

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
: :
: Case No. PERA-U-06-79-W
: (PERA-R-85-180-W)
BLAIRSVILLE-SALTSBURG SCHOOL DISTRICT : (PERA-U-90-754-W)

PROPOSED ORDER OF AMENDED CERTIFICATION AND UNIT CLARIFICATION

On February 21, 2006, the Blairsville-Saltsburg Educational Support Personnel Association, ESPA/PSEA/NEA (Petitioner) filed a petition for amendment of certification with the Pennsylvania Labor Relations Board (Board). The petition requested that the Board amend the order of certification issued at Case No. PERA-R-85-180-W, and amended at Case No. PERA-U-90-754-W, to reflect a change in the name of the exclusive representative to the Blairsville-Saltsburg Education Support Professionals, PSEA/NEA. The requested name change was approved by a majority vote at a meeting of the Petitioner's membership.

On February 21, 2006, the Petitioner also filed a petition for unit clarification with the Board. This petition seeks to add the position of data collection processor to the existing bargaining unit of nonprofessional employees of the Blairsville-Saltsburg School District (District). On March 9, 2006, the Secretary of the Board issued an order and notice of hearing directing a hearing before a Board hearing examiner on May 25, 2006. On that date, all parties in interest appeared before the examiner and were afforded a full opportunity to present testimony, cross-examine witnesses and introduce documentary evidence. Both parties filed post-hearing briefs on September 18, 2006.

The examiner, on the basis of the testimony and exhibits presented at the hearing and from all other matters and documents of record, makes the following:

FINDINGS OF FACT

1. The District is a public employer within the meaning of the Public Employee Relations Act (PERA or Act).

2. The Petitioner is an employe organization within the meaning of PERA.

3. On June 12, 1985, the Board issued an order certifying the Blairsville-Saltsburg Association of School Service Personnel, PSSPA/PSEA as the exclusive representative of a bargaining unit of District employes, which is comprised of "[a]ll full-time and regular part-time nonprofessional employes, and including but not limited to secretarial employes, cafeteria employes, teacher aides and nurses aides; and excluding maintenance-custodial employes, management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act." (N.T. 8, 11; Joint Exhibit 3; PERA-R-85-180-W)

4. On December 21, 1990, the Board issued an order amending the prior order of certification to change the name of the employe organization to the Blairsville-Saltsburg Educational Support Personnel Association, ESPA/PSEA/NEA (Petitioner). (N.T. 8, 11; Joint Exhibit 4; PERA-U-90-754-W)

5. On March 31, 1992, the Board issued an order which excluded the following positions from the nonprofessional bargaining unit: secretary to the superintendent, secretary to the assistant superintendent and payroll clerk. (N.T. 9, 11; Joint Exhibit 5; PERA-U-92-171-W)

6. On August 19, 1997, the District and the Petitioner agreed that the positions of secretary to the business manager and administrative assistant to the superintendent would be excluded from the nonprofessional bargaining unit as

confidential employees. The parties also agreed that the position of secretary to the director of education, formerly known as the secretary to the assistant superintendent, would be included in the bargaining unit at the end of the 1998-1999 school year. (N.T. 9-11; Joint Exhibit 6)

7. On December 28, 2000, a Board hearing examiner issued an order dismissing the Petitioner's request to clarify the nonprofessional unit to include the position of bookkeeper (also known as payroll clerk). The hearing examiner found that the bookkeeper/payroll clerk works in a close continuing relationship with an employer representative who is associated with collective bargaining (business manager), and thus is properly excluded from the unit as a confidential employee. (N.T. 10-11; Joint Exhibit 7; PERA-U-00-287-W)

8. The nonprofessional bargaining unit currently includes ten secretarial positions and excludes the following positions: secretary to the superintendent, administrative assistant, secretary to the business manager and payroll clerk/bookkeeper. (N.T. 16, 22-23; Association Exhibit 2)

9. On September 19, 2005, the District's school board appointed Kathy Hankinson to the newly created position of data collection processor. (N.T. 62, 72-73; Association Exhibit 11)

10. Hankinson's immediate supervisor is Teresa Hanley, who is the District's director of education. (N.T. 41)

11. Hankinson spends at least fifty percent of her worktime as data collection processor on duties related to the Access program. The Access program is federally funded, but is administered by state agencies (the Department of Education and the Department of Public Welfare), who have hired an outside contractor (Leader Services) to oversee the program. Under the Access program, the District receives reimbursement for providing certain services to special education students who have an individualized education program (IEP) and are receiving medical assistance. The services for which the District may receive reimbursement include nursing services, speech services, occupational therapy, physical therapy and counseling. (N.T. 30-36, 39-40, 54-55, 93-94, 108-109)

