

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS BOARD

Case I
No. 10072 ME-170
Decision No. 7090

Mr. Francis W. Hicks, President, for the Petitioner.
Mr. Clarence V. Olson, City Attorney, for the Employer.
Mr. Richard W. Mihalek, President, Ashland Education Association,
 for the Intervenor.


The above named Petitioner 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 above named Municipal Employer; and a hearing on such petition having been conducted at Ashland, Wisconsin on February 23, 1965 by James L. Greenwald, Examiner; and during the course of said hearing, Ashland Education Association having been permitted to intervene in the instant proceeding on its claim that it represents certain employees in the employ of the Municipal Employer; and the Board having considered the evidence and being satisfied that a question has arisen concerning representation for certain employees of the Municipal Employer;

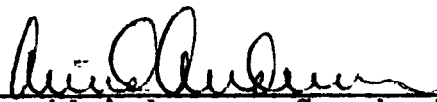
That an election by secret ballot shall be conducted under the direction of the Wisconsin Employment Relations Board within sixty (60) days from the date of this Directive in the collective bargaining unit consisting of all full-time and part-time certified teachers employed by Jt. School District No. 1, City of Ashland, et al, including art, music and physical education consultants and the guidance counselor, but excluding substitute teachers and administrators, who were employed by the Municipal Employer on April 16, 1965, except such employes as may prior to the election quit their employment or be discharged for cause, to determine whether the majority of such employes desire to be

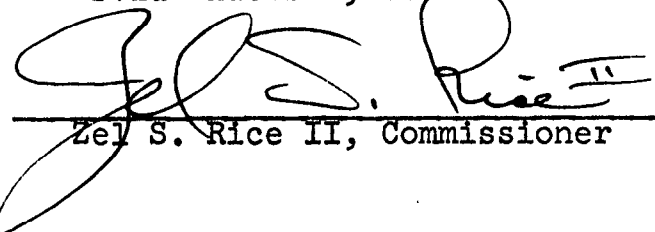
represented by Ashland Teachers Federation or by Ashland Education Association or by neither for the purposes of conferences and negotiations with the above named Municipal Employer on questions of wages, hours and conditions of employment.

Given under our hands and seal at the City of Madison, Wisconsin, this 5th, day of April, 1965.

WISCONSIN EMPLOYMENT RELATIONS BOARD

By 
Morris Slavney, Chairman


Arvid Anderson, Commissioner


Zel S. Rice II, Commissioner

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS BOARD

In the Matter of the Petition of

ASHLAND TEACHERS FEDERATION

Involving Employees of

JOINT DISTRICT NO. 1,
City of Ashland, et al

Case I
No. 10072 ME-170
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MEMORANDUM ACCOMPANYING DIRECTION OF ELECTION

At the hearing, issues arose concerning the eligibility of Wilma Hudak and Janice Norlin to participate in the election. Hudak was employed as a second grade teacher under a written teacher contract for the 1964-1965 school year. Sometime after the commencement of the school year, Hudak applied for a maternity leave, which was denied by the School District on the ground that it did not grant leaves of this nature and Hudak was advised that upon leaving active employment by reason of her pregnancy her contract would be terminated, and that she would have to make application for re-employment after she was physically capable to resume her teaching duties. On January 22, 1965, Hudak ceased her employment and three days later Norlin was hired to replace her. At the time of Norlin's hire, nothing specific was said regarding the duration of her employment, except that her duties were explained to her for the entire second half of the school year. However, the School District does not preclude the possibility that Hudak might re-apply and be accepted for her former position before the end of the semester, although it regards such changeover in teachers in mid-semester not in the best interest of its educational program. Norlin does not have a written contract, and, therefore, the School District could terminate her employment before the end of the school year to open up a position for Hudak. In any event, the School District gave Norlin no reason to expect employment for the ensuing school year.

The eligibility of the two teachers at issue, and others hereby affected, will be governed by whether such teachers have been offered and have accepted their teaching contract for the 1965-1966 school

year. Under the State statute, such contracts must be accepted or rejected by teachers not later than April 15, 1965. We have established the eligibility date to be April 16, 1965, and will permit all teachers, regardless of their current employment status, who have accepted teaching contracts for the ensuing school year, to participate in the election to be conducted by the Board prior to the close of the current school year.

Dated at Madison, Wisconsin, this 5th day of April, 1965.

WISCONSIN EMPLOYMENT RELATIONS BOARD

By Morris Slavney
Morris Slavney, Chairman

Arvid Anderson
Arvid Anderson, Commissioner

Zel S. Rice II
Zel S. Rice II, Commissioner