

EMPLOYMENT RELATIONS BOARD

OF THE

STATE OF OREGON

Case No. DC-1-05

(DECERTIFICATION)

| | | |
|--------------------------------|---|-----------------|
| LESLIE BERTALOTTO and |) | |
| EMPLOYEES OF THE CITY OF VALE, |) | |
| |) | |
| Petitioners, |) | |
| |) | |
| v. |) | DISMISSAL ORDER |
| |) | |
| TEAMSTERS LOCAL 670, |) | |
| |) | |
| Respondent. |) | |
| _____ |) | |

On January 14, 2005, Petitioners filed a petition seeking to decertify Teamsters Local 670 (Respondent) as the exclusive representative for a bargaining unit of employees of the City of Vale (City).

Respondent and City are parties to a collective bargaining agreement with a term of three years. The contract expires June 30, 2005.

OAR 115-25-015(2) states, in part: “* * * The existence in an appropriate bargaining unit of a written collective bargaining agreement with a term of up to three years’ duration shall be a bar in any election involving employees covered by the contract for its entire term.” Further, OAR 115-25-015(4) states, in part: “* * * A petition for an election where a contract exists must be filed not more than 90 days and not less than 60 days before the end of the contract period.”¹

¹The window period to file this petition will be during the 30 days between April 2 and May 1, 2005, or anytime after the contract expires until the parties reach a new agreement.

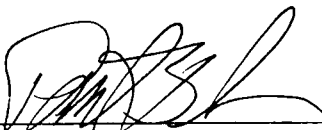
This petition was filed during the term of a three-year contract, and not during the window period. The Elections Coordinator wrote Petitioner Bertalotto on January 18, 2005 to memorialize their telephone conversation and inform Bertalotto that the petition was untimely filed. She requested that Petitioner withdraw the petition by February 1, 2005. To date, no withdrawal has been received.

We dismiss the petition as untimely.

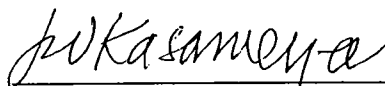
ORDER

The petition is dismissed as untimely filed.

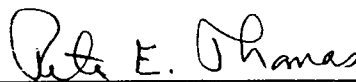
DATED this 7th day of February 2005.



Paul B. Gamson, Chair



James W. Kasameyer, Board Member



Rita E. Thomas, Board Member

This Order may be appealed pursuant to ORS 183.482.