

S A M P L E B A L L O T A T T A C H E D

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
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 :
UNIVERSITY OF PITTSBURGH :
 :
 : Case No. PERA-R-17-355-W

ORDER AND NOTICE OF ELECTION

On December 15, 2017, United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO, CLC (Petitioner) filed a Petition for Representation with the Pennsylvania Labor Relations Board (Board), as amended on January 8, 2018, alleging that it represented thirty percent or more of all salaried and hourly graduate employe teaching assistants, teaching fellows, graduate student assistants and graduate student researchers employed by the University of Pittsburgh (Employer), and requesting that a hearing be scheduled and an Order be issued for an election to determine the exclusive representative for collective bargaining pursuant to the provisions of Section 603 of the Public Employe Relations Act (Act).

On January 25, 2018, the Secretary of the Board issued an Order and Notice of Hearing, directing a telephone pre-hearing conference on February 27, 2018, and scheduling a hearing on June 4 through June 8, 2018, if necessary. The hearing was necessary and was continued by the Board's Hearing Examiner at the request of the Employer and over the objection of the Petitioner. Eight days of hearing were held on October 1-5, October 30-31, and November 1, 2018, at which time all parties in interest were afforded a full opportunity to present testimony, cross-examine witnesses and introduce documentary evidence. Post-hearing briefs were filed by the Petitioner on December 24, 2018, and the Employer on January 25, 2019. The Petitioner also filed a reply brief on February 9, 2019.

On March 7, 2018, the Hearing Examiner issued an Order Directing Submission of Eligibility List (ODSEL) resolving all outstanding issues and finding that the unit appropriate for the purpose of collective bargaining is a subdivision of the employer unit comprised of all full-time and regular part-time professional employes who are graduate students on academic appointment who serve as teaching assistants, teaching fellows, graduate student assistants and graduate student researchers; and excluding graduate students on fellowship and traineeship, management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act. The Hearing Examiner directed the Employer to submit a list of names and addresses of the employes in the unit found appropriate. That list was received by the Board on March 18, 2019.

FINDINGS OF FACT

That FINDINGS OF FACT numbers 1 through 29 inclusive, as set forth in the Order Directing Submission of Eligibility List, are affirmed and incorporated by reference herein and made a part hereof.

30. That the employes on the payroll who fall within the aforesaid appropriate unit and are eligible to vote at the election are those employes whose names appear as listed on the attached eligibility list.¹

CONCLUSIONS

That CONCLUSIONS numbers 1 through 6 inclusive, as set forth in the aforesaid Order Directing Submission of Eligibility List, are incorporated herein by reference and made a part hereof.

7. That the unit appropriate for the purpose of collective bargaining is a subdivision of the employer unit comprised of all full-time and regular part-time professional employes who are graduate students on academic appointment who serve as teaching assistants, teaching fellows, graduate student assistants and graduate student researchers; and excluding graduate students on fellowship and traineeship, management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

NOW, THEREFORE, NOTICE is hereby given that an ELECTION, by secret ballot, will be conducted on April 15, 16, 17 and 18, 2019 as specified below:

MONDAY, APRIL 15, 2019 at WESLEY W. POSVAR HALL

Between the hours of 9:00 a.m. to 5:00 p.m., in Room 2501 of Wesley W. Posvar Hall located at 230 South Bouquet Street, Pittsburgh, Pennsylvania.

TUESDAY, April 16, 2019 at WESLEY W. POSVAR HALL

Between the hours of 9:00 a.m. to 5:00 p.m., in Room 2501 of Wesley W. Posvar Hall located at 230 South Bouquet Street, Pittsburgh, Pennsylvania.

WEDNESDAY, APRIL 17, 2019 at O'HARA STUDENT CENTER

Between the hours of 9:00 a.m. to 5:00 p.m., in the 202 Ballroom on the second floor of the O'Hara Student Center located at 4024 O'Hara Street, Pittsburgh, Pennsylvania.

