

BEFORE THE PUBLIC EMPLOYEE RELATIONS BOARD
OF THE STATE OF KANSAS

IN THE MATTER OF THE PETITION *
FILED FOR UNIT CLARIFICATION *
OR AMENDMENT: *
City of Hutchinson, Kansas *
vs. * CASE NO: 75-UCA-1-1988 *
International Association of *
Fire Fighters Local 179 *
(IAFF Local 179) *
*
*

ORDER TO AMEND

Comes now this 22nd day of February, 1988, the above captioned matter for consideration by the Public Employee Relations Board.

PROCEEDINGS BEFORE THE BOARD

- 1) Petition for clarification or amendment of appropriate unit filed by City of Hutchinson on August 19, 1987.
- 2) Petition sent to International Association of Fire Fighters Local 179, Hutchinson, Kansas, on August 19, 1987.
- 3) Answer to petition received from International Association of Fire Fighters Local 179 on August 25, 1987.
- 4) Answer of International Association of Fire Fighters Local 179 sent to City of Hutchinson on August 26, 1987.
- 5) Pre-hearing conducted on September 23, 1987. Notice sent to parties on September 8, 1987. All parties in attendance.
- 6) Reminder sent to International Association of Fire Fighters Local 179 on October 29, 1987 granting ten (10) days for notification of representative.
- 7) Notification of representative received from International Association of Fire Fighters Local 179 on November 12, 1987.
- 8) Telephoned International Association of Fire Fighters Local 179 representative on November 13, 1987 and left message requesting return call. No return call.

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9) Telephoned International Association of Fire Fighters Local 179 representative on November 19, 1987 requesting information regarding petitioners intentions. No return call.

10) Telephoned International Association of Fire Fighters Local 179 representative on December 12, 1987 and left message requesting return call. No return call.

11) Letter sent to International Association of Fire Fighters Local 179 representative requesting information regarding petitioners intentions on December 21, 1987. No response.

12) Letter sent to International Association of Fire Fighters Local 179 representative advising him of need for his participation within ten (10) days and lacking that participation the intent of the Public Employee Relations Board (PERB) to grant the amendment sought by the petitioner. No reply.

ORDER

The Public Employee Relations Board was established to assist in the resolution of various types of disputes between public employers and public employees. A unit clarification and/or amendment petition is the vehicle through which disputes over the scope of an existing bargaining unit may be brought before the Board.

It is obvious from the few pieces of correspondence received from the International Association of Fire Fighters Local 179 that at one time the local opposed the amendment sought by the city. The Board, however, seeks factual information upon which decisions may be based. In this case the local refused to cooperate with the Board even in the scheduling of a hearing at which facts could be presented. The Board is left, therefore, with the petition of the City, no substantive

information from the local which would show the amendment sought to be inappropriate, and a complete lack of cooperation on the part of the local in seeking a resolution to this matter.

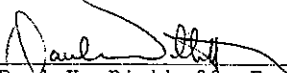
Based on all the foregoing, it is the order of the Public Employee Relations Board that the amendment sought by the City of Hutchinson be granted thereby removing the Fire Drill Captains from the scope of the bargaining unit represented by the International Association of Fire Fighters Local 179.

Based on the foregoing, the appropriate bargaining unit in the City of Hutchinson, Kansas shall be comprised in the following manner:

INCLUDE: Firefighter
Fire Driver
Fire Captain
Fire Prevention Inspector
Fire Plans Examiner

EXCLUDE: Fire Chief
Assistant Fire Chief
Fire Drill Captain
Fire Marshal
Fire Mechanic
Fire Drill Instructor

It is so ordered this 22nd day of February, 1988,
by Public Employee Relations Board.



Paul K. Dickhoff, Executive Director
For the Public Employee Relations
Board