

BMS

BUREAU OF MEDIATION SERVICES
State of Minnesota

IN THE MATTER OF A PETITION FOR
DETERMINATION OF AN APPROPRIATE
UNIT AND CERTIFICATION AS EXCLUSIVE
REPRESENTATIVE

September 8, 2016

Education Minnesota Duluth Integration Specialists (ISPEC), St. Paul, Minnesota
- and -
Independent School District No. 709, Duluth, Minnesota

BMS Case No. 17PCE0117

CERTIFICATION UNIT DETERMINATION ORDER

INTRODUCTION

On August 23, 2016, the State of Minnesota, Bureau of Mediation Services (Bureau), received a petition filed by Education Minnesota Duluth Integration Specialists (ISPEC), St. Paul, Minnesota (Petitioner). The petition requested the determination of an appropriate unit and certification of exclusive representative for certain employees of Independent School District No. 709, Duluth, Duluth, Minnesota (Employer).

STIPULATION OF THE PARTIES

The Bureau subsequently received written Stipulation of the Parties. Bill Gronseth, Superintendent, signed on behalf of the Employer; and Bridget Moore, Organizer, signed on behalf of the Petitioner. As evidenced by the signing of the Stipulations the parties agreed to the following:

1. The description of the appropriate unit.
2. The list of employees falling within the appropriate unit.
3. The Bureau shall conduct a mail ballot election among eligible employees if the Petitioner has submitted the required showing of interest.

ISSUES

1. Are the agreements of the parties appropriate?
2. Has the Petitioner submitted the required showing of interest to warrant the conduct of an election?

FINDINGS AND ORDERS

1. The agreements of the parties are appropriate.
2. The Petitioner has submitted the required showing of interest, through valid authorization cards, to warrant the conduct of an election.
3. The appropriate unit is described as:

All integration specialists employed by Independent School District No. 709, Duluth, Minnesota, who are public employees within the meaning of Minn. Stat. 179A.03, subd. 14, excluding supervisory and confidential employees.
4. The Bureau shall conduct a mail ballot election among the eligible employees in accordance with the attached Mail Ballot Election Order.

STATE OF MINNESOTA
Bureau of Mediation Services

Carol S. Clifford

CAROL S. CLIFFORD
Representation Specialist

cc: Bridget Moore
Bill Gronseth
Kathleen Adee
Linda Kinnear

POSTING

THE EMPLOYER SHALL MAKE COPIES OF THIS ORDER AND ANY ATTACHMENTS UPON RECEIPT AND POST AT THE WORK LOCATION(S) OF ALL INVOLVED EMPLOYEES.

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MAIL BALLOT ELECTION ORDER

The Bureau of Mediation Services, State of Minnesota, orders that a mail ballot election be held, absent any objections filed by the parties, in the appropriate unit of:

All integration specialists employed by Independent School District No. 709, Duluth, Minnesota, who are public employees within the meaning of Minn. Stat. 179A.03, subd. 14, excluding supervisory and confidential employees.

ELIGIBILITY DATE

The cut-off date used to determine eligibility to vote is **Tuesday, August 23, 2016.**

CORRECTION OF VOTER ELIGIBILITY LIST

The Commissioner shall determine questions concerning the addition or deletion of names on the voter eligibility list.

The parties to this election and involved employees are instructed to review the list of eligible voters and to notify the Bureau of any errors or omissions immediately upon receipt of this Order.

The employer shall furnish in quadruplicate a list of all employees whose employment has been terminated between the eligibility date and the date of the election contained in this Order and the effective date of such terminations. The list of terminations must be received by the Bureau immediately prior to the tabulation of the ballots.

BALLOTS

Ballots will be mailed to the eligible employees at the home addresses supplied by the employer, together with a letter of explanation and a stamped, self-addressed return envelope. Ballots will be mailed on **Monday, September 19, 2016**, and must be returned to the Bureau of Mediation Services, 1380 Energy Lane, Suite Two, St. Paul, Minnesota 55108-5253, in the envelopes furnished for that purpose in order to be counted. Any eligible employee who has not received their ballot by **Friday, September 23, 2016**, must personally call the Bureau at (651) 649-5421 and request that a second ballot be mailed to them.

All ballots must be returned to the Bureau office no later than 4:30 pm, on **Monday, October 3, 2016**.

OBSERVERS

Each of the parties to this Order may designate a single observer to be present at the tabulation of the ballots. The observers should be at the tabulation location fifteen (15) minutes prior to the tabulation of the ballots.

TABULATION

Tabulation of the ballots will be conducted in the office of the Bureau of Mediation Services, 1380 Energy Lane, Suite Two, St. Paul, Minnesota, on **Tuesday, October 4, 2016, at 9:00 am**.

CAMPAIGNING

The Employer, its employees, and the Union are prohibited from:

- a) interfering, restraining, threatening or coercing employees;**
- b) discharging or otherwise discriminating against an employee with regard to their terms and conditions of employment; or**
- c) engaging in unfair labor practices set forth at Minn. Stat. §179A.13,**

which is intended to influence an eligible voters' choice in the certification election.

STATE OF MINNESOTA
Bureau of Mediation Services



CAROL S. CLIFFORD
Representation Specialist

cc: Bridget Moore
Bill Gronseth
Kathleen Adeo
Linda Kinnear

POSTING

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UPON RECEIPT AND POST AT THE WORK LOCATION(S) OF ALL INVOLVED
EMPLOYEES.**

VOTING ELIGIBILITY LIST

The following is a list of employees eligible to vote by mail ballot in an election to be conducted by the Bureau of Mediation Services, with the tabulation of the ballots to be held on Tuesday, October 4, 2016, at 9:00 am, in the office of the Bureau of Mediation Services, 1380 Energy Lane, Suite Two, St. Paul, Minnesota, who fall within the following appropriate unit:

All integration specialists employed by Independent School District No. 709, Duluth, Minnesota, who are public employees within the meaning of Minn. Stat. 179A.03, subd. 14, excluding supervisory and confidential employees.

1. BANGOURA, DJIBRIL
2. BLANCHARD, MICHELLE
3. DORMAN, DIXIE
4. GELINEAU, AARON
5. GOSEYUN, YOLANDA
6. GRANT, MARLON
7. HARRIS, CALVIN
8. HARRIS, JES WA
9. PIERCE, LUISA
10. RUPP, JEREMY
11. SHEIKH, SUMAIR
12. SMITH, NATHAN
13. SMITH, TAMARA
14. VANG, SAWM