12. When a student has an IEP, a guidance counselor contacts Hankinson, who checks the Department of Public Welfare website to determine if the student is receiving medical assistance. If the student is receiving medical assistance, Hankinson informs the guidance counselor of the documents that must be gathered or completed for submission to the Access program. Hankinson then sends the necessary documents and certain forms that she prepares to a certified nurse practitioner, who is under contract with the District and determines whether the student qualifies to receive particular services under the Access program. (N.T. 33-37)

13. If Hankinson needs additional information from a guidance counselor, she notifies the counselor by e-mail. Hankinson may send forms back to a guidance counselor to be completed properly. If a guidance counselor does not comply with Hankinson's request for information, she may notify her supervisor but does not recommend that the counselor be disciplined. (N.T. 36, 83-84)

14. Hankinson has conducted meetings with principals and guidance counselors regarding the Access program. She has obtained samples of forms from Leader Services, and has explained to the principals and guidance counselors how the forms should be completed. Hankinson has also prepared an instruction sheet that indicates how the forms should be completed. (N.T. 38-39)

15. Leader Services has made changes to the forms used for the Access program. Hankinson has made changes in the instructions that she has prepared for completion of the forms. (N.T. 54-55)

16. Hankinson learned how the process should work for the Access program by attending workshops conducted by Leader Services. If questions arise regarding the Access program, Hankinson calls Leader Services and relays the answer to the person who raised the question (e.g., a guidance counselor). (N.T. 39-40)

17. A federal or state agency issues the guidelines for the Access program. (N.T. 108-109)

18. Hankinson does not have a secretary. She performs her own clerical work, including typing and filing. (N.T. 41, 84-85)

19. Secretaries also perform typing and filing. (N.T. 84-85)

20. In her position as data collection processor, Hankinson also performs duties related to certain testing programs conducted by the District. She makes sure that test booklets are on hand. Hankinson has also prepared a sample answer sheet and instructions for completing test answer sheets, which have been distributed to counselors and teachers conducting the testing. (N.T. 59-60, 74-75; District Exhibit 2)

21. In her position as data collection processor, Hankinson is also involved in tuition reimbursement for teachers. She gathers the paperwork related to classes taken by the teachers and forwards it to the business manager, who determines the amount of reimbursement due the teachers. (N.T. 60, 75-76)

22. The teachers receive tuition reimbursement pursuant to their collective bargaining agreement with the District. (N.T. 76-77)

23. Hankinson developed an instruction sheet for the forms that must be completed to receive tuition reimbursement. (N.T. 77-78)

24. Before she began working as the data collection processor, Hankinson was the secretary to the District's business manager. In that position, she performed many of the same duties that she now performs regarding the Access program and tuition reimbursement. (N.T. 27-28, 31-32, 37, 76)

25. Hankinson is paid a salary and works eight hours a day, twelve months a year. (N.T. 28-29)

26. The District's secretaries are paid a salary and work twelve months a year. With the exception of one secretary, the secretaries are full-time and work eight hours a day. (N.T. 16-18, 29)

27. The job description for the data collection processor does not require a college degree. (District Exhibit 1)

28. Hankinson graduated from high school and attended business school for twelve months. (N.T. 37)

29. The job descriptions for the following positions in the nonprofessional bargaining unit do not require a college degree: secretary to the high school principal; secretary to the high school guidance office; receptionist/secretary; secretary to the director of education; attendance officer; instructional aide; photocopy aide; technology aide. (N.T. 21-25, 45; Association Exhibits 1-10)

30. The parties stipulated and agreed that the job descriptions referenced in Finding of Fact 29 accurately set forth the requirements for the positions. (N.T. 45-46)

31. The District and its custodians concluded negotiations for a new collective bargaining agreement (CBA) in early March 2006. The custodians ratified the agreement in April 2006, and the District ratified the agreement in May. (N.T. 99)

32. The District and the custodians reached the new CBA after conducting three bargaining sessions. (N.T. 96-99)

33. The third and final bargaining session at which the District and the custodians reached a new CBA was held on a Monday. On the preceding Friday, the District's business manager called Hankinson, told her that he wanted her to prepare a cost calculation, and stated that he would speak to her further on Monday. However, the contract was settled before that discussion occurred. Therefore, the business manager never even provided Hankinson with specific details regarding the proposed assignment that was never carried out. (N.T. 64-65, 98-100)

