### STATE OF WISCONSIN

#### BEFORE THE WISCONSIN EMPLOYMENT RELATIONS BOARD

In the Matter of the Petition of

GREEN BAY MUNICIPAL EMPLOYEES, LOCAL 1672, AFSCME, AFL-CIO

Involving Employes of

CITY OF GREEN BAY (WATER COMMISSION)

Case XX No. 11522 ME-312 Decision No. 8099

# DIRECTION OF ELECTION

Green Bay Municipal Employees Union, Local 1672, AFSCME, AFL-CIO, having petitioned the Wisconsin Employment Relations Board to conduct an election pursuant to Section 111.70 of the Wisconsin Statutes, among certain employes of the above named Municipal Employer; and a hearing on said petition having been conducted at Green Bay, Wisconsin, on June 8, 1967, by Examiner Herman Torosian; and during the course of the hearing, Drivers, Warehouse and Dairy Employees Union Local 75, IBT, moved to intervene in the proceeding claiming to be the recognized bargaining representative of certain employes in a proposed bargaining unit pursuant to the terms of a collective bargaining agreement existing between it and the Municipal Employer, and such motion having been granted during the course of the hearing; and the Board having considered the evidence and being satisfied that a question has arisen concerning representation for certain employes 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 sixty (60) days from the date of this directive in the collective bargaining unit consisting of all regular full-time and regular part-time employes, including custodial employes, in the City of Green Bay Water Commission, excluding Commission officials, clerical employes, and supervisors, who were employed by the Municipal Employer on July 10, 1967, except such employes as may prior to the election quit their employment or be discharged for cause, for the purpose of determining whether or

not a majority of such employes desire to be represented by Green Bay Municipal Employees Union, Local 1672, AFSCME, AFL-CIO; by Drivers, Warehouse and Dairy Employees Union, Local 75, IBT: 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 10th day of July, 1967.

WISCONSIN EMPLOYMENT RELATIONS BOARD

By Thomas Harrier

Morris Slavney, Chairman

rvid Anderson, Commissioner

Commissioner

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### MEMORANDUM ACCOMPANYING DIRECTION OF ELECTION

On May 29, 1967, Green Bay Municipal Employees, Local 1672, AFSCME, AFL-CIO, filed a petition with the Wisconsin Employment Relations Board requesting the Board to conduct a representation election involving the employes of the City of Green Bay employed in the unit described in the Direction. During the course of the hearing, Drivers, Warehouse and Dairy Employees Union Local 75, IBT, was permitted to intervene on its basis that it was a party to a present existing collective bargaining agreement between it and the Municipal Employer covering wages, hours and conditions of employment in the unit which all parties agreed was appropriate for an election. During the course of the hearing the parties stipulated to the appropriateness of said unit.

The Intervenor and the Municipal Employer are parties to a present existing collective bargaining agreement, which, by its terms, originally became effective January 1, 1966 and at the time of the hearing was to continue in full force and effect until December 31, 1967. The agreement also provides that it can be renewed for additional one-year periods "unless or until either parties, prior to June 1, before the expiration of this Agreement and the expiration of any of its renewal dates, notify the other party in writing that it desires to alter or amend the same at the end of the contract." Prior to June 1, 1967, the Intervenor sent a notice to the Municipal Employer preventing the agreement from automatically renewing itself on January 1, 1968.

The facts in the instant proceeding, as well as the issues in a companion case involving the same parties with respect to a

petition for election filed by the same labor organization, affecting certain employes in the Department of Public Works. For the reasons stated therein  $\frac{1}{2}$ , we have rejected the Intervenor's position that the Board dismiss the petition and we have therefore directed an election in the matter.

Dated at Madison, Wisconsin, this 10th day of July, 1967.

WISCONSIN EMPLOYMENT RELATIONS BOARD

Morris Slavney, Chairman

Zel S. Rice II, Commissioner

L/ City of Green Bay employed in the Department of Public Works (8098)