



March 10, 2022

JIM DOAR
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MORGAN SMITH
MONTANA FEDERATION OF PUBLIC EMPLOYEES
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SUBJECT: Unit Determination No. **2022DRS00061**- Election Certification

Dear Mr. Doar and Mr. Smith:

The Board of Personnel Appeals received a Petition for Unit Determination from the **Federation of Gallatin County Deputy Attorneys, MFPE**, requesting certification as the exclusive representative of the **Gallatin County Deputy County Attorneys** in accordance with the Administrative Rules of Montana 24.26.1012, which requires:

- (3) The UD petition must be accompanied by proof of interest, 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 exceeds 50 percent of the number of employees in the proposed bargaining unit;
 - (ii) an employer counter petition is not filed within seven days of the date the board mailed the petition for unit determination to the employer, as provided by ARM 24.26.1016;
 - (iii) a petition to intervene has not been filed within seven days of the employer posting notice of unit determination proceedings, as provided by ARM 24.26.1018; and
 - (iv) the showing of interest is adequate because more than 50 percent of the employees on the excelsior list have submitted an authorization card.
 - (b) An election is required pursuant to ARM 24.26.1070 when at least 30 percent but not more than 50 percent 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. The employer did not file a counter petition and no other parties filed to intervene in the election. There being a clear majority, the Board hereby **certifies** the **Federation of Gallatin County Deputy Attorneys, MFPE**, as the exclusive representative for collective bargaining purposes for the **Gallatin County Deputy County Attorneys** employed on March 1, 2022, the date the



Montana Department of
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petition was filed, **EXCLUDING** Supervisory Employees, Management Officials, and other employees excluded from collective bargaining in MCA 39.31.103.

Sincerely,

Wendy Jackson

Wendy Jackson
Election Judge
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