

95-035

(12)

STATE OF OHIO
STATE EMPLOYMENT RELATIONS BOARD

In the Matter of
Brunswick Support Staff,
Employee Organization,
and
Brunswick City School District Board of Education,
Employer.

CASE NUMBER: 84-RC-05-3690

DISMISSAL OF PETITION FOR REPRESENTATION ELECTION

Before Chairman Day, Vice Chairman Sheehan, and Board Member Fix,
May 30, 1985.

For the reasons set forth in the attached opinion, incorporated by
reference, the Board dismisses the Petition For Election.

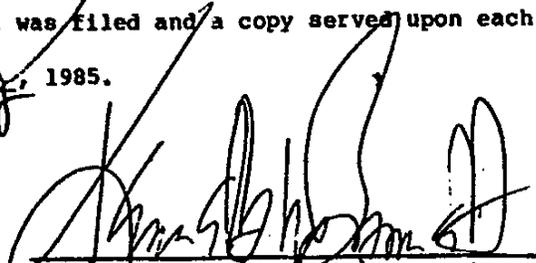
It is so directed.

DAY, Chairman, SHEEHAN, Vice Chairman and FIX, Board Member concur.



JACK G. DAY, CHAIRMAN

I certify that this document was filed and a copy served upon each party
on this 3rd day of July, 1985.



KENNETH W. BARRETT, EXECUTIVE DIRECTOR

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OPINION

By the Board:

On May 14, 1985, the Brunswick Support Staff (OEA/NEA) filed a Petition For Representation Election for a unit of non-teaching employees of the Brunswick City School District Board of Education (Employer). The Ohio Association of Public School Employees, Chapters 714 and 296 (OAPSE) is the currently recognized exclusive representative of the unit and is a party to a collective bargaining agreement with the Employer. The Brunswick Support Staff filed its petition pursuant to a window period provided in the collective bargaining agreement. This window period is different from that established by Ohio Revised Code Section 4117.07(C)(6).

It is assumed that by filing its petition with the State Employment Relations Board, the Brunswick Support Staff seeks a SERB-conducted election. However, the collective bargaining agreement provides for an election to be conducted by the American Arbitration Association. If an employee organization wishes to avail itself of a SERB election and certification under Ohio Revised Code Section 4117.07, the employee organization must petition pursuant to the window period set forth in Ohio Revised Code Section 4117.07(C)(6). Therefore, the Petition For Election is dismissed as untimely filed.

DAY, Chairman; SHEEHAN, Vice-Chairman, and FIX, Board Member concur.

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