election, by secret ballot, on March 21, 1974, among the employees of the Employer as heretofore defined appropriate unit, in accordance with the Board issued March 5, 1974.

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16. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Pennsylvania Nurses Association, or whether the said employes wished No Representative.

17. That twenty-four (24) ballots were cast by eligible voters, no (0) ballots were void or blank, and eight (8) ballots were cast by persons whose votes were challenged; thus leaving twenty-four (24) ballots to be accounted for and canvassed.

18. That of the twenty-four (24) ballots, seventeen (17) ballots were cast in favor of representation by Pennsylvania Nurses Association, and seven (7) ballots were cast for No Representative.

19. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose ballots were challenged since their inclusion in the total votes cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on March 21, 1974, concludes and finds:

That the Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election, numbers 1 through 7 inclusive, which pertain to the present case, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Pennsylvania Nurses Association as their exclusive representative for the purpose of meeting and discussing with the Employer.

9. That PNA, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of meeting and discussing with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effect the provisions of the Act, the Pennsylvania Labor Relations Board

CERTIFIES

that PENNSYLVANIA NURSES ASSOCIATION

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IN THE MATTER OF THE
EMPLOYEES OF
ALBERT EINSTEIN MEDICAL CENTER
NORTHERN DIVISION

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in the unit described below for the purpose of meeting and discussing with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the Employer unit comprised of:
All full-time and regular part-time Head Nurses; and
excluding all supervisors above the first level of
supervision, management level employes, confidential
employes, and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this
ninth day of April, 1974.

PENNSYLVANIA LABOR RELATIONS BOARD

Raymond L. Scheib
RAYMOND L. SCHEIB, CHAIRMAN

Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

James H. Jones
JAMES H. JONES, MEMBER

EXCEPT
TO THE HONORABLE, THE
PENNSYLVANIA LABOR RELATIONS BOARD

THE ALBERT EINSTEIN MEDICAL CENTER
by its attorneys, Following exceptions to the Board in the above case

1. The Board, consisting solely of full-time employees, for the purpose of discussing purposes, constitutes an over-fracture is prohibited by Section 301(3) of the Act

2. Assuming an error and discuss unit of committed error in ce in that Head Nurses a vision and/or are man have meet and discuss

3. The Board consisting of the Nursing Association in Section 301(3) of the Act

dated April 9, 1974

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COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
: :
: : Case No. PERA-R-3698-E
: :
ALBERT EINSTEIN MEDICAL CENTER, :
NORTHERN DIVISION :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board" on June 28, 1973, by Pennsylvania Nurses Association, hereinafter called "PNA", alleging that it represented 30% or more of certain employes of Albert Einstein Medical Center, Northern Division, hereinafter called "Employer", and requesting that pursuant to Section 603(c) of the Public Employe Relations Act, hereinafter called the "Act", a hearing be scheduled and an Order be issued for an election.

Pursuant to due notice, a hearing was held on August 17, 1973, and on September 24, 1973, in Philadelphia, Pennsylvania, before Sidney Lawrence, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded all parties in interest. At the hearing, PNA amended its petition to include "all full-time and regular part-time Licensed Practical Nurses".

Thereafter, on March 5, 1974, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on March 21, 1974, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the Employer unit comprised of: All full-time and regular part-time Registered Nurses including Assistant Head Nurses, Public Health Nurse Coordinator, Home Care Nurse Coordinators, In-Service Instruction Coordinators, and General Duty Nurses; and all full-time and regular part-time Licensed Practical Nurses; and excluding management level employes, supervisors, first level supervisors, confidential employes, and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The results of the election were inconclusive in that thirty-five (35) professional and non-professional ballots were challenged and their inclusion could affect the outcome of the election.

Pursuant to due notice, a hearing was held on April 16, 1974, for the canvassing of challenged ballots. The parties had stipulated through letters (Employer's letter of March 26, 1974, and PNA's letter of April 4, 1974) that the challenges to the ballots of eleven (11) persons would be sustained, therefore the remaining twenty-four (24) challenged ballots were opened and canvassed at this hearing.

The Board, on the basis of testimony and evidence presented at the hearings and from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT numbers 1 through 14, which pertain to the present case, as set forth in the Board's Order and Notice of Election dated March 5, 1974, are hereby affirmed and incorporated by reference herein and made a part hereof.

15. That the Board conducted an election, by secret ballot, on March 21, 1974, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued March 5, 1974.

16. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Pennsylvania Nurses Association, or whether the said employes wished No Representative.

17. That the professional employes were asked to indicate their preference as to whether or not they desired to be included in a unit of professional and non-professional employes.

18. That a tally of the ballots cast by the professional employes in the Unit Determination Election revealed the following results: eighty-four (84) ballots were cast for inclusion in a unit comprised of professional and non-professional employes; seventy-one (71) ballots were cast for inclusion in a unit comprised of only professional employes; fourteen (14) ballots were void or blank; and thirty-three (33) ballots were challenged

19. That a tally of the ballots cast by the professional employes in the representation election revealed the following results: ninety-three (93) ballots were cast for PNA; seventy-six (76) ballots were cast for No Representative; and thirty-three (33) ballots were challenged.

20. That a tally of the ballots cast by the non-professional employes in the representation election revealed the following results: eighty-three (83) ballots were cast for PNA; one hundred and nine (109) ballots were cast for No Representative; and two (2) ballots were challenged.

21. That the parties agreed at the hearing conducted on April 16, 1974, that the challenges to the ballots of eleven (11) persons were valid and should be sustained; and the remaining twenty-four (24) ballots were invalidly challenged, and were opened, canvassed and counted by a duly designated officer of the Pennsylvania Labor Relations Board.

22. That the canvass of the twenty-four (24) challenged ballots indicated that: In the Unit determination Election, sixteen (16) ballots were cast in favor of being included in a unit comprised of both professional and non-professional employes, and six (6) ballots were cast in favor of being included in a unit comprised of only professional employes; in the professional representation election, sixteen (16) ballots were cast in favor of representation by PNA, and

six (6) ballots were cast for No Representative; and in the non-professional representation election, one (1) ballots was cast in favor of representative by PNA, and one (1) ballot was cast for No Representative.

23. That on a recapitulation of the professional Unit Determination ballots cast and tallied; one hundred (100) ballots were cast for inclusion in a unit comprised of both professional and non-professional employes, and seventy-seven (77) ballots were cast in favor of being included in a unit comprised of only professional employes.

24. That on a recapitulation of the professional representation election; one hundred and nine (109) ballots were cast in favor of representation by PNA, and eighty-two (82) ballots were cast for No Representative.

25. That on a recapitulation of the non-professional representative election; eighty-four (84) ballots were cast in favor of representation by PNA, and one hundred and ten (110) ballots were cast for No Representative.

26. That the totals of the canvassed ballots of professional and non-professional employes revealed the following results: one hundred and ninety-three (193) ballots were cast in favor of representation by PNA; one hundred and ninety-two (192) ballots were cast for No Representative; and eleven (11) ballots were validly challenged.

27. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on March 21, 1974, concludes and finds:

CONCLUSIONS

The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election, numbers 1 through 7 inclusive, which pertain to the present case, and numbers 1 through 2 as set forth in the Board's Order Fixing Time and Place for the Canvassing of Challenged Ballots dated April 9, 1974, are hereby affirmed and incorporated by reference herein and made a part hereof.

1. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Pennsylvania Nurses Association as their exclusive representative for the purpose of collective bargaining with the Employer.

2. That PNA, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that PENNSYLVANIA NURSES ASSOCIATION

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of:
All full-time and regular part-time Registered Nurses including Assistant Head Nurses, Public Health Nurse Coordinator, Home Care Nurse Coordinators, In-Service Instruction Coordinators, and General Duty Nurses; and all full-time and regular part-time Licensed Practical Nurses; and excluding management level employes, supervisors, first level supervisors, confidential employes, and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this twenty-fifth day of April, 1974.

4.
PENNSYLVANIA LABOR RELATIONS BOARD


Raymond L. Scheib
RAYMOND L. SCHEIB, CHAIRMAN

Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

James H. Jones
JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :

BROWNSVILLE GENERAL HOSPITAL : Case No. PERA-R-1366-W
:

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, herein called the "Board", on December 6, 1971, by Office and Professional Employees, International Union, AFL-CIO, herein called "Petitioner", alleging that it represented thirty (30) per cent or more of certain employes of Brownsville General Hospital, herein called the "Employer", in a proposed bargaining unit consisting of all non-professional employes subject to the professionals' self-determination as to inclusion or exclusion with non-professionals, as provided in Section 604(2) of the Public Employe Relations Act, July 23, 1970, Act No. 195, herein called the "Act".

On December 28, 1971, the Pennsylvania Nurses Association, herein called "Intervenor", filed a motion with the Board to intervene in the above proceedings, alleging that it represented a clear majority of the registered nurses and licensed practical nurses employed by the Hospital, and that it only recently had become aware of the petition filed by the Office Union.

On January 21, 1972, the Hospital filed a motion to dismiss for lack of jurisdiction, alleging that it was not a public employer within the terms of the Act.

Pursuant to the foregoing, the Board, on September 6, 1972, issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Wednesday, September 20, 1972, among the employes of the Employer to ascertain the exclusive representative for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment. The election was conducted as ordered by an Elections Officer assigned by the Pennsylvania Labor Relations Board.

On September 25, 1972, the Hospital filed exceptions to the Board's conduct of the September 6, 1972 election. Unaware of these exceptions, the Board, issued its Nisi Order of Certification on September 26, 1972. The Employer filed timely exceptions to this Nisi Order of Certification, incorporating

with these exceptions its previously filed exceptions to the Board's conduct of the election. Oral Argument on these exceptions was held before the Board on October 31, 1972 at which time the Employer presented its position on the aforementioned exceptions.

On December 1, 1972, the Board issued an Order and Notice, scheduling a second election because the Board felt that there was some merit in the exceptions filed by the Hospital as to the Board's conduct of the election, namely, the statement made by the Board's Executive Director on the day of the election.

Pursuant to the foregoing Order, an election was conducted in the conference room at Brownsville General Hospital on Monday, December 18, 1972.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT NUMBERS 1 through 30 inclusive, as set forth in the Board's Order and Notice of Pre-Election Conference dated July 27, 1972, are hereby affirmed and incorporated by reference herein and made a part hereof.

31. That the Board conducted a second election, by secret ballot, on Monday, December 18, 1972, among the employees of the Employer in a unit comprised of all full-time and regular part-time professional employees (registered nurses) and non-professional employees.

32. That the choices set forth on the ballots for the second representation election were as follows: (Professional employees)- Office and Professional International Union, AFL-CIO, Pennsylvania Nurses Association or No Representative; (Non-Professional employees) - Office and Professional International Union, AFL-CIO or No Representative.

33. That the professional employees were asked to indicate their preference as to whether or not they desired to be included in a unit of professional and non-professional employees.

34. That a tally of the ballots cast by the professional employees in the Unit Determination Election revealed the following results: Ten (10) ballots were cast in favor of being included in a unit comprised of professional and non-professional employees; and, forty (40) ballots were cast in favor of being included in a unit comprised of only professional employees.

35. That a tally of the ballots cast by the professional employees in the Representation Election indicated that fifteen (15) ballots were cast in favor of representation by Office and Professional International Union, AFL-CIO; thirty-four (34) ballots were cast in favor of representation by Pennsylvania

Nurses Association; four (4) ballots were cast for No Representative; and two (2) ballots were challenged. There was one (1) void ballot.

36. That a tally of the ballots cast by the non-professional employees in the Representation Election revealed that one hundred twenty (120) ballots were cast in favor of representation by Office and Professional International Union, AFL-CIO; thirty-three (33) ballots were cast in favor of No Representative; and fifteen (15) ballots were challenged. There was one (1) void ballot.

37. That the pink ballot voted by professionals was not canvassed since the professionals determined in the preferential ballot that there would be two units.

38. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

It is not necessary for the Board to open, canvass nor pass upon the validity of the ballots cast by persons whose ballots were challenged, since their inclusion in the total votes cast would have no material effect on the results of the election.

Subsequent to the second election, the Hospital filed exceptions to the Board's conduct of the election. The Hospital contends that the election was untimely and highly prejudicial to the Employer. The Hospital further stated that the Board has failed to take any effective action to purge these proceedings of the atmosphere of bias and unfairness created by the statement of its Executive Director, a portion of which was aired over WASP radio.

The Board is of the opinion that the Hospital's exceptions are without merit because any misconduct on the part of the Board was rectified when the Board overturned the first election and scheduled the second election. The Board, in its Order and Notice of Second Election, did not state that the statement of its Executive Director was prejudicial to the Hospital but only stated that the conduct of the Board's Director was not in line with the Board's position of neutrality. It cannot be said that the Executive Director's statement was prejudicial to the Hospital, or that it had an effect on the outcome of the election because the statement made over WASP radio was aired late in the day of the first election, in fact, it appears that a majority of the employees had voted prior to the time that the statement was broadcast. The Board only took the step of scheduling a new election because it felt that its Executive Director violated the Board's position of neutrality.

Therefore, the Board will not consider the exceptions filed by the Hospital on December 22, 1972.

CONCLUSIONS OF LAW

The Board, therefore, after due consideration of the foregoing and the record as a whole, and, more particularly in consideration of the election conducted on December 18, 1972, concludes and finds:

The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Pre-Election Conference, Numbers 1 through 12 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

13. That a majority of the employees of the Employer in the Professional Unit have selected and designated Pennsylvania Nurses Association as their exclusive representative for the purpose of collective bargaining.

14. That a majority of the employees of the Employer in the Non-Professional Unit have selected and designated Office and Professional International Union, AFL-CIO, as their exclusive representative for the purpose of collective bargaining.

15. That the Pennsylvania Nurses Association, by virtue of the provisions of the Act, is the exclusive representative of the employees in the Professional Unit, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

16. That Office and Professional International Union, AFL-CIO, is the exclusive representative of the employees in the Non-Professional Unit, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

In view of the foregoing, and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that PENNSYLVANIA NURSES ASSOCIATION

is the EXCLUSIVE REPRESENTATIVE of the employees in the Professional Unit of the above named Employer as described below:

UNIT: In a subdivision of the employer unit comprised of all full-time and regular part-time professional employes (Registered Nurses) and excluding supervisors, first level supervisors and confidential employes as defined in the Act.

and, that the Pennsylvania Labor Relations Board further

CERTIFIES

that OFFICE AND PROFESSIONAL INTERNATIONAL UNION, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employees in the Non-Professional Unit of the above named Employer as described below:

UNIT: In a subdivision of the employer unit comprised of all full-time and regular part-time non-professional employees and excluding supervisors, first level supervisors, professional and confidential employees as defined in the Act.

IT IS HEREBY FURTHER ORDERED AND DECREED

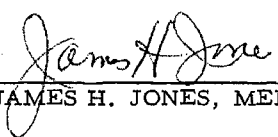
that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board, approved as of October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this fifth day of January, 1973.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
THE PENNSYLVANIA LABOR RELATIONS BOARD

NISI ORDER OF CERTIFICATION

IN THE MATTER OF THE EMPLOYES OF :
BRADDOCK GENERAL HOSPITAL : No. PERA-R-1068-W

A Petition for Representation by Public Employes, Group of Public Employes or Employe Organization was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on January 21, 1971, by Pennsylvania Nurses Association, hereinafter called "Association", alleging that it represented 30% or more of certain employes of the Braddock General Hospital, hereinafter called "Employer".

Thereafter, on July 15, 1971, a Pre-Election Conference was held at which time the parties agreed and stipulated that the unit appropriate for the purposes of collective bargaining is a subdivision of the employer unit comprised of all licensed practical nurses; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in Act 195. At the Pre-Election Conference, the parties were afforded an opportunity to determine positions on the ballot, the site or sites for the conducting of the election, the eligibility list and all other matters pertaining to the conduct of the election.

Thereafter, on August 13, 1971, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Friday, September 10, 1971, among the employes of the Employer within the heretofore defined appropriate unit, to ascertain the exclusive representative for the purposes of collective bargaining with respect to wages, hours and terms and conditions of employment.

The election was conducted as Ordered by an Elections Officer assigned by the Board.

The Board, from all matters and documents of record, and particularly in consideration of the Election conducted on September 10, 1971, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT NUMBERS 1, 2, 3, 4, 5, as set forth in the Board's Order and Notice of Election dated August 13, 1971, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That the Board conducted an election, by secret ballot, on September 10, 1971, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued August 13, 1971.

7. That the question voted on at said Election was: "Shall Pennsylvania Nurses Association, or No Representative, represent you exclusively for the purposes of collective bargaining with your Employer, Braddock General Hospital?"

8. That twenty-six (26) ballots were cast by eligible voters, no (0) ballots were spoiled or cancelled, one (1) ballot was void, thus leaving twenty-five (25) ballots to be accounted for and canvassed.

9. That of the said twenty-five (25) ballots, nineteen (19) ballots were cast in favor of representation by Pennsylvania Nurses Association, and six (6) ballots were cast for No Representative.

10. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS

The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election Numbers 1, 2, 3, 4, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Pennsylvania Nurses Association, as their exclusive representative for the purposes of collective bargaining with the Employer.

6. That Pennsylvania Nurses Association, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purposes of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that PENNSYLVANIA NURSES ASSOCIATION

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purposes of collective

2

bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT:

In a subdivision of the employer unit comprised of all licensed practical nurses; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in Act 195.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania,
this twenty-fourth day of September, 1971.

PENNSYLVANIA LABOR RELATIONS BOARD



MALCOLM B. PETRIKIN, CHAIRMAN



GEORGE B. STUART, MEMBER

3

COMMONWEALTH OF PENNSYLVANIA
THE PENNSYLVANIA LABOR RELATIONS BOARD

NISI ORDER OF CERTIFICATION

IN THE MATTER OF THE EMPLOYES OF :
BRADDOCK GENERAL HOSPITAL : No. PERA-R-1067-W

A Petition for Representation by Public Employes, Group of Public Employes or Employe Organization was filed with the Pennsylvania Labor Relations Board, herein called the "Board", on April 27, 1971, by Pennsylvania Nurses Association, herein called the "Association", alleging that it represented 30% or more of certain employes of the Braddock General Hospital, herein called the "Employer".

Thereafter, on July 15, 1971, a Pre-Election Conference was held at which time the the parties agreed and stipulated that the unit appropriate for the purposes of collective bargaining is a subdivision of the employer unit comprised of all registered nurses, excluding head nurses and nurse anesthetists, supervisors, first level supervisors, confidential employes as defined in the Act. At the Pre-Election Conference the parties were afforded an opportunity to determine positions on the ballot, the site or sites for the conducting of the election, the eligibility list and all other matters pertaining to the conduct of the election.

On July 26, 1971, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Friday, August 27, 1971, among the employes of the Employer within the heretofore defined appropriate unit, to ascertain the exclusive representative for the purposes of collective bargaining with respect to wages, hours and terms and conditions of employment.

The election was conducted as Ordered by an Elections Officer assigned by the Board.

The Board, from all matters and documents of record, and particularly in consideration of the Election conducted on August 27, 1971, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT NUMBERS 1, 2, 3, 4, as set forth in the Board's Order and Notice of Election dated July 26, 1971, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That the Board conducted an election, by secret ballot, on August 27, 1971, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued July 26, 1971.

6. That the question voted on at said Election was: "Shall Pennsylvania Nurses Association, or No Representative, represent you exclusively for the purposes of collective bargaining with your Employer, Braddock General Hospital?"

7. That one hundred ten (110) ballots were cast by eligible voters and six (6) ballots were cast by employes not on the eligibility list; thus leaving one hundred ten (110) ballots to be accounted for and canvassed.

8. That of the said one hundred ten (110) ballots, sixty-nine (69) ballots were cast in favor of representation by Pennsylvania Nurses Association, and forty-one (41) ballots were cast for No Representative.

9. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass, nor pass upon the validity of the six (6) remaining challenged ballots since their inclusion in the total vote cast would have no material effect upon the results of the election.

CONCLUSIONS

The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election Numbers 1, 2, 3, 4, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Pennsylvania Nurses Association, as their exclusive representative for the purposes of collective bargaining with the Employer.

6. That Pennsylvania Nurses Association, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purposes of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that PENNSYLVANIA NURSES ASSOCIATION

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purposes of collective

bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT:

In a subdivision of the employer unit comprised of registered nurses, excluding head nurses and nurse anesthetists, supervisors, first level supervisors, confidential employes as defined in Act 195.

IT IS HEREBY ORDERED AND DECREED

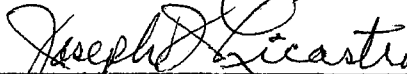
that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this twenty-ninth day of September, 1971.

PENNSYLVANIA LABOR RELATIONS BOARD



MALCOLM B. PETRIKIN, CHAIRMAN



JOSEPH J. LICASTRO, MEMBER



GEORGE B. STUART, MEMBER

3

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYEES OF :
: :
: Case No. PERA-R-8526-C
BROAD ACRES NURSING HOME :
ASSOCIATION, INC. :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board," on June 16, 1976, by the International Union of Electrical, Radio & Machine Workers, AFL-CIO-CILC, hereinafter called the "Union," alleging that it represented 30% or more of certain employes of the Broad Acres Nursing Home, Inc., County of Tioga, hereinafter called the "Employer," and requesting that pursuant to Section 603(c) of the Public Employee Relations Act, hereinafter called the "Act," a hearing be scheduled and an Order be issued for an election.

On July 13, 1976, the Union filed with the Board an Amended Petition designating the Employer herein as Broad Acres Nursing Home, Inc., County of Tioga and Commissioners of Tioga County.

Pursuant to due notice, a hearing was held on July 26, 1976, in Wellsboro, Pennsylvania, before Charles S. Sobol, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded to all parties in interest. Additionally, counsel for the Employer submitted a written brief subsequent to the oral hearing.

At the hearing, the Union moved to amend the Petition to designate the Employer in this case as the Broad Acres Nursing Home Association, Inc. By agreement of counsel for the Employer, the motion was granted by the Hearing Examiner.

Thereafter, on August 26, 1976, the Board issued an Order and Notice of Election, directing that an election, by secret ballot, be held and conducted on September 9, 1976, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of the following classifications of employes: Licensed Practical Nurses, Maintenance, Dietary, Nursing Aides, Seamstresses, Laundry and Housekeeping employes; and excluding management level employes, supervisors, first level supervisors, confidential employes, and guards as defined in the Act.

The Board, on the basis of the testimony and evidence presented at the hearing and from all other matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT numbers 1 through 29 inclusive, as set forth in the Board's Order and Notice of Election dated August 26, 1976, are hereby affirmed and incorporated by reference herein and made a part hereof.

30. That the Board conducted an election, by secret ballot, on September 9, 1976, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued August 26, 1976.

31. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by International Union of Electrical, Radio & Machine Workers, AFL-CIO-CLC, or whether the said employes wished No Representative.

32. That fifty-three (53) ballots were cast by employes of the employer.

33. That of the fifty-three (53) ballots, forty (40) ballots were cast in favor of representation by International Union of Electrical, Radio & Machine Workers, AFL-CIO-CLC; two (2) ballots were cast for No Representative; eleven (11) ballots were challenged; and no (0) ballots were void or blank.

34. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board.

DISCUSSION

We will neither open, canvass, nor pass upon the validity of the challenged ballots, since their inclusion in the total votes cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on September 9, 1976, concludes and finds:

The Board's CONCLUSIONS numbers 1 through 5 inclusive, as set forth in its aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated International Union of Electrical, Radio & Machine Workers, AFL-CIO-CLC, as their exclusive representative for the purpose of collective bargaining with the Employer.

7. That International Union of Electrical, Radio & Machine Workers, AFL-CIO-CLC, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that INTERNATIONAL UNION OF ELECTRICAL, RADIO & MACHINE WORKERS, AFL-CIO-CLC

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of the following classifications of employes:
Licensed Practical Nurses, Maintenance, Dietary, Nursing Aides, Seamstresses, Laundry and House-keeping employes; and excluding management level employes, supervisors, first level supervisors, confidential employes, and guards as defined in the Act.


IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to 34 Pa. Code Ch. 95.98, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this sixteenth day of September, 1976.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEZT, CHAIRMAN


JAMES H. JONES, MEMBER

Copy

COMMONWEALTH OF PENNSYLVANIA
The Pennsylvania Labor Relations Board

NISI ORDER OF CERTIFICATION

IN THE MATTER OF THE EMPLOYES OF :
BRADDOCK GENERAL HOSPITAL : Case No. PERA-R-895-W
: :
:

A Petition for Representation by Public Employees, Group of Public Employees or Employee Organization was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board" on January 21, 1971, by Public Employees Division, Teamsters Local No. 250, hereinafter called "Local 250", alleging that it represented 30% or more of certain employees of the Braddock General Hospital, hereinafter called "Employer".

Thereafter, on July 20, 1971, a Pre-Election Conference was held at which time the parties agreed and stipulated that the unit appropriate for the purpose of collective bargaining is a subdivision of the employer unit comprised of full-time and regular part time service and maintenance employes, including housekeeping, building and maintenance, dietary and kitchen, nurses aides and orderlies, linen and supply, store room attendants and ward clerks; and excluding all professional employes, office clerical, technical, management level employes, supervisors, first level supervisors, confidential employes and guards as defined in Act 195. At the Pre-Election Conference, the parties were afforded an opportunity to determine positions on the ballot, the site or sites for the conducting of the election, the eligibility list and all other matters pertaining to the conduct of the election.

Thereafter, on August 13, 1971, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Wednesday, September 8, 1971, among the employes of the Employer within the heretofore defined appropriate unit, to ascertain the exclusive representative for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

The election was conducted as Ordered by an Elections Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, and particularly in consideration of the Election conducted on September 8, 1971, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT NUMBERS 1, 2, 3, 4, and 5, as set forth in the Board's Order and Notice of Election dated August 13, 1971, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That the Board conducted an election, by secret ballot, on September 8, 1971, among the employees of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued August 13, 1971.

7. That the question voted on at said Election was: "Shall Public Employees Division, Teamsters Local No. 250, or No Representative, represent you exclusively for the purpose of collective bargaining with your Employer, Braddock General Hospital?"

8. That one hundred and thirty-nine (139) ballots were cast by eligible voters, no (0) ballots were spoiled or cancelled, and ten (10) ballots were cast by persons not on the eligibility list; thus leaving one hundred and thirty-nine (139) ballots to be accounted for and canvassed.

9. That of the said one hundred and thirty-nine (139) ballots, ninety-one (91) ballots were cast in favor of representation by Public Employees Division, Teamsters Local No. 250, and forty-eight (48) ballots were cast for No Representative.

10. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose ballots were challenged since their inclusion in the total vote cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election Numbers 1, 2, 3, and 4 are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employees of the Employer within the heretofore defined appropriate unit have selected and designated Public Employees Division, Teamsters Local No. 250, as their exclusive representative for the purposes of collective bargaining with the Employer.

6. That Public Employees Division, Teamsters Local No. 250, by virtue of the provisions of the Act, is the exclusive representative of all the employees of the Employer within the heretofore defined appropriate unit, for the purposes of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

" In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

" CERTIFIES

" that PUBLIC EMPLOYEES DIVISION, TEAMSTERS LOCAL NO. 250

" is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in the unit described below for the purposes of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT:

" In a subdivision of the employer unit comprised of full-time and regular part time service and maintenance employes, including housekeeping, building and maintenance, dietary and kitchen, nurses aides and orderlies, linen and supply, store room attendants and ward clerks, and excluding all professional employes, office clerical, technical, management level employes, supervisors, first level supervisors, confidential employes and guards as defined in Act 195."

including "copy letter" ;

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this twenty-eighth day of September, 1971.

PENNSYLVANIA LABOR RELATIONS BOARD

s/ MALCOLM B. PETRIKIN
MALCOLM B. PETRIKIN, CHAIRMAN

s/ JOSEPH J. LICASTRO
JOSEPH J. LICASTRO, MEMBER

s/ GEORGE B. STUART
GEORGE B. STUART, MEMBER

COMMONWEALTH OF PENNSYLVANIA
THE PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
F. W. BLACK COMMUNITY HOSPITAL : No. PERA-R-531-C
: :
: :
: :

NISI ORDER OF CERTIFICATION

WHEREAS, an Election has been conducted in the above matter on February 24, 1971 in accordance with Petition filed, Rules and Regulations and Order of the Pennsylvania Labor Relations Board and it appearing from the tally of ballots that a collective bargaining representative has been selected and no objections have been filed to the conduct of the election to the date of this Order.

NOW, THEREFORE, the Pennsylvania Labor Relations Board pursuant to authority of Act No. 195 known as the Public Employe Relations Act

HEREBY ORDERS AND DECREES

that Local 1199P, National Union of Hospital & Nursing Home Employees, Div. of RWDSU, AFL-CIO

be and it is hereby

CERTIFIED

as the exclusive representative for all the employes in a subdivision of the employer unit comprised of nursing service-aides, orderlies & unit clerks, housekeeping

maids, dietary tray girls and maintenance, excluding all supervisory, first level supervisors and confidential employes as defined in the Act 195.

for the purposes of collective bargaining with respect to wages, hours, terms and conditions of employment, subject to provisions of the aforesaid Act No. 195, and,

IT IS HEREBY FURTHER ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this tenth day of March, 19 71.

PENNSYLVANIA LABOR RELATIONS BOARD

Malcolm B. Petrikin
MALCOLM B. PETRIKIN, CHAIRMAN

Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

George B. Stuart
GEORGE B. STUART, MEMBER

798001

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF : Case Nos. PERA-R-3546-C
: PERA-R-3547-C
: PERA-R-3601-C
J. C. BLAIR MEMORIAL HOSPITAL : PERA-R-3658-C ✓

NISI ORDER OF CERTIFICATION

Four Petitions for Representation were filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on May 11, 1973, (PERA-R-3546-C and PERA-R-3547-C), on May 30, 1973, (PERA-R-3601-C) and on June 18, 1973, (PERA-R-3658-C) by Local 1199P, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, hereinafter called "Local 1199P". The Petition in PERA-R-3546-C seeks to organize the Service and Maintenance Employees; the Petition in PERA-R-3547-C, the Licensed Practical Nurses; the Petition in PERA-R-3601-C, the Technical Employees; and the Petition in PERA-R-3658-C, the Clerical Employees, of J. C. Blair Memorial Hospital, hereinafter called the "Employer", and requesting that pursuant to Section 603(c) of the Public Employee Relations Act, hereinafter called the "Act", a hearing be scheduled and an Order be issued for an election.

On June 28, 1973, a hearing was held in Huntingdon, Pennsylvania, before Vasil Fisanick, Esquire, a duly designated Hearing Examiner of the Board, at which time the parties agreed to consolidate the four Petitions to form one unit.

Thereafter, on August 14, 1973, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Tuesday, August 28, 1973, among the employees of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of the following classifications of employees: All non-professional employes, employed in the following departments of the Employer; namely, housekeeping, laundry, physical therapy, central supply, radiology, pathology, plant engineering, inhalation therapy, nursing, medical records, anaesthesia, extended care unit, purchasing and stores, dietary, credit and collections, admissions office, business office, and emergency service; and excluding all professional, confidential and management level employes, first level supervisors, supervisors and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT, numbers 1 through 4 inclusive, as set forth in the Board's Order and Notice of Election dated August 14, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That the Board conducted an election, by secret ballot, on August 28, 1973, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued August 14, 1973.

6. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Local 1199P, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, or whether the said employes wished No Representative.

