

EMPLOYMENT RELATIONS BOARD

OF THE

STATE OF OREGON

Case No. UC-45-03

(AMENDMENT OF RECOGNITION)

YAMHILL SHERIFF'S EMPLOYEES	)	
ASSOCIATION / TEAMSTERS	)	
LOCAL #223,	)	
	)	
Petitioners,	)	
	)	ORDER AMENDING
v.	)	RECOGNITION OF EXCLUSIVE
	)	BARGAINING REPRESENTATIVE
YAMHILL COUNTY SHERIFF'S	)	
OFFICE,	)	
	)	
Respondent.	)	
_____	)	

On December 9, 2003, Yamhill Sheriff's Employees Association (Association) and Teamsters Local #223 (Teamsters) filed a petition under OAR 115-25-008 seeking to amend the Association's certification to reflect affiliation with Teamsters. The Association currently is the recognized bargaining agent for a unit of employees employed by the Yamhill County Sheriff's Office.

Attached to the petition was an "Election Notice" which was mailed to each Association member's home address outlining the complete election process. The notice stated that the Association was currently the certified collective bargaining representative for the bargaining unit and was affiliated with Teamsters. The notice further stated that members had requested an election to certify Teamsters as the certified collective bargaining representative. The notice also explained that if a majority of those voting cast their ballots in favor of affiliation with Teamsters, the Association would no longer exist and that they would be members of Teamsters. The notice explained that no change would occur in representation except that Teamsters would be the certified representative and would speak on behalf of the members in all aspects of collective bargaining. Also enclosed was a ballot with the choices of "Yamhill Sheriff's Employees Association" and "Teamsters Local #223."

Members were told to mark only one choice on the ballot, enclose the ballot in the envelope marked "ballot" for secrecy and seal the envelope. That envelope was then

to be placed into the return envelope provided with the notice and the voter was to print and sign their name to ensure that an eligible voter only voted once. The ballot envelopes were not opened until the counting began so that complete confidentiality could be maintained. Ballots were to be received no later than 5:00 p.m. November 14, 2003.

Results of the tally of ballots were: "Yamhill Sheriff's Employees Association" 4 votes, "Teamsters Local #223" 34 votes. Thirty-eight of the 61 members of the bargaining unit voted in the affiliation election.

The elections coordinator served the petition on Yamhill County Counsel. On December 18, the elections coordinator received a letter stating that the County and Sheriff were waiving objections to ERB's issuing an order clarifying the bargaining unit in the manner requested by Teamsters.

We conclude that the Association and Teamsters are labor organizations; the affiliation election was conducted in compliance with at least minimum due process requirements; and a majority of votes cast by the Association's bargaining unit members were for affiliation with Teamsters.

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

ORDER

The Yamhill County Sheriff's Office's recognition of the Yamhill Sheriff's Employees Association is amended to reflect the Association's affiliation with Teamsters Local #223.

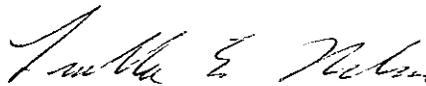
DATED this 12 day of January 2004



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Rita E. Thomas, Chair



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Paul B. Gamson, Board Member



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Luella E. Nelson, Board Member

This Order may be appealed pursuant to ORS 183.482.