

[Labor Relations Agency Stationery]

ORDER AND DECISION NO. 56
PERTAINING TO CORRESPONDENCE
TEACHERS

On November 23, 1979, the Correspondence Teachers organized as an association known as the Centralized Correspondence Study Education Association submitted a petition seeking recognition as a bargaining unit. The Agency finds that it has jurisdiction to determine the appropriate bargaining unit determination under the provisions of A.5.23.40.090. Further the Agency concludes that pursuant to Alaska Regulations 2AAC 10.060 where it does not appear that there has been a prima facie showing of the appropriateness of a bargaining unit the petition may be dismissed. A.S.23.40.090 provides:

"The Labor Relations Agency shall decide in each case in order to insure to employees the fullest freedom in exercising the rights guaranteed by §70 - 260 of this Chapter, the unit appropriate for the purposes of collective bargaining based upon such factors as community of interests, wages, hours and other working conditions of the employees involved, the history of collective bargaining and the desires of the employees. The bargaining unit shall be as large as is reasonable and unnecessary fragmenting shall be avoided."

In the present situation, it appears that the correspondence teachers have heretofore not been members of any organized bargaining unit. They are a small group consisting of

thirteen (13) individuals employed by the Department of Education in Juneau, Alaska. These individuals are certified teachers but they are not employees of any school board nor are they under direct supervision of any local school board. Instead they appear to be under the supervision of administrative employees of the Department of Education. These individuals participate in the teacher's retirement system, but in all other respects would appear to have the same working conditions and interest of the other employees of the Department of Education. The Agency finds as a matter of fact, that allowing the correspondence teachers to establish a separate bargaining unit would lead to unnecessary fragmentation in contravention of the policy established in A.5.23.40.090. The Agency further finds that there is substantial community interest between these employees and the employees presently in the General Government Employees Bargaining Unit represented by the Alaska Public Employees Association. The Agency concludes as a matter of law that the employees should be accreted to the General Government Employees Bargaining Unit presently represented by the Alaska Public Employees Association.

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It is the Order of the Alaska Labor Relations Agency:

1. The petition for representation submitted by the Centralized Correspondence Study Education Association is denied because the proposed bargaining unit is not appropriate.

2. The employees in question are ordered to be included in the General Government Employees Bargaining Unit presently represented by the Alaska Public Employees Association.

DATED this 21 day of December, 1979.

SIGNED: _____
C. R. "Steve" Hafling, Chairman

SIGNED: _____
Morgan Reed, Member

SIGNED: _____
Ronald M. Henry, Member

[Signatures on File]