34. Becky Halberg is the payroll clerk/bookkeeper whose position is excluded from the nonprofessional bargaining unit pursuant to the Board orders referenced in Findings of Fact 5 and 7. During the District's negotiations with the custodians, Halberg performed cost analysis on wage proposals. (N.T. 96, 106-107; Joint Exhibit 7)

35. When Hankinson became aware of the District's upcoming negotiations with the custodians, she took it upon herself to contact neighboring school districts to obtain copies of their collective bargaining agreements with their employees. She reviewed those agreements and prepared a spreadsheet, which compared the benefits provided to the District employees to the benefits provided to the employees of the other school districts. Hankinson submitted a copy of the spreadsheet to the District's business manager. (N.T. 62-64, 68-69, 105; District Exhibit 3)

36. The District's business manager did not direct Hankinson to prepare the spreadsheet referenced in Finding of Fact 35. (N.T. 62-63)

DISCUSSION

The petition for unit clarification seeks to include the position of data collection processor in the existing bargaining unit of nonprofessional employees of the District. The Petitioner contends that the position shares an identifiable community of interest with the members of the existing unit. The District argues that the data collection processor should not be included in the nonprofessional unit because the position (1) lacks a community of interest with the nonprofessional unit, (2) is managerial, and (3) is confidential. Section 604 of PERA provides in relevant part:

"The Board shall determine the appropriateness of a unit which shall be the public employer unit or a subdivision thereof. In determining the appropriateness of the unit, the board shall:

(1) Take into consideration but shall not be limited to the following: (i) public employees must have an identifiable community of interest, and (ii) the effects of overfragmentization."

43 P.S. § 1101.604.

To determine whether employees share an identifiable community of interest, the Board considers such factors as the type of work performed, educational and skill requirements, pay scales, hours and benefits, areas of work, working conditions, interchange of employees, supervision, grievance procedures, bargaining history, and employee desires. Fraternal Order of Police v. PLRB, 557 Pa. 586, 735 A.2d 96 (1999); West Perry School District v. PLRB, 752 A.2d 461 (Pa. Cmwlth. May 26, 2000), affirming, 29 PPER ¶ 29110 (Final Order, 1998); Allegheny General Hospital v. PLRB, 322 A.2d 793 (Pa. Cmwlth. 1974). An identifiable community of interest does not require perfect uniformity in conditions of employment and can exist despite differences in wages, hours and working conditions or other factors. Id. As the Commonwealth Court stated in Western Psychiatric Institute and Clinic v. PLRB, 330 A.2d 257 (Pa. Cmwlth. 1974):

"We do not read Section 604 [of PERA] to mean . . . that an identifiable community of interest cannot exist without some differences in requirements

of experience, skills and education . . . To accept [that] proposition would lead to . . . over-fragmentization . . . [T]he Board's determinations may not ignore the effects of over-fragmentization and . . . the units must be as few as practicably can be"

Id. at 260.

As indicated in the findings of fact, there are similar educational requirements for the position of data collection processor and various positions in the nonprofessional unit because none of these positions require a college degree. There are also similarities in the type of work performed by the data collection processor and the secretaries in the nonprofessional unit because both positions perform clerical work such as typing and filing. Other similarities between the data collection processor and the secretaries in the existing unit are that both positions receive a salary and both positions have a work year of twelve months. In addition, the data collection processor works eight hours a day and, with one exception, the secretaries in the nonprofessional unit also work eight hours a day.

Based on these factors, I find that the data collection processor shares an identifiable community of interest with members of the nonprofessional bargaining unit. While there are some differences between the position at issue and the positions in the existing unit, these differences do not destroy the community of interest that otherwise exists.¹

The District argues that to include the data collection processor in the nonprofessional bargaining unit "would be tantamount to including a 'white collar' position in a unit comprised of blue-collar employees" (brief at 24), and contends that its position is supported by Amalgamated Transit Union v. PLRB, 498 A.2d 485 (Pa. Cmwlth. 1985). However, as the court's opinion in that case indicates, a secretarial position is a white collar position. Thus, the existing nonprofessional unit in this case, which includes secretaries, already includes other white collar employees. This case, then, is distinguished on the facts from Amalgamated Transit Union, where the Board declined to include a single white collar position in a bargaining unit consisting solely of blue collar employees. Here the Petitioner seeks to add a white collar position to a unit that includes other white collar positions, which only further supports the conclusion that the position shares a community of interest with the petitioned-for unit. Therefore, unless there is an applicable statutory exclusion, the data collection processor will be included in that unit.

