

EMPLOYMENT RELATIONS BOARD

OF THE

STATE OF OREGON

Case No. UC-11-10

(UNIT CLARIFICATION)

SERVICE EMPLOYEES INTERNATIONAL)
UNION LOCAL 503,)
OREGON PUBLIC EMPLOYEES UNION,)
)
Petitioner,)
)
v.) NUNC PRO TUNC ORDER
)
MARION COUNTY,)
)
Respondent.)
_____)

On December 9, 2011, this Board issued an Order in this case. The concurrence of Board Member Gamson was inadvertently omitted from this Order. Accordingly, our December 9, 2011 Order is amended *nunc pro tunc* to add Member Gamson's concurrence.

In all other respects, the Board Order remains unchanged.

DATED this 22 day of December, 2011.



Susan Rossiter, Chair



Vickie Cowan, Board Member

*Paul B. Gamson, Board Member

*Member Gamson, Concurring

The majority copies most of its reasoning and many of the authorities supporting it directly (albeit in truncated form) from my dissent in *Marion County I*. 21 PECBR at 350-359 (Member Gamson, dissenting). To the extent the majority adopts my reasoning, I agree with it. To the extent the majority's discussion is less extensive than or different from¹ mine, I remain committed to my dissent as the correct explanation and analytical framework for this and future decisions on the subject.



Paul B. Gamson, Board Member

This Order may be appealed pursuant to ORS 183.482.

¹For example, *compare* footnote 33 in my dissent, 21 PECBR at 358, *with* footnote 13 in the majority opinion here.