



**PETITION FOR REPRESENTATION /
DECERTIFICATION**
State Form 50438 (R / 3-15)

**INDIANA EDUCATION EMPLOYMENT
RELATIONS BOARD**
143 West Market Street, Suite 100
Indianapolis, Indiana 46204-2801
Telephone: 317-233-6620
Fax: 317-233-6632

Type of Request: _____ Challenge to Existing Exclusive Representative
 _____ Representation
 Decertification
 _____ Election between two employee organizations

RECEIVED
JUL 1 2016

INDIANA EDUCATION EMPLOYMENT
RELATIONS BOARD

I. Information of Known Interested Parties

a. Petitioner's Information

Name Michelle Foutz (list of petitioners is attached)

If 20% of school employees, please list contact person's information and attach a list of all petitioners.

Address (number and street, city, state, and ZIP code) 66 Monon Lane Carmel, IN 46032

Address (number and street, city, state, and ZIP code) _____

Telephone 317 340-3505 Fax _____

E-mail mfoutz@ccs.k12.in.us

• **Petitioner's Representative's Information**

Name N/A

Title _____

Address (number and street, city, state, and ZIP code) _____

Address (number and street, city, state, and ZIP code) _____

Telephone _____ Fax _____

E-mail _____

b. School Employer's Information

Name of School Employer Carmel Clay Schools

Superintendent's Name Dr. Nicholas Wahl

Address (number and street, city, state, and ZIP code) 5201 E. Main St. Carmel, IN 46033

Address (number and street, city, state, and ZIP code) _____

Telephone 317 844-9961 Fax _____

E-mail nwahl@ccs.k12.in.us

• School Employer's Representative's Information

Name David Day - Church, church, Hittle, and Antrim

Title Attorney

Address (number and street, city, state, and ZIP code) _____

Address (number and street, city, state, and ZIP code) _____

Telephone 317 773-2190 Fax 317 773-5320

E-mail day@echalaw.com

c. Current Exclusive Representative's Information

Name of Exclusive Representative (CCEA) Carmel Clay Education Association

Name of President Brian Lyday

Address (number and street, city, state, and ZIP code) _____

Address (number and street, city, state, and ZIP code) _____

Telephone _____ Fax _____

E-mail blyday@ces.k12.in.us

• Current Exclusive Representative's Representative's Information

Name _____

Title _____

Address (number and street, city, state, and ZIP code) _____

Address (number and street, city, state, and ZIP code) _____

Telephone _____ Fax _____

E-mail _____

d. Information on Any Other School Employee Organization Claiming to Represent 20% or More Employees in the Existing/Appropriate Unit

Name of School Employee Organization (CTA) Carmel Teachers Association

Name of President Pete Dhara

Address (number and street, city, state, and ZIP code) _____

Telephone 317 670-5714 Fax _____

E-mail pohara@ces.k12.in.us

• Representation Information

Name N/A

Title _____

Address (number and street, city, state, and ZIP code) _____

Telephone _____ Fax _____

E-mail _____

II. Bargaining Unit Information

Approximate Number of Employees in Current/Appropriate Bargaining Unit 950

Collective Bargaining Agreement (CBA) in Effect? Yes _____ No

If there is a CBA in effect, what is the effective date? (month, day, year) 7/1/15

If there is a CBA in effect, what is the expiration date? (month, day, year) 6/30/16

Description of the bargaining unit claimed to be appropriate, including the specific positions or classifications to be excluded from the unit, and sections of IC 20-29 providing for such exclusions. (If necessary, use separate sheet and attach to petition.)

We are not changing the composition of the bargaining unit.

Included: All certified employees, as defined in IC 20-29-2-4, of Carmel Clay Schools, called "teachers" and "long term substitute teachers"

Excluded: Superintendent, assistant superintendents, directors and supervisors with corporation-wide responsibilities. Confidential employers, and employees performing security work within meaning of IC 20-29-2-8.

- Principals, assistant principals, administrative assistants, athletic directors, director of student activities, and department chairs, all of whom have the responsibility for evaluating teachers.
- Casual and short term substitute teachers.

III. Basis for Petition

Please check the appropriate basis, and complete all requested information under that section.

___ Petitioner, a school employee organization, asserts that 20% of the school employees in the current/appropriate bargaining unit wish to be represented by its organization.

A showing of interest from 20% of the school employees in the current/appropriate unit indicating the school employees' wish to be represented by the organization shall accompany this petition or may be submitted at such other time as set by the Board or its agent. Other evidence of probative value indicating that the requisite percentage of school employees desire representation may be considered. Evidence of the showing of interest shall be furnished only to the Board or its agency. *For more information on the showing of interest, please see 560 IAC 2-2-3(e).* Is showing of interest attached? _____.

Have you requested recognition as exclusive representation? _____

Date of request (month, day, year): _____

Date request declined (or statement that no reply received) (month, day, year): _____

X

Petitioner(s), a school employee organization or 20% of school employees, assert(s) that the designated exclusive representative no longer represents a majority of those in the unit.

A showing of interest from 20% of the school employees in the current unit showing the school employees' request to decertify the designated exclusive representative by asserting that it is no longer the representative of the majority of school employees in the unit shall accompany this petition or may be submitted at such other time as set by the Board or its agent. Other evidence of probative value indicating that the requisite percentage of school employees desire decertification may be considered. Evidence of the showing of interest shall be furnished only to the Board or its agency. *For more information on the showing of interest, please see 560 IAC 2-2-3(e).* Is showing of interest attached? Yes.

___ The Petitioner, a school employer, asserts good faith doubt that the current exclusive representative represents a majority of employees in the bargaining unit.

A statement of the basis of the good faith doubt shall accompany this petition or may be submitted at such other time as set by the Board or its agent. Any evidence akin to a showing of interest shall be furnished only to the Board or its agency. Is statement attached? _____.

___ The Petitioner, a school employer, has received requests for recognition by one or more school employee organizations for an appropriate unit.

Name of requesting school employee organization(s): Carmel Teachers Association
https://carmelteachersassociation.wordpress.com

Date(s) of request (month, day, year): 7/1/16

Date(s) request declined (or statement that no reply given) (month, day, year): _____

IV. Election Disputes

(Where appropriate, provide a concise statement of the disputes concerning the conduct of the election.)

V. Any Other Relevant Facts

(Provide any other relevant facts. Any evidence akin to a showing of interest shall be furnished only to the Board or its agent.)

VI. Petitioner's Request

The Petitioner asks that this request be fully investigated by the Indiana Education Employment Relations Board and a determination made under IC 20-29 et seq.

Petitioner certifies that this Petition has been served on all known interested parties. For information on proper service, see 560 IAC 2-6-1.

Signature of Petitioner or duly authorized agent Michelle Foutz and (list of petitioners is attached)
(If Petitioners are group of employees, please attach separate signature sheet.)

Date Signed (month, day, year) 7/1/16