7. That one hundred seventy-six (176) ballots were cast by eligible voters, four (4) ballots were void or blank, and twenty-two (22) ballots were cast by persons whose votes were challenged; thus leaving one hundred seventy-six (176) ballots to be accounted for and canvassed.

8. That of the said one hundred seventy-six (176) ballots, one hundred (100) ballots were cast in favor of representation by Local 1199P, and seventy-six (76) ballots were cast for No Representative.

9. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose ballots were challenged since their inclusion in the total votes cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on August 28, 1973, concludes and finds:

That the Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election, numbers 1 through 4 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Local 1199P, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That Local 1199P, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that LOCAL 1199P, NATIONAL UNION OF HOSPITAL AND NURSING HOME EMPLOYEES, DIVISION OF RWDSU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of the following classifications of employes: All non-professional employes, employed in the following departments of the employer; namely, housekeeping, laundry, physical therapy, central supply, radiology, pathology, plant engineering, inhalation therapy, nursing, medical records, anaesthesia, extended care unit, purchasing and stores, dietary, credit and collections, admissions office, business office and emergency service; and excluding all professional, confidential and management level employes, first level supervisors, supervisors and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED. SEALED AND DATED at Harrisburg, Pennsylvania, this fifth day of September, 1973.

3,

PENNSYLVANIA LABOR RELATIONS BOARD

s/ Raymond L. Scheib
RAYMOND L. SCHEIB, CHAIRMAN

s/ Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

s/ James H. Jones
JAMES H. JONES, MEMBER



COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: Case No. PERA-R-3333-E
: ALBERT EINSTEIN MEDICAL CENTER :
: DAROFF DIVISION :

NISI ORDER OF CERTIFICATION

On March 20, 1973, a Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", by the Professional Pharmacists Guild, a Division of Local 1357, Retail Clerks International Association, requesting a unit of pharmacists in the Daroff Division of Albert Einstein Medical Center, hereinafter referred to as "Employer".

The Union, in September of 1971, petitioned for a similar unit at the Employer's Northern Division. A hearing was held thereon on February 15, 1972, followed by an election on June 23, 1972 which was won by the Union. Exceptions filed by the Employer were overruled by the Board, and the Employer appealed the matter to Philadelphia Common Pleas Court, where the case, PERA-R-1291-E is still pending.

On April 17, 1973, a hearing on the instant petition was held in Philadelphia, Pennsylvania before Sidney Lawrence, a duly designated Hearing Examiner of the Board, at which time all parties in interest were afforded the opportunity to examine and cross-examine witnesses, present testimony and introduce evidence.

Thereafter, on July 3, 1973, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on July 27, 1973, among the employes of the employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and other terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time pharmacists of Albert Einstein Medical Center, Daroff Division; excluding interns, first level and higher supervisors, confidential and all other employes.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, on the basis of the testimony and evidence presented at the hearing and from all other matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT Numbers 1 through 11 inclusive as set forth in the Board's Order and Notice of Election dated July 3, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

12. That the Board conducted an election, by secret ballot, on July 27, 1973, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued July 3, 1973.

13. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Professional Pharmacists Guild, a Division of Local 1357, Retail Clerks International Association or whether the said employes wished No Representative.

14. That three (3) ballots were cast by eligible voters, no (0) ballots were void or blank, and one (1) ballot was cast by a person whose vote was challenged; thus leaving three (3) ballots to be accounted for and canvassed.

15. That of the three (3) ballots, three (3) ballots were cast in favor of representation by Professional Pharmacists Guild, a Division of Local 1357, Retail Clerks International Association and no (0) ballots were cast for No Representative.

16. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballot cast by the person whose ballot was challenged since its inclusion in the total vote cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on July 27, 1973, concludes and finds:

The Board's CONCLUSIONS Numbers 1 through 7 inclusive, as set forth in the Board's Order and Notice of Election issued on July 3, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Professional Pharmacists Guild, a Division of Local 1357, Retail Clerks International Association as their exclusive representative for the purpose of collective bargaining with the Employer.

9. That Professional Pharmacists Guild, a Division of Local 1357, Retail Clerks International Association by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that PROFESSIONAL PHARMACISTS GUILD, A DIVISION OF LOCAL 1357, RETAIL CLERKS INTERNATIONAL ASSOCIATION

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and other terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of all full-time and regular part-time pharmacists of Albert Einstein Medical Center, Daroff Division; excluding interns, first level and higher supervisors, confidential and all other employes.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this seventh day of August, 1973.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
The Pennsylvania Labor Relations Board

CERTIFICATION OF REPRESENTATIVE

IN THE MATTER OF THE EMPLOYEES OF

No. PERA-R-2737-E

ALBERT EINSTEIN MEDICAL CENTER
(DAROFF DIVISION)

XXXXXXXXXXXX

WHEREAS, a Joint Request for Certification was filed with the Pennsylvania Labor Relations Board pursuant to ARTICLE VI, SECTION 602(a) of the PUBLIC EMPLOYE RELATIONS ACT, being Act 195 of 1970, and

WHEREAS, the Pennsylvania Labor Relations Board has found the unit appropriate, and the Public Employer has complied with the five (5) day notice required by RULE 3.1(h), and

WHEREAS, no objections having been filed to the Joint Request for Certification, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that

LOCAL 1199C, NATIONAL UNION OF HOSPITAL AND NURSING HOME EMPLOYEES, DIVISION OF RWDSU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in unit described below for the purposes of collective bargaining with respect to wages; hours and terms and conditions of employment.

UNIT:

In a subdivision of the employer unit comprised of the following classifications of employees: all full time and regular part time maintenance and engineering employees, excluding all other employees, M.D.'s, Ph.D's, registered nurses, pharmacists, guards, and further excluding confidential employees, managerial employees, first-level supervisors and supervisors as defined in the Act.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania,

this 23rd day of January, 1973.

PENNSYLVANIA LABOR RELATIONS BOARD



Joseph P. ...
CHAIRMAN

...
MEMBER

...
MEMBER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
 :
 : Case No. PERA-R-2165-E
ALBERT EINSTEIN MEDICAL CENTER :
(Daroff Division)

NISI ORDER OF CERTIFICATION

On June 5, 1972, a Joint Election Request was filed with the Pennsylvania Labor Relations Board, herein called the "Board", jointly executed by Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, herein called "Local 1199C", and Albert Einstein Medical Center (Daroff Division), herein called "Employer".

The parties agreed and stipulated that the unit appropriate for the purpose of collective bargaining is a subdivision of the employer unit comprised of all full-time and regular part-time employes who work 40 or more hours bi-weekly, excluding M.D.'s, Ph.D.'s, Registered Nurses, Pharmacists, Engineering and Maintenance Employes, and further excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

Thereafter, on June 9, 1972, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Monday, June 26, 1972, among the employes of the employer to ascertain the exclusive representative for the purpose of collective bargaining in respect to wages, rates of pay, hours and terms and other conditions of employment in the heretofore defined appropriate unit.

The Election was conducted as ordered by an Elections Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record finds the following:

FINDINGS OF FACT

1. That Albert Einstein Medical Center (Daroff Division) is a non-profit health institution operating in the Commonwealth of Pennsylvania, with its principal office at 1429 South Fifth Street, Philadelphia, Pennsylvania.
2. That Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO is an employe organization which exists in whole or in part for the purpose of dealing with employers concerning wages, terms and conditions of employment with its principal office at 1315 Race Street, Philadelphia, Pennsylvania.

3. That the Board conducted an election, by secret ballot, on June 26, 1972, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order of the Board issued on June 9, 1972.

4. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Local 1199C, National Union of Hospital & Nursing Home Employees, Division of RWDSU, AFL-CIO or whether said employes wished No Representative. 2,

5. That three hundred and seventeen (317) ballots were cast by eligible voters, six (6) ballots were spoiled or cancelled, twenty-five (25) ballots were cast by persons not on the eligibility list; thus leaving three hundred and seventeen (317) ballots to be accounted for and canvassed.

6. That of the three hundred and seventeen (317) ballots, one hundred and seventy-four (174) ballots were cast in favor of representation by Local 1199C, National Union of Hospital & Nursing Home Employees, Division of RWDSU, AFL-CIO and one hundred and forty-three (143) ballots were cast for No Representative.

7. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

On July 3, 1972, William A. Whiteside, Jr., Esquire, Counsel for Albert Einstein Medical Center, filed Exceptions to the Board's conduct of the Election, regarding the six (6) voided ballots.

It was determined by the Board that the challenged and voided ballots could affect the outcome of the election in that if all were counted and found to be marked "No Representative", there would be a tie and "No Representative" would be certified.

Therefore, on July 10, 1972, the Board issued an Order Directing and Fixing Time and Place to Determine the Validity of Challenged and Voided Ballots. Said hearing was scheduled for August 11, 1972, in Philadelphia, Pennsylvania.

On July 24, 1972, prior to the scheduled hearing, the Board received a letter from William A. Whiteside, Jr., Esquire, Counsel for Albert Einstein Medical Center, requesting withdrawal of the Exceptions filed on behalf of the Hospital pertaining to the ballots which had been voided.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole and, more particularly in consideration of the Election conducted on June 26, 1972, concludes and finds:

1. That Albert Einstein Medical Center (Daroff Division) is a "public employer" within the meaning of Section 301(1) of the Act.
2. That Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO is an "employe organization" within the meaning of Section 301(3) of the Act.
3. That the Pennsylvania Labor Relations Board has jurisdiction over the parties hereto.

4. That a majority of the employes of the Employer within the heretofore defined appropriate unit, have selected and designated Local 1199C, National Union of Hospital & Nursing Home Employees, Division of RWDSU, AFL-CIO as their exclusive representative for the purpose of collective bargaining.

5. That Local 1199C, National Union of Hospital & Nursing Home Employees, Division of RWDSU, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

3,

that LOCAL 1199C, NATIONAL UNION OF HOSPITAL & NURSING HOME EMPLOYEES, DIVISION OF RWDSU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of all full-time and regular part-time employes who work 40 or more hours bi-weekly, excluding M.D.'s, Ph.D.'s, Registered Nurses, Pharmacists, Engineering and Maintenance Employees, and further excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania this tenth day of August, 1972.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
 :
ALBERT EINSTEIN MEDICAL CENTER : Case No. PERA-R-237-E

NISI ORDER OF CERTIFICATION

On November 23, 1970 a Petition for Representation by Employee Organization was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", by Philadelphia Association of Interns and Residents, hereinafter called "PAIR", alleging that it represented thirty (30) percent or more of certain employes of the Albert Einstein Medical Center, hereinafter called "Employer".

Pursuant to due notice the Board ordered and directed that a hearing to determine the issues raised in the aforesaid petition be held on February 16, 1971. The hearing was continued to and held on March 2, 1971 before a duly designated Hearing Examiner of the Board. In addition, a further hearing was scheduled for April 7, 1971.

On April 28, 1971 the Board issued an Order for a Pre-Election Argument to be held on May 12, 1971 to determine the appropriate unit. The hearing date was advanced to May 11, 1971, and argument was heard at that time.

The Board, on December 6, 1971, issued a Nisi Order of Dismissal in Case Nos. PERA-R-237-E, PERA-R-239-E, PERA-R-243-E and PERA-R-253-E. Timely exceptions were filed by PAIR and pursuant to proper notice oral argument on the exceptions was held before the Board on February 9, 1972.

On March 6, 1972 the Board issued an Order Fixing Time and Place of Pre-Election Conference to be held on March 23, 1972. In this Order, which is hereby incorporated by reference, the Board sustained the exceptions filed by PAIR and vacated its Nisi Order of Dismissal of December 6, 1971. At the pre-election conference of March 23, 1972, the Employer refused to provide the Board with the necessary eligibility lists. On March 23, 1972 an Order Fixing Time and Place of Hearing was issued by the Board for the purpose of procuring up-to-date eligibility lists, with March 30, 1972 set as the date of hearing. At the time set for the hearing, the Employer served the Board with an Order issued by Judge Hirsch of The Court of Common Pleas of Philadelphia County in which the Court ordered a stay of all proceedings before the Board in the above captioned matter, pending the disposition of an appeal by the Employer from the March 6, 1972 Order of the Board. On April 10, 1972, Judge James C. Crumlish, Jr., of

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the Commonwealth Court of Pennsylvania issued a supersedeas removing the stay of the proceedings of the Pennsylvania Labor Relations Board.

Pursuant to the foregoing, the Board on April 12, 1972, issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Thursday, April 27, 1972, among the employees of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment. Because of a conflict in dates with previously scheduled matters, the Board, on April 20, 1972, issued an order rescheduling the election for Friday, May 5, 1972. The election was conducted as ordered by an Elections Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record and particularly in consideration of the election conducted on May 5, 1972, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT NUMBERS 1 through 9 inclusive, as set forth in the Board's Order and Notice of Election dated April 12, 1972, are hereby affirmed and incorporated by reference herein and made a part hereof.

10. That the Board conducted an election, by secret ballot, on Friday, May 5, 1972, among the employees of the Employer, in accordance with the Orders of the Board issued April 12, 1972 and April 20, 1972.

11. That the question voted on was whether the eligible employees in the appropriate unit wished to be represented by Philadelphia Association of Interns and Residents or whether the said employees wished No Representative.

12. That fifty-six (56) ballots were cast by eligible voters, no (0) ballots were void or blank, and no (0) ballots were cast by persons not on the eligibility list; thus leaving fifty-six (56) ballots to be accounted for and canvassed.

13. That of the said fifty-six (56) ballots, fifty-five (55) ballots were cast in favor of representation by Philadelphia Association of Interns and Residents, and one (1) ballot was cast for No Representative.

14. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS OF LAW

The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election Numbers 1 through 8 inclusive are hereby affirmed and incorporated by reference herein and made a part hereof.

9. That a majority of the employees of the Employer within the heretofore defined appropriate unit have selected and designated Philadelphia Association of Interns and Residents as their exclusive representative for the purpose of collective bargaining with the Employer.

10. That Philadelphia Association of Interns and Residents, by virtue of the provisions of the Act, is the exclusive representative of all the employees of the Employer within the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that PHILADELPHIA ASSOCIATION OF INTERNS AND RESIDENTS

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of interns, residents and clinical fellows, excluding supervisors, first level supervisors and confidential employees as defined in the Act.

IT IS HEREBY ORDERED AND DECREED


that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board, approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this fifth day of June, 1972.

PENNSYLVANIA LABOR RELATIONS BOARD



RAYMOND L. SCHEIB, CHAIRMAN



JOSEPH J. LICASTRO, MEMBER



JAMES H. JONES, MEMBER

3

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYEES OF :
: Case No. PERA-R-5053-W
: ADRIAN HOSPITAL :
:

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on May 16, 1974, by Licensed Practical Nurses Association of Pennsylvania, hereinafter called the "Petitioner", alleging that it represented thirty percent (30%) or more of certain employees of the Adrian Hospital, hereinafter called the "Employer", and requesting that pursuant to Section 603(c) of the Public Employee Relations Act, hereinafter called the "Act", a hearing be scheduled and an Order be issued for an election.

On June 11, 1974, the Board issued an Order and Notice of Hearing fixing Monday, June 24, 1974, in Brookville, Pennsylvania as the time and place of hearing. The hearing was held as scheduled before William J. LeWinter, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded to all parties in interest.

Thereafter, on July 12, 1974, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Friday, August 2, 1974, among the employees of the employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time licensed practical nurses employed by the Adrian Hospital at its Punxsutawney, Pennsylvania location; excluding all other employees, professional employees, management level employees, supervisors and guards, as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT numbers 1 through 6 inclusive, as set forth in the Board's Order and Notice of Election dated July 12, 1974, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That the Board conducted an election, by secret ballot, on Friday, August 2, 1974, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order of the Board issued July 12, 1974.

8. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Licensed Practical Nurses Association of Pennsylvania, or whether the said employes wished No Representative.

9. That twenty-seven (27) ballots were cast at the election.

10. That of the twenty-seven (27) ballots, twenty-two (22) ballots were cast in favor of representation by Licensed Practical Nurses Association of Pennsylvania, and five (5) ballots were cast for No Representative. No (0) ballots were cast by persons whose votes were challenged and no (0) ballots were void or blank.

11. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on August 2, 1974, concludes and finds:

The Board's CONCLUSIONS numbers 1 through 4 inclusive, as set forth in the Board's Order and Notice of Election issued on July 12, 1974, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Licensed Practical Nurses Association of Pennsylvania, as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That the Licensed Practical Nurses Association of Pennsylvania, is the exclusive representative of all the employes of the

Employer within the unit described below for the purpose of collective bargaining with respect to wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that LICENSED PRACTICAL NURSES ASSOCIATION OF PENNSYLVANIA

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of all full-time and regular part-time licensed practical nurses employed by the Adrian Hospital at its Punxsutawney, Pennsylvania location; excluding all other employes, professional employes, management level employes, supervisors and guards, as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to 34 Pa. Code Ch. 95.98, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this fifteenth day of August, 1974.

PENNSYLVANIA LABOR RELATIONS BOARD



RAYMOND L. SCHEIB, CHAIRMAN



JOSEPH J. LICASTRO, MEMBER



JAMES H. JONES, MEMBER

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COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: Case No. PERA-R- 5707-E
:
PENNSYLVANIA SCHOOL FOR THE DEAF :
:

NISI ORDER OF CERTIFICATION

On February 19, 1976 an Election was conducted in the above matter in accordance with the Joint Request for Election filed with the Pennsylvania Labor Relations Board. The tally of the ballots cast shows that one hundred and five (105) ballots were cast for The Pennsylvania School For the Deaf Teacher and Counselor Union; and thirty (30) ballots were cast for No Representative.

WHEREAS, the tally of the ballots cast shows that a collective bargaining representative has been selected and no objections having been filed to the conduct of the election to the date of this Order,

NOW, THEREFORE, the Pennsylvania Labor Relations Board, pursuant to authority of Act No. 195 known as the Public Employee Relations Act,

HEREBY ORDERS AND DECREES

that THE PENNSYLVANIA SCHOOL FOR THE DEAF TEACHER AND COUNSELOR UNION be and it is hereby

CERTIFIED

as the exclusive representative for all the employes in a sub-division of the employer unit comprised of: All full-time Teachers, Counselors, Assistant Teachers, and Academic Aides employed by the Employer at locations in Philadelphia, Delaware, Chester, York and Lancaster Counties, Pennsylvania; and excluding all other employes and coordinators and coaches who are not full-time faculty members as well as management level employes, supervisors, first level supervisors, confidential employes, and guards as defined in the Act,

for the purpose of collective bargaining with respect to wages, hours, terms and conditions of employment, subject to the provisions of the aforesaid Act No. 195, and

IT IS HEREBY FURTHER ORDERED AND DECREED

that in the absence of any exceptions filed, pursuant to 34 Pa. Code Ch. 95.98, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this twenty-sixth day of February , 1976 .

PENNSYLVANIA LABOR RELATIONS BOARD

Joseph D. Leaster
CHAIRMAN

James H. Jones
MEMBER

James H. Jones
MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYEES OF :
 :
 : Case No. PERA-R-80-553-W
WASHINGTON-GREENE COMMUNITY :
ACTION CORPORATION :

NISI ORDER OF CERTIFICATION

On December 24, 1980, the Pennsylvania Labor Relations Board (Board) through its duly designated Representative (see 34 Pa. Code §95.91(k)(2)(ii)) issued an Order and Notice of Election fixing January 9, 1981, as the date for an election to determine whether the American Federation of State, County and Municipal Employees, District Council 84 (AFSCME) is the exclusive representative of certain professional and nonprofessional employees of the Washington-Greene Community Action Corporation (Employer).

The election was conducted as ordered by an Election Officer assigned by the Board. The results of the election were inconclusive in that the challenged ballots could affect the outcome of the election.

Pursuant to due notice, a Joint Conference was held on February 3, 1981, in Pittsburgh, Pennsylvania, at which time the parties entered into a Stipulation resolving the validity of the challenged ballots.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT, numbers 1 through 10 inclusive, set forth in the Order and Notice of Election issued on December 24, 1980, are hereby affirmed, incorporated by reference herein and made a part hereof.

11. That the Board conducted an election, by secret ballot, on January 9, 1981, among the employees of the Employer in the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued on December 24, 1980.

Sept 10 1980
Date

Ann Decker

PENNSYLVANIA LABOR DOES IT BETTER

12. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by American Federation of State, County and Municipal Employees (AFSCME), or whether said employes wished No Representative.

13. That the professional employes were asked to indicate their preference as to whether or not they desired to be included in a unit of professional and nonprofessional employes.

14. That a tally of the ballots cast by the professional employes in the unit determination election revealed the following results: nineteen (19) ballots were cast in favor of being included in a unit comprised of professional and nonprofessional employes, three (3) ballots were cast in favor of being included in a unit comprised of only professional employes, and one (1) ballot was void.

15. That a tally of the ballots cast by the professional employes in the representation election revealed the following results: nineteen (19) ballots were cast in favor of representation by the American Federation of State, County and Municipal Employees (AFSCME), four (4) ballots were cast for No Representative, and no (0) ballots were void or blank.

16. That a tally of the ballots cast by the nonprofessional employes in the representation election revealed the following results: eighty-one (81) ballots were cast in favor of representation by the American Federation of State, County and Municipal Employees (AFSCME), seventeen (17) ballots were cast for No Representative, and no (0) ballots were void or blank.

17. That the ballots cast by thirty-three (33) individuals in professional and nonprofessional capacities were challenged at the election.

18. That the parties stipulated and agreed that of the thirty-three (33) challenged ballots, sixteen (16) are professional employes within the meaning of Section 30(7) of the Act as follows: Doris Hartley, Charlotte Washington, Mary Ann Morvetz, Rebekah J. Greely, Mildred Buskirk, Diane Inghram, Armeda J. Sloan, Laura Hunt, Pam Stedman, Virginia Andreadas, Christina Gray, James Brenner, Mary Bialko, Kathlyn McCurdy, John Buchanan, and Robert Mt. Joy.

19. That the parties stipulated and agreed that of the thirty-three (33) challenged ballots, seventeen (17) individuals are nonprofessional employes as follows: Patricia Phillips, Joseph Malinsky, Michael J. Arrigo, Donna J. Lowe, Maggie Jones, Larry J. Boyd, Daniel F. Motto, Pete Kadamenas, Jr., Robert Moore, Ed Glass, Lenore Olinger, Barry Ambrose, Terry Wayne A. Penvose, John Florence, Jr., Frank Andria, and Kathleen Sullivan.

20. That the parties stipulated and agreed that of the seventeen (17) challenged ballots cast by nonprofessional employes,

twenty-seventh day of October, 1980.

PENNSYLVANIA LABOR RELATIONS BOARD

By *Patricia Crawford*
PATRICIA CRAWFORD, SECRETARY

two (2) positions are supervisory within the meaning of Section 301(6) of the Act and the employees' ballots will not be opened and canvassed: (Controller) - John Lorenco, Jr. and (Senior Supervisor Specialist) - Frank Andria.

21. That the parties stipulated and agreed that of the sixteen (16) challenged ballots cast by professional employees, one (1) position is supervisory within the meaning of Section 301(6) of the Act and the employee's ballot will not be opened and canvassed: (Day Care Program Coordinator) - John Buchanan.

22. That the parties stipulated and agreed that the ballots cast by the remaining thirty (30) professional and non-professional employees were validly cast and that their votes cannot affect the outcome of the election. Therefore, their ballots will not be opened.

23. That a recapitulation of the total ballots cast and tallied in the professional unit determination election revealed the following results: nineteen (19) ballots were cast in favor of being included in a unit comprised of professional and nonprofessional employees; three (3) ballots were cast in favor of being included in a unit comprised of only professional employees; fifteen (15) ballots were challenged; and, one (1) ballot was void.

24. That a tally of the ballots cast by the professional and nonprofessional employees in the representation election revealed the following results: one hundred (100) ballots were cast in favor of representation by the American Federation of State, County and Municipal Employees (AFSCME); twenty-one (21) ballots were cast for No Representative; thirty (30) ballots were challenged; and, no (0) ballots were void or blank.

DISCUSSION

We will neither open nor canvass the ballots cast by the thirty (30) employees whose ballots were invalidly challenged since their inclusion in the total votes cast would have no material effect upon the results of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on January 9, 1981, concludes and finds:

That CONCLUSIONS, numbers 1 through 10 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed, incorporated by reference herein and made a part hereof.

11. That a majority of the valid votes cast by employes in the aforementioned appropriate unit designated American Federation of State, County and Municipal Employees, District Council 84 as the exclusive representative for the purpose of collective bargaining.

12. That American Federation of State, County and Municipal Employees, District Council 84 is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board hereby

CERTIFIES

that AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, DISTRICT COUNCIL 84

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT: A subdivision of the employer unit comprised of all full-time and regular part-time professional and nonprofessional employes of the Employer including but not limited to: cook aides, maintenance/janitors, laborers one, trainees, bus drivers, laborers two, warehousemen, clerks/receptionists, miscellaneous assistants, aides, cooks/food handlers, newsletter editors, mechanics, estimators, homemakers, chore workers, pressworkers, activities directors, secretaries, community organization workers, assistants, group supervisors, assistant teachers, child supervisors, technical supervisors, teachers, nutrition counselors, bookkeepers, housing skills instructors, center supervisors, research/planners, nutrition coordinators, head teachers, group supervisors, handicapped coordinators, fiscal monitors, nutritionists, case management supervisors, social services coordinators (Greene County), child development coordinators, social services coordinators (Head Start), health coordinators, parent involvement coordinators and education specialists (except for Marion Howley); and excluding management level employes, supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to 34 Pa. Code §95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this thirtieth day of April, 1981.

PENNSYLVANIA LABOR RELATIONS BOARD


KENNETH F. KAHN, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER

as set forth in the Board's Order and Notice of Election dated June 9, 1978, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That the Board conducted an election, by secret ballot, on June 23, 1978, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order of the Board issued on June 9, 1978.

8. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the International Union of Operating Engineers, Local 835, AFL-CIO, or whether said employes wished No Representative.

9. That forty-six (46) ballots were cast at the Election.

10. That of the forty-six (46) ballots, thirty-one (31) ballots were cast in favor of representation by International Union of Operating Engineers, Local 835, AFL-CIO; eleven (11) ballots were cast for No Representative; and four (4) ballots were cast by persons whose votes were challenged. No (0) ballots were void or blank.

11. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose ballots were challenged since their inclusion in the total votes cast would have no material effect upon the results of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on June 23, 1978, concludes and finds:

The Board's CONCLUSIONS, numbers 1 through 4 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated International Union of Operating Engineers, Local 835, AFL-CIO, as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That International Union of Operating Engineers, Local 835, AFL-CIO, is the exclusive representative of all the

employees of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 835, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

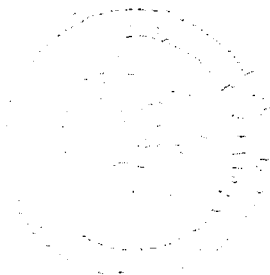
UNIT: In a subdivision of the employer unit comprised of all full-time and regular part-time non-professional, non-supervisory, non-clerical employees including but not limited to food service employees, maintenance employees, housekeeping employees, truck and bus drivers, store room assistants, and acoustic technicians; and excluding management level employees, supervisors, first level supervisors, confidential employees, and guards, as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

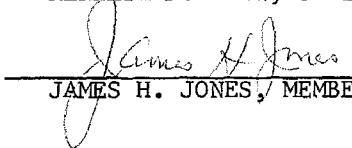
that in the absence of any Exceptions filed pursuant to 34 Pa. Code Ch. 95.98, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this seventeenth day of July, 1978.

PENNSYLVANIA LABOR RELATIONS BOARD




KENNETH F. KAHN, CHAIRMAN


JAMES H. JONES, MEMBER

2

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
COMMONWEALTH OF PENNSYLVANIA, :
SCOTLAND SCHOOL FOR VETERANS' CHILDREN, :
PENNSYLVANIA STATE ORAL SCHOOL FOR THE : Case No. PERA-R-1363-C
DEAF, and THADDEUS STEVENS TRADE SCHOOL :
:

NISI ORDER OF CERTIFICATION

On March 9, 1972, an Election was conducted in the above matter in accordance with the Joint Request for Election filed with the Pennsylvania Labor Relations Board. The tally of the ballots cast shows that eighty-three (83) ballots were cast for PSEA/NEA Local Associations at the Scotland, Thaddeus Stevens and Scranton Oral Schools, and seven (7) ballots were cast for No Representative.

WHEREAS, the tally of the ballots cast shows that a collective bargaining representative has been selected and no objections having been filed to the conduct of the election to the date of this Order.

NOW, THEREFORE, the Pennsylvania Labor Relations Board, pursuant to authority of Act No. 195 known as the Public Employe Relations Act,

HEREBY ORDERS AND DECREES

that PSEA/NEA LOCAL ASSOCIATIONS AT THE SCOTLAND, THADDEUS STEVENS AND SCRANTON ORAL SCHOOLS, be and it is hereby

CERTIFIED

as the exclusive representative for all the employes in a subdivision of the employer unit comprised of all employes of the Commonwealth under the control and jurisdiction of the Governor employed as State Oral School Teacher I, State Oral School Teacher II, State Oral Schoolmaster Teacher, Instructor (Scotland School for Veterans' Children), and Instructor (Thaddeus Stevens Trade School), and excluding all supervisors, first level supervisors, managerial and confidential employes as defined in the Act for the purpose of collective bargaining with respect to wages, hours, terms and conditions of employment, subject to the provisions of the aforesaid Act No. 195, and

IT IS HEREBY FURTHER ORDERED AND DECREED

that in the absence of any exceptions filed, pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board, approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall

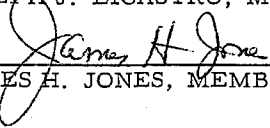
become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania,
this twenty-first day of March, 1972.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
The Pennsylvania Labor Relations Board

NISI ORDER OF CERTIFICATION

IN THE MATTER OF THE EMPLOYES OF :
 |
CHILDREN'S HOSPITAL OF PHILADELPHIA : Case No. PERA-R-31-E
 |
 :

A Petition for Representation by Public Employees, Group of Public Employees or Employee Organization was filed with the Pennsylvania Labor Relations Board, herein called the "Board" on November 2, 1970, by Local 1199C, National Union of Hospital & Nursing Home Employees, Division of RWDSU, AFL-CIO, herein called "Local 1199C", alleging that it represented 30% or more of certain employes of the Children's Hospital of Philadelphia, herein called "Employer", in a proposed unit consisting of maintenance and service employes.

On November 20, 1970, the Board issued an Order and Notice of Hearing, fixing December 10, 1970, at Philadelphia, Pennsylvania as the place of hearing. The aforesaid hearing was held on December 10, 1970, before A. Leo Sereni, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross examine the witnesses and to present testimony and introduce evidence was afforded to all parties in interest. At the hearing, the parties agreed and stipulated that the unit appropriate for the purposes of collective bargaining is a subdivision of the employer unit comprised of all full-time and regular part-time services of maintenance employes (working 20 or more hours per week) in the following departments: Research, Nursing, Central Supply, Rebound Cardiology, Anesthesiology, Purchasing, Laundry, Dietary, Housekeeping, Maintenance, Blood Bank, Special Hematology, Chemistry, Pathology, Pharmacy, Radiology, Parking Lot and Chop-Shop, and excluding all other employes including guards, watchmen, clerical, technical, technologists, licensed practical nurses, professional, supervisory, management and confidential employes.

Thereafter, on February 9, 1971, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Wednesday, February 24, 1971, among the employes of the Employer in order to ascertain the exclusive representative for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment. Said election was conducted as Ordered, within the heretofore defined appropriate unit and of a fixed number, by an Elections Officer assigned by the Pennsylvania Labor Relations Board.

