

**BEFORE THE STATE BOARD OF MEDIATION
STATE OF MISSOURI**

TEAMSTERS UNION, LOCAL 245,)	
)	
Petitioner,)	
)	
vs.)	Public Case No. 81-005
)	
LACLEDE COUNTY COURT,)	
LEBANON, MISSOURI,)	
)	
Respondent.)	

**FINDINGS OF FACT
CONCLUSIONS OF LAW**

This case appears before the State Board of Mediation upon the Teamsters Union, Local 245 filing a petition for certification as public employee representative of Laclede County employees in the following job classifications:

All road and bridge employees with classifications of operator, truck driver, and janitors employed by Laclede County, but excluding the road supervisor and all other employees of Laclede County.

On July 14, 1981 a hearing was held in Jefferson City at which representatives of Local 245 and Laclede County were present. The case was heard by the State Board of Mediation Chairman Mary Gant, employer member Herb Shaw and employee member Joseph Cointin. The State Board of Mediation is authorized to hear and decide issues concerning appropriate bargaining unit determinations by virtue of Section 105.525, RSMo. 1979.

At the hearing the parties were given full opportunity to present evidence. However, no evidence was presented in that no formal objection was made by the employer as to the bargaining unit proposed in Local 245's certification petition. Instead, the employer voiced only a philosophical objection to the employees' right to

form and join labor organizations. Because Section 105.510, RSMo. 1979 clearly establishes the employees' right to form and join a labor organization, the employer's objection has no bearing on the appropriate bargaining unit determination. Accordingly, the Board finds the bargaining unit as set out in Local 245's petition to be appropriate.

DECISION

It is the decision of the State Board of Mediation that an appropriate unit of employees is as follows:

All road and bridge employees with classifications of operator, truck driver, and janitors employed by Laclede County, but excluding the road supervisor and all other employees of Laclede County.

DIRECTION OF ELECTION

An election by secret ballot shall be conducted by the Chairman of the State Board of Mediation among the employees in the unit found appropriate, as early as possible, but not later than sixty (60) days from the date below. The exact time and place will be set forth in the notice of election to be issued subsequently, subject to the Board's rules and regulations. Eligible to vote are those in the unit who were employed during the payroll period immediately preceding the date below, including employees who did not work during that period because of vacation or illness. Ineligible to vote are those employees who quit or were discharged for cause since the designated payroll period and who have not been rehired or reinstated before the election date. Those eligible to vote shall vote whether or not they desire to be represented for the purpose of exclusive recognition by Petitioner, Teamsters Union, Local 245.

It is hereby ordered that the Respondent shall submit to the Chairman of the State Board of Mediation, as well as to the Petitioner, within fourteen (14) days from the date of receipt of this decision, an alphabetical list of the names and addresses of

employees in the unit determined above to be appropriate who were employed during the designated payroll period.

Signed this 3rd day of September, 1981.

MISSOURI STATE BOARD OF MEDIATION

(SEAL)

/s/ Mary L. Gant
Mary Gant, Chairman

/s/ Herbert Shaw
Herbert Shaw, Employer Member

/s/ Joseph Cointin
Joseph Cointin, Employee Member