

EMPLOYMENT RELATIONS BOARD

OF THE

STATE OF OREGON

Case No. UC-52-04

(REVOCATION OF CERTIFICATION)

CORBETT WATER DISTRICT,)
)
Petitioner,)
)
v.)
)
IUOE LOCAL 701,)
)
Respondent.)
_____)

ORDER REVOKING
CERTIFICATION

On March 30, 2004, in *International Union of Operating Engineers, Local 701 v. Corbett Water District*, Case No. RC-3-04, IUOE Local 701 (Respondent) was certified as exclusive representative of a bargaining unit of employees described as:

“All hourly employees of Corbett Water District, *excluding* office and clerical employees, guards, and supervisors.”

On November 4, 2004, Corbett Water District (Petitioner) filed a revocation petition under OAR 115-25-009 seeking to revoke the certification of Respondent. Attached to the petition was the November 1, 2004 letter of Respondent’s general counsel disclaiming interest in representing the bargaining unit. On November 5, the elections coordinator served the petition on Respondent and requested that Petitioner post notices of the petition in the workplace. Petitioner certified that the notices were posted on November 8, 2004.

In her November 5 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. OAR 115-25-009. She further informed Respondent that Petitioner had represented in the petition that no contract was currently in place, had attached Respondent’s November 1 letter disclaiming interest in the bargaining unit, and had

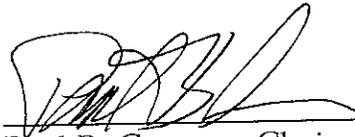
requested the revocation of certification. Her letter stated that if Respondent disputed Petitioner's representations, then Respondent was to file objections within 14 days. Respondent did not file any objections

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

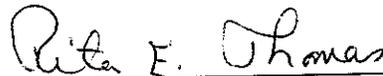
ORDER

The certification of IUOE Local 701 as exclusive representative of the above-referenced bargaining unit of employees of Corbett Water District is revoked

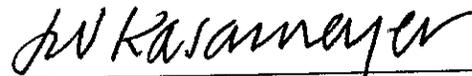
DATED this 6th day of December 2004.



Paul B. Gamson, Chair



Rita E. Thomas, Board Member



James W. Kasameyer, Board Member

This Order may be appealed pursuant to ORS 183 482.