On April 7, 1971, the Board issued an Order Directing the Taking of Testimony on the Challenged Ballots. This hearing was held on April 20, 1971, before A. Leo Sereni, a duly designated Hearing Examiner of the Board, in Philadelphia, Pennsylvania.

The Board, on the basis of testimony and evidence presented at the hearings and from all matters and documents of record, and the election conducted on February 24, 1971, makes the following:

FINDINGS OF FACT

1. That the Children's Hospital of Philadelphia is a public employer with its principal place of business at 1740 Bainbridge Street, Philadelphia, Pennsylvania.
2. That Local 1199C, National Union of Hospital & Nursing Home Employees, a division of RWDSU, AFL-CIO is an employe organization which exists in whole or in part, for the purpose of dealing with employers concerning wages, terms and conditions of employment with its principal office at Room 710, 1211 Chestnut Street, Philadelphia, Pennsylvania.
3. That the parties agreed and stipulated that the unit appropriate for the purpose of collective bargaining is a subdivision of the employer unit comprised of all full-time and regular part-time services of maintenance employes (working 20 or more hours per week) in the following departments: Research, Nursing, Central Supply, Rebound Cardiology, Anesthesiology, Purchasing, Laundry, Dietary, Housekeeping, Maintenance, Blood Bank, Special Hematology, Chemistry, Pathology, Pharmacy, Radiology, Parking Lot and Chop-Shop, and excluding all other employes including guards, watchmen, clerical, technical, technologists, licensed practical nurses, professional, supervisory, management and confidential employes.(N. T. 39, 40)
4. That the Board conducted an election, by secret ballot, on February 24, 1971, among the agreed employes of the Employer within the heretofore defined appropriate unit, and of a fixed number, in accordance with the Order of the Board issued February 9, 1971.
5. That the questions voted on at said election were:
"Shall Local 1199C, National Union of Hospital & Nursing Home Employees, Division of RWDSU, AFL-CIO, or No Representative, represent you exclusively for the purpose of collective bargaining with your Employer, Children's Hospital of Philadelphia?"
6. That one hundred and sixty-five (165) ballots were cast by employes on the eligibility list, three (3) of which were challenged. In addition, eight (8) ballots were cast by employes not on the eligibility list and were challenged by the Board's Agent; thus making one hundred and seventy-three (173) ballots to be accounted for.
7. That of the one hundred and sixty-two (162) unchallenged ballots which were canvassed at the conclusion of the election, eighty-two (82) votes were cast for Local 1199C, and eighty (80) votes were cast for No Representative.

8. That at the hearing ordered by the Board for the Taking of Testimony on the Challenged Ballots, the parties stipulated and agreed to open seven (7) of the eleven (11) challenged ballots. Of the seven (7) ballots opened, four (4) voted in favor of representation by Local 1199C, two (2) voted for No Representative, and one (1) ballot was void. Thereafter, the parties agreed to open the four (4) remaining challenged ballots and of these four (4) ballots, three (3) voted in favor of representation by Local 1199C and one (1) voted for No Representative.

9. That a recapitulation of the one hundred and seventy-three (173) ballots opened and canvassed revealed the following results: eighty-nine (89) ballots were cast in favor of representation by Local 1199C, eighty-three (83) ballots were cast for No Representative, and one (1) ballot was void.

10. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

Most of the salient facts involved in connection with the above-captioned matter were stipulated to, the only matter really being presented at the Hearing at which an election was directed was the finding of the appropriate interest of 30%. The Board is entirely satisfied in this regard that the Hearing Examiner's Report was correct.

The Board is entirely satisfied that the unit is an appropriate one.

In determining the appropriateness of a unit, Section 604 of the Public Employe Relations Act provides as follows:

"The Board shall determine the appropriateness of a unit which shall be the public employer unit or a subdivision thereof. In determining the appropriateness of the unit, the board shall:

1. Take into consideration but shall not be limited to the following: (i) public employes must have an identifiable community of interest, and (ii) the effects of overfragmentization.

2. Not decide that any unit is appropriate if such unit includes both professional and non-professional employes, unless a majority of such professional employes vote for inclusion in such unit.

3. Not permit guards at prisons and mental hospitals, employes directly involved with and necessary to the functioning of the courts of this Commonwealth, or any individual employed as a guard to enforce against employes and other persons,

rules to protect property of the employer or to protect the safety of persons on the employer's premises to be included in any unit with other public employes, each may form separate homogenous employe organizations with the proviso that organizations of the latter designated employe group may not be affiliated with any other organization representing or including as members, persons outside of the organization's classification.

4. Take into consideration that when the Commonwealth is the employer, it will be bargaining on a Statewide basis unless issues involve working conditions peculiar to a given governmental employment locale. This section, however, shall not be deemed to prohibit multi-unit bargaining.

5. Not permit employes at the first level of supervision to be included with any other units of public employes but shall permit them to form their own separate homogenous units. In determining supervisory status the board may take into consideration the extent to which supervisory and non-supervisory functions are performed. "

In the present proceeding the proposed unit, as amended and agreed upon between the Petitioner and the Employer, includes the following:

"Research, Nursing, Central Supply, Rebound Cardiology, Anesthesiology, Purchasing, Laundry, Dietary, Housekeeping, Maintenance, Blood Bank, Special Hematology, Chemistry, Pathology, Pharmacy, Radiology, Parking Lot and Chop-Shop; and excluding all other employes including guards, watchmen, clerical, technical, technologists, licensed practical nurses, professional, supervisory, management and confidential employes. "

Here, bearing in mind that all maintenance and service employes in substantially similar type work, there is a definite community of interest as required by the foregoing requirements of the Act, even as to maintenance and service employes working in different departments of the hospital.

Moreover, when the goal of the statute in avoiding the effects of overfragmentizing is considered, the unit designated seems especially appropriate. It should be noted in this connection that all professional guards and supervisory and confidential personnel have been expressly excluded from the unit. Under the circumstances, the Board is entirely satisfied as to the appropriateness of all such service and maintenance employes with the stated exceptions as constituting a single unit irrespective of the department in which they work.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and, more particularly in consideration of the election conducted on February 24, 1971, concludes and finds:

1. That the Children's Hospital of Philadelphia is a "public employer" within the meaning of Section 301 (1) of the Act.
2. That Local 1199C, National Union of Hospital & Nursing Home Employees, Division of RWDSU, AFL-CIO is an "employee organization" within the meaning of Section 301 (3) of the Act.
3. That the Pennsylvania Labor Relations Board has jurisdiction over the parties hereto.
4. That the unit appropriate for the purposes of collective bargaining is a subdivision of the employer unit comprised of full-time and regular part-time services of maintenance employees (working 20 or more hours per week) in the following departments: Research, Nursing, Central Supply, Rebound Cardiology, Anesthesiology, Purchasing, Laundry, Dietary, Housekeeping, Maintenance, Blood Bank, Special Hematology, Chemistry, Pathology, Pharmacy, Radiology, Parking Lot and Chop-Shop; and excluding all other employees including guards, watchmen, clerical, technical, technologists, licensed practical nurses, professional, supervisory, management and confidential employees.
5. That a majority of the employees of the Employer within the heretofore defined appropriate unit have selected and designated Local 1199C National Union of Hospital & Nursing Home Employees, Division of RWDSU, AFL-CIO as their exclusive representative for the purpose of collective bargaining with the Employer.
6. That Local 1199C, National Union of Hospital & Nursing Home Employees, Division of RWDSU, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employees of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

C E R T I F I E S

that LOCAL 1199C, NATIONAL UNION OF HOSPITAL & NURSING HOME EMPLOYEES, Division of RWDSU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in the unit described below for the purposes of collective bargaining

with respect to wages, hours and terms and conditions of employment.

UNIT:

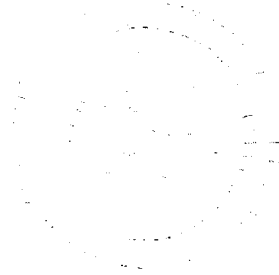
In a subdivision of the employer unit comprised of full-time and regular part-time services of maintenance employes (working 20 or more hours per week) in the following departments: Research, Nursing, Central Supply, Rebound Cardiology, Anesthesiology, Purchasing, Laundry, Dietary, Housekeeping, Maintenance, Blood Bank, Special Hematology, Chemistry, Pathology, Pharmacy, Radiology, Parking Lot and Chop-Shop; and excluding all other employes including guards, watchmen, clerical, technical, technologists, licensed practical nurses, professional, supervisory, management and confidential employes as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board, approved October 9, 1970, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED, AND DATED at Harrisburg, Pennsylvania, this thirtieth day of June, 1971.

PENNSYLVANIA LABOR RELATIONS BOARD



Malcolm B. Petrikin

MALCOLM B. PETRIKIN, CHAIRMAN

Joseph J. LeCastro

JOSEPH J. LECASTRO, MEMBER

George E. Stuart

GEORGE E. STUART, MEMBER

3

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF:
:
: Case No. PERA-R-82-31-E
:
PHILADELPHIA GAS WORKS :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on January 19, 1982, by International Union, United Plant Guard Workers of America (UPGWA) (Union) alleging that it represented thirty (30) percent or more of certain employes of Philadelphia Gas Works (Employer) and requesting that a hearing be scheduled and an Order be issued for an Election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employee Relations Act (Act).

Thereafter, on March 22, 1982, the Board received a Memorandum of Agreement jointly executed by the parties wherein they agreed to the position on the ballot, the site for the conducting of the election, the eligibility list and all other matters pertaining to the conduct of the election.

Thereafter, on March 25, 1982, an Order and Notice of Election was issued directing that an election, by secret ballot, be held and conducted on April 8, 1982, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time security officers at the Philadelphia Gas Works; and excluding management level employes, supervisors, first level supervisors, and confidential employes as defined in the Act.

The election was conducted as ordered by Election Officers assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT, numbers 1 through 7 inclusive, as set forth in the Order and Notice of Election dated March 25, 1982, are

hereby affirmed and incorporated by reference herein and made a part hereof.

8. That the Board conducted an election, by secret ballot, on April 8, 1982, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued March 25, 1982.

9. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by International Union, United Plant Guard Workers of America or whether said employes wished No Representative.

10. That twenty (20) ballots were cast at the election.

11. That of the twenty (20) ballots, thirteen (13) ballots were cast in favor of representation by International Union, United Plant Guard Workers of America; seven (7) ballots were cast for No Representative; and no (0) ballots were cast by persons whose votes were challenged. No (0) ballots were void or blank.

12. That the duly appointed Watchers in attendance at the said election have certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on April 8, 1982, concludes and finds:

That CONCLUSIONS, numbers 1 through 5 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the valid votes cast by employes in the aforesaid appropriate unit designated International Union, United Plant Guard Workers of America as the exclusive representative for the purpose of collective bargaining with the Employer.

7. That International Union, United Plant Guard Workers of America is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board hereby

CERTIFIES

that INTERNATIONAL UNION, UNITED PLANT GUARD WORKERS OF AMERICA

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: All full-time and regular part-time security officers at the Philadelphia Gas Works; and excluding management level employes, supervisors, first level supervisors, and confidential employes as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to 34 Pa. Code §95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this twenty-ninth day of April, 1982.

PENNSYLVANIA LABOR RELATIONS BOARD


RALPH F. SCALERA, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYEES OF :
: :
: Case No. PERA-R-9185-E
PHILADELPHIA PORT CORPORATION :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on November 20, 1976, by the American Federation of State, County and Municipal Employees, AFL-CIO, hereinafter called "AFSCME", alleging that it represented thirty (30) percent or more of certain employes of the Philadelphia Port Corporation, hereinafter called the "Employer", and requesting that pursuant to Section 603(c) of the Public Employee Relations Act, hereinafter called the "Act", a hearing be scheduled and an Order be issued for an election.

Pursuant to due notice, a hearing was held on January 21, 1977, in Philadelphia, Pennsylvania, before William Draper Lewis, Esquire, a duly designated Hearing Examiner of the Board, at which time the parties entered into a Memorandum of Agreement stipulating to the positions on the ballot, the site or sites for the conducting of the election, the eligibility list, and all other matters pertaining to the conduct of the election.

Thereafter, on February 4, 1977, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Thursday, February 24, 1977, among the employes of the employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time Maintenance Personnel; and excluding Office Personnel, the Maintenance Superintendent, management level employes, supervisors, first level supervisors, confidential employes, and guards, as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The Findings of Fact, numbers 1 through 6 inclusive, as set forth in the Board's Order and Notice of Election dated February 4, 1977, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That the Board conducted an election, by secret ballot, on February 24, 1977, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order of the Board issued February 4, 1977.

8. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the American Federation of State, County and Municipal Employees, AFL-CIO, or whether the said employes wished No Representative.

9. That fourteen (14) ballots were cast at the Election.

10. That of the fourteen (14) ballots, thirteen (13) ballots were cast in favor of representation by the American Federation of State, County and Municipal Employees, AFL-CIO, and one (1) ballot was cast for No Representative. No (0) ballots were cast by persons whose votes were challenged, and no (0) ballots were void or blank.

11. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on February 24, 1977, concludes and finds:

The Board's Conclusions, numbers 1 through 4 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated the American Federation of State, County and Municipal Employees, AFL-CIO as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That the American Federation of State, County and Municipal Employees, AFL-CIO is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of all full-time and regular part-time Maintenance Personnel; and excluding Office Personnel, the Maintenance Superintendent, management level employes, supervisors, first level supervisors, confidential employes, and guards, as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to 34 Pa. Code Ch. 95.98, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this third day of March, 1977.

PENNSYLVANIA LABOR RELATIONS BOARD



JOSEPH J. LICASTRO, MEMBER



JAMES H. JONES, MEMBER

March 14, 1974, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That the Board conducted an election, by secret ballot, on April 4, 1974, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued on March 14, 1974.

8. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Pennsylvania Nurses Association or whether the said employes wished No Representative.

9. That thirty (30) ballots were cast by eligible voters, no (0) ballots were void or blank, and one (1) ballot was cast by a person whose vote was challenged; thus leaving thirty (30) ballots to be accounted for and canvassed.

10. That of the thirty (30) ballots, twenty-nine (29) ballots were cast in favor of representation by Pennsylvania Nurses Association and one (1) ballot was cast for No Representative.

11. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballot cast by a person whose vote was challenged since its inclusion in the total votes cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, concludes and finds:

The Board's Conclusions as set forth in its Order and Notice of Election, numbers 1 through 4 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Pennsylvania Nurses Association as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That Pennsylvania Nurses Association is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that PENNSYLVANIA NURSES ASSOCIATION

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT: In a subdivision of the Employer unit comprised of: all full-time and regular part-time Licensed Practical Nurses, excluding management level employes, supervisors, first level supervisors, confidential employes, and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board, approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania this seventeenth day of April, 1974.

3. PENNSYLVANIA LABOR RELATIONS BOARD


Raymond L. Scheib

RAYMOND L. SCHEIB, CHAIRMAN

Joseph J. Licastro

JOSEPH J. LICASTRO, MEMBER

James H. Jones

JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
The Pennsylvania Labor Relations Board

CERTIFICATION OF REPRESENTATIVE

IN THE MATTER OF THE EMPLOYES OF

X
: No. PERA-R-1479-C
: X

INTERMEDIATE UNIT #29
(SCHUYLKILL INTERMEDIATE UNIT
EXCEPTIONAL CHILDREN'S PROGRAM)

W H E R E A S , a Joint Request for Certification was filed with the Pennsylvania Labor Relations Board pursuant to ARTICLE VI, SECTION 602(a) of the PUBLIC EMPLOYE RELATIONS ACT, being Act 195 of 1970, and

W H E R E A S , the Pennsylvania Labor Relations Board has found the unit appropriate, and the Public Employer has complied with the five (5) day notice required by RULE 3.1(h), and

W H E R E A S , no objections having been filed to the Joint Request for Certification, the Pennsylvania Labor Relations Board hereby

C E R T I F I E S

that P.S.E.A. LOCAL BRANCH OF OFFICE OF COUNTY SUPERINTENDENT OF SCHOOLS

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in unit described below for the purposes of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT: In a subdivision of the Employer unit comprised of Teachers and excluding supervisors, first level supervisors and confidential employees as defined in the Act.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania,

this 14th day of February, 1972.

PENNSYLVANIA LABOR RELATIONS BOARD

Raymond P. Smith

CHAIRMAN
Joseph P. ...

MEMBER
...

MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYEES OF :
:
: Case No. PERA-R-86-269-W
:
TRANS-COUNTY BUS LINES, INC. :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on May 23, 1986, by the Amalgamated Transit Union, Local #1357 (Union) alleging that it represented thirty (30) percent or more of certain employes of Trans-County Bus Lines, Inc. (Employer) and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employe Relations Act (Act).

Pursuant to due notice, a pre-hearing conference was held on November 4, 1986, in Pittsburgh, Pennsylvania, at which time the parties entered into a Memorandum of Agreement stipulating to the positions on the ballot, the site for the election, the eligibility list, the unit composition, and all other matters pertaining to the conduct of the election.

Thereafter, on November 21, 1986, an Order and Notice of Election was issued directing that an election, by secret ballot, be held and conducted on December 9, 1986, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time blue-collar nonprofessional employes, including but not limited to bus drivers; and excluding professional employes, management level employes, supervisors, first level supervisors, confidential employes, and guards, as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 6 inclusive, as set forth in the Order and Notice of Election dated November 21, 1986, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That the Board conducted an election, by secret ballot, on December 9, 1986, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Election issued November 21, 1986.

8. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the Amalgamated Transit Union, Local #1357 or whether said employes wished no representative.

9. That seven (7) ballots were cast at the election.

10. That of the seven (7) ballots, four (4) ballots were cast in favor of representation by the Amalgamated Transit Union, Local #1357; two (2) ballots were cast for No Representative; and one (1) ballot was cast by a person whose vote was challenged. No (0) ballots were void or blank.

DISCUSSION

The Board will neither open, canvass nor pass upon the validity of the ballot cast by the person whose vote was challenged since its inclusion in the total votes cast would have no material effect upon the results of the election.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on December 9, 1986, concludes and finds:

That CONCLUSIONS numbers 1 through 4 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the valid votes cast by employes in the aforesaid appropriate unit designated the Amalgamated Transit Union, Local #1357 as the exclusive representative for the purpose of collective bargaining with the Employer.

6. That the Amalgamated Transit Union, Local #1357 is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

CERTIFIES

that the AMALGAMATED TRANSIT UNION, LOCAL #1357

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

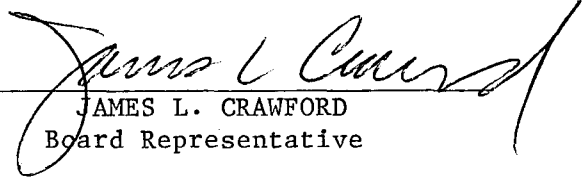
UNIT: All full-time and regular part-time blue-collar nonprofessional employes, including but not limited to bus drivers; and excluding professional employes, management level employes, supervisors, first level supervisors, confidential employes, and guards, as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED AND DATED at Harrisburg, Pennsylvania, this twenty-ninth day of December, 1986, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative



R-8963-W

Extra Copy

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYEES OF :
: Case No. PERA-R-8963-W
STAIRWAYS, INC. :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) on September 30, 1976, by the Pennsylvania Social Services Union, Local 668, SEIU, AFL-CIO (Union) alleging that it represented thirty (30%) percent or more of certain employes of Eric County (County) and Stairways, Inc. (Employer) and requesting the Board to schedule a hearing and order an election pursuant to Section 603(c) of the Public Employee Relations Act (PERA).

The Employer filed an Answer on October 12, 1976, in which it inter alia averred that it was the sole employer of the aforementioned employes.

The Board issued an Order and Notice of Pre-Election Conference on October 18, 1976, fixing November 1, 1976, in Erie as the time and place of hearing.

The County filed an Answer on October 25, 1976, in which it inter alia denied that it was an employer of the aforementioned employes.

The hearing was held as scheduled before a duly designated Hearing Examiner of the Board at which time all parties in interest were afforded the opportunity to present testimony, examine and cross-examine witnesses and introduce documentary evidence. Pursuant to Board order, a further hearing was held on May 12, 1977.

On August 5, 1977, the Union filed an amendment to its petition to include the Erie County Mental Health/Mental Retardation Office (MH/MR Office) as a co-employer of the aforementioned employes.

Thereafter, on February 28, 1978, an Order and Notice of Election ballot, be held and conducted by the employees of the Employer representative, if any, for the purpose of determining the Employer's respect to wages, hours, and in a subdivision of the Employer and regular part-time caseworkers, aides, vocational counselors, therapists, activities aides, workers, clerk typists, cleaners, cooks, and receptionists; and supervisors, first-level supervisors as defined in the Act.

The election was conducted by the Officer assigned by the Pennsylvania Labor Relations Board.

On March 16, 1978, the Election and Exceptions to the Executive Director of the Board Directing the Taking of Test Ballots and Order and Notice of Conduct of the Election on March 16, 1978, at Erie as the time and place of hearing continued at the request of the parties filed a letter with (4) challenged ballots cast, properly challenged and shown to the Board. On June 5, 1978, the Employer withdrawing its "Objections to Board's Conduct."

FINDINGS

That findings of fact as set forth in the Board's Order of February 28, 1978, are hereby affirmed and made a part of this Order.

26. That the Board's Order of March 14, 1978, and the Order of the Board of March 14, 1978, are hereby affirmed and made a part of this Order.

27. That the question of whether the said employes wish to be represented by the Pennsylvania Social Services Union, Local 668, SEIU, AFL-CIO, is to be determined by the Board.

Executive
R-8963-W
on



Thereafter, on February 28, 1978, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Tuesday, March 14, 1978, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the Employer unit comprised of all full-time and regular part-time caseworkers, resident supervisors, resident aides, vocational counselors, vocational aides, activities therapists, activities aides, occupational therapists, intake workers, clerk typists, clerks, repairmen, custodial workers, cooks, and receptionists; and excluding management level employes, supervisors, first-level supervisors, confidential employes and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

On March 16, 1978, the Board received "Objections to Election and Exceptions to Board's Conduct" from Robert A. Huber, Executive Director of the Employer. The Board issued an Order Directing the Taking of Testimony on the Validity of Challenged Ballots and Order and Notice of Hearing on Exceptions to the Conduct of the Election on April 7, 1978, fixing April 25, 1978, at Erie as the time and place of hearing. The hearing was continued at the request of the parties. On April 26, 1978, the parties filed a letter with the Board stipulating that the four (4) challenged ballots cast at the election should stand as properly challenged and should therefore not be counted by the Board. On June 5, 1978, the Board received a letter from the Employer withdrawing its "Objections to Election and Exceptions to Board's Conduct."

FINDINGS OF FACT

That Findings of Fact numbered 1 through 25 inclusive as set forth in the Board's Order and Notice of Election dated February 28, 1978, are hereby affirmed and incorporated by reference herein and made a part hereof.

26. That the Board conducted an election, by secret ballot, on March 14, 1978, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order of the Board issued February 28, 1978.

27. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the Pennsylvania Social Services Union, Local 668, SEIU, AFL-CIO, or whether the said employes wished No Representative.

28. That the election revealed that the following results were cast in favor of the Social Services Union, Local 668, SEIU, AFL-CIO, and one (1) ballot was cast for No Representative.

29. That the election revealed the following results: being included in the unit, nine (9) ballots were challenged and one (1) ballot was cast for No Representative.

30. That the election and nonprof election revealed that the following results were cast in favor of the Social Services Union, Local 668, SEIU, AFL-CIO, and one (1) ballot was cast for No Representative.

31. That the election revealed the following results: the four (4) challenged ballots cast at the election should stand as properly challenged and should therefore not be counted by the Board.

32. That the election revealed the following results: the said election was conducted in accordance with the Act and the results have been made by the Board.

Because of the foregoing, the Board hereby orders that the election be set aside and a new election be held.

The Pennsylvania Labor Relations Board hereby orders that the election be set aside and a new election be held.

The Board hereby orders that the election be set aside and a new election be held.

That the election be set aside and a new election be held.

28. That the professional employees were asked to indicate their preference as to whether or not they desired to be included in a unit of professional and nonprofessional employees.

29. That a tally of the ballots cast by the professional employees in the Unit Determination Election revealed the following results: Fourteen (14) ballots were cast in favor of being included in a unit of professional and nonprofessional employees, nine (9) ballots were cast in favor of being included in a unit comprised of only professional employees, and four (4) ballots were challenged.

30. That a tally of the ballots cast by the professional and nonprofessional employees in the Representation Election revealed the following results: Thirteen (13) ballots were cast in favor of representation by Pennsylvania Social Services Union, Local 668, SEIU, AFL-CIO; Twelve (12) ballots were cast for No Representative; four (4) ballots were challenged; and one (1) ballot was void or blank.

31. That the parties stipulated that the challenges to the four (4) ballots were valid.

32. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

Because of the parties' stipulation, the Board will neither open nor canvass the challenged ballots.

The Pennsylvania Labor Relations Board is of the opinion that the policies of the Public Employee Relations Act will be effectuated by permitting the withdrawal of the Employer's "Objections to Election and Exceptions to Board's Conduct."

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on March 14, 1978, concludes and finds:

That the CONCLUSIONS numbered 1 through 10 inclusive as set forth in the aforesaid Order and Notice of Election are hereby affirmed and incorporated by reference herein and made a part hereof.

11. That a majority defined appropriate unit have Pennsylvania Social Services Union exclusive representative for with the Employer.

12. That the Penn 668, SEIU, AFL-CIO, by virtue the exclusive representative within the heretofore defined of collective bargaining, with hours of employment and other

The Pennsylvania L after due consideration of the whole,

HEREBY O

that the request to withdraw Exceptions to Board's Conduct 1978, to the above case number and

In view of the fore the policies of the Act, the hereby

that the PENNSYLVANIA SOCIAL AFL-CIO,

is the EXCLUSIVE REPRESENTATIVE named Employer in the unit de collective bargaining with re and conditions of employment.

UNIT: In a subdivision of of all full-time and resident supervisors, counselors, and public activities, intake work, and custodial work, excluding management, first-level supervisors and guards and other

that in the absence of Code Ch. 95.98 with Decision and Order

SIGNED, this ninth day of

11. That a majority of the employees in the heretofore defined appropriate unit have selected and designated the Pennsylvania Social Services Union Local 668, SEIU, AFL-CIO, as their exclusive representative for the purpose of collective bargaining with the Employer.

12. That the Pennsylvania Social Services Union Local 668, SEIU, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employees of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

ORDER

The Pennsylvania Labor Relations Board, therefore, after due consideration of the foregoing and the record as a whole,

HEREBY ORDERS AND DIRECTS

that the request to withdraw the "Objections to Election and Exceptions to Board's Conduct" filed by the Employer on June 5, 1978, to the above case number be and the same is hereby granted, and

In view of the foregoing and in order to effectuate the policies of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that the PENNSYLVANIA SOCIAL SERVICES UNION LOCAL 668, SEIU, AFL-CIO,

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the Employer unit comprised of all full-time and regular part-time caseworkers, resident supervisors, resident aides, vocational counselors, vocational aides, activities therapists, activities aides, occupational therapists, intake workers, clerk typists, clerks, repairmen, custodial workers, cooks, and receptionists; and excluding management level employees, supervisors, first-level supervisors, confidential employees and guards as defined in the Act.

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AL No. 220,

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IT IS HEREBY ORDERED AND DECREED

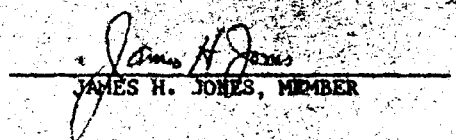
that in the absence of any Exceptions filed pursuant to 34 Pa.
Code Ch. 95.98 within ten (10) days of the date hereof, this
Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania,
this ninth day of June, 1978.

PENNSYLVANIA LABOR RELATIONS BOARD


KENNETH F. KAHN, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

IN THE MATTER OF
STAIRWAYS, INC.

COMMONWEALTH OF
COUNTY OF ERIE

Before
personally appear
duly sworn accord
1978, he did post
Pennsylvania Labor
true and complete
Stairways, Inc. as

Sworn and subscrib
this 22 day of

FILED
BY COMMONWEALTH CLERK
JAMES C. PROFFER, JR.
ERIE COUNTY, PENNSYLVANIA
MAY 22 1978

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: Case No. PERA-R-6024-E
: UNITED CEREBRAL PALSY ASSOCIATION :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on February 7, 1975, by Retail Clerks, Local 1357 -- Professional Division, hereinafter called "Local 1357", alleging that it represented thirty percent (30%) or more of certain employees of the United Cerebral Palsy Association, hereinafter called the "Employer", and requesting that pursuant to Section 603(8) of the Public Employee Relations Act, hereinafter called the "Act", a hearing be scheduled and an Order be issued for an Election.

Pursuant to due notice, a Pre-Election Conference was held on March 19, 1975, at Philadelphia, Pennsylvania, before Irving W. Backman, Esquire, a duly designated Hearing Examiner of the Board, at which time the parties were afforded an opportunity to determine positions on the ballot, the time or sites for the conducting of the election, the eligibility list and all other matters pertaining to the conduct of the election. At the Pre-Election Conference the American Federation of State, County and Municipal Employees, District Council 33, was permitted to intervene in the proceedings.

Thereafter, on April 7, 1975, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Friday, April 25, 1975, among the employees of the employer to ascertain the exclusive representative if any, for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of full-time program staff, line staff, matrons, drivers, maintenance, adult services, children services, social recreation, social service, telephone operator and secretaries, and excluding management level employees, supervisors, first level supervisors, confidential employees, and guards, as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The results of the Election were inconclusive in that neither employe organization received a majority of the valid ballots cast. Thereafter, on May 19, 1975, the Board issued an Order and Notice of Run-Off Election, directing that an election be held and conducted on Friday, June 20, 1975, among the employes in the heretofore defined appropriate unit.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The Findings of Fact numbers 1 through 7 inclusive, as set forth in the Board's Order and Notice of Election dated April 7, 1975, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That the Board conducted an election, by secret ballot, on Friday, April 25, 1975, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order of the Board issued April 7, 1975.

9. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Retail Clerks, Local 1357 -- Professional Division; or represented by American Federation of State, County and Municipal Employees, District Council 33; or whether the said employes wished No Representative.

10. That sixty-six (66) ballots were cast at the election.

11. That of the sixty-six (66) ballots, ten (10) ballots were cast in favor of representation by Retail Clerks, Local 1357 -- Professional Division; twenty-seven (27) ballots were cast in favor of representation by American Federation of State, County and Municipal Employees, District Council 33; twenty-eight (28) ballots were cast for No Representative; and one (1) ballot was cast by a person whose vote was challenged. No (0) ballots were void or blank.

12. That the Board conducted a Run-Off Election on June 20, 1975, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued May 19, 1975.

13. That the question voted on in the Run-Off Election was whether the eligible employes wished to be represented by American Federation of State, County and Municipal Employees, District Council 33, AFL-CIO or whether the said employes wished No Representative.

14. That sixty-five (65) ballots were cast in the Run-Off Election.

15. That of the sixty-five (65) ballots, thirty-nine (39) ballots were cast in favor of representation by American Federation of State, County and Municipal Employees, District Council 33, AFL-CIO; twenty-five (25) ballots were cast for No Representative; and one (1) ballot was cast by a person whose vote was challenged. No (0) ballots were void or blank.

