

[Labor Relations Agency Stationery]

ORDER DECISION NO. 75

UC-82-3; PAMELA LEWIS, PCN #24636
AND SHIRLEY HORN, PCN #24837

This action is based on Local 71's objections to Shirley Horn and Pamela Lewis being placed in two vacant positions that were classified as members of the General Government Unit (GGU) and, therefore, represented by the Alaska Public Employees Association (APEA). Local 71 argued the positions should properly be within Local 71's unit.

This Agency decides that the individuals were properly placed in the GGU for the following reasons:

1. The positions were established in April of 1980 and were classified as being in the GGU. The positions were never filled until 1982;
2. The individuals were previously Right-Of-Way Agents I (and in the GGU unit) before being promoted to Right-Of Way Agents II.;
3. The duties of the individuals indicated a promotion to a position consistent with their former one. The promotion included an upgrading of technical skills of the individuals and not a basic change of the character of their work.
4. LTC did not show any community of interest with

other LTC personnel. The employees decided to remain in the General Government Unit, the employees supervisors came from the GGU or Supervisory Personnel. The employees transferred within the same units. The other individuals with whom the employees worked on a daily basis are members of the GGU.

Order and Decision No. 1, Page 10, addressed this exact type of case when it said:
The skills required and the working conditions involved in the case of Building and Construction Tradesmen are of a different quality than those of General Government workers. Job progression for Building Tradesmen is generally limited within each craft, and therefore, there is neither the same latitude for transforming or the same prospect of upward mobility as there are for general government workers, and because of the foregoing factors, as well as long tradition in the private sector, there is a community of interest among building tradesmen that they do not share with white collar, professional, and technical personnel.

Based upon the foregoing facts and law, the Agency concludes that the Petition should be dismissed and that the individuals should remain in the GGU.

DATED this 5 day of January, 1983

C. R. "Steve" Hafling, Chairman

Morgan Reed, Member

Ronald M. Henry, Member

[Signatures on File]