The District contends that the position of data collection processor should be excluded from the nonprofessional unit as both managerial and confidential. As the party seeking exclusion of the position from the unit, the District has the burden of proof. SSHE, 29 PPER ¶ 29234 (Final Order, 1998), aff'd, 737 A.2d 313 (Pa. Cmwlth. 1999); Danville Area School District, 8 PPER 195 (Order and Notice of Election, 1977). Section 301(13) of PERA defines "confidential employe" as:

"[A]ny employe who works: (i) in the personnel offices of a public employer and has access to information subject to use by the public employer in collective bargaining; or (ii) in a close continuing relationship with public officers or representatives associated with collective bargaining on behalf of the employer."

43 P.S. § 1101.301(13).

Hankinson does not work in the District's personnel office and the District does not claim that she is a confidential employe under the first prong of Section 301(13).²

¹ The mere fact that the data collection processor position may be funded from a different source than the positions in the nonprofessional unit is not a valid basis for excluding the position from the unit. See Carbon-Lehigh Intermediate Unit No. 21 v. PLRB, 18 PPER ¶ 18070 (Court of Common Pleas of Lehigh County, 1987); McKeesport Area School District, 32 PPER ¶ 32109 (Proposed Order of Unit Clarification, 2001).

² Even if the District made such a claim, there is no evidence that Hankinson became privy to the District's collective bargaining strategy, as is necessary to find a confidential exclusion under Section 301(13)(i) of PERA. Cheltenham School District, 32 PPER ¶ 32052 (Proposed Order of Unit Clarification, 2001), citing Reynolds School District, 22 PPER ¶ 22098 (Final Order, 1991).

Rather, the District argues that Hankinson is a confidential employe under the second prong of Section 301(13) because she "works in a continuing relationship with the Superintendent and Business Manager, both of whom are associated with collective bargaining on behalf of the District" (brief at 18).

However, working in an alleged "continuing relationship" with employer representatives associated with collective bargaining is insufficient to justify a confidential exclusion under Section 301(13)(ii) of PERA. Rather, under the plain language of the statute, an employe must work in a **close** continuing relationship with employer representatives associated with collective bargaining to qualify as a confidential employe under the second prong of Section 301(13).

In North Hills School District v. PLRB, 762 A.2d 1153 (Pa. Cmwlth. 2000), the assistant superintendent of the school district (Richard Santillo) was associated with collective bargaining on behalf of the district because he was a member of the district's bargaining team and sat at the bargaining table during negotiations. The court found that the secretary to the assistant superintendent (Shirley Dougherty) was a confidential employe under the second prong of Section 301(13) of PERA because "as Santillo's only secretary, Dougherty clearly has a close continuing relationship with Santillo" Id. at 1158-1159.

In contrast, in Cheltenham School District, 32 PPER ¶ 32098 (Final Order, 2001), the Board found that a clerk in the personnel office was not a confidential employe under the second prong of Section 301(13) of PERA³ based on the following rationale:

"In . . . contrast to North Hills School District, the Employer's human resource director already has a confidential secretary excluded from the bargaining unit . . . [T]he Board has prohibited employers from distributing confidential duties among various employes to gain confidential exclusions for more employes than are necessary for an employer to conduct its collective bargaining. West Jefferson Hills School District 25 PPER ¶ 25137 (Final Order, 1994); Reynolds School District, 22 PPER ¶ 22098 (Final Order, 1991); Blackhawk School District, 10 PPER ¶ 10202 (Nisi Decision and Order, 1979); Fairview School District 8 PPER 358 (Nisi Decision and Order, 1977; Blackhawk School District, 4 PPER 76 (Nisi Decision and Order, December, 1974; Commodore Perry School District 3 PPER 335 (Order and Notice of Election, 1973). In this case, the director of human resources can assign any confidential duties that would reveal the Employer's collective bargaining strategy to his existing confidential secretary. Further, as noted by the hearing examiner, even if the director of human resources is assigned to the upcoming negotiating team, that three-member team, consisting of the director of human resources, assistant superintendent and the director of business affairs, each has available to him/her a confidential secretary to perform any confidential duties required [in] the negotiations."