16. That the duly appointed Watchers in attendance at the said Elections have certified that the Elections were fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballot cast by the person whose ballot was challenged since its inclusion in the total vote cast would have no material affect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the Run-Off Election conducted on Friday, June 20, 1975, concludes and finds:

The Board's Conclusions numbered 1 through 5 inclusive, as set forth in the Board's Order and Notice of Election issued on April 7, 1975, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the employees of the Employer within the heretofore defined appropriate unit have selected and designated American Federation of State, County and Municipal Employees, District Council 33, AFL-CIO, as their exclusive representative for the purpose of collective bargaining with the Employer.

7. That American Federation of State, County and Municipal Employees, District Council 33, AFL-CIO is the exclusive representative of all the employees of the Employer within the unit described below for the purpose of collective bargaining with respect to wages, hours, of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES,
DISTRICT COUNCIL 33, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named
Employer in the unit described below for the purpose of collective
bargaining with respect to wages, hours and terms and conditions
of employment.

UNIT: In a subdivision of the employer unit comprised
of the following classifications of employees:
Full-time program staff, line staff, matrons,
drivers, maintenance, adult services, children
services, social recreation, social service,
telephone operator and secretaries, and ex-
cluding management level employees, supervisors,
first level supervisors, confidential employees,
and guards, as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to 34 Pa. Code
Ch. 95.98, within ten (10) days of the date hereof, this Decision
and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this
third day of July, 1975.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

a meeting, that they had somebody there. What was in that letter, if it was the purpose, I have no knowledge of it.

Knipes-Cohen Associates

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
 :
 :
 : Case No. PERA-R-6737-C
 UNITED CEREBRAL PALSY OF SCHUYLKILL : Case No. PERA-R-6738-C
 CARBON AND NORTHUMBERLAND COUNTIES :

NISI ORDER OF CERTIFICATION

On May 5, 1975, two Petitions for Representation were filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board," by the American Federation of State, County and Municipal Employees, District Council 89, AFL-CIO, hereinafter called "AFSCME." Each of the Petitions alleged that AFSCME represented thirty (30%) percent or more of certain employees of "Habilitation Incorporated."

In filing its petitions, AFSCME seeks establishment of two bargaining units, each a subdivision of the employer unit, and each consisting of employees working at a rehabilitation center known as Habilitation, Inc. Specifically, the units sought to be established are a unit of professional employees (Case No. PERA-R-6737-C) and a unit of non-professional employees (Case No. PERA-R-6738-C).

The two cases were joined for hearing and, pursuant to due notice, a hearing was held on June 5, 1975, before William M. Gross, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded to all parties in interest. At the hearing, the Petition was amended to change the designation of the employer to United Cerebral Palsy of Schuylkill, Carbon and Northumberland Counties.

Thereafter, on September 2, 1975, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on September 23, 1975, among the employees in the two units which the Board found to be appropriate.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, on the basis of the testimony presented at the hearing, and from all other matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT numbers 1 through 8 inclusive, as set forth in the Board's Order and Notice of Election dated

September 9, 1975, are hereby affirmed and incorporated by reference herein and made a part hereof.

9. That the Board conducted an election, by secret ballot, on September 23, 1975, among the employees of the Employer within two appropriate units, in accordance with the Order of the Board issued September 9, 1975.

10. That the question voted on was whether the eligible employees in the appropriate units wished to be represented by American Federation of State, County and Municipal Employees, District Council 89, AFL-CIO, or whether the said employees wished No Representative.

11. That a tally of the ballots cast by employees in the unit comprised of professional employees revealed the following results: five (5) ballots were cast in favor of representation by American Federation of State, County and Municipal Employees, District Council 89, AFL-CIO; no (0) ballots were cast for No Representative; two (2) ballots were challenged; and no (0) ballots were void or blank.

12. That a tally of the ballots cast by employees in the unit comprised of non-professional employees revealed the following results: eight (8) ballots were cast in favor of representation by American Federation of State, County and Municipal Employees, District Council 89, AFL-CIO; no (0) ballots were cast for No Representative; no (0) ballots were challenged; and no (0) ballots were void or blank.

13. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by persons whose ballots were challenged, since their inclusion in the total votes cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on September 23, 1975, concludes and finds:

The Board's CONCLUSIONS numbers 1 through 5 inclusive, as set forth in its aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the employees of the Employer in Case No. PERA-R-6737-C (professional unit) have selected and

designated American Federation of State, County and Municipal Employees, District Council 89, AFL-CIO, as their exclusive representative for the purpose of collective bargaining.

7. That a majority of the employes of the Employer in Case No. PERA-R-6738-C (non-professional unit) have selected and designated American Federation of State, County and Municipal Employees, District Council 89, AFL-CIO, as their exclusive representative for the purpose of collective bargaining.

8. That American Federation of State, County and Municipal Employees, District Council 89, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of the employes in the professional unit and the non-professional unit, for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES,
DISTRICT COUNCIL 89, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in Case No. PERA-R-6737-C in the unit described below:

UNIT: In a subdivision of the employer unit comprised of professional employes, including Rehabilitation Counsellor, Occupational Therapy Aides, Counsellors, Caseworker and Special Education Teacher, and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

and that the Pennsylvania Labor Relations Board further

CERTIFIES

that AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES,
DISTRICT COUNCIL 89, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in Case No. PERA-R-6738-C in the unit described below:

UNIT: In a subdivision of the employer unit comprised of non-professional employes, including Assistant Workshop Director, Cook, Procurement Agent, Janitor, Secretary, Woodwork Department Supervisor, Workshop Supervisor, Bus Driver and Truck Driver, and excluding Workshop Director, and further excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

A. Yes, we had.

Knipes-Cohen Associates

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to 34 Pa. Code Ch. 95.98, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this second day of October, 1975.

PENNSYLVANIA LABOR RELATIONS BOARD

Raymond L. Scheit
RAYMOND L. SCHEIT, CHAIRMAN

Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

James H. Jones
JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-R-2831-E
: :
THOMAS JEFFERSON UNIVERSITY :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on January 16, 1973, by the Pennsylvania Society of Hospital Pharmacists, hereinafter called the "Petitioner", alleging that it represented 30% or more of certain employes of the Thomas Jefferson University, hereinafter called the "Employer", and requesting the Board to order an election to determine the exclusive representative for the purpose of collective bargaining pursuant to the provisions of the Public Employe Relations Act, hereinafter called the "Act".

Pursuant to due notice, hearings were held on March 6, 1973, April 6, 1973 and May 29, 1973 in Philadelphia, Pennsylvania, before Levan Gordon, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded to all parties in interest.

At the time of the hearing, the Professional Pharmacists Guild of Delaware Valley, Local 1357, Retail Clerks, hereinafter called the "Intervenor", intervened in this matter.

Thereafter, on November 1, 1973, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Tuesday, November 27, 1973, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of meeting and discussing in respect to wages, hours, and terms and conditions of employment.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, on the basis of testimony and evidence presented at the hearing, and from all other matters and documents of record, makes the following:

FINDINGS OF FACT

The Findings of Fact numbers 1 through 16 inclusive, as set forth in the Board's Order and Notice of Election, dated November 1, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

17. That the Board conducted an election, by secret ballot, on November 27, 1973, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued November 1, 1973.

18. That the question voted on was whether the eligible employes, in the appropriate unit wished to be represented by Pennsylvania Society of Hospital Pharmacists, Professional Pharmacists Guild of Delaware Valley, Local 1357, Retail Clerks, or whether the said employes wished No Representative.

19. That thirteen (13) ballots were cast by eligible voters, no (0) ballots were void or blank, and four (4) ballots were cast by persons whose votes were challenged; thus leaving thirteen (13) ballots to be accounted for and canvassed.

20. That of the thirteen (13) ballots, eleven (11) ballots were cast in favor of representation by Pennsylvania Society of Hospital Pharmacists, one (1) ballot was cast in favor of representation by Professional Pharmacists Guild of Delaware Valley, Local 1357, Retail Clerks and one (1) ballot was cast for No Representative.

21. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by persons whose votes were challenged since their inclusion in the total votes cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, concludes and finds:

The Board's Conclusions as set forth in its Order and Notice of Election, numbers 1 through 9 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

10. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Pennsylvania Society of Hospital Pharmacists, as their exclusive representative for the purpose of collective bargaining with the Employer.

11. That Pennsylvania Society of Hospital Pharmacists, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that PENNSYLVANIA SOCIETY OF HOSPITAL PHARMACISTS

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the Employer unit comprised of the following classifications of employes: all full-time and regular part-time pharmacists, and excluding supervisors, first level supervisors, management level employes, confidential employes and guards, as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this fourth day of December, 1973.

3.

PENNSYLVANIA LABOR RELATIONS BOARD


Raymond L. Scheib
RAYMOND L. SCHEIB, CHAIRMAN

Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

James H. Jones
JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-R-2831-E
: :
THOMAS JEFFERSON UNIVERSITY :

NISI ORDER OF AMENDED CERTIFICATION

On December 4, 1973, the Pennsylvania Labor Relations Board, hereinafter called the "Board", issued a Nisi Order of Certification in the above entitled case. The Order certified Pennsylvania Society of Hospital Pharmacists as the exclusive representative of the employes in an appropriate unit. Through inadvertance, in the fourth paragraph on page one of the Order of the Board stated the purpose of the exclusive representative to be "of meeting and discussing" whereas the purpose should have been "of bargaining collectively". In view of the foregoing and in order to correct the error, the Board hereby

ORDERS AND DIRECTS

that the fourth paragraph on page one which reads as follows:

"Hereafter, on November 1, 1973, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Tuesday, November 27, 1973, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of meeting and discussing in respect to wages, hours, and terms and conditions of employment".

shall be amended to read as follows:

"Hereafter, on November 1, 1973, the Board issued ad Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Tuesday, November 27, 1973, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment".

THIS NISI ORDER OF AMENDED CERTIFICATION shall be posted by the employer immediately upon receipt, subject to the provisions of ARTICLE VI, of the Board's Rules and Regulations approved October 9, 1970, as amended, and subsequent to posting, the Public Employer shall furnish to the Pennsylvania Labor Relations Board an Affidavit of Posting in compliance with this Order.

The Nisi Order of Certification issued on December 4, 1973, in all other matters and respects shall be and remain in full force and effect; and

IT IS FURTHER ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board, approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania this sixth day of December, 1973.

2.

PENNSYLVANIA LABOR RELATIONS BOARD


Raymond L. Scheib
RAYMOND L. SCHEIB, CHAIRMAN

Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

James H. Jones
JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
 :
 : Case No. PERA-R-2831-E
 :
 THOMAS JEFFERSON UNIVERSITY

FINAL ORDER

On December 4, 1973 and December 6, 1973, the Pennsylvania Labor Relations Board, hereinafter called the "Board", issued a Nisi Order of Certification and a Nisi Order of Amended Certification wherein it certified the Pennsylvania Society of Hospital Pharmacists, hereinafter called the "Union", as the exclusive representative for the purpose of collective bargaining in a subdivision of the employer unit comprised of all full-time and regular part-time pharmacists, and excluding supervisors, first level supervisors, management level employes, confidential employes and guards as defined in the Act.

On December 12, 1973, the Professional Pharmacists Guild of Delaware Valley, Local 1357, Retail Clerks, hereinafter called the "Intervenor", filed Exceptions to the aforementioned Orders of Certification. Pursuant thereto, the Board ordered that Oral Argument be scheduled. Thereafter, on March 6, 1974, the Board received a letter from Counsel for the Intervenor indicating that it wished to withdraw its previously filed Exceptions.

In view of the foregoing and in order to effectuate the policies of the Public Employe Relations Act, the Pennsylvania Labor Relations Board

HEREBY ORDERS AND DIRECTS


that the Intervenor is granted permission to withdraw its Exceptions to the Nisi Order of Certification and Nisi Order of Amended Certification issued by the Board on December 4, 1973 and December 6, 1973, and the Oral Argument scheduled for March 20, 1974 is hereby cancelled and the said Nisi Order of Certification and Nisi Order of Amended Certification of December 4, 1973 and December 6, 1973, shall be and does hereby become absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania this fifteenth day of March, 1974.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
The Pennsylvania Labor Relations Board

- - - - -
NISI ORDER OF CERTIFICATION
- - - - -

IN THE MATTER OF THE EMPLOYES OF :
:
SAINT LUKE'S AND CHILDREN'S : Case No. PERA-R-67-E
MEDICAL CENTER :
:

A Petition for Representation by Public Employes, Group of Public Employes or Employee Organization was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on November 4, 1970, by Laborers' International Union of North America, AFL-CIO, hereinafter called "Laborers", alleging that it represented 30% or more of certain employes of Saint Luke's and Children's Medical Center, hereinafter called "Employer".

On November 27, 1970, the Board received a letter on behalf of Local 1199C, National Union of Hospital & Nursing Home Employees, Division of RWDSU, AFL-CIO, hereinafter called "1199C", requesting to intervene in said proceedings; and said Intervention was granted by the Board.

Thereafter, on December 22, 1970, the Board issued an Order fixing January 14, 1971, at Philadelphia, Pennsylvania, as the time and place of the hearing.

Hearings were held on January 14, 1971 and January 26, 1971, before a duly designated Hearing Examiner of the Board at which time a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded to all parties in interest.

Pursuant to the foregoing, a Pre-Election Conference was held on July 12, 1971 in the Board's office in Philadelphia, at which time the parties were afforded an opportunity to determine positions on the ballot, the sites or site for the conducting of the election, the eligibility list and all other matters pertaining to the conduct of the election.

Thereafter, on July 22, 1971, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Tuesday, August 3, 1971, among the Employes of the Employer to ascertain the exclusive representative for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment in a

subdivision of the employer unit comprised of all full-time and regular part time service and maintenance employes and excluding all professional employes, technical employes, clerical employes, licensed practical nurses, corpsmen, supervisors, first level supervisors, and confidential employes as defined in Act 195.

The election was conducted as Ordered by an Elections Officer assigned by the Pennsylvania Labor Relations Board.

The Board, on the basis of testimony and evidence presented at the hearings, and documents of record, finds the following facts:

FINDINGS OF FACT

The FINDINGS OF FACT NUMBERS 1 through 24 inclusive as set forth in the Board's Order and Notice of Election dated July 22, 1971 are hereby affirmed and incorporated by reference herein and made a part hereof.

25. That the Board conducted an election, by secret ballot, on August 3, 1971, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued July 22, 1971.

26. That the question voted on at said Election was: "Shall Laborers' International Union of North America, AFL-CIO, or Local 1199C, National Union of Hospital & Nursing Home Employees, Division of RWDSU, AFL-CIO, or No Representative, represent you exclusively for the purpose of collective bargaining with your Employer, Saint Luke's and Children's Medical Center?"

27. That one hundred and seventy-six (176) ballots were cast by eligible voters, twenty-three (23) ballots were cast by persons not on the eligibility list, twenty-one (21) of which were challenged by the Agent of the Board, and the remaining two (2) being challenged by the parties in interest; and fourteen (14) ballots were void or blank; thus leaving one hundred and seventy-six (176) ballots to be accounted for and canvassed.

28. That of the said one hundred and seventy-six (176) ballots, ten (10) ballots were cast in favor of representation by Laborers' International Union of North America, AFL-CIO, one hundred and seventeen (117) ballots were cast in favor of representation by Local 1199C, National Union of Hospital & Nursing Home Employees, division of RWDSU, AFL-CIO, and thirty-five (35) ballots were cast for No Representative.

29. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose ballots were challenged since their inclusion in the total vote cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election Numbers 1, 2, 3, 4, 5, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the employees of the Employer within the heretofore defined appropriate unit have selected and designated Local 1199C, National Union of Hospital & Nursing Home Employees, Division of RWDSU, AFL-CIO, as their exclusive representative for the purpose of collective bargaining with the Employer.

7. That Local 1199C, National Union of Hospital & Nursing Home Employees, Division of RWDSU, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employees of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that LOCAL 1199C, NATIONAL UNION OF HOSPITAL & NURSING HOME EMPLOYEES, DIVISION OF RWDSU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in the unit described below for the purposes of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT:

In a subdivision of the employer unit comprised of all full-time and regular part time service and maintenance employees and excluding all professional employees, technical employees, clerical employees, licensed practical nurses, corpsmen, supervisors, first level supervisors, and confidential employees as defined in Act 195.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania
this eighteenth day of August, 1971.

PENNSYLVANIA LABOR RELATIONS BOARD

Malcolm B. Petrikin

MALCOLM B. PETRIKIN, CHAIRMAN

George B. Stuart

GEORGE B. STUART, MEMBER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

NISI ORDER OF CERTIFICATION

IN THE MATTER OF THE EMPLOYES OF :
: :
: CASE NO. PERA-R-1230-E
: :
: :
ST. LUKE'S AND CHILDREN'S MEDICAL CENTER :

On August 9, 1971, a Petition for Representation by Public Employees, Group of Public Employees or Employee Organization was filed by Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, hereinafter called "Union", for representation of the licensed practical nurses and corpsmen of St. Luke's and Children's Medical Center, hereinafter called the "Employer" and requesting that pursuant to Section 603 (c) of the Public Employee Relations Act, the Act of July 23, 1970, (Act No. 195), a hearing be scheduled, the proposed unit be approved, and an Order be issued for an election.

On October 5, 1971, a hearing was held in Philadelphia, Pennsylvania, before Irving W. Backman, Esquire, a duly appointed Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses and to present testimony and introduce evidence was afforded to all parties in interest. Following the testimony presented at the aforesaid hearing the Board issued an Order and Notice of Election directing that an Election, by secret ballot, be held and conducted on December 2, 1971 in a unit comprised of licensed practical nurses and corpsmen and excluding management level employees, supervisors, first level supervisors, confidential employees and guards as defined in the Act in order to ascertain the exclusive representative for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment.

The unit deemed by the Board to be appropriate for the purpose of collective bargaining between the employer and its employees within the meaning of Section 604 of the Act is a subdivision of the employer unit comprised of all licensed practical nurses and corpsmen and excluding management level employees, supervisors, first level supervisors, confidential employees and guards as defined in Act 195.

The said election was conducted as ordered within the heretofore defined appropriate unit by Elections Officers assigned by the Pennsylvania Labor Relations Board.

The Board, on the basis of testimony and evidence presented at the hearing and from all matters and documents of record, and the Election conducted on December 2, 1971, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT NUMBERS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, as set forth in the Board's Order and Notice of Election dated November 19, 1971 are hereby affirmed and incorporated by reference herein and made a part hereof.

11. The Board conducted an election, by secret ballot, on December 2, 1971 among the employes of the Employer within the heretofore appropriate unit, in accordance with the Order of the Board issued November 19, 1971.

12. That the question voted on at said Election was: "Shall Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, or No Representative, represent you exclusively for the purpose of collective bargaining with your Employer, St. Luke's and Children's Medical Center?"

13. That thirty-three (33) ballots were cast by employes on the eligibility list. In addition, one (1) ballot cast was challenged by the Board's Agent; thus leaving thirty-four (34) ballots to be accounted for and canvassed.

14. That of the thirty-three (33) unchallenged ballots, which were canvassed at the conclusion of the Election, twenty-four votes were cast for Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, and nine (9) votes were cast for No Representative.

15. The duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballot cast by the person whose ballot was challenged, since the inclusion in the total vote cast would have no effect on the result of the election.

CONCLUSIONS

The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election Numbers 1, 2, 3, and 4 are hereby affirmed and incorporated by reference herein and made a part hereof.

5. A majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO as their exclusive representative for the purpose of collective bargaining with the Employer.

6. Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

C E R T I F I E S

that LOCAL 1199C, NATIONAL UNION OF HOSPITAL AND NURSING HOME EMPLOYEES, DIVISION OF RWDSU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT:

In a subdivision of the employer unit comprised of all licensed practical nurses and corpsmen and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in Act 195.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania this twenty-third day of December, 1971.

PENNSYLVANIA LABOR RELATIONS BOARD


Malcolm B. Petrik
MALCOLM B. PETRIKIN, CHAIRMAN

Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

3. George B. Stuart
GEORGE B. STUART, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: Case No. PERA-R-2484-E
:
ST. LUKE'S AND CHILDREN'S :
MEDICAL CENTER :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on September 26, 1972, by Guild of Professional, Technical and Office Employees, Local 1199C, Div. of RWDSU, AFL-CIO, hereinafter called "Local 1199C", alleging that it represented thirty percent of the technical employes of St. Luke's and Children's Medical Center, hereinafter called "Employer".

On November 14, 1972, a hearing was held in Philadelphia, Pennsylvania, before James J. DeMarco, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross examine witnesses, and to present testimony and introduce evidence was afforded to all parties.

Thereafter, on November 20, 1972, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Monday, December 4, 1972, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of all technical or related employes assisting in inhalation therapy, x-ray, EKG, physical therapy and operating room departments within the hospital and excluding supervisors, first level supervisors and confidential employes as defined in the Act.

The election was conducted as ordered by an Elections Officer assigned by the Pennsylvania Labor Relations Board.

The Board, on the basis of the testimony and evidence presented at the hearing, and from all other matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT NUMBERS 1 through 6 inclusive as set forth in the Board's Order and Notice of Election issued on November 20, 1972, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That the Board conducted an election, by secret ballot, on December 4, 1972, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued November 20, 1972.

8. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Guild of Professional, Technical and Office Employees, Local 1199C, Div. of RWDSU, AFL-CIO, or whether the said employes wished No Representative.

9. That eighteen (18) ballots were cast by eligible voters, no (0) ballots were void or blank, and no (0) ballots were cast by persons whose votes were challenged; this leaving eighteen (18) ballots to be accounted for and canvassed.

10. That of the eighteen (18) ballots, seventeen (17) ballots were cast in favor of representation by Guild of Professional, Technical and Office Employees, Local 1199C, Div. of RWDSU, AFL-CIO and one (1) ballot was cast for No Representative.

11. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on December 4, 1972, concludes and finds:

The Board's CONCLUSIONS NUMBERS 1 through 4, inclusive, as set forth in the Board's Order and Notice of Election dated November 20, 1972, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. A majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Guild of Professional, Technical and Office Employees, Local 1199C, Div. of RWDSU, AFL-CIO, as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That Guild of Professional, Technical and Office Employees, Local 1199C, Div. of RWDSU, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that GUILD OF PROFESSIONAL, TECHNICAL AND OFFICE EMPLOYEES, LOCAL 1199C, DIV. OF RWDSU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of all technical or related employes assisting in inhalation therapy, x-ray, EKG, physical therapy and operating room departments within the hospital and excluding supervisors, first level supervisors and confidential employes as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

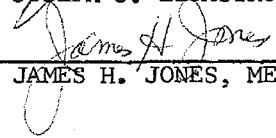
that in the absence of any Exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this twenty-sixth day of December, 1972.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYEES OF :
: Case No. PERA-R-5228-C
: SCRANTON PUBLIC LIBRARY :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on June 25, 1974, by the American Federation of State, County and Municipal Employees, District Council 87, AFL-CIO, hereinafter called the "Petitioner", alleging that it represented 30% or more of certain employes of the Scranton Public Library, hereinafter called the "Employer", and requesting that pursuant to Section 603(c) of the Public Employee Relations Act, hereinafter called the "Act", a hearing be scheduled and an Order be issued for an election.

On July 9, 1974, the Board issued an Order and Notice of Hearing fixing July 24, 1974 in Scranton, Pennsylvania, as the time and place of the hearing. At the hearing, a motion to intervene was presented by the Service Employees International Union, Local 406, AFL-CIO, hereinafter called the "Intervenor", which motion accompanied by appropriate showing of interest was accepted by the Hearing Examiner. During the process of the hearing, held and completed on July 24, 1974, before Charles S. Sobol, Esquire, a duly designated Hearing Examiner of the Board, a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded to all parties in interest.

At the hearing, Petitioner moved to amend the Petition to include all regular part-time employes in the bargaining unit. The motion was granted by the Hearing Examiner.

Thereafter, on September 17, 1974, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Thursday, October 3, 1974, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time professional and non-professional employes including Librarians I, II, III, Assistant Librarian, Library Trainee,

Provisional Librarians, Assistant Bookmobile Librarian, Clerks, Laborer, Driver, Custodian and Maintenance employes; excluding management level employes, supervisors, first level supervisors, confidential employes, and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT numbers 1 through 33 inclusive as set forth in the Board's Order and Notice of Election dated September 17, 1974, are hereby affirmed and incorporated by reference herein and made a part hereof.

34. That the Board conducted an election, by secret ballot, on Thursday, October 3, 1974, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued September 17, 1974.

35. That the professional employes were asked to indicate their preference as to whether or not they desired to be included in a unit of professional and non-professional employes.

36. That a tally of the ballots cast by the professional employes in the Unit Determination Election revealed the following results: six (6) ballots were cast in favor of being included in a unit comprised of professional and non-professional employes; and no (0) ballots were cast in favor of being included in a unit comprised of only professional employes.

37. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by American Federation of State, County and Municipal Employees, District Council 87, AFL-CIO; or represented by Service Employees International Union Local 406, AFL-CIO; or whether the said employes wished No Representative.

38. That thirty-six (36) ballots were cast at the election.

39. That of the thirty-six (36) ballots, two (2) ballots were cast in favor of representation by American Federation of State, County and Municipal Employees, District Council 87, AFL-CIO; twenty-eight (28) ballots were cast for representation by Service Employees International Union, Local 406, AFL-CIO; three (3) ballots were cast for No Representative; and three (3) ballots were cast by persons whose votes were challenged. No (0) ballots were void or blank.

40. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by persons whose ballots were challenged since their inclusion in the total vote cast would have no material affect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on October 3, 1974, concludes and finds:

The Board's CONCLUSIONS, numbers 1 through 10 inclusive, as set forth in its aforesaid Order and Notice of Election are hereby affirmed and incorporated by reference herein and made a part hereof.

11. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Service Employees International Union, Local 406, AFL-CIO, as their exclusive representative for the purpose of collective bargaining with the Employer.

12. That Service Employees International Union, Local 406, AFL-CIO, is the exclusive representative of all the employes of the Employer within the unit described below for the purpose of collective bargaining with respect to wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 406, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of all full-time and regular part-time professional and non-professional employes including Librarians I, II, III, Assistant Librarian, Library Trainee, Provisional Librarian, Assistant Bookmobile Librarian, Clerks, Laborer, Driver, Custodian and Maintenance employes; excluding management level employes, supervisors, first level supervisors, confidential employes, and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

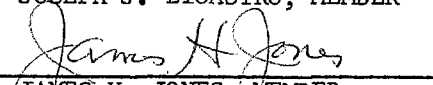
that in the absence of any Exceptions filed pursuant to 34 Pa. Code Ch. 95.98, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this tenth day of October, 1974.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEETZ, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: Case No. PERA-R-7760-C
: SCHUYLKILL-CARBON AGENCY FOR :
: MANPOWER :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on February 13, 1976, by Teamsters Local Union No. 429, Pottsville Division, hereinafter called the "Petitioner", alleging that it represented 30% or more of certain employes of the Schuylkill-Carbon Agency for Manpower, hereinafter called the "Employer", and requesting that pursuant to Section 603 (c) of the Public Employe Relations Act, hereinafter called the "Act", a hearing be scheduled and an Order be issued for an election.

Pursuant thereto, a Hearing was held on April 9, 1976, in Pottsville, Pennsylvania, before Charles S. Sobol, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded to all parties in interest.

Thereafter, on May 7, 1976, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Thursday, May 27, 1976, among the employes of the employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of the following professional and non-professional employes: Manpower Aides, Planners, Project Engineers, Counselors, Work Crew Leaders, Bookkeepers and Secretarial-Clerical employes, and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The Findings of Fact, numbers 1 through 9 inclusive, as set forth in the Board's Order and Notice of Election dated May 7, 1976, are hereby affirmed and incorporated by reference herein and made a part hereof.

10. That the Board conducted an election, by secret ballot, on May 27, 1976, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order of the Board issued May 7, 1976.

11. That the professional employes were asked to indicate their preference as to whether or not they desired to be included in a unit of professional and non-professional employes.

12. That a tally of the ballots cast by the professional employes in the Unit Determination Election revealed the following results: nine (9) ballots were cast in favor of being included in a unit comprised of professional and non-professional employes; and four (4) ballots were cast in favor of being included in a unit comprised of only professional employes. Two (2) ballots were blank.

13. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Local 492, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, or whether the said employes wished No Representative.

14. That twenty-three (23) ballots were cast at the election.

15. That of the twenty-three (23) ballots, thirteen (13) ballots were cast in favor of representation by Local 492, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America; nine (9) ballots were cast for No Representative; and one (1) ballot was cast by a person whose vote was challenged. No (0) ballots were void or blank.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballot cast by the person whose ballot was challenged since its inclusion in the total votes cast would have no material effect upon the results of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on May 27, 1976, concludes and finds:

The Board's Conclusions, numbers 1 through 8 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

9. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Local 492, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America as their exclusive representative for the purpose of collective bargaining with the Employer.

10. That Local 492, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that LOCAL 492, INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS OF AMERICA

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

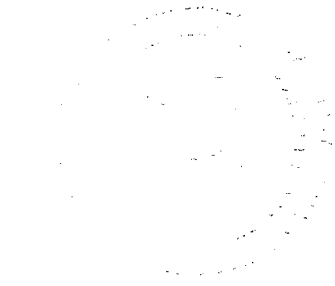
UNIT: In a subdivision of the employer unit comprised of the following professional and non-professional employes: Manpower Aides, Planners, Project Engineers, Counselors, Work Crew Leaders, Bookkeepers and Secretarial-Clerical employes, and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to 34 Pa. Code Ch. 95.98, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania,
this third day of June, 1976.

PENNSYLVANIA LABOR RELATIONS BOARD


Raymond L. Scheib

RAYMOND L. SCHEIB, CHAIRMAN

Joseph J. Licastro

JOSEPH J. LICASTRO, MEMBER

James H. Jones

JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYEES OF

Case No. PERA-R-80-278-W

IRENE STACY COMMUNITY MENTAL
HEALTH CENTER

NISS ORDER OF CERTIFICATION

On April 25, 1980, a Petition for Representation was filed with the Pennsylvania Labor Relations Board (Board) by Irene Stacy Community Mental Health Center Education Association/PSEA (Association) alleging that it represented thirty (30) percent or more of certain employees of the Irene Stacy Community Mental Health Center (Employer) and requesting the Board to order an election to determine the exclusive representative for the purpose of collective bargaining pursuant to the provisions of the Public Employee Relations Act ((3) P.S. §1101.101 et seq.) (Act).

On June 20, 1980, the Board issued an Order and Notice of Hearing fixing July 8, 1980, in Pittsburgh, Pennsylvania, as the time and place thereof. The hearing was thereafter cancelled and rescheduled for July 23, 1980, in Pittsburgh. The hearing was held as scheduled before a duly designated Hearing Examiner of the Board at which time all parties in interest were afforded a full opportunity to present testimony, examine and cross-examine witnesses and introduce documentary evidence.

Thereafter, on September 2, 1980, the Hearing Examiner issued an Order Directing Submission of Eligibility List resolving all issues raised by the Petition and directing the Employer to submit a list of the names and addresses of employees eligible to vote in the election, which list was received by the Board on September 11, 1980.

On October 9, 1980, the Board Representative issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Monday, October 20, 1980, among

the employes of the employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time professional and nonprofessional employes including but not limited to Social Worker I, Social Worker II, Psychologist I, Psychologist III, Psychological Services Associate I, Psychological Services Associate II, Psychological Services Associate III, Psychiatric Nurse I, Caseworker Trainee, Caseworker, Clerk II, Clerk Stenographer I, Clerk Typist I, Clerk Typist II, Switchboard Operator I, Custodial Worker II, Fiscal Technician, Recreational Therapist, Occupational Therapist, Cook, Van Driver, Drug and Alcohol Treatment Specialist Trainee, Drug and Alcohol Treatment Specialist II, and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The Findings of Fact, numbers 1 through 8 inclusive, as set forth in the Order and Notice of Election dated October 9, 1980, are hereby affirmed and incorporated by reference herein and made a part hereof.

