

**BEFORE THE PUBLIC EMPLOYEE RELATIONS BOARD  
OF THE STATE OF KANSAS**

Fraternal Order of Police Lodge No. 16,     )  
    Petitioner,                                     )  
   )  
v.   ) CASE NO(S): 75-UDC-1-2005  
   )  
City of Derby, Kansas - Police Department,   )  
    Respondent.                                    )  
\_\_\_\_\_)

**UNIT DETERMINATION ORDER**

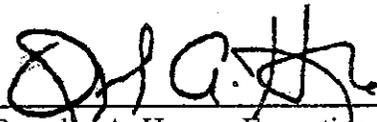
NOW, on the 22<sup>nd</sup> day of August, 2005, the above-captioned matter came on for consideration before the Executive Director, Douglas A. Hager.

Pursuant to the Journal Entry submitted by the parties, and there being no statutory violations in the proposed action, it is hereby ordered that the appropriate unit for the Police Department of the City of Derby, Kansas shall consist of the following classifications:

**INCLUDE:** All Patrol Officers and Master Patrol Officers, regardless of assignment.

**EXCLUDE:** All other employees not specifically listed above.

**IT IS SO ORDERED** this 23<sup>rd</sup> day of August, 2005.

  
\_\_\_\_\_  
Douglas A. Hager, Executive Director  
Public Employee Relations Board  
401 SW Topeka Blvd.  
Topeka, KS 66603-3151  
(785) 368-6224

**RIGHT TO REQUEST HEARING**

This is a summary proceeding pursuant to K.S.A. 77-537. A party may request a hearing on the order by filing a request with the Executive Director within fifteen (15) days of service of the

75-UDC-1-2005

**UNIT DETERMINATION ORDER**

75-UDC-1-2005 [FOP Lodge 16 v. City of Derby, KS - Police Dept.]

Page 2

Order setting forth the issues to be determined at the hearing. Failure to request a hearing will result in the Order becoming effective upon expiration of the time for requesting a hearing.

**CERTIFICATE OF MAILING**

I, Sharon L. Tunstall, Office Manager for the Public Employee Relations Board, of the Kansas Department of Labor, hereby certify that on the 24<sup>th</sup> day of **August, 2005**, a true and correct copy of the above and foregoing Order was deposited in the U. S. Mail, first class, postage prepaid, addressed to:

Sean P. McCauley  
Attorney for FOP Lodge #16  
STEVE A.J. BUKATY, CHTD  
8826 Santa Fe Drive, Ste. 218  
Overland Park, KS 66212  
*Attorney for Petitioner*

Philip H. Alexander, City Attorney  
Legal Department  
City of Derby  
611 N. Mulberry  
Derby, KS 67037-3533  
*Attorney for Respondent*



Sharon L. Tunstall

STATE OF KANSAS  
PUBLIC EMPLOYEE RELATIONS BOARD  
TOPEKA, KANSAS 66603-3150

In Re: Petition of Fraternal Order of )  
Police, Lodge No. 16, for Unit )  
Determination and Certification )

Case no: 75-UDC-1-2005

JOURNAL ENTRY OF BARGAINING UNIT DETERMINATION

NOW ON THIS 12<sup>th</sup> day of August, 2005, comes on for hearing before the Public Employee Relations Board Petitioner's request for determination of an appropriate bargaining unit within the Police Department of the City of Derby, Kansas. Petitioner appears by and through its attorney Sean P. McCauley of Steve A.J. Bukaty, Chartered. Respondent appears by and through Philip H. Alexander, City Attorney. There are no other appearances.

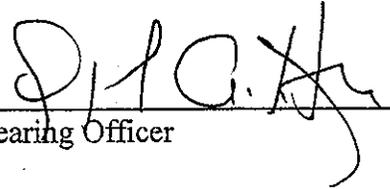
WHEREUPON, counsel announce that the parties have reached agreement upon an appropriate bargaining unit within Respondent's Police Department. Such bargaining unit, as agreed upon by the parties, shall consist of all patrol officers and master patrol officers, regardless of assignment.

NOW THEREFORE, having heard the statements of counsel and examined the pleadings heretofore submitted by the parties, the Board finds that:

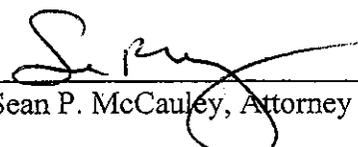
1. A bargaining unit consisting of patrol officers and master patrol officers shall be and the same is hereby created and recognized within the Police Department of the City of Derby, Kansas.

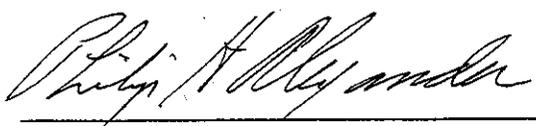
2. The Public Employee Relations Board shall conduct a representational election within such bargaining unit in accordance with K.S.A 75-4327(d).

IT IS SO ORDERED this 23<sup>rd</sup> day of August, 2005.

  
Hearing Officer

Approved:

  
Sean P. McCauley, Attorney for Petitioner

  
Philip H. Alexander, City Attorney