

EMPLOYMENT RELATIONS BOARD

OF THE

STATE OF OREGON

Case No. UC-004-13

(AMENDMENT OF RECOGNITION)

| | | |
|-----------------------------------|---|---------------------------|
| SOUTHERN OREGON BARGAINING |) | |
| COUNCIL and MEDFORD |) | |
| EDUCATION ASSOCIATION, |) | |
| |) | |
| Petitioners, |) | |
| |) | |
| v. |) | ORDER AMENDING |
| |) | RECOGNITION OF |
| MEDFORD SCHOOL DISTRICT NO. 549C, |) | EXCLUSIVE BARGAINING UNIT |
| |) | |
| Respondent. |) | |
| |) | |

On March 15, 2013, Southern Oregon Bargaining Council (SOBC) and Medford Education Association (Association) filed a petition under OAR 115-025-0008 seeking to amend the employer's recognition of the Association to reflect its affiliation with SOBC.

Ms. Olney, Counsel for the Association, presented declarations and exhibits establishing the following:

Currently, the Association is designated as the exclusive bargaining representative for certified and professional staff of the Medford School District (District). The District recognizes the Association as the sole and exclusive bargaining representative for all bargaining unit members employed or to be employed by the District, excluding substitute teachers, substitute nurses, confidential and supervisory personnel, and personnel less than half time.

In 2001, the Association voted to affiliate with SOBC, and thereafter has participated in council activities. The Association became a full voting member of SOBC on April 8, 2008, when the Association amended its bylaws to add SOBC as an affiliate. Although the Association has been associated with SOBC for years, a Petition to Amend Affiliation had not been filed with ERB. Accordingly, the District declined to recognize SOBC during bargaining.

The Association's governing council discussed the affiliation with SOBC at meetings held in September and November, 2012, and then submitted the question to its members for a

vote. The election procedures it followed are the same as those used for other internal elections, including those to elect officers and to ratify contracts. Building representatives took the question back to colleagues for discussion, posted the ballot in their building for five days, and distributed and collected individually-cast secret ballots. The result of the election was approval to affiliate with SOBC by a majority of votes cast by bargaining unit members.

The District filed no objections to this petition.

We conclude that the affiliation vote was conducted in compliance with at least minimal due process requirements and that a majority of votes cast by the bargaining unit members were for affiliation with SOBC.

Based on the foregoing, this Board issues the following order:

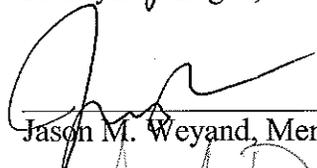
ORDER

The District's recognition of the Medford Education Association as exclusive representative of a bargaining unit of District personnel is amended to reflect the Association's affiliation with Southern Oregon Bargaining Council.

DATED this 15 day of April, 2013.



Kathryn A. Logan, Chair



Jason M. Weyand, Member



Adam Rhynard, Member

This Order may be appealed pursuant to ORS 183.482.