9. That the Board conducted an election, by secret ballot, on October 20, 1980, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order issued October 9, 1980.

10. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Irene Stacy Community Mental Health Center Education Association/PSEA or whether said employes wished No Representative.

11. That the professional employes were asked to indicate their preference as to whether or not they desired to be included in a unit of professional and nonprofessional employes.

12. That a tally of the ballots cast by the professional employees in the Unit Determination Election revealed the following results: twenty-four (24) ballots were cast in favor of being included in a unit comprised of professional and nonprofessional employees and three (3) ballots were cast in favor of being included in a unit comprised of only professional employees. No (0) ballots were cast by persons whose votes were challenged and no (0) ballots were void or blank.

13. That a tally of the ballots cast by the professional and nonprofessional employees in the representation election revealed the following results: thirty-six (36) ballots were cast in favor of representation by Irene Stacy Community Mental Health Center Education Association/PSEA; and nine (9) ballots were cast for No Representative. No (0) ballots were cast by persons whose votes were challenged and no (0) ballots were void or blank.

14. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS

The Conclusions, numbers 1 through 10 inclusive, as set forth in the aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

11. That a majority of the employees of the Employer within the heretofore defined appropriate unit have selected and designated Irene Stacy Community Mental Health Center Education Association/PSEA as their exclusive representative for the purpose of collective bargaining with the Employer.

12. That Irene Stacy Community Mental Health Center Education Association/PSEA is the exclusive representative of all the employees of the Employer within the heretofore defined appropriate unit for the purpose of collective bargaining with respect to wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that IRENE STACY COMMUNITY MENTAL HEALTH CENTER EDUCATION ASSOCIATION/PSEA

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of all full-time and regular part-time professional and nonprofessional employes including but not limited to Social Worker I, Social Worker II, Psychologist I, Psychologist III, Psychological Services Associate I, Psychological Services Associate II, Psychological Services Associate III, Psychiatric Nurse I, Caseworker Trainee, Caseworker, Clerk II, Clerk Stenographer II, Clerk Typist I, Clerk Typist II, Switchboard Operator I, Custodial Worker II, Fiscal Technician, Recreational Therapist, Occupational Therapist, Cook, Van Driver, Drug and Alcohol Treatment Specialist Trainee, Drug and Alcohol Treatment Specialist II; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to 34 Pa. Code Ch. 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this second day of December, 1980.

PENNSYLVANIA LABOR RELATIONS BOARD

Joseph J. Licastro

JOSEPH J. LICASTRO, MEMBER

James H. Jones

JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYEES OF : Case Nos. PERA-R-3546-C ✓
: PERA-R-3547-C ✓
: PERA-R-3601-C
J. C. BLAIR MEMORIAL HOSPITAL : PERA-R-3658-C

NISI ORDER OF CERTIFICATION

Four Petitions for Representation were filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on May 11, 1973, (PERA-R-3546-C and PERA-R-3547-C), on May 30, 1973, (PERA-R-3601-C) and on June 18, 1973, (PERA-R-3658-C) by Local 1199P, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, hereinafter called "Local 1199P". The Petition in PERA-R-3546-C seeks to organize the Service and Maintenance Employees; the Petition in PERA-R-3547-C, the Licensed Practical Nurses; the Petition in PERA-R-3601-C, the Technical Employees; and the Petition in PERA-R-3658-C, the Clerical Employees, of J. C. Blair Memorial Hospital, hereinafter called the "Employer", and requesting that pursuant to Section 603(c) of the Public Employee Relations Act, hereinafter called the "Act", a hearing be scheduled and an Order be issued for an election.

On June 28, 1973, a hearing was held in Huntingdon, Pennsylvania, before Vasil Fisanick, Esquire, a duly designated Hearing Examiner of the Board, at which time the parties agreed to consolidate the four Petitions to form one unit.

Thereafter, on August 14, 1973, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Tuesday, August 28, 1973, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of the following classifications of employes: All non-professional employes, employed in the following departments of the Employer; namely, housekeeping, laundry, physical therapy, central supply, radiology, pathology, plant engineering, inhalation therapy, nursing, medical records, anaesthesia, extended care unit, purchasing and stores, dietary, credit and collections, admissions office, business office, and emergency service; and excluding all professional, confidential and management level employes, first level supervisors, supervisors and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT, numbers 1 through 4 inclusive, as set forth in the Board's Order and Notice of Election dated August 14, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That the Board conducted an election, by secret ballot, on August 28, 1973, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued August 14, 1973.

6. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Local 1199P, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, or whether the said employes wished No Representative.

7. That one hundred seventy-six (176) ballots were cast by eligible voters, four (4) ballots were void or blank, and twenty-two (22) ballots were cast by persons whose votes were challenged; thus leaving one hundred seventy-six (176) ballots to be accounted for and canvassed.

8. That of the said one hundred seventy-six (176) ballots, one hundred (100) ballots were cast in favor of representation by Local 1199P, and seventy-six (76) ballots were cast for No Representative.

9. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose ballots were challenged since their inclusion in the total votes cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on August 28, 1973, concludes and finds:

That the Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election, numbers 1 through 4 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Local 1199P, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That Local 1199P, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that LOCAL 1199P, NATIONAL UNION OF HOSPITAL AND NURSING HOME EMPLOYEES, DIVISION OF RWDSU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of the following classifications of employes: All non-professional employes, employed in the following departments of the employer; namely, housekeeping, laundry, physical therapy, central supply, radiology, pathology, plant engineering, inhalation therapy, nursing, medical records, anaesthesia, extended care unit, purchasing and stores, dietary, credit and collections, admissions office, business office and emergency service; and excluding all professional, confidential and management level employes, first level supervisors, supervisors and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED. SEALED AND DATED at Harrisburg, Pennsylvania, this fifth day of September, 1973.

§ PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYEES OF : Case Nos. PERA-R-3546-C
: PERA-R-3547-C
: PERA-R-3601-C
J. C. BLAIR MEMORIAL HOSPITAL : PERA-R-3658-C

NISI ORDER OF CERTIFICATION

Four Petitions for Representation were filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on May 11, 1973, (PERA-R-3546-C and PERA-R-3547-C), on May 30, 1973, (PERA-R-3601-C) and on June 18, 1973, (PERA-R-3658-C) by Local 1199P, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, hereinafter called "Local 1199P". The Petition in PERA-R-3546-C seeks to organize the Service and Maintenance Employees; the Petition in PERA-R-3547-C, the Licensed Practical Nurses; the Petition in PERA-R-3601-C, the Technical Employees; and the Petition in PERA-R-3658-C, the Clerical Employees, of J. C. Blair Memorial Hospital, hereinafter called the "Employer", and requesting that pursuant to Section 603(c) of the Public Employee Relations Act, hereinafter called the "Act", a hearing be scheduled and an Order be issued for an election.

On June 28, 1973, a hearing was held in Huntingdon, Pennsylvania, before Vasil Fisanick, Esquire, a duly designated Hearing Examiner of the Board, at which time the parties agreed to consolidate the four Petitions to form one unit.

Thereafter, on August 14, 1973, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Tuesday, August 28, 1973, among the employees of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of the following classifications of employees: All non-professional employees, employed in the following departments of the Employer; namely, housekeeping, laundry, physical therapy, central supply, radiology, pathology, plant engineering, inhalation therapy, nursing, medical records, anaesthesia, extended care unit, purchasing and stores, dietary, credit and collections, admissions office, business office, and emergency service; and excluding all professional, confidential and management level employees, first level supervisors, supervisors and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT, numbers 1 through 4 inclusive, as set forth in the Board's Order and Notice of Election dated August 14, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That the Board conducted an election, by secret ballot, on August 28, 1973, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued August 14, 1973.

6. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Local 1199P, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, or whether the said employes wished No Representative.

7. That one hundred seventy-six (176) ballots were cast by eligible voters, four (4) ballots were void or blank, and twenty-two (22) ballots were cast by persons whose votes were challenged; thus leaving one hundred seventy-six (176) ballots to be accounted for and canvassed.

8. That of the said one hundred seventy-six (176) ballots, one hundred (100) ballots were cast in favor of representation by Local 1199P, and seventy-six (76) ballots were cast for No Representative.

9. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose ballots were challenged since their inclusion in the total votes cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on August 28, 1973, concludes and finds:

That the Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election, numbers 1 through 4 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Local 1199P, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That Local 1199P, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that LOCAL 1199P, NATIONAL UNION OF HOSPITAL AND NURSING HOME EMPLOYEES, DIVISION OF RWDSU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of the following classifications of employes: All non-professional employes, employed in the following departments of the employer; namely, housekeeping, laundry, physical therapy, central supply, radiology, pathology, plant engineering, inhalation therapy, nursing, medical records, anaesthesia, extended care unit, purchasing and stores, dietary, credit and collections, admissions office, business office and emergency service; and excluding all professional, confidential and management level employes, first level supervisors, supervisors and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this fifth day of September, 1973.

PENNSYLVANIA LABOR RELATIONS BOARD

s/ Raymond L. Scheib
RAYMOND L. SCHEIB, CHAIRMAN

s/ Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

s/ James H. Jones
JAMES H. JONES, MEMBER



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYEES OF :
: :
: Case No. PERA-R-3973-E
: :
JOHN F. KENNEDY MEMORIAL HOSPITAL :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on September 28, 1973, by the Licensed Practical Nurses Association of Pennsylvania, hereinafter called the "Petitioner", alleging that it represented 30% or more of certain employes of the John F. Kennedy Memorial Hospital, hereinafter called the "Employer" and requesting the Board to order an election to determine the exclusive representative for the purpose of collective bargaining pursuant to the provisions of the Public Employee Relations Act, hereinafter called the "Act".

Pursuant to due notice, a Pre-Election Conference was held on October 12, 1973 in Philadelphia, Pennsylvania, before Irving W. Backman, Esquire, a duly designated Hearing Examiner of the Board, at which time the parties were afforded an opportunity to determine positions on the ballot, the site or sites for the conducting of the election, the eligibility list and all other matters pertaining to the conduct of the election.

A Petition to Intervene was filed by the Pennsylvania Nurses Association on October 11, 1973, and at the Pre-Election Conference held on October 12, 1973, permission to intervene was granted the Pennsylvania Nurses Association after having exhibited the required showing of interest.

Thereafter, on November 9, 1973, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Tuesday, November 27, 1973, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of meeting and discussing in respect to wages, hours, and terms and conditions of employment.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The Findings of Fact numbers 1 through 6 inclusive, as set forth in the Board's Order and Notice of Election dated November 9, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

7. That the Board conducted an election, by secret ballot, on November 27, 1973, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued November 9, 1973.

8. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Licensed Practical Nurses Association of Pennsylvania, Pennsylvania Nurses Association (PNA) or whether the said employes wished No Representative.

9. That seventy-five (75) ballots were cast by eligible voters, one (1) ballot was void or blank, and one (1) ballot was cast by a person whose vote was challenged; thus leaving seventy-five (75) ballots to be accounted for and canvassed.

10. That of the seventy-five (75) ballots, sixty-six (66) ballots were cast in favor of representation by Licensed Practical Nurses Association of Pennsylvania, three (3) ballots were cast in favor of representation by Pennsylvania Nurses Association (PNA) and six (6) ballots were cast for No Representative.

11. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by persons whose votes were challenged since their inclusion in the total votes cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, concludes and finds:

The Board's Conclusions as set forth in its Order and Notice of Election, numbers 1 through 5 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Licensed Practical Nurses Association of Pennsylvania, as their exclusive representative for the purpose of collective bargaining with the Employer.

7. That Licensed Practical Nurses Association of Pennsylvania, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that LICENSED PRACTICAL NURSES ASSOCIATION OF PENNSYLVANIA

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the Employer unit comprised of the following classifications of employes: Registered Nurses and excluding management level employes, supervisors, first level supervisors, confidential employes, and guards, as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania this fourth day of November, 1973.

3.

PENNSYLVANIA LABOR RELATIONS BOARD


Raymond L. Schele
RAYMOND L. SCHELE, CHAIRMAN

Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

James H. Jones
JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-R-3973-E
: :
JOHN F. KENNEDY MEMORIAL HOSPITAL :

NISI ORDER OF AMENDED CERTIFICATION

On December 4, 1973, the Pennsylvania Labor Relations Board, hereinafter called the "Board", issued a Nisi Order of Certification in the above entitled case. The Order certified Licensed Practical Nurses Association of Pennsylvania as the exclusive representative of the employes in an appropriate unit. Through inadvertance, in the fourth paragraph on page one of the Order of the Board stated the purpose of the exclusive representative to be "of meeting and discussing" whereas the purpose should have been "of bargaining collectively". In addition thereto, the last paragraph on page three was dated "November 4, 1973" whereas the date was actually "December 4, 1973". In view of the foregoing and in order to correct the errors, the Board hereby

ORDERS AND DIRECTS

that the fourth paragraph on page one which reads as follows:

"Thereafter, on November 9, 1973, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Tuesday, November 27, 1973, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of meeting and discussing in respect to wages, hours, and terms and conditions of employment".

shall be amended to read as follows:

"Thereafter, on November 9, 1973, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Tuesday, November 27, 1973, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment".

that the last paragraph on page three which reads as follows:

"SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania this fourth day of November, 1973".

COMMONWEALTH OF PENNSYLVANIA
The Pennsylvania Labor Relations Board

NISI ORDER OF CERTIFICATION

IN THE MATTER OF THE EMPLOYEES OF :

MERCY HOSPITAL OF WILKES-BARRE, : Case No. PERA-R-53-C (a)
PENNSYLVANIA :

A Petition for Representation by Public Employees, Group of Public Employees or Employee Organization was filed with the Pennsylvania Labor Relations Board, herein called the "Board" on November 27, 1970, by Local 1199, National Union of Hospital Workers and Nursing Home Employees, a division of RWDSU, AFL-CIO, herein called "Local 1199", alleging that it represented 30% or more of certain employees of the Mercy Hospital of Wilkes-Barre Pennsylvania, herein called "Employer", in a proposed bargaining unit consisting of all professional laboratory employees and technicians.

Thereafter, on December 16, 1970, a Hearing was held before Howard A. Berman, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross examine witnesses and to present testimony and introduce evidence was afforded to all parties in interest.

At the hearing Intervention was granted to Professional and Public Service Employees' Local #1300, affiliated with the Laborers' International Union of North America, AFL-CIO, herein called "Local 1300".

On May 20, 1971, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Wednesday, June 2, 1971, among the employees of the Employer to ascertain the exclusive representative for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment of all the employees of the Mercy Hospital of Wilkes-Barre Pennsylvania in a subdivision of the employer unit comprised of all professional laboratory employees and technicians, excluding supervisors, first level supervisors, management level employees, confidential employees and guards as defined in Act 195.

The election was conducted as Ordered by an Elections Officer assigned by the Pennsylvania Labor Relations Board.

FINDINGS OF FACT

The Board, on the basis of testimony and evidence presented at the Hearing, and documents of record, finds the following facts:

1. That Mercy Hospital of Wilkes-Barre, Pennsylvania, is a public employer with its principal place of business at Hanover Street, Wilkes-Barre, Pennsylvania.
2. That Local 1199 and Local 1300 are employe organizations which exist in whole or in part for the purpose of dealing with employers concerning wages, terms and conditions of employment, with Local 1199 having its principal office at 1709 Boulevard of Allies, Pittsburgh, Pennsylvania, and Local 1300 having its principal office at 240 North Second Street, Harrisburg, Pennsylvania.
3. That the Board has determined the appropriate unit for the purposes of collective bargaining is a subdivision of the employer unit comprised of all professional laboratory employes and technicians, excluding supervisors, first level supervisors, management level employes, confidential employes and guards as defined in Act 195.
4. That the Board conducted an election, by secret ballot, on June 2, 1971, among the agreed employes of the Employer within the heretofore defined appropriate unit, and of a fixed number, in accordance with the Order of the Board issued May 20, 1971.
5. That the question voted on at said election was: "Shall Local 1199, National Union of Hospital Workers and Nursing Home Employees a division of RWDSU, AFL-CIO, or Professional and Public Service Employees' Local Union #1300, AFL-CIO, or No Representative, represent you exclusively for the purpose of collective bargaining with your Employer, Mercy Hospital of Wilkes-Barre, Pennsylvania?"
6. That thirty-six (36) ballots were cast by eligible voters, no (0) ballots were spoiled or cancelled, nine (9) ballots were cast by persons not on the eligibility list and were challenged by the Agent of the Board, and by the parties in interest; thus leaving thirty-six (36) ballots to be accounted for and canvassed.
7. That of the said thirty-six (36) ballots, thirty-two (32) ballots were cast in favor of representation by Local 1199, and one (1) ballot was cast in favor of representation by Local 1300, and three (3) ballots were cast against such representation.
8. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose ballots were challenged since their inclusion in the total vote cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and, more particularly in consideration of the election conducted on June 2, 1971, concludes and finds:

1. That the Pennsylvania Labor Relations Board has jurisdiction over the parties hereto.

2. That Mercy Hospital of Wilkes-Barre, Pennsylvania, is a "public employer" within the meaning of Section 301 (1) of the Act.

3. That Local 1199 and Local 1300 are "employe organizations" within the meaning of Section 301 (3) of the Act.

4. That the unit appropriate for the purposes of collective bargaining between the Employer and its employes within the meaning of Section 604 of the Act, is a subdivision of the employer unit comprised of all professional laboratory employes and technicians, excluding supervisors, first level supervisors, management level employes, confidential employes and guards as defined in Act 195.

5. That a majority of the employes of the Employer, within the heretofore defined appropriate unit, have selected and designated Local 1199 as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That Local 1199, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer, within the heretofore defined appropriate unit, for the purpose of collective bargaining, with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that LOCAL 1199 NATIONAL UNION OF HOSPITAL WORKERS AND NURSING HOME EMPLOYEES, a Division of RWDSU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in unit described below for the purposes of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT:

In a subdivision of the employer unit comprised of all professional laboratory employes and technicians, excluding all non-professional employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board, approved October 9, 1970, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED, AND DATED at Harrisburg, Pennsylvania, this twenty-first day of June, 1971.

PENNSYLVANIA LABOR RELATIONS BOARD

s/ MALCOLM B. PETRIKIN
MALCOLM B. PETRIKIN, CHAIRMAN

s/ GEORGE B. STUART
GEORGE B. STUART, MEMBER

COMMONWEALTH OF PENNSYLVANIA
The Pennsylvania Labor Relations Board

NISI ORDER OF CERTIFICATION

IN THE MATTER OF THE EMPLOYEES OF :
: |
MERCY HOSPITAL OF WILKES-BARRE, : Case No. PERA-R-53-C (c)
PENNSYLVANIA : |
: :

A Petition for Representation by Public Employees, Group of Public Employees or Employee Organization was filed with the Pennsylvania Labor Relations Board, herein called the "Board" on November 4, 1970, by Local 1199, National Union of Hospital Workers and Nursing Home Employees, a division of RWDSU, AFL-CIO, herein called "Local 1199", alleging that it represented 30% or more of certain employees of the Mercy Hospital of Wilkes-Barre, Pennsylvania, herein called "Employer", in a proposed bargaining unit consisting of all professional licensed practical nurses.

Thereafter, on December 16, 1970, a Hearing was held before Howard A. Berman, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross examine witnesses and to present testimony and introduce evidence was afforded to all parties in interest. At the Hearing, Intervention was granted to Professional and Public Service Employees' Local Union #1300, affiliated with the Laborers' International Union of North America, AFL-CIO, herein called "Local 1300", and Licensed Practical Nurses' Association of Pennsylvania.

On May 20, 1971, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Wednesday, June 2, 1971, among the employees of the Employer to ascertain the exclusive representative for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment of all the employees of the Mercy Hospital of Wilkes-Barre, Pennsylvania, in a subdivision of the employer unit comprised of all professional licensed practical nurses, excluding supervisors, first level supervisors, management level employees, confidential employees and guards as defined in Act 195.

The election was conducted as Ordered by an Elections Officer assigned by the Pennsylvania Labor Relations Board.

FINDINGS OF FACT

The Board, on the basis of testimony and evidence presented at the Hearing, and documents of record, finds the following facts:

1. That Mercy Hospital of Wilkes-Barre, Pennsylvania, is a public employer with its principal place of business at Hanover Street, Wilkes-Barre, Pennsylvania.
2. That Local 1199 is an employe organization which exists in whole or in part for the purpose of dealing with employers concerning wages, terms and conditions of employment with its principal office at 1709 Boulevard of Allies, Pittsburgh, Pennsylvania.
3. That Local 1300 is an employe organization which exists in whole or in part for the purpose of dealing with employers concerning wages, terms and conditions of employment with its principal office at 240 North Second Street, Harrisburg, Pennsylvania.
4. That Licensed Practical Nurses' Association of Pennsylvania is an employe organization which exists in whole or in part for the purpose of dealing with employers concerning wages, terms and conditions of employment with its principal office at 407 North Front Street, Harrisburg, Pennsylvania.
5. That the Board has determined that the appropriate unit for the purpose of collective bargaining is a subdivision of the employer unit comprised of all professional licensed practical nurses, excluding supervisors; first level supervisors, management level employes, confidential employes and guards as defined in the Act.
6. That the Board conducted an election, by secret ballot, on June 2, 1971, among the agreed employes of the Employer within the heretofore defined appropriate unit, and of a fixed number, in accordance with the Order of the Board issued May 20, 1971.
7. That the question voted on at said election was: "Shall Local 1199, National Union of Hospital Workers and Nursing Home Employees a division of RWDSU, AFL-CIO, or Professional and Public Service Employees' Local Union #1300, AFL-CIO, or Licensed Practical Nurses' Association of Pennsylvania, or No Representative, represent you exclusively for the purpose of collective bargaining with your Employer, Mercy Hospital of Wilkes-Barre, Pennsylvania?"
8. That forty-two (42) ballots were cast by eligible voters, no (0) ballots were spoiled or cancelled, two (2) ballots were cast by persons not on the eligibility list and were challenged by the Agent of the Board, thus leaving forty-two (42) ballots to be accounted for and canvassed.

9. That of the said forty-two (42) ballots, thirty(30) ballots were cast in favor of representation by Local 1199, no (0) ballots were cast in favor of representation by Local 1300, three (3) ballots were cast in favor of representation by Licensed Practical Nurses' Association of Pennsylvania, and nine (9) ballots were cast against such representation.

10. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose ballots were challenged since their inclusion in the total vote cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and, more particularly in consideration of the election conducted on June 2, 1971, concludes and finds:

1. That the Pennsylvania Labor Relations Board has jurisdiction over the parties hereto.
2. That Mercy Hospital of Wilkes-Barre, Pennsylvania, is a "public employer" within the meaning of Section 301 (1) of the Act.
3. That Local 1199 and Local 1300 and Licensed Practical Nurses' Association of Pennsylvania are "employe organizations" within the meaning of Section 301 (3) of the Act.
4. That the unit appropriate for the purposes of collective bargaining between the Employer and its employes within the meaning of Section 604 of the Act, is a subdivision of the employer unit comprised of all professional licensed practical nurses, excluding supervisors, first level supervisors, management level employes, confidential employes and guards as defined in Act 195.
5. That a majority of the employes of the Employer, within the heretofore defined appropriate unit, have selected and designated Local 1199 as their exclusive representative for the purpose of collective bargaining with the Employer.
6. That Local 1199, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer, within the heretofore defined appropriate unit, for the purpose of collective bargaining, with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that LOCAL 1199, NATIONAL UNION OF HOSPITAL WORKERS AND NURSING HOME EMPLOYEES, a Division of RWDSU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in unit described below for the purposes of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT:

In a subdivision of the employer unit comprised of all professional licensed practical nurses, and excluding all non-professional employes, supervisors, first level supervisors, management level employes, confidential employes, and guards as defined in Act 195.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board, approved October 9, 1970, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED, AND DATED at Harrisburg, Pennsylvania, this twenty-first day of June, 1971.

PENNSYLVANIA LABOR RELATIONS BOARD

s/ MALCOLM B. PETRIKIN
MALCOLM B. PETRIKIN, CHAIRMAN

s/ GEORGE B. STUART
GEORGE B. STUART, MEMBER

COMMONWEALTH OF PENNSYLVANIA
The Pennsylvania Labor Relations Board

NISI ORDER OF CERTIFICATION

IN THE MATTER OF THE EMPLOYEES OF :
:
MERCY HOSPITAL OF WILKES-BARRE : Case No. PERA-R-53-C (d)
PENNSYLVANIA :
:

A Petition for Representation by Public Employees, Group of Public Employees or Employee Organization was filed with the Pennsylvania Labor Relations Board, herein called the "Board" on November 27, 1970, by Local 1199, National Union of Hospital Workers and Nursing Home Employees, a division of RWDSU, AFL-CIO, herein called "Local 1199", alleging that it represented 30% or more of certain employees of the Mercy Hospital of Wilkes-Barre, Pennsylvania, herein called "Employer", in a proposed bargaining unit consisting of all non-professional service and maintenance workers.

A Hearing was held on December 16, 1970, at which time the Board granted intervention to Professional and Public Service Employees' Local Union #1300, herein called "Local 1300".

Respondent, employer, submitted as its Exhibit #1, a list of employees in the suggested unit, approximately two hundred (200) in number. The names of C. Stock, H. Dirsa, F. McCarthy, T. Dougherty, J. O'Brien, S. Olex, Z. Hagan, M. Grigas and V. Thresten were read into the record at page 5, and it was stipulated between the employer and the Petitioner that the aforesaid individuals were supervisory employees, and, thus, to be excluded from the unit. It was further stipulated by and between the employer and the Petitioner that all others listed on Respondent's Exhibit #1 were non-professional service and maintenance employees and that they constituted an appropriate unit for the purposes of collective bargaining.

Local 1300, the Intervenor, disagreed, contending that nurses' aides and orderlies were improperly placed in the service and maintenance unit, and to that extent the unit as petitioned for was inappropriate. It contended on the other hand, that nurses' aides and orderlies should be placed in the same unit with licensed practical nurses because of their alleged community of interest.

On May 20, 1971, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Wednesday, June 2, 1971, among the employees of the Employer to ascertain the exclusive representative for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment of all the employees of the Mercy Hospital of Wilkes-Barre, Pennsylvania, in a subdivision of the employer unit comprised of all non-professional service and maintenance workers, including nurses aides and orderlies, and excluding supervisors, first level supervisors, management level employees, confidential employees and guards as defined in Act 195.

The canvass of the ballots at the election indicated that one hundred and eleven (111) ballots were cast in favor of Local 1199, fifty-four (54) ballots were cast in favor of No Representative and sixty-three (63) ballots were challenged by the Agent of the Board and the parties in interest. Since the sixty-three (63) challenged ballots could effect the outcome of the election on June 2, 1971, the Board issued an Order Fixing Time and Place of Hearing on the Validity of the Challenged Ballots.

Said Hearing was held as Ordered on July 8, 1971, before a duly designated Trial Examiner of the Board at which time the parties agreed that eleven (11) of the challenges should be sustained as the employees were not properly in the service and maintenance unit.

The Board, on the basis of testimony and evidence presented at the Hearing, and documents of record, makes the following:

FINDINGS OF FACT

1. That Mercy Hospital of Wilkes-Barre, Pennsylvania, is a public employer with its principal place of business at Hanover Street, Wilkes-Barre, Pennsylvania.
2. That Local 1199 and Local 1300 are employe organizations which exist in whole or in part for the purpose of dealing with employers concerning wages, terms and conditions of employment, with Local 1199 having its principal office at 1709 Boulevard of Allies, Pittsburgh, Pennsylvania, and Local 1300 having its principal office at 240 North Second Street, Harrisburg, Pennsylvania.
3. That the Petitioner demonstrated through signed authorization cards that thirty per cent or more of the employes in the proposed unit desired to be represented by it. (N. T. 25, 26)
4. That Local 1300, as an intervenor, demonstrated through signed authorization cards that at least one per cent of the employes in the proposed unit desired to be represented by it. (N. T. 40, 41)

5. That Local 1199 and the Employer stipulated and agreed that all non-professional service and maintenance employes contained in respondents Exhibit #1 constituted an appropriate unit for the purposes of collective bargaining.

6. That Local 1300 disagreed with the Employer, and Local 1199 contended that nurses aides and orderlies were properly included in the unit.

7. That nurses aides and orderlies are connected with patient care to the degree that they make beds, hand out food, clean night tables, carry messages, empty bed pans and lift patients. (N. T. 33-34)

8. That nurses aides and orderlies have non-professional duties. That they do assist regular nurses and Licensed Practical Nurses where requested. That there is no particular educational requirement necessary but that they are trained in service. (N.T. 45-65)

9. That nurses aides and orderlies wages are comparable to the other employes in the suggested unit and are much less than professional Licensed Practical Nurses. (N. T. 56-57)

10. That the Board has determined that the appropriate unit for the purpose of collective bargaining is a subdivision of the employer unit comprised of all non-professional service and maintenance workers, including nurses aides and orderlies, and excluding supervisors, first level supervisors, management level employes, confidential employes and guards as defined in Act 195.

11. That the Board conducted an election, by secret ballot, on June 2, 1971, among the agreed employes of the Employer within the heretofore defined appropriate unit, and of a fixed number, in accordance with the Order of the Board issued May 20, 1971.

12. That the question voted on at said election was: "Shall Local 1199, National Union of Hospital Workers and Nursing Home Employees, a division of RWDSU, AFL-CIO, or No Representative, or Professional and Public Service Employees' Local #1300, AFL-CIO, represent you exclusively for the purpose of collective bargaining with your Employer, Mercy Hospital of Wilkes-Barre, Pennsylvania?"

13. That one hundred and sixty-five (165) ballots were cast by eligible voters, five (5) ballots were spoiled or cancelled, sixty-three (63) ballots were cast by persons not on the eligibility list, eleven (11) of which were challenged by the parties in interest and the remaining fifty-two (52) were challenged by the Agent of the Board, thus leaving one hundred and sixty-five (165) ballots to be accounted for and canvassed.

14. That of the said one hundred and sixty-five (165) ballots, one hundred and eleven (111) ballots were cast in favor of Local 1199, National Union of Hospital Workers and Nursing Home Employees, a division of RWDSU, AFL-CIO, fifty-four (54) ballots were cast for No Representative, and no (0) ballots were cast for Professional and Public Service Employees' Local 1300.

15. That the Employer and Local 1199, at a hearing held on July 8, 1971, to determine the validity of the challenged ballots, agreed that the challenges to the eleven (11) of the sixty-three (63) challenged ballots should be sustained since the employes challenged were not properly in the service and maintenance unit; thereby leaving fifty-two (52) ballots undetermined.

16. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

The Board is of the opinion that nurses aides and orderlies are non-professional employes who perform a service. Much of their work is in assisting Registered and Licensed Practical nurses in direct patient care. However, there is nothing to suggest that they should not be included in the same non-professional unit as housekeepers who clean the rooms for the patients and other service personnel who prepare the food and otherwise provide service to patients.

In conclusion the duties, responsibilities, training and educational background of nurses aides and orderlies suggest to the Board a greater community of interest to service and maintenance employes than with Licensed Practical nurses.