32 PPER at 254.

This case is similar to Cheltenham because the District's superintendent and business manager already have confidential secretaries who are excluded from the nonprofessional bargaining unit who can perform any confidential duties that would reveal the District's collective bargaining strategy. Indeed, the District's argument for a confidential exclusion in this case is even weaker than in Cheltenham because the superintendent and the business manager have additional confidential employes reporting to them who may be assigned any confidential duties (administrative assistant and payroll clerk/bookkeeper), and one of these employes (payroll clerk/bookkeeper) has already performed the type of work (cost analysis) that the superintendent cited in his testimony as justification for another confidential exclusion. Not only do the superintendent and

³ The Board also found that the clerk was not a confidential employe under the first prong of Section 301(13) because there was no evidence that she became privy to the district's collective bargaining strategy.

business already have multiple confidential employees reporting to them, but the data collection processor reports to the director of education, and not to the superintendent or the business manager. There is no evidence that the director of education is associated with collective bargaining on behalf of the District. Therefore, I find that the data collection processor does not work in a close continuing relationship with employer representatives who are associated with collective bargaining. Accordingly, this position is not confidential under Section 301(13)(ii) of PERA. Any other finding would permit the District to engage in scattering of confidential duties among more employees than is necessary, contrary to the Board decisions cited above in Cheltenham, supra.

The remaining issue, then, is whether the data collection processor should be excluded from the nonprofessional bargaining unit as a managerial employee. Section 301(16) of PERA defines "management level employee" as:

"[A]ny individual who is involved directly in the determination of policy or who responsibly directs the implementation thereof and shall include all employees above the first level of supervision."

43 P.S. § 1101.301(16). The Board has interpreted Section 301(16) of PERA as follows:

"The statute may be read to state a three-part test in determining whether an employee will be considered managerial. Those three parts are (1) any individual who is involved directly in the determination of policy; (2) any individual who responsibly directs the implementation of the policy; or (3) employees above the first level of supervision."

Commonwealth of Pennsylvania (Attorney Examiners I), 12 PPER ¶ 12131 at 203 (Final Order, 1981). See also Penns Manor Area School District, 30 PPER ¶ 30198 (Final Order, 1999).

The District does not claim that the data collection processor is above the first level of supervision, and the record would not support such a claim. Hankinson does not have a secretary and there is no evidence that she supervises anyone. Although Hankinson testified that she issues "directives" to professional staff in the form of requesting that they provide additional information or documents, she conceded that if they fail to do so, she simply reports the matter to her supervisor and does not recommend that the professional employees be disciplined (FF 13; N.T. 83-84). Thus, Hankinson has no demonstrated ability to reward or sanction employees, which is the hallmark of supervisory status. See, e.g., Findlay Township Water Authority, 21 PPER ¶ 21130 (Final Order, 1990).

The District notes that a position will be considered managerial if it meets any part of the Board's three-part test for managerial status. See Pennsylvania Association of Mental Health Physicians v. PLRB, 554 A.2d 1021 (Pa. Cmwlth. 1989), appeal denied, 525 Pa. 590, 575 A.2d 119 (1990). The District claims that the data collection processor is directly involved in both determination of policy and implementation of policy, such that the position meets both the first and second parts of the Board's test for managerial status. The District contends that this case is analogous to AFSCME, Council 13 v. PLRB, 510 A.2d 150 (Pa. Cmwlth. 1986), affirming, 15 PPER ¶ 15205 (Proposed Order of Unit Clarification, 1984), 16 PPER ¶ 16087 (Final Order, 1985), where the court affirmed the Board's determination that environmental chemists employed by the Department of Environmental Resources (DER) are managerial employees under Section 301(16) of PERA.

It should be noted that in AFSCME, Council 13, the Board found that the environmental chemists were not directly involved in the determination of policy and thus did not meet the first part of the test for managerial status. The Board found that other employees of DER were involved in determining the agency's policy concerning toxic substances and waste management, and that the chemists provided advice on these matters but were not directly involved in determining policy.

