

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS BOARD

In the Matter of the Petition of :
 :
MILWAUKEE DISTRICT COUNCIL 48, :
AMERICAN FEDERATION OF STATE, COUNTY :
AND MUNICIPAL EMPLOYEES, AFL-CIO :
 :
Involving Employees of :
 :
CITY OF MILWAUKEE, Employed :
in the HARBOR COMMISSION :
 :

Case III
No. 8597 ME-7
Decision No. 6247

DIRECTION OF ELECTION

Milwaukee District Council 48, American Federation of State, County and Municipal Employees, AFL-CIO, having petitioned the Wisconsin Employment Relations Board to conduct an election, pursuant to Section 111.70 of the Wisconsin Statutes, among certain employees of the City of Milwaukee employed in the Harbor Commission, and a hearing on said petition having been conducted at Milwaukee, Wisconsin on May 7 and 11, 1962, at the City Hall, Milwaukee, Wisconsin, the full Board being present; and the Board, having considered the evidence and arguments of the parties and being satisfied that a question has arisen concerning representation for said employees of the Municipal Employer;

NOW, THEREFORE, it is

DIRECTED

That an election by secret ballot shall be conducted under the direction of the Wisconsin Employment Relations Board within ninety (90) days from the date of this Directive among all regular employees employed by the City of Milwaukee in the Harbor Commission, excluding confidential and supervisory employees and executives who were employed by the City of Milwaukee on February 1, 1963, except such employees as may prior to the election quit their employment or be discharged for cause, for the purpose of determining whether a majority of such employees desire to be represented by Milwaukee District Council 48, American Federation of State, County and Municipal Employees, AFL-CIO, and its Locals No. 428 and 33.

Given under our hands and seal at the City of Madison, Wisconsin, this 28th day of February, 1963.

WISCONSIN EMPLOYMENT RELATIONS BOARD

By Morris Slavney /s/
Morris Slavney, Chairman

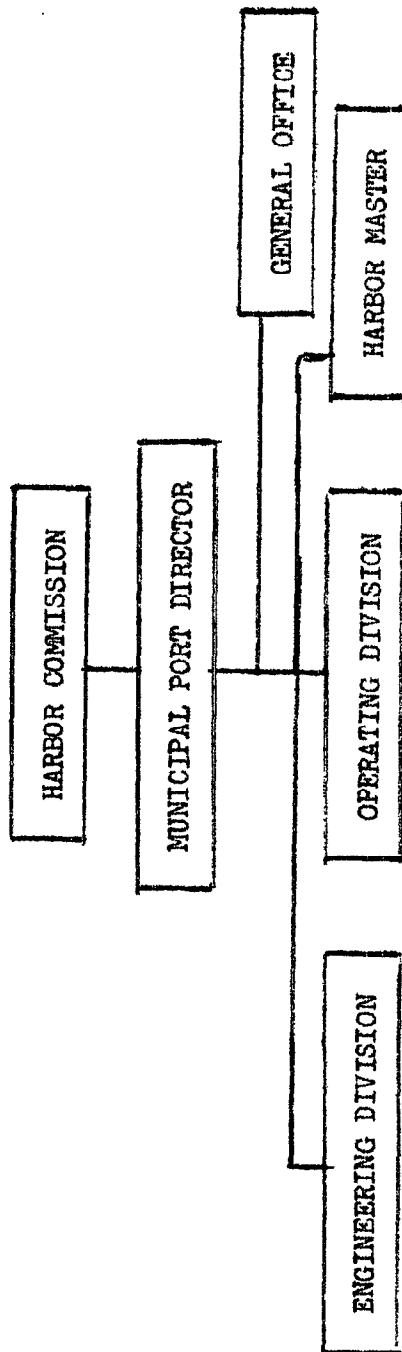
J. E. Fitzgibbon /s/
J. E. Fitzgibbon, Commissioner

Arvid Anderson /s/
Arvid Anderson, Commissioner

MEMORANDUM ACCOMPANYING DIRECTION OF ELECTION

Milwaukee District Council 48 petitioned the Board to conduct a separate election among certain employees employed by the City of Milwaukee in the Harbor Commission. This request was contained in the petition filed by said labor organization, which petition also related to other employees of the Municipal Employer. The Harbor Commission is a separate department of the Municipal Employer. None of the parties raised an issue concerning the appropriateness of a collective bargaining unit consisting of only employees in the Harbor Commission. If a majority of the employees indicate a desire to be represented by Milwaukee District Council 48 and its Locals No. 428 and 33, employees will have been considered to establish themselves as a separate collective bargaining unit.

The organization of the Harbor Commission is as follows:



Eligibles

The parties stipulated that eight (8) positions are supervisory and two (2) positions are confidential and therefore to be excluded from the eligibles in any voting group. Three (3) positions were in issue as to supervisory status and the Board has found that the incumbents of two (2) of the disputed positions perform such supervisory functions as to exclude them from the eligibles. The excluded positions and incumbents thereof are as follows:

MUNICIPAL PORT DIRECTOR

(s) Muni. Port Director (Brockel)
(c) Port Traffic Mgr. (Jorgenson)

GENERAL OFFICE

(s) Admin. Asst. II (McCarthy)
(s) Accountant II (Heck)
(c) Clerk Steno. III (Strike)

ENGINEERING DIVISION

(xs) Civil Eng. IV (Krahn)
(xs) Civil Eng. III (Anderson)

OPERATING DIVISION

(s) Harbor Op. Supvr. III (Wagner)
(s) Harbor Op. Supvr. II (Seefeldt)
(s) Harbor Op. Supvr. I (Dickson)

HARBOR MASTER

(s) Harbor Master (Knight)
(s) Accountant I (Weiss)

Voting Groups and Units

Milwaukee District Council 48 and its Locals No. 428 and 33 desire to represent all eligible employees in the Harbor Commission with the exception of "craft" employees in a unit consisting of Harbor Commission employees.

The Association of Graduate and Registered Engineers of Milwaukee requests that all professional engineers and architectural personnel be included in a "city-wide" unit of engineers and architects.

There are four (4) Crane Operator positions in the Operating Division being paid the prevailing building trade rate and they are considered by the Municipal Employer as being "craft" employees and since no labor organization claims to represent such employees they shall not be included in any voting group.

The position of Civil Engineer I and Engineering Technician IV in the Engineering Division shall be included in the "city-wide" unit of engineers and architects.

The following classifications shall be included in the Harbor Commission voting group:

GENERAL OFFICE

Admin. Asst. I
Account Clerk II
Clerk Steno. III (except Strike)
Clerk Typist II
Clerk Steno. I

(s) Indicates positions agreed to be supervisory.
(c) Indicates positions agreed to be confidential.
(xs) Indicates positions found by Board to be supervisory.

ENGINEERING DIVISION

Eng. Tech. III, II
Draftsman III
Dock & Dredging Inspec.

OPERATING DIVISION

Track Foreman
Labor Foreman II, I
Cargo Checker
Maint. Worker
Harbor Worker
Custodial Worker II
City Laborer

HARBOR MASTER

Account Clerk II
Clerk Typist II
Clerk II

Dated at Madison, Wisconsin this 28th day of February, 1963.

WISCONSIN EMPLOYMENT RELATIONS BOARD

By Morris Slavney /s/
Morris Slavney, Chairman

J. E. Fitzgibbon /s/
J. E. Fitzgibbon, Commissioner

Arvid Anderson /s/
Arvid Anderson, Commissioner