We will neither open, canvass nor pass upon the validity of the fifty-two (52) challenged ballots, since their inclusion in the total vote cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and, more particularly in consideration of the election conducted on June 2, 1971, concludes and finds:

1. That the Pennsylvania Labor Relations Board has jurisdiction over the parties hereto.
2. That Mercy Hospital of Wilkes-Barre, Pennsylvania, is a "public employer" within the meaning of Section 301 (1) of the Act.
3. That Local 1199, National Union of Hospital Workers and Nursing Home Employees, a division of RWDSU, AFL-CIO and Professional and Public Service Employees' Local #1300, AFL-CIO, are "employee organizations" within the meaning of Section 301 (3) of the Act.
4. That the unit appropriate for the purposes of collective bargaining between the Employer and its employes within the meaning of Section 604 of the Act, is a subdivision of the employer unit comprised of

all non-professional service and maintenance workers, including nurses aides and orderlies, and excluding supervisors, first level supervisors, management level employes, confidential employes and guards as defined in Act 195.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Local 1199 National Union of Hospital Workers and Nursing Home Employees, a division of RWDSU, AFL-CIO, as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That Local 1199, National Union of Hospital Workers and Nursing Home Employees, a division of RWDSU, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

C E R T I F I E S

that LOCAL 1199, NATIONAL UNION OF HOSPITAL WORKERS AND NURSING HOME EMPLOYEES, a division of RWDSU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purposes of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of all non-professional service and maintenance workers, including nurses aides and orderlies, and excluding supervisors, first level supervisors, management level employes, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board, approved October 9, 1970, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED, AND DATED at Harrisburg, Pennsylvania, this 20th day of July, 1971.

PENNSYLVANIA LABOR RELATIONS BOARD

s/ MALCOLM B. PETRIKIN
MALCOLM B. PETRIKIN, CHAIRMAN

s/ GEORGE B. STUART
GEORGE B. STUART, MEMBER

COMMONWEALTH OF PENNSYLVANIA
THE PENNSYLVANIA LABOR RELATIONS BOARD

NISI ORDER OF CERTIFICATION

IN THE MATTER OF THE EMPLOYES OF :
WILLS EYE HOSPITAL : No. PERA-R-30-E
:

WHEREAS, an Election has been conducted in the above matter on March 17, 1971, in accordance with Petition filed, Rules and Regulations and Order of the Pennsylvania Labor Relations Board and it appearing from the tally of ballots that a collective bargaining representative has been selected and no objections have been filed to the conduct of the election to the date of this Order.

NOW, THEREFORE, the Pennsylvania Labor Relations Board pursuant to authority of Act No. 195 known as the Public Employe Relations Act

HEREBY ORDERS AND DECREES

that Local 1199C, National Union of Hospital and Nursing Home Employes, Division of RWDSU, AFL-CIO, be and it is hereby

CERTIFIED

as the exclusive representative for all the employes in a subdivision of the employer unit comprised of all full time and regular part time (those who work 20 or more hours per week) service and maintenance employes, including: nurses aides, orderlies and escort attendants, ward clerks, housekeeping specialists, housekeeping aides, senior housekeeping aides, dietary aides, senior dietary aides, kitchenmen, linen seamstresses, elevator operators, senior storeroom helpers, storeroom helpers, cooks' helpers, second cooks, electricians (all classes), operating room technicians, central supply room technicians, recovery room technicians, messengers, x-ray technicians, electrocardiogram technicians, mail aides, and licensed practical nurses; and excluding: all employes in other job titles which shall include but not be limited to: executives, managers, department heads, confidential employes, supervisors and foremen, office clerical employes, other clerical employes, registered nurses, chefs, physicians, teachers, students, guards, and other security employes, all technical and professional employes, temporary employes employed less than 20 hours per week and all other employes excluded by the Act,

for the purposes of collective bargaining with respect to wages, hours, terms and conditions of employment, subject to provisions of the aforesaid Act No. 195, and,

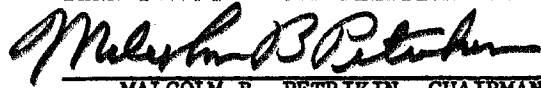
IT IS HEREBY FURTHER ORDERED AND DECREED

that in the absence of any exceptions filed, pursuant to Rule 15.1 of the Pennsylvania Labor Relations Board's Rules and Regulations,

approved as of October 9, 1970, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania this fourteenth day of April, 1971.

PENNSYLVANIA LABOR RELATIONS BOARD



MALCOLM B. PETRIKIN, CHAIRMAN



GEORGE B. STUART, MEMBER

COMMONWEALTH OF PENNSYLVANIA
The Pennsylvania Labor Relations Board

NISI ORDER OF CERTIFICATION

IN THE MATTER OF THE EMPLOYEES OF :
: |
MERCY HOSPITAL OF WILKES-BARRE, : Case No. PERA-R-53-C
PENNSYLVANIA : |
: :

A Petition for Representation by Public Employees, Group of Public Employees or Employee Organization was filed with the Pennsylvania Labor Relations Board, herein called the "Board" on November 4, 1970, by Local 1199, National Union of Hospital Workers and Nursing Home Employees, a division of RWDSU, AFL-CIO, herein called "Local 1199", alleging that it represented 30% or more of certain employes of the Mercy Hospital of Wilkes-Barre, Pennsylvania, herein called "Employer", in a proposed bargaining unit consisting of all Registered Staff Nurses engaged in nursing care.

Thereafter, on December 16, 1970, a Hearing was held before Howard A. Berman, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross examine witnesses and to present testimony and introduce evidence was afforded to all parties in interest. At the Hearing, Intervention was granted to Professional and Public Service Employees' Local Union #1300, affiliated with the Laborers' International Union of North America, AFL-CIO, herein called "Local 1300" and the Pennsylvania Nurses Association; and on May 17, 1971, the Pennsylvania Nurses Association requested withdrawal from the ballot of the representation election, and pursuant thereto the Board granted this Request for Withdrawal.

On May 20, 1971, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Wednesday, June 2, 1971, among the employes of the Employer to ascertain the exclusive representative for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment of all the employes of the Mercy Hospital of Wilkes-Barre, Pennsylvania, in a subdivision of the employer unit comprised of all Registered Staff Nurses engaged in nursing care, excluding Head Nurses, Faculty Nurses, supervisors, first level supervisors, management level employes, confidential employes and guards as defined in Act 195.

The election was conducted as Ordered by an Elections Officer assigned by the Pennsylvania Labor Relations Board.

FINDINGS OF FACT

The Board, on the basis of testimony and evidence presented at the Hearing, and documents of record, finds the following facts:

1. That Mercy Hospital of Wilkes-Barre Pennsylvania is a public employer with its principal place of business at Hanover Street, Wilkes-Barre, Pennsylvania.

2. That Local 1199 and Local 1300 are employe organizations which exist in whole or in part for the purpose of dealing with employers concerning wages, terms and conditions of employment, with Local 1199 having its principal office at 1709 Boulevard of Allies, Pittsburgh, Pennsylvania, and Local 1300 having its principal office at 240 North Second Street, Harrisburg, Pennsylvania.

3. That the Board has determined that the appropriate unit for the purpose of collective bargaining is a subdivision of the employer unit comprised of all Registered Staff Nurses engaged in nursing care, excluding Head Nurses, Faculty Nurses, supervisors, first level supervisors, management level employes, confidential employes and guards as defined in Act 195.

4. That the Board conducted an election, by secret ballot, on June 2, 1971, among the agreed employes of the Employer within the heretofore defined appropriate unit, and of a fixed number, in accordance with the Order of the Board issued May 20, 1971.

5. That the question voted on at said election was: "Shall Local 1199, National Union of Hospital Workers and Nursing Home Employees a division of RWDSU, AFL-CIO, or Professional and Public Service Employees' Local Union #1300, AFL-CIO, or No Representative, represent you exclusively for the purpose of collective bargaining with your Employer, Mercy Hospital of Wilkes-Barre, Pennsylvania?"

6. That one hundred eighty-two (182) ballots were cast by eligible voters, two (2) ballots were spoiled or cancelled, twenty-five (25) ballots were cast by persons not on the eligibility list of which eighteen (18) were challenged by the parties in interest and seven (7) were challenged by the Agent of the Board, thus leaving one hundred eighty-two (182) ballots to be accounted for and canvassed.

7. That of the said one hundred eighty-two (182) ballots, one hundred twenty (120) ballots were cast in favor of representation by Local 1199; three (3) ballots were cast in favor of representation by Local 1300, and fifty-nine (59) ballots were cast against such representation.

8. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose ballots were challenged since their inclusion in the total vote cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and, more particularly in consideration of the election conducted on June 2, 1971, concludes and finds:

1. That the Pennsylvania Labor Relations Board has jurisdiction over the parties hereto.

2. That Mercy Hospital of Wilkes-Barre, Pennsylvania, is a "public employer" within the meaning of Section 301 (1) of the Act.

3. That Local 1199 and Local 1300 are "employee organizations" within the meaning of Section 301 (3) of the Act.

4. That the unit appropriate for the purposes of collective bargaining between the Employer and its employees within the meaning of Section 604 of the Act, is a subdivision of the employer unit comprised of all Registered Staff Nurses engaged in nursing care, excluding Head Nurses, Faculty Nurses, supervisors, first level supervisors, management level employees, confidential employees and guards as defined in Act 195.

5. That a majority of the employees of the Employer, within the heretofore defined appropriate unit, have selected and designated Local 1199 as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That Local 1199, by virtue of the provisions of the Act, is the exclusive representative of all the employees of the Employer, within the heretofore defined appropriate unit, for the purpose of collective bargaining, with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that LOCAL 1199C, National Union of Hospital Workers and Nursing Home Employees, a Division of RWDSU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in unit described below for the purposes of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT:

In a subdivision of the employer unit comprised of all Registered Staff Nurses engaged in nursing care; and excluding all non-professional employes, supervisors, first level supervisors, management level employes, confidential employes, Head Nurses, and Faculty Nurses as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board, approved October 9, 1970, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED, AND DATED at Harrisburg, Pennsylvania, this twenty-first day of June, 1971.

PENNSYLVANIA LABOR RELATIONS BOARD

s/ MALCOLM B. PETRIKIN
MALCOLM B. PETRIKIN, CHAIRMAN

s/ GEORGE B. STUART
GEORGE B. STUART, MEMBER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYEES OF :
: Case No. PERA-R-3258-W
OIL CITY HOSPITAL :
and :
PENNSYLVANIA LABOR RELATIONS BOARD :
vs. : Case No. PERA-C-3567-W
SERVICE EMPLOYEES INTERNATIONAL UNION :
LOCAL 227, AFL-CIO :

NISI DECISIONS AND ORDERS

A Petition for Representation (PERA-R-3258-W) was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on March 2, 1973, by Service Employees International Union Local 227, AFL-CIO, hereinafter called the "Union", alleging that it represented 30% or more of certain employes of Oil City Hospital, hereinafter called the "Employer", and requesting that pursuant to Section 603 (c) of the Public Employe Relations Act, hereinafter called the "Act", a hearing be scheduled and an Order be issued for an election.

Subsequent to a Pre-Election Conference held on April 9, 1973, an election was held as scheduled on May 11, 1973, to determine the exclusive bargaining representative for Unit I of all hourly rated professional employes, and Unit II of all hourly rated non-professional employes.

Following the election, a Charge of Unfair Practices (PERA-C-3567-W) was filed with the Board on May 18, 1973, by the Employer, and sometimes called "Complainant", alleging that the Union, and sometimes called "Respondent", had engaged in unfair practices during the above-mentioned election, specifically, unlawful electioneering near the balloting area by its alleged agent Connie Sutton. The Employer also filed Exceptions to the Board's Conduct of Election, alleging a violation of the Act by the Board's Election Officer in allowing a local newspaper photographer to enter the polling area and photograph eligible employes as they voted or waited in the area.

Thereafter, the Board issued a Complaint and Notice of Hearing on May 24, 1973, fixing June 18, 1973, at Pittsburgh, Pennsylvania, as the time and place of hearing. Since the Charge of Unfair Practices and the Exceptions involved substantially the same set of facts, testimony on both of the above cases were consolidated into one hearing. The aforementioned hearing was held as scheduled before James E. Lomeo, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded to all parties in interest.

The Respondent filed an Answer on the date of the hearing denying the unfair practice and demanding proof that the Board's Election Officers violated "laboratory conditions" in allowing a newspaper photographer to take pictures.

The Board, on the basis of the testimony and evidence presented at the hearing and from all other matters and documents of record, in both of the above entitled cases, makes the following:

FINDINGS OF FACT

1. That Oil City Hospital is a health institution receiving grants or appropriations from local, state or federal government with its principal place of business at 174 East Bissell Avenue, Oil City, Pennsylvania.
2. That Service Employees International Union Local 227, AFL-CIO is an employe organization which exists for the purpose, in whole or in part, of dealing with employers concerning wages, hours, and terms and conditions of employment with its principal place of business at Suite 220, Hotel Statler-Hilton, 107 Delaware Avenue, Buffalo, New York.
3. That the representation election at Case No. PERA-R-3258-W was held on May 11, 1973; in Unit I, the professionals voted eleven (11) in favor of inclusion with the non-professionals, and sixty-eight (68) opposed to inclusion, with seventeen (17) challenged ballots. They also voted on the representation ballot with twelve (12) ballots cast for SEIU, sixty-eight (68) for No Representative, and with seventeen (17) challenged ballots.
4. That the tally for Unit II, non-professionals, was one hundred and forty (140) for SEIU, one hundred eleven (111) for No Representative, and twenty-six (26) challenged ballots.
5. That by subsequent agreement, the parties canvassed the eleven (11) challenged ballots of the regular part-time employes, the result of which was seven (7) votes for SEIU and four (4) for No Representative.
6. That the final tally in the representation election for the non-professionals was one hundred forty-seven (147) votes cast for SEIU, and one hundred fifteen (115) cast for No Representative, four (4) void or disputed votes not counted, and fifteen (15) invalid challenged ballots not counted.
7. That Connie Sutton, on the day of election at approximately 3:00 P.M., was on the second floor outside the doorway leading to the polling area and was seen talking to one Karen Zaccaria. (N.T. 17, 18, 21, 41, 45, 108)
8. That Karen Zaccaria had asked Connie Sutton to show her where the polling place was located. (N.T. 180-110)
9. That Connie Sutton was known to favor Respondent but was not an organizer, agent, or representative of Respondent. She never represented herself as an agent, organizer or representative of Respondent and did not solicit votes for Respondent although she spoke in favor of the Respondent. (N.T. 59,60,82, 83, 88, -90, 93, 94)

10. That the Election officers of the Board gave the photographer permission to take pictures so long as he did not interfere with the election. No voters objected to the photographer's presence. The photographer did not talk to anyone except the Board's Election Officer and tried to stay out of the way. (N.T. 25, 26, 47, 54, 66-68, 73, 74)

11. That the pictures taken were not published until May 12, 1973, the day after the election. (N.T. 69)

12. That the poll watchers of both Complainant and Respondent signed a statement showing that they felt that the election was conducted fairly and impartially; and they did not object to the photographs being taken. (Union Exhibit No. 1, N.T. 39, 40, 42, 43, 47, 48, 52, 54)

13. That votes of Karen Zaccaria and Karen Haun, two of the persons in the newspaper photograph marked Exhibit B, were challenged and not counted in determining the election. (N.T. 132, 133, 143)

14. That the Memorandum of Agreement in Case No. PERA-R-3258-W provided for no cut-off date for electioneering but required compliance with rules set forth by the Election Officer.

DISCUSSION

A recapitulation of the ballots cast in the representation election held May 11, 1973, indicates that initially the professional employees voted not to be included in a unit of professional and non-professional employees; thus determining that there would be two (2) separate units - one of professional employees (Unit I) and one of non-professional employees (Unit II).

The employees in Unit I indicated, on the representation ballot, that they desired No Representative. Therefore Unit I of the Petition will be dismissed. The employees in Unit II indicated that they wished to be represented by SEIU, which union shall be certified as the collective bargaining representative of all the non-professional employees. Watchers supplied by both Employer and Union signed statements as to the fairness and correct execution of said election, and before the Board could certify these results, the Employer filed his Exceptions and the Charge of Unfair Practices.

The Exceptions filed at Case No. PERA-R-3258-W deal specifically with the power of the Election Officer of the Board and whether his decision to allow a newspaperman to photograph balloting caused undue influence on the voters or violated the secrecy of the balloting.

It is to be noted that permission to photograph the voters was given with the strict understanding that the photographer "not interfere" with the voters. In fact, he did not talk to anyone except the Election Officer of the Board. This certainly is not indicative of any undue influence being used on the voters. No one could tell from the photographs whether any of the voters were either for or against representation. Therefore, secrecy was preserved. Further,

the photographs could not have influenced the election since they were not published until after the election was over.

This Board sees a beneficial influence by allowing newspaper men to observe and photograph elections, since this tends to insure scrutiny by the public. In fact, voting is a sacred right to be protected; and it has always been customary to allow photographing of elections so long as the secrecy of the ballot was not violated. The Board sees no evidence of any violation of secrecy by allowing the photographer to photograph a folded ballot placed in the ballot box or a person identified only as a pair of legs voting in a closed booth. The fact that an employe voted was noted by the poll watchers; and therefore, a photograph published the day after the election certainly gives no more information than that which the parties knew at the time of the election.

Finally, there appears to have been no unfairness or violation of the Board's Rules and Regulations in the activities of the Respondent's representatives in the halls approaching the polling area. No unauthorized personnel were permitted within the polling area and the vote and count took place secretly and under the strict supervision of the representatives of the Pennsylvania Labor Relations Board. This was a fair election and free of undue influence upon any voter. Where each voter, as here, had an opportunity to register a truly free choice, any charge of undue influence by an employer or union will not stand. Home Town Foods, Inc. vs. NLRB, C.A. Ga. (1969), 416 F. 2d 392. Here the Board provided an election to determine who would act as the employes' bargaining representative, surrounded the physical area with the usual safeguards, thereby permitting each employe to cast a ballot in secrecy and have it counted. Nothing more is expected or required under the law. Wilson Athletic Goods Mfg. Co. vs. NLRB, C.C.A. 7, 1947, 164 F. 2d 637. See PLRB vs. Charles DePolo, Case No. PERA-C-1213-C.

Complainant alleged an Unfair Practice pursuant to Section 605 and Section 1201 of the Act.

As noted above, the election was proper and free of anything that may be deemed improper. Complainant feels that Connie Sutton, who was definitely in favor of Respondent, was soliciting votes in favor of Respondent prior and during the election. It seems rather obvious that Complainant, to prove that Connie Sutton was an agent of Respondent, must show active solicitation for and on behalf of the Respondent; and at least an implied representation on the part of Connie Sutton that she was organizing for Respondent or an agent or representative of Respondent. The only facts presented were that of an individual who was pro-Respondent for her own interest. This does not make her an agent of Respondent. Therefore, the Respondent cannot be held accountable for her actions as a private individual. In short, Complainant did not prove its allegations that Connie Sutton was working for Respondent and under Respondent's direction and control. The facts only show Connie Sutton taking Karen Zaccaria to the polling place. There was nothing to show that at the time of the election she did anything to influence the outcome of said election.

Therefore, Respondent did not electioneer on the premises of the Hospital or within "sight and sound" of the polling area. Thus, both the Exceptions and Unfair Practices Charge are dismissed.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, concludes and finds:

1. That Oil City Hospital is a "public employer" within the meaning of Section 301 (1) of the Act.
2. That Service Employees International Union Local 227, AFL-CIO, is an "employe organization" within the meaning of Section 301 (3) of the Act.
3. That the Pennsylvania Labor Relations Board has jurisdiction over the parties hereto.
4. That a majority of the employes in a subdivision of the Employer unit comprised of professional employes (Unit I) have designated "No Representative" for the purpose of collective bargaining.
5. That a majority of the employes in a subdivision of the Employer unit comprised of non-professional employes (Unit II) have designated Service Employees International Union Local 227, AFL-CIO as their exclusive representative for the purpose of collective bargaining with respect to wages, hours, rates of pay, terms and other conditions of employment.
6. That the outcome of the election was not affected by the unfair practices charged or for any other unfair practice pursuant to Sections 605 (6) and 1201 (b) of the Act.

O R D E R

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board,

HEREBY ORDERS AND DIRECTS

- (1) That the Charge of Unfair Practices heretofore filed on May 18, 1973, at Case No. PERA-C-3567-W, be and the same is hereby dismissed, and the Complaint issued therein is hereby rescinded.
- (2) That the Exceptions filed at Case No. PERA-R-3258-W are hereby dismissed.
- (3) That Unit I, comprised of professional employes, of the Petition for Representation filed to Case No. PERA-R-3258-W, be and the same is hereby dismissed.

IT IS HEREBY ORDERED AND DECREED

that the Pennsylvania Labor Relations Board hereby

CERTIFIES

that SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 227, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

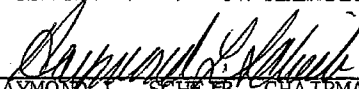
UNIT II: In a subdivision of the Employer unit comprised of the following classifications of employes: All hourly rated non-professional employes, including licensed practical nurses, technical employes, maintenance employes, service employes, including but not limited to aides and orderlies, and clerical employes; excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS FURTHER ORDERED AND DECREED

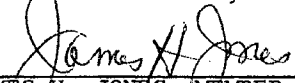
that in the absence of any Exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this fifteenth day of August, 1973.

6 PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEFF, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: Case No. PERA-R-3258-W
: OIL CITY HOSPITAL :
:
PENNSYLVANIA LABOR RELATIONS BOARD :
: vs. :
: Case No. PERA-C-3567-W
: SERVICE EMPLOYEES INTERNATIONAL :
: UNION LOCAL 227, AFL-CIO :

FINAL ORDER

On August 15, 1973, the Pennsylvania Labor Relations Board, hereinafter called the "Board", issued Nisi Decisions and Orders in the above-captioned cases wherein it dismissed unfair practice charges and objections to the conduct of the election filed by Oil City Hospital, hereinafter called "Complainant" or "Employer". The Board also certified Service Employees International Union Local 227, AFL-CIO, hereinafter called "Respondent" or "Union", as the exclusive bargaining representative of certain non-professional employees of Oil City Hospital.

Timely exceptions to the Nisi Decisions and Orders were filed by the Employer on August 24, 1973. Essentially, the Hospital excepts to the Board's ruling that the photographing of the election by a local newspaper did not destroy the "laboratory conditions" required for a representation election and the Board's decision that the Union did not electioneer at the polling place through one of the Hospital's employees, namely, Connie Sutton.

Before discussing the two major exceptions, several minor exceptions must be considered.

First, the Employer objected to the wording of the Board's Finding of Fact No. 6. The Board agrees with the Employer's contention that the fifteen (15) challenged ballots were not invalid, per se. Their validity or non-validity was not litigated because the tally of the challenged ballots which were canvassed pursuant to agreement of the parties eliminated the necessity of considering the validity of the fifteen challenged ballots; therefore, the word invalid should be deleted in Finding of Fact No. 6.

Secondly, Finding of Fact No. 14 is amended to read as follows:

14. That the Memorandum of Agreement in Case No. PERA-R-3258-W between the Hospital and SEIU provided for no cut-off date for electioneering but required compliance with rules set forth by the Election Officer on the day of the election; and no electioneering was to be conducted inside the Oil City Hospital buildings.

Thirdly, the Employer excepts to the Board's Finding of Fact No. 12, which reads as follows:

12. That the poll watchers of both Complainant and Respondent signed a statement showing that they felt that the election was conducted fairly and impartially; and they did not object to the photographs being taken. (Union Exhibit No. 1, N.T. 39, 40, 42, 43, 47, 48, 52, 54)

This finding is clearly supported by testimony in the record. It should be noted that the Board did not, nor will not, base its decision in any case on the mere fact that a party's poll watcher signs a form attesting to the fairness of the election. In PLRB v. International Union of Operating Engineers, Local 835, 835A, 835B, et al, PERA-C-2532-E, the Board stated the following in reference to the watcher's affidavit:

"The Complainant's Exception VIII is without merit for the watcher's signing of the recapitulation sheet provided by the Board does not preclude any party from filing unfair practice charges alleging irregularities during the conduct of the election. The Board has always given its impartial attention to charges filed by any party and has never precluded the filing of such charges just because a watcher has indicated that a fair election was conducted." (Final Order dated August 9, 1973)

Turning now to the major issues raised by the Employer, the Board is of the opinion that the photographing of the election did not affect the secrecy of the ballot nor did the alleged actions of employee Connie Sutton constitute prohibited electioneering.

On the day of the election at approximately 2:45 P.M. a photographer from The Derrick, a local newspaper, entered the polling area and took several pictures of the area, remaining in the area for approximately twenty-five minutes (N.T. 65-75). The photographer stated that he observed only three voters in the polling area while he was snapping pictures. He stated that there was no line of voters while he was in the room (N.T. 73-74).

The Hospital alleges that the action of the photographer may have deterred some of the eligible voters from exercising their right to vote and may have intimidated others in the exercise of this right.

As the record reveals, none of the voters objected to the photographer's actions. The watcher for the Hospital inquired as to whether or not he had permission, but permission was granted by the Board's election officer.

The Employer alleges that twenty-one eligible employees did not vote in the representation election and that this could have been attributed to the presence of the photographer. The Board feels that this allegation is without merit. The Hospital did not present any of the twenty-one non-voting eligible employees to testify in support of their contention. Secondly, in almost every representation election conducted by the Board, there are a number of eligible employees who do not exercise their right to vote, an occurrence similar to political elections. It should also be noted that in our political elections, numerous photographs are taken of voters in line and prominent individuals casting their votes. As was stated by the Board in its Nisi Order, the photographing did not reveal the choice of any of the voters and the photographs were not published until after the election was completed.

Finally, the actions of Connie Sutton did not constitute electioneering within the polling area or within the Hospital's premises as prohibited by the parties' pre-election memorandum of agreement.

Connie Sutton was employed by the Hospital as a ward secretary. On the day of election she was observed near the polling area at approximately 3:00 P.M. She was seen talking to other employees on the floor where the election was being conducted and one witness for the Complainant testified that she saw Ms. Sutton near the entrance to the polling area (N.T. 17, 57). Other witnesses testified that Sutton favored unionization of the Hospital's employees (N.T. 82-84, 89, 90, 96, 97).

The Hospital has attempted to prove that Sutton was an agent of the Union, in order to claim that the Union acting through Connie Sutton violated the parties' memorandum of agreement and also engaged in prohibited electioneering within the polling area. The evidence presented by the Hospital falls far short of proving that Sutton was a Union agent. Sutton testified that she was not paid by the Union or employed by it to support the unionization of the Hospital's employees (N.T. 114). In addition, the Hospital's witnesses stated that they did not know if Sutton was employed by the Union or was a Union member (N.T. 88, 94, 98).

Since Sutton was no more than an employe expressing her personal opinion her actions could not be attributed to the Union.

In view of the foregoing the Board is of the opinion that the May 11, 1973 representation election was conducted in accordance with the rules and regulations of the Board and that the required "laboratory conditions" were met.

In view of the foregoing and in order to effectuate the policies of the Public Employe Relations Act, the Pennsylvania Labor Relations Board

HEREBY ORDERS AND DECREES

that the Exceptions filed by the Employer to the Board's Nisi Decisions and Orders issued on August 15, 1973, are hereby dismissed and the aforesaid Nisi Decisions and Orders shall be and do hereby become absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this second day of November, 1973.

f. PENNSYLVANIA LABOR RELATIONS BOARD

Ramond E. Scheib
RAYMOND E. SCHEIB, CHAIRMAN

Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

James H. Jones
JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-R-3258-W
: :
OIL CITY HOSPITAL :
:
and
PENNSYLVANIA LABOR RELATIONS BOARD :
: :
: Case No. PERA-C-3567-W
: :
vs. :
: :
SERVICE EMPLOYEES INTERNATIONAL :
UNION, LOCAL 227, AFL-CIO :

FINAL ORDER

On March 31, 1975, the Commonwealth Court, in Commonwealth of Pennsylvania, Pennsylvania Labor Relations Board vs. Oil City Hospital, at No. 1057, C.D. 1974, on consolidated appeals from an order of the Court of Common Pleas of Venango County, Pennsylvania, setting aside Final Orders of the Pennsylvania Labor Relations Board at Case No. PERA-R-3258-W and Case No. PERA-C-3567-W, ordered that the records be remanded to the Pennsylvania Labor Relations Board with instructions to take additional testimony in order to determine whether Oil City Hospital is a public employer within the meaning of Section 301(1) of the Public Employe Relations Act.

Pursuant to the Order of the Commonwealth Court, the Pennsylvania Labor Relations Board, by order dated January 23, 1976, set Friday, March 5, 1976, in Pittsburgh, Pennsylvania, as the date and place for a hearing to take testimony on the issue of whether Oil City Hospital is a public employer, as stated above.

The above mentioned hearing was held as scheduled before James E. Lomeo, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses, and to present testimony and introduce evidence was afforded to all parties in interest.

The Board, on the basis of the testimony and evidence presented at the hearing, and from all other matters and documents of record, makes the following:

FINDINGS OF FACT

1. That Oil City Hospital is a non-profit Pennsylvania corporation. (N.T. 7)
2. That the Oil City Hospital non-profit corporation is composed of seventy-five (75) private citizens, of whom fifteen (15) are elected to the Board of Directors. (N.T. 8, 10, 11)

3. That none of the members of said corporation, or its Board of Directors, are appointed by any state, local, or federal agency. (N.T. 8)

4. That Oil City Hospital receives its revenue from the parties receiving care, or payments from other parties on behalf of parties receiving care. (N.T. 7)

5. That Oil City Hospital's revenue sources are as follows: (a) Approximately 10% from Medicaid Program; (b) Approximately 30% from Medicare Program; (c) Approximately 28% to 30% from Blue Cross; and (d) The balance of the revenue from other commercial carriers. (N.T. 8, 9)

6. That Medicaid Program is payment by the Department of Public Welfare, for health care to those persons who are medically indigent. (N.T. 12)

7. That the Department of Public Welfare payments are for services and care rendered to welfare recipients. (N.T. 8, 9)

8. That Oil City Hospital has not received any federal or state funds to buy equipment. (N.T. 11)

9. That Oil City Hospital spent 1.5 million dollars for remodeling the hospital, but received no federal or state funds. (N.T. 9)

10. That the funds for said remodeling were taken as follows: (a) 1/3 from the general fund, and (b) 2/3 from a mortgage; which was not guaranteed by any governmental institution. (N.T. 9, 10)

11. That no federal or state money had been received for construction. (N.T. 9, 10)

DISCUSSION

The sole issue is whether Oil City Hospital is a public employer within the meaning of Section 301(1) of the Public Employe Relations Act.

From the testimony, it is obvious that Oil City Hospital is a private non-profit hospital, which receives its revenues from services or care rendered to individual patients; in fact, no evidence was produced that it receives any state, local, or federal revenues, except as reimbursement for services performed to indigent persons.

Therefore, in view of the Commonwealth Court's holding in Brownsville General Hospital vs. Pennsylvania Labor Relations Board, PA Commonwealth Ct. 325 A, 2d, 662, 5PPER 61 (1974) that a non-profit hospital receiving reimbursement for services rendered under Federal and State medical assistance is not a public employer, Oil City Hospital is not a public employer within the meaning of Section 301(1) of the Public Employe Relations Act.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, concludes and finds:

1. That Oil City Hospital is not a "public employer" within the meaning of Section 301(1) of the Public Employe Relations Act, since it is a health-related, non-profit organization that receives "reimbursement for services", as defined by the Commonwealth Court.
2. That the Pennsylvania Labor Relations Board does not have jurisdiction over this matter.

