

EMPLOYMENT RELATIONS BOARD

OF THE

STATE OF OREGON

Case No. UC-15-08

(REVOCAION OF CERTIFICATION)

CITY OF UNION,)	
)	
Petitioner,)	
)	
v.)	
)	ORDER REVOKING
LABORERS' INTERNATIONAL)	CERTIFICATION
UNION OF NORTH AMERICA,)	
LOCAL 121,)	
)	
Respondent.)	
_____)	

On March 15, 2005, this Board certified Laborers' International Union of North America, Local 121 (LIUNA) as the exclusive representative of a bargaining unit of employees described as:

"All police officers of the City of Union, *excluding* supervisory and confidential employees." *Laborers' International Union of North America, Local 121 v. City of Union*, Case No. RC-54-04 (2005) (Emphasis in original.)

On July 29, 2008, the City of Union (City) filed this petition under OAR 115-025-0009 seeking to revoke the LIUNA's certification. Attached to the petition was the October 30, 2007 letter from LIUNA's representative stating that there had been no one in the bargaining unit for a year and disclaiming interest in representing the bargaining unit.¹ Also attached was a July 2008 e-mail from the City to LIUNA asking

¹LIUNA's letter refers to "decertification"; under the circumstances, however, we understand it to mean "revocation." A decertification petition must be filed by a member of the bargaining unit. There were no longer any members in the unit, so a decertification petition would not be possible.

if LIUNA still had no objections to the revocation. LIUNA confirmed it did not object to the petition.

On July 30, the Elections Coordinator served the petition on LIUNA and directed the City to post notices of the petition in the workplace. The City certified that it posted the notices on August 4, 2008.

In her July 30 letter, the Elections Coordinator explained that this Board would order revocation of certification if (1) no collective bargaining agreement was in effect, and (2) the labor organization disclaimed further interest in representing the bargaining unit. She informed LIUNA that the City represented that no contract was currently in place and that LIUNA sought revocation of its certification. Her letter stated that if LIUNA disputed the City's representations, it had 14 days to file objections. LIUNA did not file any objections.

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

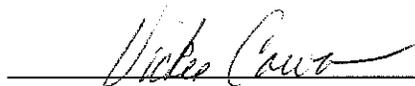
ORDER

The certification of Laborers' International Union of North America, Local 121 as exclusive representative of the police officers of the City of Union is revoked.

DATED this 22nd day of August 2008.



Paul B. Gamson, Chair



Vickie Cowan, Board Member



Susan Rossiter, Board Member

This Order may be appealed pursuant to ORS 183.482.