

EMPLOYMENT RELATIONS BOARD

OF THE

STATE OF OREGON

Case No. UC-4-08

(AMENDMENT OF CERTIFICATION OR RECOGNITION)

CHEMEKETA FACULTY ASSOCIATION,)	
)	
Petitioner,)	
)	
v.)	
)	ORDER AMENDING
CHEMEKETA COMMUNITY COLLEGE,)	RECOGNITION OF
CHEMEKETA COMMUNITY COLLEGE)	EXCLUSIVE BARGAINING
EDUCATION ASSOCIATION/OEA/NEA, AND)	REPRESENTATIVE
CHEMEKETA PART-TIME EDUCATION)	
ASSOCIATION/OEA/NEA,)	
)	
Respondents.)	
_____)	

On April 2, 2008, Chemeketa Faculty Association (Association) filed this petition under OAR 115-025-0008. It asks this Board to issue an amended certification to reflect that the Chemeketa Community College (College) has recognized the Association as the representative of a merged bargaining unit consisting of two predecessor units of College employees.

Prior to February 2008, the Chemeketa Community College Education Association/OEA/NEA (CEA) represented a bargaining unit of faculty who worked half-time or more. This Board certified the CEA unit on February 25, 1974 (Case No. C-197). Prior to February 2008, the Chemeketa Part-Time Education Association/OEA/NEA (CPEA) represented a bargaining unit of faculty who worked less than half time but more than approximately 20 percent of a full workload per academic term. This Board certified the CPEA unit on December 28, 1982 (Case No. C-98-82).

During the fall of 2007, the executive boards of both the CEA and CPEA began meeting to discuss the merger of the two bargaining units. The boards agreed to submit the merger proposal to a vote of their memberships.

CEA and CPEA discussed the merger idea with members of the College's board of directors. Board members responded favorably to the idea that the College

would voluntarily recognize a merged bargaining unit, but asked that the two associations provide clear evidence of support for the merger.

On January 4, 2008, CPEA conducted a vote to determine if its bargaining unit membership favored a merger with the CEA. The CPEA board mailed a memo to all bargaining unit members at their homes explaining the issue and enclosing a ballot. CPEA usually conducts its business by mail because of the irregular schedules of bargaining unit members. Ninety-three percent of those who voted favored the merger.

Also in January 2008, the CEA board scheduled a vote among its members to take place by e-mail February 4-6, 2008. CEA conducts much of its business electronically (by e-mail or through the association website) because bargaining unit members generally use College e-mail. On January 25, the CEA website announced that the merger vote had been scheduled and that the topic of the merger would be discussed at the CEA January 31 meeting. On January 28, an explanation of the “practical advantages and concerns of merging” was posted on the CEA website. On January 31, the issue was discussed at the general membership meeting. The CEA conducted a vote of the membership using an online voting system. Seventy-six percent of those voting approved the merger.

On February 12, Steve Richardson, president of CEA, sent the College’s board a memo explaining the outcome of the elections and asking the College to voluntarily recognize a new, merged faculty union. Prior to the College’s board meeting on February 20, the parties agreed to the following recognition language:

Included: All professional staff contracted by the College to perform teaching, student counseling, and/or other duties (e.g., program chair and reference librarian responsibilities, cooperative work experience instructors, instructors in credit classes, and instructors in noncredit programs of Adult Basic Education, English as a Second Language, High School Completion, and General Educational Development) as directed by their immediate administrator, director, and/or dean; Excluded: Supervisory and confidential employees, employees who are members of another bargaining unit, and employees scheduled to work less than 20% of a full workload per academic term.

Based upon our investigation of the facts and circumstances, including the absence of objections to the petition, we conclude that the votes taken by CEA and CPEA were conducted in compliance with at least minimum due process requirements, and that a majority of votes cast by each of the bargaining unit’s membership were in favor of merging the CEA and CPEA bargaining units.

At the College's February 20 board meeting, the board passed a motion to recognize the Association as the exclusive representative of the merged unit.

ORDER

Chemeketa Community College's recognition clause for the merged bargaining units of Chemeketa Community College Education Association and Chemeketa Part-Time Education Association shall be:

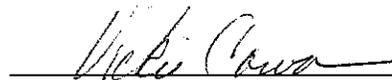
Included: All professional staff contracted by the College to perform teaching, student counseling, and/or other duties (e.g., program chair and reference librarian responsibilities, cooperative work experience instructors, instructors in credit classes, and instructors in noncredit programs of Adult Basic Education, English as a Second Language, High School Completion, and General Educational Development) as directed by their immediate administrator, director, and/or dean; Excluded: Supervisory and confidential employees, employees who are members of another bargaining unit, and employees scheduled to work less than 20% of a full workload per academic term

The merged bargaining unit's exclusive representative shall be Chemeketa Faculty Association.

DATED this 30th day of April 2008.



Paul B. Gamson, Chair



Vickie Cowan, Board Member



Susan Rossiter, Board Member

This Order may be appealed pursuant to ORS 183.482.