O R D E R

In view of the foregoing and in order to effectuate the policies of the Public Employe Relations Act, the Board

HEREBY ORDERS AND DIRECTS


that the Petition for Representation filed on March 2, 1973, by the Service Employees International Union, Local 227, AFL-CIO, at Case No. PERA-R-3258-W, be and the same is hereby dismissed for lack of jurisdiction; and

that the Charge of Unfair Practices filed on May 18, 1973, by the Oil City Hospital, at Case No. PERA-R-3567-W, be and the same is hereby dismissed for lack of jurisdiction.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this first day of April, 1976.

3,

PENNSYLVANIA LABOR RELATIONS BOARD


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: Case No. PERA-R-2620-E

PENNSYLVANIA HOSPITAL :
:

NISI ORDER OF CERTIFICATION

On November 8, 1972, a Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", by the Professional Pharmacists Guild of Delaware Valley, affiliated with Retail Clerks International Union, Local 1357, AFL-CIO, hereinafter called the "Union". The Union, in its petition, alleged that it represented thirty (30) per cent or more of certain employes of the Pennsylvania Hospital, hereinafter called the "Employer".

Pursuant to due notice, a hearing was held on January 10, 1973, before a duly designated Hearing Examiner of the Board at which time a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded to all parties in interest.

Thereafter, on January 22, 1973, the Board issued an Order and Notice of Election, directing that an election, by secret ballot, be conducted on Friday, February 9, 1973, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment. The election was conducted as ordered by an Elections Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT NUMBERS 1, 2, 3, and 4, as set forth in the Board's Order and Notice of Election dated January 22, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That the Board conducted an election, by secret ballot, on Friday, February 9, 1973, among the employes of the Employer in accordance with the Order of the Board issued January 22, 1973.

6. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Professional Pharmacists Guild of Delaware Valley, affiliated with Retail Clerks International Union, Local 1357, AFL-CIO, or whether the said employes wished No Representative.

7. That seven (7) ballots were cast by eligible employes, and no (0) ballots were spoiled or cancelled, thus leaving seven (7) ballots to be accounted for and canvassed.

8. That of the said seven (7) ballots, six (6) ballots were cast in favor of representation by the Union, and one (1) ballot was cast for No Representative.

9. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

CONCLUSIONS OF LAW

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on February 9, 1973, concludes and finds:

The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election, Numbers 1, 2, 3, and 4, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer have selected and designated Professional Pharmacists Guild of Delaware Valley, affiliated with Retail Clerks International Union, Local 1357, AFL-CIO, as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That Professional Pharmacists Guild of Delaware Valley, affiliated with Retail Clerks International Union, Local 1357, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that PROFESSIONAL PHARMACISTS GUILD OF DELAWARE VALLEY,
affiliated with RETAIL CLERKS INTERNATIONAL UNION, LOCAL 1357,
AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named
Employer in the unit described below for the purpose of collective bargaining
with respect to wages, hours and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised
of all pharmacists and pharmacist interns employed
by the Pennsylvania Hospital at its various locations,
and excluding supervisors, first level supervisors,
and confidential employes as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules
and Regulations of the Pennsylvania Labor Relations Board, approved as of
October 9, 1970, as amended, within ten (10) days of the date hereof, this
Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania,
this twenty-seventh day of February, 1973.

3.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-R-3627-E
: :
MEDICAL COLLEGE & HOSPITAL OF :
PENNSYLVANIA :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on June 7, 1973, by Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, hereinafter called "Local 1199C", alleging that it represented 30% or more of certain employes of the Medical College and Hospital of Pennsylvania, hereinafter called the "Employer", and requesting the Board to order an election to determine the exclusive representative for the purpose of collective bargaining pursuant to provisions of the Public Employee Relations Act, hereinafter called the "Act".

On June 20, 1973, the Board issued an Order and Notice of Hearing fixing July 24, 1973, in Philadelphia, Pennsylvania, as the time and place of hearing, at which time all parties in interest were afforded a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence.

Thereafter, on August 6, 1973, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Tuesday, August 28, 1973, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of the following classifications of employes: All licensed practical nurses who work twenty or more hours a week and excluding management level employes, supervisors, first level supervisors, and confidential employes as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT numbers 1 through 3 inclusive, as set forth in the Board's Order and Notice of Election dated August 6, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

4. That the Board conducted an election, by secret ballot, on August 28, 1973, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued August 6, 1973.

5. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, or whether the said employes wished No Representative.

6. That thirty-six (36) ballots were cast by eligible voters, no (0) ballots were void or blank, and one (1) ballot was cast by a person whose vote was challenged; thus leaving thirty-six (36) ballots to be accounted for and canvassed.

7. That of the thirty-six (36) ballots, twenty-two (22) ballots were cast in favor of representation by Local 1199C, and fourteen (14) ballots were cast for No Representative.

8. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballot cast by the person whose ballot was challenged since its inclusion in the total votes cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on August 28, 1973, concludes and finds:

That the Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election, numbers 1 through 4 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That Local 1199C, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that LOCAL 1199C, NATIONAL UNION OF HOSPITAL AND NURSING HOME EMPLOYEES, DIVISION OF RWDSU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the Employer unit comprised of all licensed practical nurses who work twenty or more hours a week and excluding management level employes, supervisors, first level supervisors, and confidential employes as defined in the Act.


IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

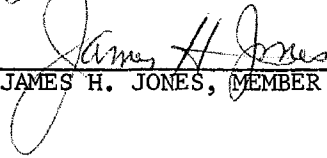
SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this seventh day of September, 1973.

3.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER



4

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: Case No. PERA-R-3977-C
: YORK COUNTY :
: (Pleasant Acres York County :
Hospital and Home) :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on October 2, 1973, by the American Federation of State, County and Municipal Employees, AFL-CIO, hereinafter called the "Union", alleging that it represented 30% or more of certain employes of the York County Commissioners, hereinafter called the "Employer", and requesting the Board to order an election to determine the exclusive representative for the purpose of collective bargaining pursuant to provisions of the Public Employee Relations Act, hereinafter called the "Act".

On October 5, 1973, the Board issued an Order and Notice of Hearing fixing October 17, 1973, at York, Pennsylvania as the time and place of the hearing. The hearing as scheduled was continued until November 2, 1973, at York, Pennsylvania, by Order of the Board.

The aforesaid hearing was held on November 2, 1973, before Steve C. Nicholas, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses and to present testimony and introduce evidence was afforded to all parties in interest.

Thereafter, on December 13, 1973, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Wednesday, January 9, 1974, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT numbers 1 through 15 inclusive, as set forth in the Board's Order and Notice of Election dated December 13, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

16. That the Board conducted an election, by secret ballot, on January 9, 1974, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued December 13, 1973.

17. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by the American Federation of State, County and Municipal Employes, AFL-CIO or whether the said employes wished No Representative.

18. That one hundred fifty-five (155) ballots were cast by eligible voters, no (0) ballots were void or blank, and seventeen (17) ballots were cast by persons whose votes were challenged; thus leaving one hundred fifty-five (155) ballots to be accounted for and canvassed.

19. That of the one hundred fifty-five (155) ballots, one hundred twenty-eight (128) ballots were cast in favor of representation by American Federation of State, County and Municipal Employees, AFL-CIO and twenty-seven (27) ballots were cast for No Representative.

20. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by persons whose ballots were challenged since their inclusion in the total vote cast would have no material affect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on Wednesday, January 9, 1974, concludes and finds:

2.

The Board's CONCLUSIONS numbers 1 through 11 inclusive, as set forth in the Board's Order and Notice of Election issued on December 13, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

12. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated American Federation of State, County and Municipal Employees, AFL-CIO, as their exclusive representative for the purpose of collective bargaining with the Employer.

13. That the American Federation of State, County and Municipal Employees, AFL-CIO, is the exclusive representative of all the employes of the Employer within the unit described below for the purpose of collective bargaining with respect to wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of the following classification of employes: custodians, laundry workers I, laundry workers II, clothing distributors, pressers, laundry pressers, laundry workers, seamstress, food service workers, cook II, fireman, plumbers helper, painter, mechanic jr., carpenter, maintenance mechanic, maintenance mechanic jr., plumber pipe fitter, utility man, licensed practical nurses, nurses aides, orderlies, crafts helper, assistant laundry manager, cook I, supervisor of grounds and machinery and licensed practical nurses in-charge; and excluding the following classification of employes: administrator, solicitor, chaplain, assistant administrator, receptionist, clerk typist, case-worker-social services, secretary to administrator, accountant, assistant administrative trainee, director of volunteer services, storekeeper,

3,

director of adult services, social caseworker intern, office manager, billing clerk, accounts receivable clerk, clerk-adult services, house-keeping supervisor, laundry manager, group leaders, section leaders, plant engineer, security guards, assistant plant engineer, medical secretary, medical records librarian, physical therapist, assistant physical therapist, physical therapy aide, crafts supervisor, registered physical therapist, registered nurses, director of nursing services, nursing supervisor, clerk III, ward clerk, stenographer, laboratory technician aide, X-ray technician, and all other professional employes, management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this seventeenth day of January, 1974.

PENNSYLVANIA LABOR RELATIONS BOARD

4.

Raymond L. Scheff

RAYMOND L. SCHEFF, CHAIRMAN

Joseph J. Licastro

JOSEPH J. LICASTRO, MEMBER

James H. Jones

JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
:
:
POTTSTOWN MEMORIAL MEDICAL CENTER : No. PERA-R-2019-E
:
:

NISI ORDER OF CERTIFICATION

On May 1, 1972 an Election was conducted in the above matter in accordance with the Joint Request for Election filed with the Pennsylvania Labor Relations Board. The tally of the ballots cast shows that sixteen (16) ballot(s) ~~was~~/were cast for Local 1199P, National Union of Hospital & Nursing Home Employees, Division of RWDSU, AFL-CIO and ten (10) ballots ~~was~~/were cast for no representation.

WHEREAS, the tally of the ballots cast shows that a collective bargaining representative has been selected and no objections having been filed to the conduct of the election to the date of this Order,

NOW, THEREFORE, the Pennsylvania Labor Relations Board, pursuant to authority of Act No. 195 known as the Public Employe Relations Act,

HEREBY ORDERS AND DECREES

that Local 1199P, National Union of Hospital & Nursing Home Employees, Division of RWDSU, AFL-CIO
be and it is hereby

CERTIFIED

as the exclusive representative for all the employes in a subdivision of the employer unit comprised of all full-time and regular part-time Laboratory Technicians, X-Ray Technicians, O.R. Technicians, E.E.G. Technicians, E.K.G. Technicians, Pharmacy Technicians and I.P.P.B. (Inhalation Therapy) Technicians (who work twenty hours or more per week), and excluding management level employes, supervisors, first level supervisors and confidential employes as defined in Act 195.

for the purpose of collective bargaining with respect to wages, hours, terms and conditions of employment, subject to the provisions of the aforesaid Act No. 195, and

IT IS HEREBY FURTHER ORDERED AND DECREED

that in the absence of any exceptions filed, pursuant to Rule 15.1 of the Pennsylvania Labor Relations Board's Rules and Regulations, approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this sixteenth day of May, 1972.

PENNSYLVANIA LABOR RELATIONS BOARD

Raymond L. Scheib
RAYMOND L. SCHEIB, CHAIRMAN
Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER
James H. Jones
JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
:
:
:
:
No. PERA-R-2020-E
:
POTTSTOWN MEMORIAL MEDICAL CENTER :

NISI ORDER OF CERTIFICATION

On May 1, 1972 an Election was conducted in the above matter in accordance with the Joint Request for Election filed with the Pennsylvania Labor Relations Board. The tally of the ballots cast shows that one hundred and twenty-one (121) ballot(s) ~~was~~ were cast for Local 1199P, National Union of Hospital & Nursing Home Employees, Division of RWDSU, AFL-CIO and ninety-four (94) ballots were cast for no representation.

WHEREAS, the tally of the ballots cast shows that a collective bargaining representative has been selected and no objections having been filed to the conduct of the election to the date of this Order,

NOW, THEREFORE, the Pennsylvania Labor Relations Board, pursuant to authority of Act No. 195 known as the Public Employe Relations Act,

HEREBY ORDERS AND DECREES

that Local 1199P, National Union of Hospital & Nursing Home Employees,
Division of RWDSU, AFL-CIO
be and it is hereby

CERTIFIED

as the exclusive representative for all the employes in a subdivision of the employer unit comprised of all full time and regular part-time service and maintenance employes working in the following departments of the public employer (who work twenty hours or more per week): Nursing, Housekeeping, Laundry, Dietary and Maintenance; excluding specifically: security, professional (including registered nurses), Licensed practical nurses, technical, clerical, and further excluding management level employes, supervisors, first level supervisors and confidential employes as defined in Act 195. for the purpose of collective bargaining with respect to wages, hours, terms and conditions of employment, subject to the provisions of the aforesaid Act No. 195, and

IT IS HEREBY FURTHER ORDERED AND DECREED

that in the absence of any exceptions filed, pursuant to Rule 15.1 of the Pennsylvania Labor Relations Board's Rules and Regulations, approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this sixteenth day of May, 1972.

PENNSYLVANIA LABOR RELATIONS BOARD

Raymond L. Scheib
RAYMOND L. SCHEIB, CHAIRMAN

Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

James H. Jones
JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
: No. PERA-R-2018-E
POTTSTOWN MEMORIAL MEDICAL CENTER :
:

NISI ORDER OF CERTIFICATION

On May 1, 1972, an election was conducted in the above matter in accordance with the Joint Request for Election filed with the Pennsylvania Labor Relations Board. The tally of the votes cast shows that twelve (12) votes were cast for Local 1199P and ten (10) ballots were cast for No Representation and that there were two (2) challenged ballots.

WHEREAS, the parties have agreed to the validity of one of the challenged ballots. Therefore, the remaining one (1) challenged ballot will not affect the result of the election.

WHEREAS, the tally of the ballots cast shows that a collective bargaining representative has been selected and no objections having been filed to the conduct of the election to the date of this Order,

NOW, THEREFORE, the Pennsylvania Labor Relations Board, pursuant to authority of Act No. 195 known as the Public Employe Relations Act,

HEREBY ORDERS AND DECREES

that Local 1199P, National Union of Hospital & Nursing Home Employes, Division of RWDSU, AFL-CIO, be and it is hereby

CERTIFIED

as the exclusive representative for all the employes in a subdivision of the employer unit comprised of all full-time and regular part-time licensed practical nurses (who work twenty hours or more per week), excluding all other employes of the public employer, specifically: Service and Maintenance employes in the following departments of the employer - Nursing, Housekeeping, Laundry, Dietary and Maintenance; security, professional (including registered nurses), technical, clerical, and further excluding management level employes, first level supervisors, supervisors and confidential employes as defined in the Act, for the purpose of collective bargaining with respect to wages, hours, terms and conditions of employment, subject to the provisions of the aforesaid Act No. 195, and

IT IS HEREBY FURTHER ORDERED AND DECREED

that in the absence of any exceptions filed, pursuant to Rule 15.1 of the Pennsylvania Labor Relations Board's Rules and Regulations,

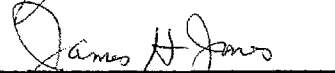
approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this nineteenth day of May, 1972.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYEES OF :
: Case No. PERA-R-3406-C
HARRISBURG POLYCLINIC HOSPITAL :

NISI ORDER OF CERTIFICATION

On April 3, 1973, the Pennsylvania Nurses Association, herein called "PNA" filed a Petition for Representation requesting that the Pennsylvania Labor Relations Board, herein called the "Board", pursuant to Section 603(c) of the Public Employee Relations Act, herein called the "Act", provide for appropriate hearing upon due notice given to Harrisburg Polyclinic Hospital, herein called the "Employer", and approve the proposed unit, issue an order for an election and certify the name of the employe representative designated, if any, for the purposes of collective bargaining in an appropriate unit. The petition was filed to Case No. PERA-R-3406-C and the unit petitioned-for was comprised of all registered general duty nurses.

On April 9, 1973, a Petition for Representation was filed by PNA to Case No. PERA-R-3426-C, requesting a unit comprised of all licensed practical nurses of the Employer.

On April 11, 1973, a Petition for Representation was filed with the Board by PNA, requesting a unit comprised of all registered head nurses, assistant head nurses and specialty nurses of the Employer. This petition was filed to No. PERA-R-3435-C.

Pursuant to the foregoing the Board on April 17, 1973 issued an Order and Notice of Hearing in all three cases and set Friday, May 4, 1973, in Room 1112, Labor and Industry Building, 7th and Forster Streets, Harrisburg, Pennsylvania, as the place for the holding of the hearing thereon. All three petitions were joined for hearing and at the hearing the Pennsylvania Nurses Association requested leave to amend the petition filed to Case No. PERA-R-3406-C to include the licensed practical nurses and requested leave to withdraw the petition filed to Case No. PERA-R-3426-C. Both of these requests were granted by the Hearing Examiner subject to the approval of the Board. The Board, upon considering these two requests is of the opinion that the Hearing Examiner's decision was proper and permission is granted to amend the petition filed to Case No. PERA-R-3406-C and to withdraw the petition filed to Case No. PERA-R-3426-C.

Thereafter, on July 6, 1973, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Tuesday, July 17, 1973, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of all registered general duty nurses and licensed practical nurses and excluding all supervisors, first level supervisors, management and confidential employes as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, on the basis of testimony and evidence presented at the hearing, and from all other matters and documents of record, and particularly in consideration of the election conducted on July 17, 1973, makes the following:

FINDINGS OF FACT

That all pertinent FINDINGS OF FACT Numbers 1 through 9 as set forth in the Board's Order and Notice of Election dated July 6, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

10. That the Board conducted an election, by secret ballot, on July 17, 1973, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued July 6, 1973.

11. That the professional employes were asked to indicate their preference as to whether or not they desired to be included in a unit of professional and non-professional employes.

12. That a tally of the ballots cast by the professional employes in the Unit Determination Election revealed the following results: one hundred (100) ballots were cast in favor of being included in a unit comprised of professional and non-professional employes; and forty-four (44) ballots were cast in favor of being included in a unit comprised of only professional employes.

13. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Pennsylvania Nurses Association or whether the said employes wished No Representative.

14. That a tally of the ballots cast in the representation election revealed the following results: one hundred ninety-one (191) ballots were cast by eligible voters, four (4) ballots were void or blank and nine (9) ballots were cast by persons whose votes were challenged; thus leaving one hundred ninety-one (191) ballots to be accounted for and canvassed.

15. That of the one hundred ninety-one (191) ballots, one hundred sixty-six (166) were cast in favor of representation by Pennsylvania Nurses Association and twenty-five (25) ballots were cast for No Representative.

16. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by persons whose ballots were challenged since their inclusion in the total votes cast would have no material effect upon the results of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on July 17, 1973, concludes and finds:

That all pertinent CONCLUSIONS Numbers 1 through 7 as set forth in the Board's Order and Notice of Election issued on July 6, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Pennsylvania Nurses Association as their exclusive representative for the purpose of collective bargaining with the Employer.

9. That Pennsylvania Nurses Association, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that PENNSYLVANIA NURSES ASSOCIATION

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and other terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of all registered general duty nurses and licensed practical nurses and excluding all supervisors, first level supervisors, management and confidential employees as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this twenty-third day of July, 1973.

4. PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
 :
 : Case No. PERA-R-4168-C
 :
 POTTSVILLE HOSPITAL AND WARNE CLINIC :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on November 28, 1973, by Pennsylvania Nurses Association, hereinafter called "PNA", alleging that it represented 30% or more of the professional nursing employes of Pottsville Hospital and Warne Clinic, hereinafter called "Employer", and requesting the Board to order an election to determine the exclusive representative for the purpose of collective bargaining pursuant to provisions of the Public Employee Relations Act, hereinafter called the "Act".

Pursuant to due notice, a hearing was held and conducted on December 28, 1973, in Pottsville, Pennsylvania, before Francis M. Mulligan, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded all parties in interest.

Thereafter, on January 15, 1974, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on February 6, 1974, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of Staff Nurses, Head Nurses, Inservice Education Nurses, and Nurses Anesthetists; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT numbers 1 through 5 inclusive, as set forth in the Board's Order and Notice of Election, dated January 15, 1974, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That the Board conducted an election, by secret ballot, on February 6, 1974, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued January 15, 1974.

7. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Pennsylvania Nurses Association, or whether the said employes wished No Representative.

8. That ninety-four (94) ballots were cast by eligible voters, no (0) ballots were void or blank, and nine (9) ballots were cast by persons whose votes were challenged; thus leaving ninety-four (94) ballots to be accounted for and canvassed.

9. That of the ninety-four (94) ballots, eighty-five (85) ballots were cast in favor of representation by Pennsylvania Nurses Association, and nine (9) ballots were cast for No Representative.

10. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose ballots were challenged since their inclusion in the total votes cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on February 6, 1974, concludes and finds:

That the Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election, numbers 1 through 4 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Pennsylvania Nurses Association as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That PNA, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that PENNSYLVANIA NURSES ASSOCIATION

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the Employer unit comprised of Staff Nurses, Head Nurses, Inservice Education Nurses, and Nurses Anesthetists; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

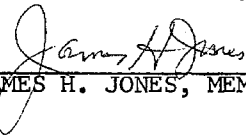
that in the absence of any Exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this twentieth day of February, 1974.

3. PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
THE PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
: No. PERA-R-173-W
PRESBYTERIAN UNIVERSITY HOSPITAL :
:
:
:

NISI ORDER OF CERTIFICATION

WHEREAS, an Election has been conducted in the above matter on March 17, 1971 in accordance with Petition filed, Rules and Regulations and Order of the Pennsylvania Labor Relations Board and it appearing from the tally of ballots that a collective bargaining representative has been selected and no objections have been filed to the conduct of the election to the date of this Order.

NOW, THEREFORE, the Pennsylvania Labor Relations Board pursuant to authority of Act No. 195 known as the Public Employee Relations Act

HEREBY ORDERS AND DECREES

that International Union of Operating Engineers, Local 95-95A

be and it is hereby

CERTIFIED

as the exclusive representative for all the employes in a subdivision of the employer unit comprised of Stationary Engineers, Refrigeration Engineers, Electricians, Painters, Carpenters, Plumbers, General Maintenance and Plasterers, all Helpers and Apprentices, Working Foremen, excluding all supervisory, first level super-

visors and confidential employes as defined in Act 195,
For the purposes of collective bargaining with respect to wages, hours, terms and conditions of employment, subject to provisions of the aforesaid Act No. 195, and,

IT IS HEREBY FURTHER ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this thirty-first day of March, 1971.

PENNSYLVANIA LABOR RELATIONS BOARD

Malcolm B. Petrikin

MALCOLM B. PETRIKIN, CHAIRMAN

Joseph J. Licastro

JOSEPH J. LICASTRO, MEMBER

George B. Stuart

GEORGE B. STUART, MEMBER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
:
: Case No. PERA-R-5407-W
:
: PERA-R-5408-W
PROGRESSIVE WORKSHOP OF ARMSTRONG:
COUNTY, INC. :

NISI ORDER OF CERTIFICATION

Petitions for Representation were filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on August 7, 1974, by Pennsylvania Social Services Union, Local 668, SEIU, AFL-CIO, hereinafter called "PSSU", alleging that it represented 30% or more of certain employes of Progressive Workshop of Armstrong County, Inc., hereinafter called the "Employer", and requesting the Board to order an election to determine the exclusive representative for the purpose of collective bargaining pursuant to the provisions of the Public Employee Relations Act, hereinafter called the "Act".

Pursuant to due notice, a hearing was held and conducted on September 19, 1974, in Pittsburgh, Pennsylvania, before James E. Lomeo, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded to all parties in interest. At the hearing, the parties agreed to withdraw the Petition for Representation at PERA-R-5407-W which was a first level supervisory unit, because they found that the employe in that Petition was not a first level supervisor and therefore was eligible for inclusion in the unit petitioned for in PERA-R-5408-W.

Thereafter, on September 30, 1974, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Tuesday, October 29, 1974, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of the following classifications of employes: Activity Aide III who plan, organize and supervise clients in vocational programs; Clerks, Stenographers, and Equipment Operators; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, on the basis of testimony and evidence presented at the hearing, and from all other matters and documents of record, makes the following:

FINDINGS OF FACT

The Findings of Fact numbers 1 through 5 inclusive, as set forth in the Board's Order and Notice of Election, dated September 30, 1974, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That the Board conducted an election, by secret ballot, on October 29, 1974, among the employees of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued on September 30, 1974.

7. That the question voted on was whether the eligible employees in the appropriate unit wished to be represented by Pennsylvania Social Services Union, Local #668, SEIU, AFL-CIO or whether the employees wished No Representative.

8. That seven (7) ballots were cast by the employees of the Employer.

9. That of the seven (7) ballots, seven (7) ballots were cast in favor of representation by Pennsylvania Social Services Union, Local #668, SEIU, AFL-CIO and no (0) ballots were cast for No Representative and no (0) ballots were void or blank and no (0) ballots were cast by persons whose votes were challenged.

10. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, concludes and finds:

The Board's Conclusions as set forth in its Order and Notice of Election, numbers 1 through 4 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employees of the Employer within the heretofore defined appropriate unit have selected and designated Pennsylvania Social Services Union, Local #668, SEIU, AFL-CIO as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That Pennsylvania Social Services Union, Local #668, SEIU, AFL-CIO is the exclusive representative of all the employees of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to wages, pay, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that PENNSYLVANIA SOCIAL SERVICES UNION, LOCAL #668, SEIU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of the following classifications of employes: Activity Aide III who plan, organize and supervise clients in vocational programs; Clerks, Stenographers, and Equipment Operators; and excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to 34 Pa. Code Ch. 95.98 within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania this fourteenth day of November, 1974.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-D-85-545-E
: (PERA-R-7041-C)
DAUPHIN COUNTY :

NISI ORDER OF DECERTIFICATION

A Petition for Decertification was filed with the Pennsylvania Labor Relations Board (Board) on October 22, 1985, by Alan P. Tezak (Petitioner) alleging that he represents a group of employes of Dauphin County (Employer) and requesting the Board to order a decertification election pursuant to Section 607 of the Public Employe Relations Act (Act) to determine whether or not the American Federation of State, County and Municipal Employees, District Council 90, AFL-CIO (Union) is supported by a majority of said employes in the bargaining unit certified at Case No. PERA-R-7041-C for collective bargaining purposes.

Pursuant to due notice, a pre-hearing conference was held on November 14, 1985, in Harrisburg, Pennsylvania, at which time the parties entered into a Memorandum of Agreement stipulating to the position on the ballot, the site for the election, the eligibility list and all other matters pertaining to the conduct of the decertification election.

On November 20, 1985, an Order and Notice of Decertification Election was issued directing that a decertification election, by secret ballot, be held and conducted on December 5, 1985, among the employes of the Employer to ascertain whether they wished to continue to be represented by the present collective bargaining representative for purposes of collective bargaining or whether said employes wished no representative in a subdivision of the employer unit comprised of all full-time and regular part-time professional, nonsupervisory, court-appointed employes, including Adult Probation Officer II's, Adult Probation Officer I's, Juvenile Probation Officer II's, and Juvenile Probation Officer I's; and excluding nonprofessional employes, management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The decertification election was conducted as ordered by an Election Officer assigned by the Board.

The Board Representative, from all matters and documents of record, makes the following:

FINDINGS OF FACT

That FINDINGS OF FACT, numbers 1 through 7 inclusive, as set forth in the Order and Notice of Decertification Election dated November 20, 1985, are hereby affirmed and incorporated by reference herein and made a part hereof.

8. That the Board conducted a decertification election, by secret ballot, on December 5, 1985, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order and Notice of Decertification Election issued November 20, 1985.

9. That the question voted on was whether the eligible employes in the appropriate unit wished to continue to be represented by the present collective bargaining representative or whether said employes wished no representative.

10. That thirty-four (34) ballots were cast at the decertification election.

11. That of the thirty-four (34) ballots, nine (9) ballots were cast in favor of representation by the American Federation of State, County and Municipal Employees, District Council 90, AFL-CIO; twenty-two (22) ballots were cast for No Representative; and three (3) ballots were cast by persons whose votes were challenged. No (0) ballots were void or blank.

12. That the duly appointed Watchers in attendance at the said election have certified that the counting and tabulating were fairly and accurately done, that the secrecy of the ballot was maintained, and that the results were as indicated above.

DISCUSSION

The Board will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose votes were challenged since their inclusion in the total votes cast would have no material effect upon the results of the election.

CONCLUSIONS

The Board Representative, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the decertification election conducted on December 5, 1985, concludes and finds:

That CONCLUSIONS, numbers 1 through 5 inclusive, as set forth in the aforesaid Order and Notice of Decertification Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

That a majority of the employes of the Employer in the afore-said appropriate unit have voted to decertify the American Federation of State, County and Municipal Employees, District Council 90, AFL-CIO as their exclusive representative for the purpose of collective bargaining with the Employer.

In view of the foregoing and in order to effectuate the policies of the Act, the Board Representative hereby

DECERTIFIES

the AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, DISTRICT COUNCIL 90, AFL-CIO

as the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and other terms and conditions of employment.

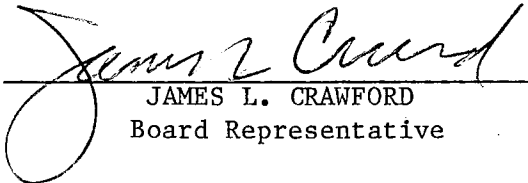
UNIT: All full-time and regular part-time professional, nonsupervisory, court-appointed employes, including Adult Probation Officer II's, Adult Probation Officer I's, Juvenile Probation Officer II's, and Juvenile Probation Officer I's; and excluding nonprofessional employes, management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DIRECTED

that in the absence of any Exceptions filed pursuant to 34 Pa. Code § 95.98 within twenty (20) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED AND DATED at Harrisburg, Pennsylvania, this second day of January, 1986, pursuant to 34 Pa. Code § 95.96(b).

PENNSYLVANIA LABOR RELATIONS BOARD



JAMES L. CRAWFORD
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: :
: : Case No. PERA-R-7041-C
COURT OF COMMON PLEAS OF DAUPHIN :
COUNTY (Twelfth Judicial District) :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board," on July 25, 1975, by the American Federation of State, County and Municipal Employees, District Council 90, AFL-CIO, hereinafter called "AFSCME," alleging that it represented thirty (30%) percent or more of all the non-supervisory Probation Office employes employed by the Court of Common Pleas of Dauphin County (Twelfth Judicial District), hereinafter called the "Employer," and requesting the Board to order an election to determine the exclusive representative for the purpose of collective bargaining pursuant to the provisions of the Public Employee Relations Act, hereinafter called the "Act."

On August 4, 1975, the Board issued an Order and Notice of Hearing, fixing September 2, 1975, in Harrisburg, Pennsylvania, as the time and place thereof.

The aforesaid hearing was held before Steve C. Nicholas, Esquire, a duly designated Hearing Examiner of the Board, at which time a full opportunity to examine and cross-examine witnesses and to present testimony and introduce evidence was afforded to all parties in interest.

Thereafter, on November 19, 1975, the Board issued an Order and Notice of Election, directing that an election, by secret ballot, be held and conducted on December 10, 1975, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours, and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time professional, non-supervisory employes, including Adult Probation Officer II's, Adult Probation Officer I's, Juvenile Probation Officer II's, and Juvenile Probation Officer I's, and excluding all non-professional employes, management level employes, supervisors, first-level supervisors, confidential employes, and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, on the basis of the testimony and evidence presented at the hearing and from all other matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT numbers 1 through 8 inclusive, as set forth in the Board's Order and Notice of Election dated November 19, 1975, are hereby affirmed and incorporated by reference herein and made a part hereof.