The same result must obtain here because the record fails to show that the data collection processor is directly involved in determining policy. The Access program is a program that is established and administered by federal and state agencies, and it is

these agencies, rather than the District, that set the guidelines for the program. Thus, the District and its employees have no role in determining policy related to the Access program. The data collection processor also has no demonstrated role in determining policy regarding student testing. Rather, she merely ensures that test booklets are available and that District staff who conduct the testing understand how test answer sheets are to be completed. Such ministerial duties do not constitute determination of policy for purposes of Section 301(16) of PERA. Finally, the source of the teachers' entitlement to tuition reimbursement is their collective bargaining agreement with the District, and the data collection processor was not involved in negotiation of that agreement. Therefore, the position at issue is not involved in determining District policy and does not meet the first part of the Board's test for managerial status.

The record also fails to show that the data collection processor responsibly directs the implementation of policy. Hankinson's role in gathering and preparing forms related to the Access program, student testing programs and/or tuition reimbursement, and her responsibility for ensuring that such forms are properly completed, do not warrant a finding that she is a management level employee. The Board has repeatedly stated that mere observation of policy formulated by others does not demonstrate exercise of managerial responsibility to effectuate or implement policy. In Horsham Township, 9 PPER ¶ 9158 (Final Order, 1978), the Board stated:

"The administration of a policy involves basically two functions: (1) observance of the terms of the policy and (2) interpretation of the policy both within and without the procedures outlined in the policy. The observance of the terms of the policy is largely a routine and ministerial function. There will be occasion where the implementation of policy will necessitate a change in procedure or methods of operation. The person who effectuates such implementation and change exercises that managerial responsibility and would be responsibly directing the implementation of policy. Furthermore, the interpretation of policy would constitute responsible implementation of policy as a continuation of the managerial decision making process."

9 PPER at 327. See also County of Berks v PLRB, 28 PPER ¶ 28234 (Court of Common Pleas of Berks County, 1997)(mere observation of policy formulated by others does not evidence managerial authority to implement policy).

In AFSCME, Council 13, supra, the Board found that the environmental chemists responsibly directed the implementation of DER policy on toxic substances and waste management because the chemists were responsible for ensuring that the agency adhered to the terms of the policies and the chemists interpreted the policies to ensure adherence. In contrast, there is no evidence that the data collection processor performs a similar function. Rather, she performs the routine and ministerial function of ensuring that forms related to the Access program, student testing and tuition reimbursement are properly compiled and completed. Thus, the data collection processor does not exercise managerial responsibility to effectuate or implement policy, and does not meet any parts of the Board's test for managerial status. Accordingly, the data collection processor is not a managerial employee under PERA. Because the position is neither managerial nor confidential and shares a community of interest with members of the nonprofessional bargaining unit, the position will be included in that unit.

CONCLUSIONS

The examiner, therefore, after due consideration of the foregoing and the record as a whole, concludes and finds:

1. The District is a public employer within the meaning of Section 301(1) of PERA.
2. The Petitioner is an employee organization within the meaning of Section 301(3) of PERA.
3. The Board has jurisdiction over the parties hereto.

4. The position of data collection processor shares an identifiable community of interest with members of the nonprofessional bargaining unit represented by the Petitioner.

5. The position of data collection processor is not confidential within the meaning of Section 301(13) of PERA.

6. The position of data collection processor is not managerial within the meaning of Section 301(16) of PERA.

ORDER

In view of the foregoing and in order to effectuate the policies of PERA, the examiner

HEREBY ORDERS AND DIRECTS

that the Nisi Order of Certification issued on June 12, 1985 at Case No. PERA-R-85-180-W, as amended by the Nisi Order of Amended Certification issued on December 21, 1990 at Case No. PERA-U-90-754-W, is hereby amended to change the name of the employe organization to the Blairsville-Saltsburg Education Support Professionals, PSEA/NEA, and the nonprofessional bargaining unit is hereby amended to include the position of data collection processor, and

IT IS HEREBY FURTHER ORDERED AND DIRECTED

that in the absence of any exceptions filed pursuant to 34 Pa. Code § 95.98(a) within twenty (20) days of the date hereof, this decision and order shall be and become absolute and final.

SIGNED, DATED AND MAILED this twenty-eighth day of November, 2006.

PENNSYLVANIA LABOR RELATIONS BOARD

PETER LASSI, HEARING EXAMINER

November 28, 2006

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BLAIRSVILLE-SALTSBURG SCHOOL DISTRICT
Case No. PERA-U-06-79-W

Enclosed is a copy of the proposed order of amended certification and unit clarification in the above-captioned matter.

Sincerely,

Peter Lassi
Hearing Examiner

Enclosure

cc: Dr. H. Robert Mencer
Robert F. Paskowski
Pittsburgh Regional Office