

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
:
: Case No. PF-R-25-14-W
: (PF-U-23-W)
ETNA BOROUGH :
:

ORDER DIRECTING SUBMISSION OF ELIGIBILITY LIST

On March 12, 2025, General Teamsters, Chauffeurs and Helpers Local 249, International Brotherhood of Teamsters (Teamsters) filed with the Pennsylvania Labor Relations Board (Board) a petition for representation pursuant to the Pennsylvania Labor Relations Act (PLRA), as read with Act 111, seeking an investigation into a question of representation of all full-time and regular part-time police officers employed by Etna Borough (Borough or Employer) and alleging that thirty per cent or more of those employees, excluding the Chief of Police and managerial employees, wish to be exclusively represented by the Union.

The Petition notes that the Wage and Policy Committee of the Etna Policemen (Wage and Policy Committee) is the incumbent exclusive bargaining representative of the petitioned-for policemen of Etna Borough and recognized at PF-U-23-W.

On April 4, 2025, the Secretary of the Board issued an order and notice of hearing directing that a hearing be held on May 8, 2025, via Microsoft Teams.

The hearing was held on May 8, 2025, via Microsoft Teams, before the undersigned Hearing Examiner, at which time all parties in interest were afforded a full opportunity to present testimony, cross-examine witnesses and introduce documentary evidence. The parties declined to file post-hearing briefs.

The Hearing Examiner, based upon all matters of record, makes the following:

FINDINGS OF FACT

1. The Borough is a political subdivision and public employer within the meaning of Act 111, as read with the PLRA. (PF-U-23-W).

2. The Wage and Policy committee is a labor organization within the meaning of Section 3(f) of the PLRA, as read with Act 111. (PF-U-23-W).

3. Teamsters is a labor organization within the meaning of Section 3(f) of the PLRA, as read with Act 111.

4. On January 12, 1978, the Board issued a Nisi Decision and Order at PF-U-23-W recognizing the Wage and Policy Committee as the exclusive representative of the following bargaining unit of Borough employees: "all full-time and regular part-time patrolmen, lieutenants, and chief of police." (PF-U-23-W, PLRB 1).

5. On February 10, 2006, the bargaining unit was clarified to remove the Chief of Police. (PF-U-05-127-W, PLRB 2).

6. During the hearing on May 8, 2025, the Wage and Policy Committee disclaimed its interest in the bargaining unit.

7. The unit deemed appropriate for the purpose of collective bargaining is a subdivision of the employer unit comprised of all full-time and regular part-time patrolmen and lieutenants, and excluding the Chief of Police and any other management level employees.

8. The petitioned-for employees share an identifiable community of interest.

DISCUSSION

This order is necessary for the Employer to produce a list of employees eligible for inclusion in the unit for an election to move forward. The Borough does not agree that the bargaining unit should include regular part-time police officers. However, the bargaining unit in this matter has always included regular part-time police officers and including regular part-time police officers in units under Act 111 is the policy of the Board. See City of Chester, 20 PPER ¶ 20099 (Final Order, 1989). The parties agreed at the hearing on all other relevant issues.

CONCLUSIONS

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

1. The Borough is a political subdivision and public employer under Act 111, as read with the PLRA.

2. The Wage and Policy Committee is a labor organization under the PLRA, as read with Act 111.

3. Teamsters is a labor organization under the PLRA, as read with Act 111.

4. The Board has jurisdiction over the parties.

5. Teamsters has an adequate showing of interest.

6. The Wage and Policy Committee disclaimed its right to act as the exclusive representative of the employees in the unit recognized at PF-U-23-W.

7. The full-time and regular part-time patrolmen and lieutenants share an identifiable community of interest.

8. The unit deemed appropriate for the purpose of collective bargaining is a subdivision of the employer unit comprised of all full-time and regular part-time patrolmen and lieutenants, and excluding the Chief of Police and any other management level employees.

ORDER

In view of the foregoing and in order to effectuate the policies of the Act, the Hearing Examiner

HEREBY ORDERS AND DIRECTS

that the Borough shall within ten (10) days from the date hereof submit to the Board a current alphabetized list of the names and addresses of the employees eligible for inclusion in the unit set forth above.

IT IS HEREBY FURTHER ORDERED AND DIRECTED

that any exceptions to this decision and order may be filed to the order of the Board's Representative to be issued pursuant to 34 Pa. Code § 95.96(b).

SIGNED, DATED and MAILED at Harrisburg, Pennsylvania this ninth day of May, 2025

PENNSYLVANIA LABOR RELATIONS BOARD

/s/ Stephen A. Helmerich

Stephen A. Helmerich, Hearing Examiner