9. That the Board conducted an election, by secret ballot, on December 10, 1975, among the employees of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued November 19, 1975.

10. That the question voted on was whether the eligible employees in the appropriate unit wished to be represented by American Federation of State, County and Municipal Employees, District Council 90, AFL-CIO, or whether the said employees wished No Representative.

11. That fourteen (14) ballots were cast by employees of the Employer.

12. That of the fourteen (14) ballots, eleven (11) ballots were cast in favor of representation by American Federation of State, County and Municipal Employees, District Council 90, AFL-CIO; two (2) ballots were cast for No Representation; one (1) ballot was challenged; and no (0) ballots were void or blank.

13. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board.

DISCUSSION

We will neither open, canvass, nor pass upon the validity of the challenged ballot, since its inclusion in the total votes cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on December 10, 1975, concludes and finds:

The Board's CONCLUSIONS numbers 1 through 5 inclusive, as set forth in its aforesaid Order and Notice of Election, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the employees of the Employer within the heretofore defined appropriate unit have selected and designated American Federation of State, County and Municipal Employees, District Council 90, AFL-CIO, as their exclusive

representative for the purpose of collective bargaining with the Employer.

7. That American Federation of State, County and Municipal Employees, District Council 90, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employees of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the policies of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, DISTRICT COUNCIL 90, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of all full-time and regular part-time professional, non-supervisory employees, including Adult Probation Officer II's, Adult Probation Officer I's, Juvenile Probation Officer II's, and Juvenile Probation Officer I's, and excluding all non-professional employees, management level employees, supervisors, first-level supervisors, confidential employees, and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any Exceptions filed pursuant to 34 Pa. Code Ch. 95.98, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this eighteenth day of December, 1975.

PENNSYLVANIA LABOR RELATIONS BOARD


Raymond L. Scheib
RAYMOND L. SCHEIB, CHAIRMAN

Joseph J. Licastro
JOSEPH J. LICASTRO, MEMBER

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COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYES OF :
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WASHINGTON HOSPITAL :
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Case No. PERA-R-3647-W

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on June 13, 1973, by Local 1199P, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, hereinafter called "Local 1199P, alleging that it represented 30% or more of certain employes of Washington Hospital, hereinafter called the "Employer", and requesting that pursuant to Section 603(c) of the Public Employe Relations Act, hereinafter called the "Act", a hearing be scheduled and an Order be issued for an election.

On July 24, 1973, a Pre-Election Conference was held in Pittsburgh, Pennsylvania, before William S. Hays, Esquire, a duly designated Hearing Examiner of the Board, at which time the parties were afforded an oportunity to determine positions on the ballot, the site or sites for the conducting of the election, the eligibility list and all other matters pertaining to the conduct of the election.

Thereafter, on August 16, 1973, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Friday, September 7, 1973, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of the following classifications of employes: All full and regular part-time service and maintenance employes including nurses aides, orderlies, ward secretaries, operating room technicians, inhalation therapy technicians, EKG technicians, EEG technicians, food supervisors, chef, butcher, baker, dietary aides, cooks, housekeeping utility man, housekeeper, laundry aides, linen clerk, auxiliary washman, delivery man, utility girl, wash ladies, press operator, electrician, control engineer, junior control engineer, groundskeeper supervisor, groundskeeper, carpenter, painter, plumber, chief operating engineer, assistant chief operating engineer, utility man, general maintenance man, glassware washer, diener, X-ray orderlies, Hospitality Shop waitresses and aide, cook, physical therapy attendant and aide, orderly, occupational therapy aide, pharmacy delivery man, chief storeroom clerk, storeroom clerk, and printer; and excluding all other non-professional employes, temporary employes and further excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT numbers 1 through 5 inclusive, as set forth in the Board's Order and Notice of Election dated August 16, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That the Board conducted an election, by secret ballot, on September 7, 1973, among the employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued August 16, 1973.

7. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Local 1199P, National Union of Hospital and Nursing Home Employees, Division RWDSU, AFL-CIO, or whether the said employes wished No Representative.

8. That five hundred thirty-three (533) ballots were cast by eligible voters, no (0) ballots were void or blank, and seventeen (17) ballots were cast by persons whose votes were challenged; thus leaving five hundred thirty-three (533) ballots to be accounted for and canvassed.

9. That of the said five hundred thirty-three (533) ballots, three hundred and six (306) ballots were cast in favor of representation by Local 1199P, and two hundred twenty-seven (227) ballots were cast for No Representative.

10. That the duly appointed Watchers in attendance at the said election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by the persons whose ballots were challenged since their inclusion in the total votes cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole, and more particularly in consideration of the election conducted on September 7, 1973, concludes and finds:

That the Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election, numbers 1 through 4 inclusive, are hereby affirmed and incorporated by reference herein and made a part hereof.

5. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated Local 1199P, National Union of Hospital and Nursing Home Employees, Division RWDSU, AFL-CIO as their exclusive representative for the purpose of collective bargaining with the Employer.

6. That Local 1199P, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board, hereby

CERTIFIES

that LOCAL 1199P, NATIONAL UNION OF HOSPITAL AND NURSING HOME EMPLOYEES, DIVISION RWDSU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the Employer unit comprised of the following classifications of employes: All full and regular part-time service and maintenance employes including nurses aides, orderlies, ward secretaries, operating room technicians, inhalation therapy technicians, EKG technicians, EEG technicians, food supervisors, chef, butcher, baker, dietary aides, cooks, housekeeping utility man, housekeeper, laundry aides, linen clerk, auxiliary washman, delivery man, utility girl, wash ladies, press operator, electrician, control engineer, junior control engineer, groundskeeper supervisor, groundskeeper, carpenter, painter, plumber, chief operating engineer, assistant chief operating engineer, utility man, general maintenance man, glassware washer, diener, X-ray orderlies, Hospitality Shop waitresses and aide, cook, physical therapy attendant and aide, orderly, occupational therapy aide, pharmacy delivery man, chief storeroom clerk, storeroom clerk and printer; and excluding all other non-professional employes, temporary employes and further excluding management level employes, supervisors first level supervisors, confidential employes and guards as defined in the Act.

IT IS HEREBY ORDERED AND DECREED


that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations

Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this twenty-fifth day of September, 1973.

4. PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYEES OF :
: Case No. PERA-R-2130-W
TITUSVILLE HOSPITAL :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter referred to as the "Board", on May 18, 1972, by the Titusville Hospital Nursing Employee's Association, hereinafter referred to as the "Petitioner", alleging that it represented thirty percent (30%) or more of the employees of the Titusville Hospital, hereinafter referred to as the "Employer", and requesting that pursuant to Section 601, subsection (c) of the Public Employe Relations Act, July 23, 1970, Act No. 195, hereinafter referred to as the "Act", a hearing be scheduled, the proposed unit be approved and an Order be issued for an election.

Pursuant to due notice to all parties in interest, a Pre-Hearing Conference was held on June 19, 1972, in Erie, Pennsylvania, before John J. Galbo, Esquire, a duly designated hearing examiner of the Board. At the conference the parties agreed to the composition of the unit, the site or sites for conducting the election, and all other matters pertaining to the conduct of the election.

Pursuant to the foregoing, the Board, on August 2, 1972, issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Wednesday, August 16, 1972, among the employes of the Employer to ascertain the exclusive representative for the purpose of collective bargaining in respect to wages, hours and terms and conditions of employment.

Thereafter, on August 9, 1972, the Board issued an Order Amending Order and Notice of Election.

The election was conducted as ordered by an Elections Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT NUMBERS 1, 2, 3, 4, and 5, as set forth in the Board's Order and Notice of Election dated August 2, 1972, are hereby affirmed and incorporated by reference herein and made a part hereof.

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYEES OF Case No. PERA-R-2131-E
MONTGOMERY COUNTY COMMUNITY COLLEGE

EXCEPTIONS TO NISI ORDER
OF CERTIFICATION

6. That the Board conducted an election, by secret ballot, on Wednesday, August 16, 1972, among the employees of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued August 2, 1972.

7. That the question voted on was whether the eligible employees in the appropriate unit wished to be represented by Titusville Hospital Nursing Employee's Association, or whether the said employees wished No Representative.

8. That the professional employees were asked to indicate their preference as to whether or not they desired to be included in a unit of professional and non-professional employees.

9. That a tally of the ballots cast by the professional employees in the Unit Determination Election revealed the following results: thirty (30) ballots were cast in favor of being included in a unit comprised of professional and non-professional employees; and six (6) ballots were cast in favor of being included in a unit comprised of only professional employees.

10. That a tally of the ballots cast by the professional employees indicated that thirty (30) ballots were cast in favor of representation by Titusville Hospital Nursing Employee's Association, six (6) ballots were cast in favor of No Representative, and eleven (11) ballots were challenged. One (1) ballot was void or blank.

11. That a tally of the ballots cast by the non-professional employees revealed that forty-three (43) ballots were cast in favor of representation by Titusville Hospital Nursing Employee's Association, four (4) ballots were cast in favor of No Representative, and two (2) ballots were challenged. No (0) ballots were void or blank.

12. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by persons whose ballots were challenged since their inclusion in the total votes cast would have no material effect upon the results of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole and, more particularly in consideration of the Election conducted on August 16, 1972, concludes and finds:

The Board's CONCLUSIONS as set forth in its aforesaid Order and Notice of Election Numbers 1 through 5 are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the employees of the Employer within the heretofore defined appropriate unit have selected and designated Titusville Hospital Nursing Employee's Association as their exclusive representative for the purpose of collective bargaining.

7. That Titusville Hospital Nursing Employee's Association is the exclusive representative of all the employees of the Employer within the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

CERTIFIES

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that Titusville Hospital Nursing Employee's Association, is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of the following classifications of employees: Registered Nurses, Practical Nurses, Nurses Aides, Orderlies, Ward Clerks and Operating Room Technicians; excluding supervisors, first level supervisors and confidential employees as defined in the Act.

IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this twenty-fourth day of August, 1972.

PENNSYLVANIA LABOR RELATIONS BOARD

RAYMOND L. SCHEIB, CHAIRMAN
JOSEPH J. LICASTRO, MEMBER
JAMES H. JONES, MEMBER

and thereto. The Examiner improperly made a request for a joinder of... 7. The Board's finding, in effect, that meeting was held...

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COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYEES OF :
: Case No. PERA-R-2142-E
THOMAS JEFFERSON UNIVERSITY :

NISI ORDER OF CERTIFICATION

On June 29, 1972 an Election was conducted in the above matter in accordance with the Joint Request for Election filed with the Pennsylvania Labor Relations Board. The tally of the ballots cast shows that three hundred seventy (370) ballots were cast for Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, and three hundred six (306) ballots were cast for no representation.

WHEREAS, the tally of the ballots cast shows that a collective bargaining representative has been selected and no objections having been filed to the conduct of the election to the date of this Order.

NOW, THEREFORE, the Pennsylvania Labor Relations Board, pursuant to authority of Act No. 195 known as the Public Employee Relations Act,

HEREBY ORDERS AND DECREES

that LOCAL 1199C, NATIONAL UNION OF HOSPITAL AND NURSING HOME EMPLOYEES, DIVISION OF RWDSU, AFL-CIO, and it is hereby

CERTIFIED

as the exclusive representative for all the employes in a subdivision of the employer unit comprised of all full-time and regular part-time service employes who regularly work twenty (20) or more hours per week, consisting of: leadmen and leadwomen, maids, building servicemen, housekeeping schedulers, room checkers, sweeping machine operators, incinerator servicemen, food service workers, waitresses, cafeteria workers, cooks, cooks' helpers, bakers, bakers' helpers, sandwich makers, salad makers, dishwashers, dietary hostesses, assistant chefs, pharmacy production assistants, dietary assistants, laundry workers, tumbler operators, press operators, seamstresses, laundry couriers, laundry collection and deliverymen, nursing assistants A and B, Central Sterile Supply technicians, Central Sterile Supply aides, Central Sterile Supply equipment repairmen, escort aides, escort dispatchers, doormen, anesthesia aides, operating room assistants A and B, mail clerks, messengers, elevator operators, receiving clerks, stock clerks,

IN THE MATTER OF THE EMPLOYEES OF :

Case No. PERA-R-2142-E

THOMAS JEFFERSON UNIVERSITY

NISI ORDER OF CERTIFICATION

On June 29, 1972 an Election was conducted in the above matter in accordance with the Joint Request for Election filed with the Pennsylvania Labor Relations Board. The tally of the ballots cast shows that three hundred seventy (370) ballots were cast for Local 1199C, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, and three hundred six (306) ballots were cast for no representation.

WHEREAS, the tally of the ballots cast shows that a collective bargaining representative has been selected and no objections having been filed to the conduct of the election to the date of this Order.

NOW, THEREFORE, the Pennsylvania Labor Relations Board, pursuant to authority of Act No. 195 known as the Public Employee Relations Act,

HEREBY ORDERS AND DECREES

that LOCAL 1199C, NATIONAL UNION OF HOSPITAL AND NURSING HOME EMPLOYEES, DIVISION OF RWDSU, AFL-CIO, be and it is hereby

CERTIFIED

as the exclusive representative for all the employees in a subdivision of the employer unit comprised of all full-time and regular part-time service employees who regularly work twenty (20) or more hours per week, consisting of: leadmen and leadwomen, maids, building servicemen, housekeeping schedulers, room checkers, sweeping machine operators, incinerator servicemen, food service workers, waitresses, cafeteria workers, cooks, cooks' helpers, bakers, bakers' helpers, sandwich makers, salad makers, dishwashers, dietary hostesses, assistant chefs, pharmacy production assistants, dietary assistants, laundry workers, tumbler operators, press operators, seamstresses, laundry couriers, laundry collection and deliverymen, nursing assistants A and B, Central Sterile Supply technicians, Central Sterile Supply aides, Central Sterile Supply equipment repairmen, escort aides, escort dispatchers, doormen, anesthesia aides, operating room assistants A and B, mail clerks, messengers, elevator operators, receiving clerks, stock clerks, storekeepers, glass washers, dieners, drug distributors, morgue attendants, physical therapy aides, labelers, bus drivers, animal caretakers, anatomy attendants, and excluding all maintenance employees, chefs, security guards, supervisors and foremen, executives, administrators, department heads, confidential employees, clerical employees, licensed practical nurses, registered nurses, physicians, secretaries, students, technical employees, technicians and professional employees, temporary employees, part-time employees

12. That the Respondent refused to delay implementation of the proposed new schedule (N.T. 28), and it was put into operation May 12, 1972. (N.T. 9).

13. That the subject of the Complaint is limited to the unilateral action of changing weekend work schedules and does not include a refusal to bargain over the matter. Contract negotiations were begun (N.T. 19).

14. That the new schedule did not alter the number of employees working over a two (2) week cycle.

who work less than twenty (20) hours per week and all others not specifically listed heretofore as belonging to the bargaining unit, as defined in Act 195, for the purpose of collective bargaining with respect to wages, hours, terms and conditions of employment, subject to the provisions of the aforesaid Act No. 195, and

IT IS HEREBY FURTHER ORDERED AND DECREED

that in the absence of any Exceptions filed, pursuant to Rule 15.1 of the Pennsylvania Labor Relations Board's Rules and Regulations, approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this seventeenth day of July, 1972.

PENNSYLVANIA LABOR RELATIONS BOARD

Raymond L. Scheib
RAYMOND L. SCHEIB, Chairman

2
Joseph J. Licastro
JOSEPH J. LICASTRO, Member

James H. Jones
JAMES H. JONES, Member

5

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LABOR RELATIONS BOARD

IN THE MATTER OF THE EMPLOYEES OF :
: :
: Case No. PERA-R-1910-E
: :
SAINT JOSEPH'S HOSPITAL :

ORDER RESCINDING NISI ORDER OF CERTIFICATION
and
NISI ORDER OF CERTIFICATION

On March 7, 1972, a Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", by International Union of Operating Engineers, Local 835, 835A, 835B, AFL-CIO, hereinafter called the "Union", alleging that it represented thirty (30) percent or more of certain employes of St. Joseph's Hospital, hereinafter called the "Employer".

Pursuant to due notice, a hearing was held on June 2, 1972, in Philadelphia, Pennsylvania, before Albert Ring, Esquire, a duly designated Hearing Examiner of the Board, at which time the parties were afforded an opportunity to examine and cross-examine witnesses and to present testimony and introduce evidence.

Thereafter, a Pre-Election Conference was held on September 11, 1972, in Philadelphia, Pennsylvania, before Albert Ring, Esquire, at which time the parties were afforded an opportunity to determine positions on the ballot, the site or sites for the conducting of the election, the eligibility list and all other matters pertaining to the conduct of the election.

On September 22, 1972, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on October 6, 1972, in a subdivision of the employer unit comprised of all full-time employes engaged in maintenance and operation of the physical plant, and excluding supervisors and first level supervisors and confidential employes as defined in the Act.

On October 13, 1972, Unfair Practice charges were filed in connection with the election, but before any disposition of such charges, a Nisi Order of Certification inadvertently was issued on October 25, 1972. The Nisi Order of Certification was premature and is hereinafter rescinded.

The Board, from all matters and documents of record, and more particularly in consideration of the election conducted on October 6, 1972, makes the following:

FINDINGS OF FACT

The FINDINGS OF FACT NUMBERS 1 through 7, inclusive, as set forth in the Board's Order and Notice of Pre-Election Conference dated

August 7, 1972, and later affirmed and incorporated in the Board's Order and Notice of Election dated September 22, 1972, are hereby reaffirmed and reincorporated by reference herein and made a part hereof.

8. That the Board conducted an election, by secret ballot, on October 6, 1972, among the agreed-to employes of the Employer within the heretofore defined appropriate unit, in accordance with the Order of the Board issued September 22, 1972.

9. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by International Union of Operating Engineers, Local 835, 835A, 835B, AFL-CIO, or whether the said employes wished No Representative.

10. That there were fourteen (14) ballots cast by eligible voters, no (0) ballots were void or blank, and no (0) ballots were cast by persons not on the eligibility list, thus leaving fourteen (14) ballots to be accounted for and canvassed.

11. That of the fourteen (14) ballots canvassed at the conclusion of the election, ten (10) ballots were cast in favor of representation by International Union of Operating Engineers, Local 835, 835A, 835B, AFL-CIO, and four (4) ballots were cast for No Representative.

12. That the duly appointed Watchers in attendance at the said Election have certified that the Election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

The Charge of Unfair Practices filed on October 13, 1972, in connection with the election on October 6, 1972, was dismissed and the complaint issued thereon was rescinded in a Nisi Order of Dismissal in Case No. PERA-C-2532-E. In view thereof, the Board has determined it necessary to rescind the previous Nisi Order of Certification issued on October 25, 1972, and to concurrently reinstate the certification of the Union pursuant to the election. Such action is necessitated by the dismissal of the unfair practice charges which challenged the conduct of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole and, more particularly in consideration of the election conducted on October 6, 1972, concludes and finds:

The Board's CONCLUSIONS, as set forth in its aforesaid Order and Notice of Pre-Election Conference dated August 7, 1972, Numbers 1 through 7, and later affirmed and incorporated in the Board's Order and Notice of Election dated September 22, 1972, are hereby reaffirmed and reincorporated by reference herein and made a part hereof.

8. That a majority of the employes of the Employer within the heretofore defined appropriate unit have selected and designated International Union of Operating Engineers, Local 835, 835A, 835B,

AFL-CIO, as their exclusive representative for the purpose of collective bargaining with the Employer.

9. That International Union of Operating Engineers, Local 835, 835A, 835B, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employes of the Employer within the heretofore defined appropriate unit, for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

10. That the Nisi Order of Certification previously issued on October 25, 1972, pursuant to the election held on October 6, 1972, must be rescinded.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

RESCINDS

the Nisi Order of Certification dated October 25, 1972, on Case No. PERA-R-1910-E and 2.

CERTIFIES

that INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 835, 835A, 835B, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of all full-time employes engaged in maintenance and operation of the physical plant, and excluding supervisors and first level supervisors and confidential employes as defined in the Act.


IT IS HEREBY ORDERED AND DECREED

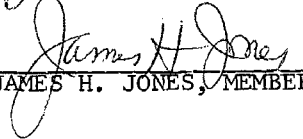
that in the absence of any Exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this Twenty-second day of March, 1973.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHEIB, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER


JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYEES OF :
: Case No. PERA-R-1910-E
SAINT JOSEPH'S HOSPITAL :
:

FINAL ORDER

On March 22, 1973 the Pennsylvania Labor Relations Board, hereinafter called the "Board" issued a Nisi Order of Certification wherein it certified International Union of Operating Engineers, Local 835, 835A, 835B, AFL-CIO, hereinafter called the "Union" as the exclusive representative for the purpose of collective bargaining in a subdivision of the employer unit comprised of all full-time employees engaged in maintenance and operation of the physical plant of St. Joseph's Hospital, hereinafter called the "Employer".

Timely exceptions were filed by the Employer on April 9, 1973 and oral argument was heard on this matter on May 16, 1973. Simultaneously with the oral argument in this case argument was held on the exceptions filed by the same Employer in Case No. PERA-C-2532-E.

On August 9, 1973 the Board issued a Final Order in Case No. PERA-C-2532-E wherein it dismissed the exceptions filed by the Employer in that matter. Since the exceptions in this case are substantially similar to the exceptions filed in the unfair practice charge case, it is not necessary for the Board to discuss the exceptions but only to incorporate by reference the Board's Discussion in its Final Order in Case No. PERA-C-2532-E.

In view of the foregoing and in order to effectuate the policies of the Act, the Pennsylvania Labor Relations Board hereby

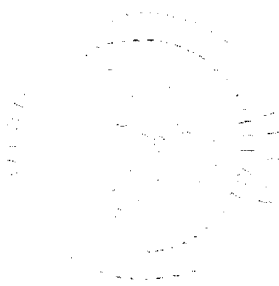
ORDERS AND DIRECTS

that the exceptions filed by Saint Joseph's Hospital on April 9, 1973 to the Board's Nisi Order of Certification issued March 22, 1973, are hereby dismissed and the Board's Nisi Order of Certification is hereby made absolute and final.

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SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this twenty-fourth day of August, 1973.

PENNSYLVANIA LABOR RELATIONS BOARD



Raymond L. Scheib

RAYMOND L. SCHEIB, CHAIRMAN

Joseph J. Licastro

JOSEPH J. LICASTRO, MEMBER

James H. Jones

JAMES H. JONES, MEMBER

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: :
WESTERN PSYCHIATRIC INSTITUTE AND : Case No. PERA-R-2281-W
CLINIC OF THE UNIVERSITY OF :
PITTSBURGH OF THE COMMONWEALTH :
SYSTEM OF HIGHER EDUCATION :

NISI ORDER OF CERTIFICATION

A Petition for Representation was filed with the Pennsylvania Labor Relations Board, hereinafter called the "Board", on July 20, 1972, by Local 1199P, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO, hereinafter called the "Union", for representation of certain employes of Western Psychiatric Institute and Clinic, hereinafter called "WPIC".

Pursuant to due notice hearings were held on August 25, September 7 and 29 and October 19, 1972, in Pittsburgh, Pennsylvania, before a duly designated hearing examiner, at which time a full opportunity to examine and cross-examine witnesses, present testimony and introduce evidence was afforded to all parties in interest.

Thereafter, on January 5, 1973, WPIC filed a letter with the Board requesting that the issue concerning the appropriate bargaining unit be reopened for further argument because of an administrative reorganization within WPIC.

On January 18, 1973, the Board issued an Order Denying Request to Re-Open and also an Order and Notice of Pre-Election Conference. The Pre-Election Conference was held on January 19, 1973, in Pittsburgh, Pennsylvania, before William S. Hays, Esquire, a duly designated Trial Examiner of the Board at which time the parties were afforded an opportunity to determine positions on the ballot, the site or sites for the conducting of the election, the eligibility list and all other matters pertaining to the conduct of the election.

On February 13, 1973, the Board issued an Order and Notice of Election directing that an election, by secret ballot, be held and conducted on Friday, March 2, 1973, among the employes of the Employer to ascertain the exclusive representative, if any, for the purpose of collective bargaining, in respect to wages, hours and terms and conditions of employment in a subdivision of the employer unit comprised of all full-time and regular part-time Psychiatric

Aides, Ward Clerks, Dietary Employees; including Cooks, Food Service Workers, Porters and Canteen, Housekeeping, including Custodial Workers, Domestic Workers and Laundry Workers, Maintenance Workers, Stores Clerks I and II, Clinical Science; including Research Animal Caretakers and Research Animal Technicians, Central Supply Workers, Occupational Therapy Assistants, Therapeutic Recreation Assistants and Therapeutic Recreation Technicians; excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

The election was conducted as ordered by an Election Officer assigned by the Pennsylvania Labor Relations Board.

The Board, from all matters and documents of record, makes the following:

FINDINGS OF FACT

The Findings of Fact numbers 1 through 48 inclusive as set forth in the Board's Order and Notice of Pre-Election Conference and Findings of Fact numbers 49 through 53 inclusive as set forth in the Board's Order and Notice of Election dated February 13, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

54. That the Board conducted an election, by secret ballot, on Friday, March 2, 1973, among the employes of the Employer within the heretofore defined appropriate unit in accordance with the Order of the Board issued February 13, 1973.

55. That the question voted on was whether the eligible employes in the appropriate unit wished to be represented by Local 1199P, National Union of Hospital and Nursing Home Employees, Division RWDSU, AFL-CIO, or whether the said employes wished No Representative.

56. That one hundred and seventeen (117) ballots were cast by eligible voters, four (4) ballots were void, eleven (11) ballots were cast by persons whose votes were challenged, thus leaving one hundred and seventeen (117) ballots to be accounted for and canvassed.

57. That of the said one hundred and seventeen (117) ballots, sixty-five (65) ballots were cast in favor of representation by Local 1199P, National Union of Hospital and Nursing Home Employees, Division RWDSU, AFL-CIO and fifty-two (52) ballots were cast for No Representative.

58. That it was determined by the Board that the two (2) ballots which were voided by the election officer because the voter marked "Yes" in the Union's block will be tallied as two (2) votes for Local 1199P, National Union of Hospital and Nursing Home Employees, Division of RWDSU, AFL-CIO.

59. That it was determined by the Board that the two (2) ballots which were voided by the election officer because the voter marked "No" in the Union's block will be tallied as two (2) votes for No Representative.

60. That upon recapitulation of the ballots, one hundred and twenty-one (121) ballots were cast by eligible voters, no (0) ballots were void or blank, eleven (11) ballots were cast by persons whose votes were challenged thus leaving one hundred and twenty-one (121) ballots to be accounted for and canvassed.

61. That of the said one hundred and twenty-one (121) ballots, sixty-seven (67) ballots were cast for Local 1199P National Union of Hospital and Nursing Home Employees Division RWDSU, AFL-CIO, and fifty-four (54) ballots were cast for No Representative.

62. That the duly appointed Watchers in attendance at the said election have certified that the election was fairly and impartially conducted and that a true and perfect return thereof has been made by the designated Agent of the Board.

DISCUSSION

We will neither open, canvass nor pass upon the validity of the ballots cast by persons whose votes were challenged since their inclusion in the total votes cast would have no material effect upon the result of the election.

CONCLUSIONS

The Board, therefore, after due consideration of the foregoing and the record as a whole and more particularly in consideration of the election conducted on March 2, 1973, concludes and finds:

The Board's CONCLUSIONS numbers 1 through 5 inclusive, as set forth in the Order and Notice of Pre-Election Conference dated January 12, 1973, are hereby affirmed and incorporated by reference herein and made a part hereof.

6. That a majority of the employees of the Employer within the heretofore defined appropriate unit have selected Local 1199P, National Union of Hospital and Nursing Home Employees Division RWDSU, AFL-CIO, as their exclusive representative for the purpose of collective bargaining.

7. That Local 1199P, National Union of Hospital and Nursing Home Employees, Division RWDSU, AFL-CIO, by virtue of the provisions of the Act, is the exclusive representative of all the employees of the employer within the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

In view of the foregoing and in order to effectuate the provisions of the Act, the Pennsylvania Labor Relations Board hereby

C E R T I F I E S

that LOCAL 1199P, NATIONAL UNION OF HOSPITAL AND NURSING HOME EMPLOYEES, DIVISION RWDSU, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employes of the above-named Employer in the unit described below for the purpose of collective bargaining with respect to wages, hours and terms and conditions of employment.

UNIT: In a subdivision of the employer unit comprised of all full-time and regular part-time Psychiatric Aides, Ward Clerks, Dietary Employes; including Cooks, Food Service Workers, Porters and Canteen, Housekeeping, including Custodial Workers, Domestic Workers and Laundry Workers, Maintenance Workers, Stores Clerks I and II, Clinical Science; including Research Animal Caretakers and Research Animal Technicians, Central Supply Workers, Occupational Therapy Assistants, Therapeutic Recreation Assistants and Therapeutic Recreation Technicians; excluding management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

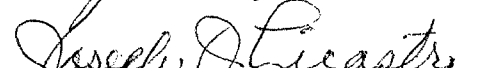
IT IS HEREBY ORDERED AND DECREED

that in the absence of any exceptions filed pursuant to Rule 15.1 of the Rules and Regulations of the Pennsylvania Labor Relations Board approved October 9, 1970, as amended, within ten (10) days of the date hereof, this Decision and Order shall become and be absolute and final.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania, this twentieth day of March, 1973.

PENNSYLVANIA LABOR RELATIONS BOARD


RAYMOND L. SCHYFF, CHAIRMAN


JOSEPH J. LICASTRO, MEMBER

COMMONWEALTH OF PENNSYLVANIA
The Pennsylvania Labor Relations Board

CERTIFICATION OF REPRESENTATIVE

IN THE MATTER OF THE EMPLOYEES OF

No. PERA-R-2079-C

UNITED REHABILITATION SERVICES,
INC.

WHEREAS, a Joint Request for Certification was filed with the Pennsylvania Labor Relations Board pursuant to ARTICLE VI, SECTION 602(a) of the PUBLIC EMPLOYE RELATIONS ACT, being Act 195 of 1970, and

WHEREAS, the Pennsylvania Labor Relations Board has found the unit appropriate, and the Public Employer has complied with the five (5) day notice required by RULE 3.1(h), and

WHEREAS, no objections having been filed to the Joint Request for Certification, the Pennsylvania Labor Relations Board hereby

CERTIFIES

that PUBLIC SERVICE EMPLOYEES LOCAL UNION #1300, affiliated with LABORERS' INTERNATIONAL UNION OF NORTH AMERICA, AFL-CIO

is the EXCLUSIVE REPRESENTATIVE of the employees of the above-named Employer in unit described below for the purposes of collective bargaining with respect to wages, hours and terms and conditions of employment.

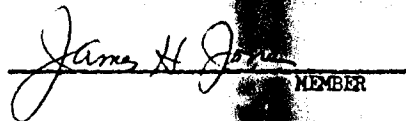
UNIT:

In a subdivision of the employer unit comprised of Social Workers, Psychological Services Associate, Speech Pathologist, Rehab. Counselor, Registered Nurse; and excluding supervisors, first level supervisors and confidential employes as defined in the Act.

SIGNED, SEALED AND DATED at Harrisburg, Pennsylvania,
this fifth day of May, 1972.

PENNSYLVANIA LABOR RELATIONS BOARD


CHAIRMAN


MEMBER