THURSDAY, APRIL 18, 2019 at O'HARA STUDENT CENTER

Between the hours of 9:00 a.m. to 5:00 p.m., in the 202 Ballroom on the second floor of the O'Hara Student Center located at 4024 O'Hara Street, Pittsburgh, Pennsylvania.

¹ Employes who are hired and placed on the Employer's payroll after the date of submission of the eligibility list until the last day of the payroll period immediately preceding the date of issuance of this order of election, whose names do not appear on the attached eligibility list, shall be eligible to vote in the election. 34 Pa. Code § 95.54(a); Catchment Area 094 Corporation, 9 PPER ¶ 9143 (Order Directing Canvassing of Challenged Ballots, 1978); Bucks County I.U. No. 22 v. PLRB, 466 A.2d 262 (Pa. Cmwlth. 1983). Their ballots shall be challenged by the Board's election officer since their names do not appear on the eligibility list. In the event such ballots may affect the outcome of the election, they shall be opened and canvassed.

The official count of the election ballots will be conducted on Friday April 26, 2019 at 10:30 a.m. in Room 2026 of the Piatt Building located at 301 Fifth Avenue, Pittsburgh, Pennsylvania.

An eligibility list of those entitled to vote is attached. Also attached is a Sample Ballot. The Official Ballot will be issued at the time of the election by an agent of the Board.

Pursuant to 34 Pa. Code § 95.52(a), parties in interest should each nominate one (1) watcher who shall be given authority to act as same immediately prior to the opening of the election.

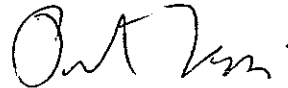
Prospective voters may be required, at the discretion of the Board agent conducting the election, to present identification, which may consist of a student ID or other suitable evidence.

Voters who require a reasonable accommodation under the Americans with Disabilities Act should contact the Board's office in Harrisburg (717-787-1091) or Pittsburgh (412-565-5318).

THIS ORDER AND NOTICE OF ELECTION and the attached material shall be posted by the Employer immediately upon receipt, subject to the provisions of 34 Pa. Code § 95.43, and subsequent to posting, the Employer shall furnish to the Pennsylvania Labor Relations Board an Affidavit of Posting in compliance with this Order.

SIGNED, DATED and MAILED this twenty-ninth day of March 2019, pursuant to 34 Pa. Code § 95.91(k)(2)(ii).

PENNSYLVANIA LABOR RELATIONS BOARD



PETER LASSI
Board Representative

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

O F F I C I A L S A M P L E B A L L O T

IN THE MATTER OF THE EMPLOYES OF :
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UNIVERSITY OF PITTSBURGH : Case No. PERA-R-17-355-W
:
:

ELECTION

To ascertain the exclusive representative, if any, for the purpose of collective bargaining with respect to wages, hours, and terms and conditions of employment, of employes in a unit comprised of all full-time and regular part-time professional employes who are graduate students on academic appointment who serve as teaching assistants, teaching fellows, graduate student assistants and graduate student researchers; and excluding graduate students on fellowship and traineeship, management level employes, supervisors, first level supervisors, confidential employes and guards as defined in the Act.

**PLACE CROSSMARK (X) IN THE SQUARE OF YOUR CHOICE
MARK ONE SQUARE ONLY**

UNITED STEEL, PAPER AND FORESTRY,
RUBBER, MANUFACTURING, ENERGY,
ALLIED INDUSTRIAL AND SERVICE WORKERS
INTERNATIONAL UNION, AFL-CIO, CLC

NO REPRESENTATIVE

DO NOT SIGN YOUR NAME

THIS IS A SECRET BALLOT

FOLD YOUR BALLOT AND DEPOSIT IT IN BALLOT BOX
IF YOU SPOIL YOUR BALLOT RETURN IT AND OBTAIN A NEW ONE

DO NOT MARK, DEFACE OR DUPLICATE