

In the Matter of the Petition of
COMMUNICATIONS WORKERS OF AMERICA
Involving Employees of
DOUGLAS COUNTY, WISCONSIN

Case XIII
No. 11016 ME-267
Decision No. 7831

Mr. James Orr, International Representative, for the Petitioner.
Mr. Joseph A. McDonald, District Attorney, for the Municipal Employer.
Mr. Richard Erickson, District Representative, for the Intervenor, Wisconsin Council 40, American Federation of State, County and Municipal Employees, AFL-CIO.

Communications Workers of America, 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 said petition having been conducted at Superior, Wisconsin on September 28, 1966, by Howard S. Bellman, Examiner; and Wisconsin Council 40, American Federation of State, County and Municipal Employees, AFL-CIO, having been permitted to intervene in the instant proceeding at such hearing 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 questions have arisen concerning the appropriate bargaining units and representation for certain employees of the Municipal Employer;

DIRECTED

That an election by secret ballot be conducted under the direction of the Wisconsin Employment Relations Board within sixty (60) days from the date of the Direction in the collective bargaining unit consisting of all caseworkers employed in the Douglas County

Welfare Office, excluding the Administrative Assistant, Caseworker Supervisor, Homemaker, clerical employees, supervisors and confidential employees, who were employed by the Municipal Employer on September 28, 1966, 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 Communications Workers of America, or Wisconsin Council 48, American Federation of State, County and Municipal Employees, AFL-CIO, or neither of said organizations, for the purposes of conferences and negotiations with the above-named Municipal Employer on questions of wages, hours and conditions of employment.

Voting Group No. 2

That an election by secret ballot be conducted under the direction of the Wisconsin Employment Relations Board within sixty (60) days from the date of this Direction in the collective bargaining unit consisting of all clerical employees employed by Douglas County, excluding clerical employees included in previously certified units, clerical employees employed by the Highway Department, confidential employees, supervisors, craft and professional employees and all other employees, who were employed by the Municipal Employer on September 28, 1966, 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 Communications Workers of America, or Wisconsin Council 40, American Federation of State, County and Municipal Employees, AFL-CIO, or neither of said organizations, 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 30th day of November, 1966.

WISCONSIN EMPLOYMENT RELATIONS BOARD

By Morris Slavney
Morris Slavney, Chairman

Arvid Anderson
Arvid Anderson, Commissioner

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

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS BOARD

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MEMORANDUM ACCOMPANYING DIRECTION OF ELECTION

In its petition the Petitioner alleged that the appropriate unit consisted of all clerical employees in the employ of Douglas County, excluding clerical employees employed in the various institutions and in the Highway Department of said County. Prior to the hearing the Petitioner indicated that it desired the unit to consist of all clerical employees employed by the County with the exception of those clericals which are presently employed in units covered by certifications heretofore issued by the Board, and clerical employees in the Highway Department, and that it desired as part of the appropriate unit, all nonsupervisory employees of the Welfare Department. The Municipal Employer and the Intervenor stipulated that such unit is appropriate. During the course of the hearing the evidence disclosed that in addition to clerical employees employed in the Welfare Department, there are also employees classified as Caseworker I, Caseworkers II and Homemaker. The parties agreed that should these employees constitute a craft (or professional employee unit), then, pursuant to Section 111.70(4)(d), they should be segregated into a separate bargaining unit. If this be the case, both the Petitioner and Intervenor indicated a desire to be on the ballot. Because the segregation of craft or professional employees is mandatory under Section 111.70(4)(d), it is not possible for such employees to be included in a unit of non-craft or non-professional employees.

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The Caseworker I's must be graduates of a college or university and function as social workers in the fields of public assistance, child welfare and related welfare services. The Caseworkers II's are also college or university graduates and must also have either earned post-graduate credits in an accredited school of social work or had equivalent work experience. The work of the Caseworker II's includes, inter alia, that of the I's, which is done with less supervision, and certain work involving personal and social behavior problems.

There is only one employe in the Homemaker classification. The position requires experience in the care of children and adults and home management, but has no education requirements. The duties of the position include providing home management to clients of the Welfare Office. This may involve physical and emotional care of children, the aged and the disabled; purchasing and preparing food; planning meals and expenditures; and daily cleaning.

It is the conclusion of the Board that the employes classified as Caseworker I and Caseworker II are clearly professional employes, coming within the craft segregation requirement of Section 111.70 (4)(d). However, the Homemaker classification does not have the educational prerequisites of a professional position and thus cannot be included in a unit of professionals.

Since all parties have agreed as to the appropriateness of the unit with respect to the clerical employes, we shall not dispute the agreement of the parties, and therefore the Homemaker and clerical employes employed in the Highway Department, as well as clerical employes in established units, shall not be included in any unit.

The clerical unit includes all of the clerical employes of the Employer in the following classifications and within the indicated subdivisions:

County Clerk's Office
Deputy County Clerk
Bookkeepers
Assistant Bookkeeper
Tax Deed and License Clerk
Account Clerk
Clerk and Secretary

County Treasurer's Office

Deputy County Treasurer
Account Clerks

District Attorney's Office

Legal Secretary

County Court

Assistant Register in Probate
Secretary

W.L.F.T.

Switchboard Operator

Juvenile Court

Secretary

Register of Deed's Office

Deputy Registers of Deeds
Account Clerk

Welfare Office

Stenographers
Clerks

Guidance Center

Secretaries

Extension Service

Secretary

Veterans Service

Secretary

Addressograph and Tax Deed Office

Operator and Deed Clerk

Information Office

Information Clerk

Photostat Department

Operator

Clerk of Courts Office

Deputy Clerks of Courts

Dated at Madison, Wisconsin, this 30th day of November, 1966.

WISCONSIN EMPLOYMENT RELATIONS BOARD

By

Thomas Slavney
Morris Slavney, Chairman

Arvid Anderson
Arvid Anderson, Commissioner

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