



December 8, 2020

MARTHA WILLIAMS
MONTANA DEPARTMENT OF FISH, WILDLIFE, AND PARKS
1420 E. 6th Ave. PO Box 200701

MORGAN SMITH
MONTANA FEDERATION OF PUBLIC EMPLOYEES
1232 E. 6TH AVE
HELENA, MT 59601

SUBJECT: Unit Determination No. 202011949 - Election Certification

Dear Ms. Williams and Mr. Smith:

The Board of Personnel Appeals received a Petition for Unit Determination from the Montana Federation of Public Employees Requesting certification as the exclusive representative of the certain employees of the Montana Department of Fish, Wildlife, and Parks Agency Legal Counsel in accordance with the Administrative Rules of Montana 24.26.612, which requires:

- (5) The petition must be accompanied by proof, consisting of authorization cards, or copies thereof.
- (a) The board agent shall promptly issue a certification of representative because no question of representation exists, an election is not required, and an appropriate unit has been determined, if the following requirements of this subsection are met:
- (i) the number of authorization cards submitted exceed 50% of the number of employees in the proposed bargaining unit;
 - (ii) a counter-petition petition is not filed within ten days of the date the board mailed the petition for unit determination to the employer, as provided by ARM 24.26.614;
 - (iii) a petition to intervene has not been filed within ten days of the employer posting notice of unit determination proceedings, as provided by ARM 24.26.618; and
 - (iv) the showing of interest is adequate because more than 50% of the employees on the excelsior list have submitted an authorization card.

The election judge has reviewed the petition and accompanying proof of interest cards. On November 24, 2020 the Board received a letter of voluntary recognition from the employer. No other parties filed to intervene in the election. There being a clear majority, the Board hereby certifies the name of Montana Federation of Public Employees as the exclusive representative for collective bargaining purposes for certain employees of the Montana Department of Fish, Wildlife, and Parks Agency Legal Counsel employed on November 19, 2020, the date the petition was filed, EXCLUDING Supervisory employees, management officials, and other employees exempted from collective bargaining in MCA 39.31.103.

Sincerely,

Wendy Jackson

Wendy Jackson
Election Judge
(406) 444-XXXX
election judges email address