

96-049 1-20  
STATE OF OHIO  
STATE EMPLOYMENT RELATIONS BOARD

In the Matter of  
Ohio Association of Public School Employees/AFSCME, AFL-CIO,  
Employee Organization,  
and  
Greeneview Support Personnel Association, OEA/NEA  
Intervenor,  
and  
Greeneview Local School District  
Board of Education,  
Employer.

CASE NUMBER: 86-REP-8-0233

DIRECTIVE OVERRULING MOTION TO DENY INTERVENTION AND  
GRANTING MOTION TO INTERVENE

Before Chairman Day, Vice Chairman Sheehan, and Board Member Fix;  
November 26, 1986.

The Ohio Association of Public School Employees (OAPSE) filed a Petition for Representation Election seeking to represent the non-teaching employees of the Greeneview Local School District Board of Education (Employer). A NOTICE TO EMPLOYEES was prepared and submitted to the Employer for posting. As provided on the face of the notice, it was to be posted by September 3, 1986, and the time for intervention expired at the close of business on September 24, 1986.

The Greeneview Support Personnel Association (OEA) filed a Motion to Intervene with appropriate accompanying evidence on September 24, 1986. OAPSE filed a Motion to Deny the Motion to Intervene arguing that the time for intervention expired prior to September 24, 1986, because the Employer actually posted the NOTICE TO EMPLOYEES prior to September 3, 1986.

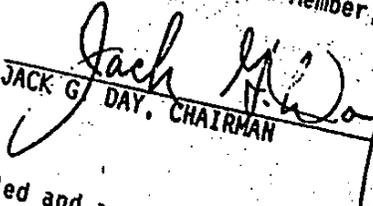
General Order No. 5 provides that, "(i)ntervention in representation election matters will be permitted only if filed within 21 days after the employer has posted the Board-provided notice that a petition for election had been filed." Although the procedure used to designate the 21-day intervention period is not in complete harmony with the language of General Order No. 5, it was designed to obligate the Employer to post the notice by a specified date so that the 21-day intervention period could not be shrunk or expanded by the Employer's conduct.

DIRECTIVE OVERRULING MOTION TO DENY MOTION  
TO INTERVENE AND GRANTING MOTION TO INTERVENE  
CASE NO. 86-REP-8-0233  
NOVEMBER 26, 1986

The date for intervention in this case, as noted on the Board-provided notice, was September 24, 1986. OEA's Motion to Intervene was timely filed. As applied to the facts of this case, and not to be considered precedential for any other case, OAPSE's Motion to Deny the Motion to Intervene is overruled and OEA's Motion to Intervene is granted.

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 4<sup>th</sup> day of December, 1986.

  
JACQUELIN F. DAVIS, EXECUTIVE DIRECTOR

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