STATE OF CONNECTICUT
DEPARTMENT OF LABOR

CONNECTICUT STATE BOARD OF LABOR RELATIONS

In the Matter of
WETHERSFIELD BOARD OF EDUCATION
- and -
WETHERSFIELD TEACHER AIDE ASSOCIATION

Case No. ME-2349
Decision No. 1090
Decided: August 31, 1972
Issued: September 22, 1972

APPEARANCES:

Dr. Otto C. Hufziger, Superintendent
William J. Moriarty, Assistant Superintendent
- For the Wethersfield Board of Education

Dorothy B. Liniak
Russell McCain
- For the Wethersfield Teacher Aide Association

DECISION AND DIRECTION OF ELECTION
Statement of the Case

On June 30, 1972, the Wethersfield Teacher Aide Association, hereinafter called the Petitioner, filed with the Connecticut State Board of Labor Relations, hereinafter called the Board, a petition alleging that a question or controversy had arisen concerning the representation of all teacher aides in the school system; excluding all other classifications, employed by the Wethersfield Board of Education, hereinafter called the Municipal Employer, in that:

"All employees within the claimed unit have signified desire to be represented by petitioner."

and request that, pursuant to Section 7-471 of the Municipal Employee Relations Act, hereinafter called the Act, the Board investigate such controversy and certify to the parties the name of the representative that has been designated or selected by said employees.

After the requisite administrative steps had been duly taken, the matter came on for hearing before the Board on July 26, 1972, in the Labor Department Building, 200 Folly Brook Boulevard, Wethersfield, Connecticut, at which both parties appeared and were represented. Full opportunity was given to adduce evidence, examine and cross examine witnesses and make argument.

DISCUSSION

The petition in question seeks a designation by this Board of a unit to consist of teacher aides only. The Municipal Employer's position is that the classifications of teacher aide, instructional clerk and library assistant all share similar communities of interest and, therefore, all should be placed in the same
bargaining unit. The Municipal Employer further submits to this Board the following reasons why all three positions share community interest:

1. The presently approved job descriptions for these three positions closely relate all these positions to assisting teachers and other professional personnel in working with students. All three positions are closely related to the instructional program as opposed to other non-certificated positions in the school system, namely, clerical, secretarial, accounting, custodial or food service personnel.

2. In actual functioning, these three positions work more closely with the professional staff and students than other above named non-certificated positions in the school system.

3. Within the Wethersfield School System, and in school systems in general, training for these positions through courses at various post-secondary institutions has been recognized as desirable training; and it is different from that for other, above-named non-certificated employee groups.

4. If in the future, other non-certificated employees in the Wethersfield School System were to form organizations and seek exclusive bargaining representation, it would seem that neither the instructional clerks nor the library assistants would share similar communities of interest with any of the other possible employee groups, and therefore, might be unable to find appropriate representation.

Dr. Otto C. Hufziger, the Superintendent of Schools in Wethersfield, further suggested to the Petitioner to enlarge their membership by including library assistants and instructional clerks and/or lunch aides. The lunch aides were rejected by the Petitioner as their ten-hour work week and their duties in no way paralleled the hours and duties of a teacher aide. The Petitioner's representative met on January 3, 1972 with the library assistants. and instructional clerks, both of whom made it known of their disinterest in joining the Petitioner's organization. (Exhibit 4)

The Petitioner amply demonstrated to the Board the duties and functions of a teacher aide in comparison to the instructional clerk and library assistant. Teacher aides teach children and each one is under the direction of and supervision of a certified teacher. A library assistant does not teach children, but spends her time in the media center. The instructional clerk does only clerical work, types and duplicates materials and replaces the office secretary during lunch hour.

Except where the statute imposes specific requirements (as in the case of policemen and firemen under the Act) we have always believed that our quest is not for the appropriate unit but rather to determine whether the unit sought in each petition before us is an appropriate unit. And in making this determination we have always weighed not only objective factors which lend community of interest but also the desires of employees to be associated together, or not to be.

The question for the Board to determine is whether the unit claimed has, on the basis of objective factors, the community of interest which warrants treatment as a separate unit. On the basis of our past decisions it clearly has. Waterbury Hospital – and - Local 1199 Drug and Hospital Union, AFL-CIO, Case No. E-2315, Decision No. 1081, Decided August 4, 1972. That decision also points to a means of avoiding undue proliferation of bargaining units in the future. At present only the teacher aides wish to organize so that multiplicity of units is not a present problem for the Municipal Employer. If in the future either instructional clerks or library aides, or both, should petition for representation, the Board will then reconsider whether the present unit should be enlarged accordingly.
DIRECTION OF ELECTION

By virtue of and pursuant to the power vested in the Connecticut State Board of Labor Relations by the Municipal Employee Relations Act, it is

DIRECTED that, as part of the determination by the Board to ascertain the exclusive representative for collective bargaining with Wethersfield Board of Education, an election by secret ballot shall be conducted under the supervision of the Agent of the Board within twenty (20) days of the issuance hereof among all teacher aides, excluding all other classifications, employed by the Wethersfield Board of Education, to determine whether or not they desire to be represented by the Wethersfield Teacher Aide Association.