

[Labor Relations Agency]

ORDER AND DECISION NO. 21
PERTAINING TO UNIT CLARIFICATION
PETITION BY TRI TRADES PUBLIC SERVICE
COUNCIL IN RE PARTIALLY EXEMPT EMPLOYEES

Findings of Fact

1. Petitioner Tri Trades Public Service Council petitioned the Labor Relations Agency for clarification of the Labor Trades and Crafts Unit of State Employees so as to include two partially exempt classifications employed in the Governor's mansion on the grounds that the occupations are identical to occupations included in the Labor Trades and Crafts Unit. A hearing was held in Anchorage on February 23, 1976, at which time testimony was taken in the matter. These two positions are PCN 010101, Cook WG VI and PCN OIOIG2, Housekeeping Aide.

2. The two positions concerned are both partially exempt positions.

3. On August 18, 1975, the Department of Administration, State of Alaska, called to the attention of the Labor Relations Agency that the two positions had been included in the Labor Trades and Crafts Unit through what was believed to be an administrative oversight or inadvertency. The Agency responded that its Orders and Decisions and certifications clearly excluded all partially exempt employees from its certifications.

4. The concerned classifications were originally included in PETITION NO. 2-72, submitted by the Alaska Public Employees Association, which sought a unit comprised of all classified State Employees except for partially exempt, supervisory and confidential employees. The Agency's ruling on the petition found the unit sought to be largely appropriate except that designated building and construction trades classifications were also excluded from the unit.

5. When the Labor Trades and Crafts Unit was certified the certification excluded partially exempt employees.

6. When a "globe" type election was held to determine whether employees in certain classifications, including such classifications as Cooks and Housekeeping Aides, wished to be in the Labor Trades and Crafts Unit or the General Government Unit, only classified permanent and probationary employees were deemed eligible to vote; partially exempt employees were not.

Conclusions

At no time did the Labor Relations Agency intend that partially exempt employees should be included in either the General Government Unit or the Labor Trades and Crafts Unit, whether by certification, administrative oversight, or otherwise.

DECISION AND ORDER

The Unit Clarification Petition to include partially exempt classifications PCN 010101 and PCN 010102 in the Labor Trades and Crafts Unit is denied.

Signed: _____
C. R. "Steve" Hafng, Chairman

/s/ Ronald M. Henry
Ronald M. Henry, MemDer

(Member Morgan Reed absent and not
voting)

Dated: April 21, 1976